



AGENDA NO: B-3

MEETING DATE: May 11, 2021

**AGENDA CORRESPONDENCE
RECEIVED BY THE CITY COUNCIL FOR
PUBLIC REVIEW PRIOR TO THE MEETING**

Dana Swanson

From: betty winholtz [REDACTED]
Sent: Monday, May 10, 2021 1:44 AM
To: John Headding; Robert Davis; Jeffrey Heller; Dawn Addis; Laurel Barton
Cc: Dana Swanson; Katie Lichtig
Subject: agenda item b-3

Dear City Council:

1.) I am having difficulty reconciling the per cent increases in the Fee Schedule for the "Appeal of City decision." (page 12)

The appeal fee has always been treated different from other fees due to its nature. Unlike other fees, the appeal fee is a means by which the public or developer can participate in voicing disagreement by bringing forth evidence to a decision making body. Historically, it has been a consistent number not subject to a CPI annual increase. Within the last couple of years this changed, and it became susceptible to the CPI. As noted in the line item's footnote, the fee does not cover the cost of an appeal. This is purposeful to keep the cost from have a "chilling effect" on public participation in its governance.

The Fee Schedule for 2020/21 stated, "All fees adjust annually by either the December Consumer Price Index (CPI = 2.5%) or Construction Cost Index (ENR = 5.36%). The CPI used is for the San Francisco-Oakland-San Jose area." Using that per cent, the Appeal Fee should have been proposed to be \$281.88, not \$300. There is no footnote to contradict this. As stated in the current staff report, the increase was postponed due to COVID-19.

Now it is the desire to apply the delayed 2.5% increase and a 2% increase on top of that for this fiscal year.

Five months ago, I paid an appeal feel of \$275. Based on a 2.5% increase followed by a 2% increase the new Appeal Fee should be \$287.52, not \$306. The jump from \$275 to \$300 was a 9% increase not 2.5%, and the jump to \$306 is an 11% increase.

Is the Appeal Fee being singled out? Since the Appeal Fee wasn't identified as being treated different, then it should be subject to what it says at the beginning of the Fee Schedule: "All fees adjust annually by either the December Consumer Price Index (CPI = 2.5/ 2.0 %) or Construction Cost Index (ENR = 5.36/3.16%). The CPI used is for the San Francisco-Oakland-San Jose area."

Please lower the Appeal Fee.

2.) Also, please explain this phrase on page 2: "Refundable appeal fee for non-land use administrative decisions." That is, what is an example of a "non-land use" decision?

3.) I would like to alert the newer members of the city council and remind the public that in 2015 the city council changed Morro Bay's CPI reference from LA-Riverside-Orange County to San Francisco-Oakland-San Jose. This was an intentional move to get a higher per cent CPI from anyone who pays fees. This includes our business license fees, planning/building fees, park use fees, room rentals, etc. I would ask the current city council to go back to the LA-Riverside-Orange County CPI to give us users smaller, more gradual annual increases.

Sincerely,
Betty Winholtz



AGENDA NO: C-1

MEETING DATE: May 11, 2021

**AGENDA CORRESPONDENCE
RECEIVED BY THE CITY COUNCIL FOR
PUBLIC REVIEW PRIOR TO THE MEETING**

From: [REDACTED]
To: [Council](#)
Subject: Fireworks
Date: Saturday, May 8, 2021 7:09:30 AM

Please do not approve the fireworks and try to remember this is a Bird Sanctuary!!! Other animals are also very disturbed by the fireworks, to say nothing of people with PTSD. As I write this email, I'm thinking that I shouldn't even bother since you people do whatever it takes to make money for the city and I feel that my comments always go on deaf ears. Patti Anderson

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