

From: [Jacob Patterson](#)
To: [City Clerk](#)
Cc: [Cervenka, Neil](#); [Whippy, Isaac](#)
Subject: Re: Public Comment -- 10/23/2023 CC Mtg., Item No. 7B, CV Starr Fees
Date: Monday, October 23, 2023 10:28:31 AM

City Council & Relevant Staff,

I have a follow-up comment, which is that I don't actually think all of the recitals and findings in the draft resolution are accurate or justified because there hasn't been any data or calculations supporting the proposed fees available for public review, let alone for the past 10 days. I met with Neil and requested all documents related to the fee updates and only received a calculation spreadsheet for the impact fees from Isaac, which I reviewed in detail. I had Neil double check with the City Clerk's Office and he informed me that the only supporting calculations and documents for the fee update public hearings was the impact fee calculation spreadsheet. Now that I have had the opportunity to also review the published agenda materials for all three public hearings in addition to the impact fee calculation spreadsheet, I can attest that the proposed credit card fees include enough data and information in the agenda materials to demonstrate that the fees are appropriate and justified--the City could have even proposed higher fees for that, IMO--but there is no evident supporting analysis for the CV Starr fees. As a result, the Council does not have the factual basis to make the third proposed finding:

"3. Information regarding the proposed fee increases, including the cost or estimated cost required to provide the service for which a specific fee is levied, have been made available to the public for at least ten (10) days prior to the public meeting."

If staff adds the calculation spreadsheet or cost data for the CV Starr fees in the agenda materials today, that would be helpful but even if they do that, it doesn't do anything to cure the procedural issue of the calculations not being made available for public review for at least the 10 days leading up to today's scheduled public hearing. I can personally attest to that not being the case, which is now documented in this email comment for the public hearing.

Regards,

--Jacob

On Fri, Oct 20, 2023 at 5:08 PM Jacob Patterson <jacob.patterson.esq@gmail.com> wrote:
City Council,

I reviewed the fee calculation spreadsheet and the proposed new CV Starr fees and I have a couple of questions that you might want to address during the public hearing. Most of the proposed fees are substantially less than the actual costs for the particular service but that isn't true for three of the line items which exceed the actual costs: 40, 41, and 42. I believe this is probably legally acceptable because the overall fee structure remains well below the full cost of providing the services at CV Starr but I still wanted to check to see if this is intentional and why these particular fees were selected to be higher than the actual costs associated with the particular services.

These fees are the daily maximum to rent the outdoor petanque court or north lawn (#40), a swimming party (#41), and staff time per staff member (#42). The daily maximum for

outdoor facility rentals might be a mistake concerning the actual costs but the swimming party and staff time costs make less intuitive sense to me. Why not leave the swimming party costs at the current \$225, which is \$1 less than the actual cost rather than the proposed \$250 and why not charge the actual costs of \$52 for staff time rather than the proposed \$75?

Thanks,

--Jacob