

RESOLUTION NO.2019-36

A RESOLUTION OF THE CITY OF LOS ALTOS ESTABLISHING A FEE SCHEDULE FOR APPLICATIONS FOR USE PERMITS TO INSTALL SMALL WIRELESS FACILITIES IN THE CITY AND TO ESTABLISH A DEPOSIT FOR WIRELESS CONSULTANTS

WHEREAS, the City of Los Altos Fee Schedule - FY 2018/19 Approved per Resolution No. 2018-14 (Effective Date July 22, 2018) does not have a fee for applications for permits to install wireless small wireless facilities and does not set a deposit amount for wireless consultants;

WHEREAS, the purpose of setting fees is to cover the City's costs for processing applications for permits; and

WHEREAS, the fee amounts established herein are the fees specified as safe harbors by the Federal Communications Commission for applications for permits for small wireless facilities, and the deposit amount is a reasonable estimate of the cost of wireless consultant review related to any wireless application; and

WHEREAS, such fees and deposits may be revised in the future at such a time as the City conducts a cost study to identify its costs in processing such applications, which costs it is permitted by law to recover; and

WHEREAS, all legal prerequisites to the adoption of the Resolution have occurred.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LOS ALTOS DOES RESOLVE AS FOLLOWS:

SECTION 1. Findings. The recitals above are each incorporated by reference and adopted as findings by the City Council.

SECTION 2. Administration. The collection, processing, and other acts contemplated in this Resolution shall be administered by the City Manager, who is hereby authorized to take all actions on behalf of the City with regard to this Resolution.

SECTION 3. Interim Fees and Deposit. From the date hereof until the City establishes fees pursuant to a cost study, the following fees and deposit requirements shall apply:

Permit/Activity	Initial Fee and Deposit
Use Permit for Small Wireless Facilities - collocation applications - applications not constituting a collocation	\$500.00 per application for an application containing up to five (5) facilities, with an additional \$100.00 for each facility beyond five (5) \$1,000.00 per application
Deposit for wireless consultants	\$1500*

*The applicant shall be refunded the balance of the deposit remaining after the application is fully processed (if any). The City may request that the applicant replenish the deposit with additional funds to cover any additional consultant costs related to the application.

SECTION 4. Severability. If any provision of this Resolution or its application to any person or circumstance is held invalid, such invalidity has no effect on the other provisions or applications of the Resolution that can be given effect without the invalid provision or application, and to this extent, the provisions of this ordinance are severable. The City Council declares that it would have adopted this ordinance irrespective of the invalidity of any portion thereof.

SECTION 5. Records. The documents and materials associated with this Resolution that constitute the record of proceedings on which the City Council’s findings and determinations are based are located at City Clerk’s office, 1 N. San Antonio Road, Los Altos, CA 94022.

SECTION 6. Publication of Resolution. The City Clerk shall certify the adoption of this Resolution and cause it, or a summary of it, to be published as required by law.


SECTION 7. Effective Date. This Resolution shall become effective the same date that Urgency Ordinance 460 is adopted.

APPROVED AND ADOPTED at a Special meeting of the City Council of the City of Los Altos this 5th day of August 2019 by the following vote:

AYES: ENANDER, FLIGOR, LEE ENG, PEPPER
NOES: NONE
ABSENT: BRUINS
ABSTAIN: NONE


Lynette Lee Eng, Mayor
City of Los Altos

ATTEST:


Jon Maginot, City Clerk
City of Los Altos