

RESOLUTION R2018-__

POLICY RESOLUTION NO. 16

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NAPA, STATE OF CALIFORNIA, ESTABLISHING POLICIES AND PROCEDURES FOR THE ESTABLISHMENT, IMPLEMENTATION, AND ENFORCEMENT OF CITY FEES, FINES, AND CHARGES, AND AMENDING POLICY RESOLUTION NO. 16

WHEREAS, the City has adopted various City “charges” (in the form of taxes, assessments, fees, fines, and other charges), pursuant to the City’s constitutional “home rule” authority as a charter city pursuant to California Constitution Article XI, Section 5, as well as the City’s police power authority (to regulate health, safety, and welfare) set forth in California Constitution Article XI, Section 7, as well as other legal authorities as specified when each charge was adopted by Council; and

WHEREAS, the City has identified, in Napa Municipal Code (“NMC”) Section 3.04.030, a range of City charges that have been established by the City Council pursuant to separate ordinances and resolutions, many of which have previously been documented in ordinances codified in the NMC (particularly NMC Titles 3, 5, and 15); and

WHEREAS, the City Council has previously authorized City staff to administratively assemble all City “charges” in the “Master Fee Schedule,” as defined by City Council Policy Resolution No. 16, adopted on June 19, 2007 (hereinafter “2007 Policy Resolution”); and

WHEREAS, the 2007 Policy Resolution maintained in effect specified provisions of a previous version of Policy Resolution No. 16, which was adopted on September 13, 2005 (hereinafter “2005 Policy Resolution”); and

WHEREAS, the City has determined that a clarification of City policies and procedures is warranted regarding the efficient establishment, implementation, and enforcement of charges for City services, including the repeal and replacement of the previously adopted 2005 Policy Resolution and 2007 Policy Resolution; and

WHEREAS, the City Council has considered all information related to this matter, as presented at the public meetings of the City Council identified herein, including any supporting reports by City staff, and any information provided during public meetings.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Napa, as follows:

ATTACHMENT 2

1. The City Council hereby finds that the facts set forth in the recitals to this resolution are true and correct, and establish the factual basis for the City Council's adoption of this resolution.

2. The City Council hereby adopts the City's "Policies and Procedures for the Establishment of City Fees, Fines, and Charges," attached hereto as Exhibit "A," which effectively repeals and replaces the previously adopted Policy Resolution No. 16.

3. The City Council hereby repeals the 2005 Policy Resolution and the 2007 Policy Resolution.

4. The City Council hereby directs the City Manager to designate this resolution as a City Council Policy Resolution. The City Council hereby directs the City Clerk to organize and publish this resolution as a part of the City Council Policy Resolutions.

5. This Resolution shall take effect immediately upon its adoption.

I HEREBY CERTIFY that the foregoing Resolution was duly adopted by the City Council of the City of Napa at a public meeting of said City Council held on the 1st day of May, 2018 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: _____
Dorothy Roberts
City Clerk

Approved as to form:

Michael W. Barrett
City Attorney