RESOLUTION NO. 2023-04

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GILROY ESTABLISHING A DISCOUNT ON USER FEES FOR PROPERTIES ALONG MONTEREY ROAD FROM FIRST TO TENTH STREETS

WHEREAS, State law allows cities to charge fees or charges for the filing, accepting, reviewing, approving or issuing of an application, permit or entitlement, so long as the amount of those fees and charges do not exceed the estimated cost required to provide the service for which the fees or charges are levied; and

WHEREAS, the revitalization of Gilroy’s downtown will benefit the public by providing much needed economic development; and

WHEREAS, discounting and reimbursing certain processing fees for a temporary period of time will help to reduce barriers to new businesses and to revitalize existing businesses; and

WHEREAS, the program would reimburse up to 50% of the permit fees paid to the City for proposed downtown projects, after project completion and finalization of the building permits. To qualify for reimbursement, the project must remain active without requiring a permit extension. This is to encourage developers, property owners, and business owners to complete their improvements and be open for business in a short amount of time. Should the permits require an extension, then the fees are no longer eligible for reimbursement; and

WHEREAS, these discounted processing fees include certain fees contained in the City of Gilroy Comprehensive Fee Schedule, as identified in Attachment “A”; and

WHEREAS, the Eligible Downtown Area is described as those properties that abut to Monterey Street beginning at the intersection of First Street and ending at the intersection of Tenth Street, as depicted in Attachment “B”; and

WHEREAS, this Resolution is exempt from environmental review pursuant to Section 15273 of the State Guidelines implementing the California Environmental Quality Act of 1970, as amended; and,

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Gilroy does hereby adopt the discounted processing fees set forth in Attachment A, attached hereto as Attachment “A” incorporated by this reference, for those properties within the Downtown Eligible Area, set forth in Attachment B, attached hereto as Attachment “B” incorporated by this reference.

THEREFORE, BE IT FURTHER RESOLVED that the discounts shall take effect for building permit applications dated February 1, 2023 and through January 31, 2025.
PASSED AND ADOPTED this 23rd day of January, 2023 by the following roll call vote:

AYES: COUNCIL MEMBERS: ARMENDARIZ, BRACCO, CLINE, HILTON, MARQUES, TOVAR, BLANKLEY

NOES: COUNCIL MEMBERS: NONE

ABSTAIN: COUNCIL MEMBERS: NONE

ABSENT: COUNCIL MEMBERS: NONE

APPROVED:

Marie Blankley

Marie Blankley (Jan 24, 2023 15:02 PST)

Marie Blankley, Mayor

ATTEST:

Thai Nam Pham, City Clerk
ATTACHMENT A

Discounted Fees
All fees contained in the adopted 2022 User Fee Schedule, as may be amended from time-to-time, under the following headings shall be discounted and reimbursed by 50%, up to a maximum of $5,000 of combined discount, for projects in the Eligible Downtown Area that remain active and have their permits completed and finalized without requiring any permit extension.

- Community Development – Building and Misc.
- Community Development – Planning
- Fire – BLES/Fire Prevention
- Fire – BLES/Hazardous Materials
- Fire – Hazardous Material Storage Ordinance Permit Fees
- Fire – Corrosive, Toxic, & Highly Toxic Gas Fees including liquified and sub atmospheric materials
- Fire – Hazardous Waste Generator Fees
- Fire – Tiered Permit Fees
- Fire – Underground Tank

Exemptions
Below are exemptions to the fee discount.

<table>
<thead>
<tr>
<th>Fee Name</th>
<th>Fee Number</th>
<th>Reason</th>
</tr>
</thead>
<tbody>
<tr>
<td>Appeals</td>
<td>Planning #3 and #4; Building #29 and #36</td>
<td>Appeals of decisions or current codes with the City are not directly associated with improvements.</td>
</tr>
<tr>
<td>Building and Miscellaneous Fees</td>
<td></td>
<td></td>
</tr>
<tr>
<td>State of California Fees</td>
<td>#14 through and including #22; #29; #36</td>
<td>These fees are imposed by the State with established amounts, and therefore exempted.</td>
</tr>
</tbody>
</table>
ATTACHMENT B
ELIGIBLE DOWNTOWN AREA

Below is a map of the Eligible Downtown Area, which includes businesses located on Monterey Road, between First Street and Tenth Street.
CERTIFICATE OF THE CLERK

I, THAI NAM PHAM, City Clerk of the City of Gilroy, do hereby certify that the attached Resolution No. 2023-04 is an original resolution, or true and correct copy of a city Resolution, duly adopted by the Council of the City of Gilroy at a Special Meeting of said held on Council held Monday, January 23, 2023, at which meeting a quorum was present.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of the City of Gilroy this Monday, January 23, 2023.

Thai Nam Pham, CMC, CPMC
City Clerk of the City of Gilroy