

RESOLUTION 2026-###

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO IMPLEMENTING THE PREVIOUSLY DETERMINED FY 2026-2027 BUILDING, PLANNING, AND PUBLIC WORKS USER FEE INCREASES SHALL TAKE EFFECT ON JULY 1, 2026 BASED ON THE BUREAU OF LABOR STATISTICS EMPLOYMENT COST INDEX

WHEREAS, in California, several constitutional laws such as Propositions 13, 4, and 218, California Government Code Sections 66014 and 66016, Attorney General's Opinion 92- 506, and more recently Proposition 26 stipulate that user fees charged by local agencies may not exceed the estimated reasonable cost of providing the service for which the fee is charged;

WHEREAS, by definition, permit fees or user fees are a charge for services provided by a governmental agency to a public citizen or group;

WHEREAS, in 2025 the City contracted with Willdan financial services consultant to perform a development cost of service/fee study;

WHEREAS, Willdan recommended using an annual escalation factor to increase Building, Planning, and Public Works user fees based on the Bureau of Labor Statistics, Employment Cost Index: total compensation for State and local government workers – all workers, in order to keep pace with inflation due to the cost of government employees, which is largely what affects the cost of City services related to the User Fees;

WHEREAS, on November 17, 2025, by Resolution 2025-141, the City Council of the City of San Pablo adopted the annual escalation factor based on the Bureau of Labor Statistics, Employment Cost Index: total compensation for State and local government workers – all workers;

WHEREAS, by Resolution 2025-141, the City Council determined that this annual escalation factor shall be used annually to increase user fees for Building, Planning, and Public Works and that fee increases are to be implemented effective July 1, 2026, and July 1 of each subsequent fiscal year;

WHEREAS, the user fees affected by the escalation factor adopted by the City Council are fees as defined under California law and not taxes, as they are (1) A charge imposed for a specific benefit conferred or privilege granted directly to the payor that is not provided to those not charged, and which does not exceed the reasonable costs to the local government of conferring the benefit or granting the privilege; (2) A charge imposed for a specific government service or product provided directly to the payor that is not provided to those not charged, and which does not exceed the reasonable costs to the local government of providing the service or product; (3) A charge imposed for the reasonable regulatory costs to a local government for issuing licenses and permits, performing investigations, inspections, and audits, enforcing agricultural marketing orders, and the administrative enforcement and adjudication thereof; (4) A charge

imposed for entrance to or use of local government property, or the purchase, rental, or lease of local government property; (5) A fine, penalty, or other monetary charge imposed by the judicial branch of government or a local government, as a result of a violation of law; (6) A charge imposed as a condition of property development; or (7) Assessments and property-related fees imposed in accordance with the provisions of Article XIII D;

WHEREAS, the City Council has been presented with a table of updated user fees for Building, Planning, and Public Works for Fiscal Year 2026-2027 (attached as Exhibit A) that were derived using the escalation factor the City Council determined previously shall be applied to increase those fees effective July 1, 2026; and

WHEREAS, this action to implement the fee escalators is not a project as defined by CEQA in that CEQA Guidelines Section 15378(b)(4) states that “project” does not include the creation of government funding mechanisms or other governmental fiscal activities which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of San Pablo hereby implements the City Council’s previously-approved Building, Planning, and Public Works user fee increase using the annual escalation factor based on the Bureau of Labor Statistics, Employment Cost Index: total compensation for State and local government workers – all workers, in the amount of 3.5% and approves the Building, Planning, and Public Works user fees shown in Exhibit A as the new fees that take effect on July 1, 2026; and

BE IT FURTHER RESOLVED that the foregoing recitations are true and correct and are included herein by reference as findings.

* * * * *

ADOPTED this 15th day of June 2026 by the following votes:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:
ABSTAIN: COUNCILMEMBERS:

ATTEST:

APPROVED:

Dorothy Gantt, City Clerk

Elizabeth Pabon-Alvarado, Mayor