

RESOLUTION NO. 2021-R 081

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CULVER CITY, CALIFORNIA, ESTABLISHING FEES FOR THE USE OF PUBLIC RIGHT-OF-WAY FOR OUTDOOR DINING AND OTHER USES PURSUANT TO CULVER CITY MUNICIPAL CODE SECTION 9.08.035.G.

WHEREAS, pursuant to Culver City Municipal Code Section 09.08.035.G, the City Council may, by resolution, establish fees for the use of public right-of-way, including sidewalks and curbside parking space(s), for outdoor dining and other uses permitted under the *Outdoor Dining Standards and Procedures* ("Sidewalk Program") and the *Parklet Design Guidelines* ("Parklet Program"); and

WHEREAS, the fees for the current Sidewalk Program were previously established by Resolution No. 2009-R078; and

WHEREAS, the City Council desires to establish fees for the new Parklet Program; and

WHEREAS, on August 23, 2021, at a duly noticed public meeting, the City Council considered establishment of fees relating to the use and administration of the Parklet Program; and

WHEREAS, after giving the public an opportunity to be heard and considering all information before it, the City Council approved the adoption of said fees, attached hereto as Exhibit "A;" and


WHEREAS, the fees established herein (other than the rental fees for the use of City right-of-way) are based upon the City's reasonable costs associated with the administration and enforcement of the Parklet Program.

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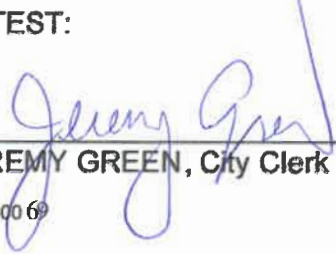
NOW, THEREFORE, the City Council of the City of Culver City, California,
DOES HEREBY RESOLVE as follows:

The fees established in Exhibit "A," attached hereto, are hereby adopted and shall be paid in accordance with the provisions of this Resolution, Culver City Municipal Code Section 9.08.035 and the *Parklet Design Guidelines*.


APPROVED and ADOPTED this 23rd day of August 2021.



ALEX FISCH, Mayor
City of Culver City, California

ATTEST:


JEREMY GREEN, City Clerk
A21-00069

APPROVED AS TO FORM:


for CAROL A. SCHWAB, City Attorney

1 **EXHIBIT "A"**

2 **FEE SCHEDULE**

3
4 Paid at the Time of Application Submittal (one-time)

5 Application Fee \$750.00

6
7 Paid Prior to Permit Issuance (one-time)

8 Issuance Fee \$50.00

9 Tech Surcharge (4% of Issuance + Application fees) \$32.00

10 Street Maintenance Deposit \$2,000*
11 (refundable)

12 Los Angeles and Culver City Sewer ~\$641 per seat**
13 Facility Charges

14 Annual Recurring License Fees:

15 Public Right-of-Way Rental Fee \$13 per square foot**

16 Parking Meter Fees (first 5 years) \$1,000 per metered space**

17 Payment Plan:

18 The Public Works Director/City Engineer is authorized to grant a Permittee a
19 payment plan of up to 12 months for all first-year fees, except the City of Los
20 Angeles Sewer Facility Charge, which fee is due in full upon issuance of the Permit.

21 Fee Waivers:

22 The City Council waives the parking meter fees for the first year to encourage the
23 implementation of the Parklet Program.

24 *The street maintenance deposit of \$2,000 shall be applied by City to repair or
25 replace any broken or damaged property and to perform required maintenance of
26 the Public Right-of-Way not otherwise performed by Permittee after Permittee's
27 removal of the Parklet and restoration of the Public Right-of-Way to its original
28 condition (pursuant to CCMC Section 9.08.035.C.2 and 9.08.035.E). If the
29 Permittee restores the Public Right-of-Way to its original condition upon Permittee's
30 removal of the Parklet, the street maintenance deposit shall be fully refunded.

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****The listed fees are calculated as follows: A rental fee for the use of the Public Right-of-Way of \$13 per square foot per year of the interior Parklet area. For those Parklets using metered parking spaces, an additional \$1,000 annually for each metered parking space applies for the first five years. Upon issuance of the Parklet Street Use Permit and License Agreement, a one-time sewer facility charge of approximately \$641 per seat (which fee is established and amended from time to time in part by the City of Los Angeles).**

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS
CITY OF CULVER CITY)

Certification of Resolution No. 2021- R081

I, Jeremy Green, City Clerk of the City of Culver City, do hereby certify that the foregoing Resolution was duly passed, approved, and adopted at a regular meeting of the City Council, which was held on the 23rd day of August 2021, at the Mike Balkman Council Chambers by the following vote:

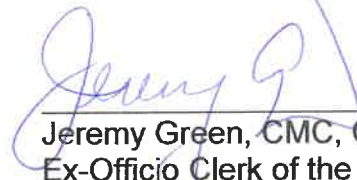
AYES: Eriksson, McMorrin, Vera, Lee, Fish

NOES: None

ABSENT: None

ABSTAIN: None

Certified on this 23rd day of August 2021, at the City of Culver City.



Jeremy Green, CMC, City Clerk
Ex-Officio Clerk of the City Council
City of Culver City, State of California