

**RESOLUTION 2026-###**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO APPLYING THE WEST CONTRA COSTA TRANSPORTATION COMMISSION APPROVED INFLATIONARY FACTOR INCREASES TO THE WEST COUNTY SUBREGIONAL TRANSPORTATION MITIGATION PROGRAM FEES EFFECTIVE JULY 1, 2026, PURSUANT TO SECTION 15.62.040 OF THE SAN PABLO MUNICIPAL CODE**

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 2019, the West Contra Costa Transportation Advisory Committee (WCCTAC), which is now renamed West Contra Costa Transportation Commission (WCCTC) conducted a study which reviewed West County existing conditions and growth projections, developed criteria for a project list and identified projects, and determined the nexus between the projects and the maximum potential fee that could be charged;

WHEREAS, the West Contra Costa jurisdictions share a desire to assure that new development in West County pays its fair share toward regional circulation and transit improvements that are proportional to the traffic impact the new development will generate;

WHEREAS, the local fees collected in West County provide congestion relief to mitigate traffic on regional routes and through improved transit service;

WHEREAS, on March 4, 2019, the City Council adopted Ordinance 2019-001, amending Chapter 15.62 of the San Pablo Municipal Code to update the West County Subregional Transportation Mitigation Program (STMP) and to establish, consistent with industry standards, that the Engineering News Record Construction Cost Index for the San Francisco Bay Area shall be used annually to determine adjustments to STMP fees effective every July 1st;

WHEREAS, the STMP fees affected by the escalation factor are fees as defined under State law and not taxes, as (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 Engineering News Record Construction Cost Index for the San Francisco Bay Area for February 2026 showed an inflationary factor from 2025 to 2026 of +0.1% and the resulting STMP Fiscal Year 2026-27 fees are shown below:

<b>FY 26-27 STMP Fee Rate</b>			
<b>Type of Fee</b>	<b>STMP Fee per Unit:</b>		<b>STMP Fee per</b>
	<b>Standard</b>	<b>AB3177 Eligible</b>	
Single Family	\$ 6,915	\$ 6,016	
Multi Family	\$ 3,407	\$ 2,964	
Senior Housing	\$ 1,868	\$ 1,625	
Hotel (per room)	\$ 4,425		
Storage Facility			\$ 0.97
Retail / Service			\$ 8.38
Industrial			\$ 7.07
Office			\$ 11.09
Other (per AM pk hr trip)	\$ 9,345		

WHEREAS, this action 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, pursuant to section 15.62.040 of the San Pablo Municipal Code, hereby implements the adopted annual escalation factor based on the Engineering News Record Construction Cost Index;

BE IT FURTHER RESOLVED that the Subregional Transportation Mitigation Program Fee Rates set forth above shall be applied effective July 1, 2026, to appropriately reflect change in cost of fee-related activities or services without conducting an annual formal fee study; and

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

\* \* \* \* \*

ADOPTED this 15<sup>th</sup> of June 2026, by the following votes:

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

ATTEST:

APPROVED:

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Dorothy Gantt, City Clerk

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Elizabeth Pabon-Alvarado, Mayor