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**Title:** Approval of a Consultant Services Agreement in an amount not to exceed \$97,500 with Moss Adams, LLP for a user fee study in accordance with the Mitigation Fee Act.

**Sponsors:** Planning and Development Department

**Indexes:**

**Code sections:**

**Attachments:** 1. Consultant Service Agreement

Date	Ver.	Action By	Action	Result
5/11/2023	1	City Council	ADOPTED	Pass

**REPORT TO THE CITY COUNCIL**

**FROM:** JENNIFER CLARK, Director  
Planning & Development Department

**BY:** DALTON BENNETT, Project Administrator  
Planning & Development Department

**SUBJECT**

Approval of a Consultant Services Agreement in an amount not to exceed \$97,500 with Moss Adams, LLP for a user fee study in accordance with the Mitigation Fee Act.

**RECOMMENDATION**

Staff recommends City Council authorize the City Manager or designee to sign the consultant services agreement with Moss Adams, LLP, for professional services related to review, analysis, and update recommendations for User Fees within the Master Fee Schedule.

**EXECUTIVE SUMMARY**

Per California State Constitution Article XIII C, Section 1 and the Mitigation Fee Act (Government Code Sections 66000 et. Seq.), cities may establish fees for services, provided, such fees do not exceed the estimated reasonable cost of providing those services. Staff utilized the City of Fresno Request For Qualifications, evaluation and interview process and determined that Moss Adams, LLP is best qualified to complete this study.

**BACKGROUND**

Per California State Constitution Article XIII C, Section 1 and the Mitigation Fee Act (Government Code Sections 66000 et. Seq.), cities may establish fees for services, provided, such fees do not exceed the estimated reasonable cost of providing those services.

Accordingly, the City has established various Development related Planning and Building Fees. These fees were last updated and approved by Council in 2019. This study will ensure that the subject fees neither exceed the cost of services, nor fall short of the recovery thresholds. The firm will review each type of permit application and determine reasonable fees in compliance with the Mitigation Fee Act. This includes all entitlement, plan check, permitting and inspection fees related to Current Planning, Building & Safety, Long Range Planning and Historic Preservation.

Evaluation will include time on task reviews, current operating budget allocations, certain one-time and recurring fees for equipment and software, etc. These will be reviewed for best practices as well as compared against reference cities to ensure the City achieves appropriate cost recovery while maintaining fair and proportional fees.

Additionally, Moss Adams, LLP will review fees for Parking Services including meter rates, structured and lot parking rates, fines and fees for services such as towing. The firm will evaluate and provide recommendations based upon best practices in reference cities as well as the ability to pay for necessary capital expenditures to maximize parking facility usage and improve assets.

## **ENVIRONMENTAL FINDINGS**

This approval is not a project for the purposes of CEQA Guidelines Section 15378.

## **LOCAL PREFERENCE**

N/A

## **FISCAL IMPACT**

Funding from the current FY23 departmental appropriations will be used.

## **ATTACHMENT:**

Consultant Service Agreement