

**RESOLUTION NO. 17-xx**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ESTABLISHING AND ADOPTING FEES TO PROCESS APPLICATIONS FOR MEDICAL MARIJUANA BUSINESSES ALLOWED PURSUANT TO MEASURE X**

THE CITY COUNCIL OF THE CITY OF COSTA MESA HEREBY RESOLVES AS FOLLOWS:

WHEREAS, the City Council of the City of Costa Mesa has heretofore established various schedules of rates, fees, and charges for services provided by the City including, but not limited to, processing conditional use permits and business permits; and

WHEREAS, pursuant to the provisions of the California Constitution and the laws of the State of California, the City of Costa Mesa is authorized to adopt and implement rates, fees, and charges for municipal services; provided, however, that such rates, fees, and/or charges do not exceed the estimated reasonable cost of providing such services; and

WHEREAS, California Government Code Section 66016 requires notice to be given and data made available at specified times prior to the adoption of increases in existing rates, fees, and charges, or the adoption of new rates, fees, and charges for use permits and building inspections sometime hereinafter at a public meeting of this City Council; and

WHEREAS, California Government Code Section 66018 requires notice to be published in accordance with California Government Code Section 6062a and data made available concerning rates, fees, and charges prior to conducting a public hearing with

respect to the adoption of increases in rates, fees, and charges, or the adoption of new rates, fees, and charges for which no other procedure is provided by law; and

WHEREAS, pursuant to California Government Code Section 66016, this City Council has held at least one public hearing and received oral and written presentations thereat with respect to "user fees" prior to the adoption of this Resolution; and

WHEREAS, pursuant to California Government Code Section 66018, this City Council has conducted and concluded a duly noticed public hearing with respect to the rates, fees, and charges prior to the adoption of this Resolution; and

WHEREAS, this City Council desires to establish fees associated with the review of applications for medical marijuana businesses by the City of Costa Mesa as set forth herein; and

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

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1: This City Council hereby finds and determines that based upon the data, information, analysis, oral and written documentation presented to this City Council concerning the rates, fees, and charges described in Exhibit "A" attached hereto and by this reference incorporated herein, the rates, fees, and charges set forth in said Exhibit "A" do not exceed the established reasonable cost of providing the service for which the rates, fees, or charges are levied.

Section 2: The rates, fees, and charges set forth in Exhibit "A" as further described below, are hereby adopted and approved as the rates, fees, and charges for the services identified for each such rate, fee, and/or charge:

Exhibit "A"— Medical Marijuana Business Fees

Section 3: The rates, fees, and charges set forth in Exhibit "A" shall be effective and shall be implemented commencing April 19, 2017, except for the Conditional Use Permit fee, which will take effect on June 19, 2017, which is at least 60 days after Council adoption.

Section 4: The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED, APPROVED AND ADOPTED ON April 18, 2017.

\_\_\_\_\_  
Katrina Foley, Mayor

ATTEST:

\_\_\_\_\_  
Brenda Green, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Thomas Duarte, City Attorney

STATE OF CALIFORNIA )  
COUNTY OF ORANGE ) ss  
CITY OF COSTA MESA )

I, BRENDA GREEN, City Clerk of the City of Costa Mesa, DO HEREBY CERTIFY that foregoing Resolution No. 17-xx was duly passed and adopted by the City Council of the City of Costa Mesa at a regular meeting held on April 18, 2017, by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

IN WITNESS WHEREOF, I have hereby set my hand and affixed the seal of the City of Costa Mesa on April 18, 2017.

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BRENDA GREEN, CITY CLERK

## EXHIBIT A

### FEES TO PROCESS APPLICATIONS FOR MEDICAL MARIJUANA BUSINESSES

Adopted by the Costa Mesa City Council

April 18, 2017

Medical Marijuana Business Permit <ul style="list-style-type: none"><li>Required background checks are not included; additional fee required as noted below</li></ul>	\$ 21,525.00
Individual Background Check	\$ 341.00
Police Dept. LiveScan fees	\$ 59.00
Optional Fee Imposed at City's discretion if State and/or Federal Background Checks not available based on cost to City to have background check performed by City consultant	\$ 300.00
Medical Marijuana Conditional Use Permit**	\$27,508.00
Appeal of Conditional Use Permit**	\$ 3,915.00

\*\*Fee will not be effective until June 19, 2017