

RESOLUTION NO. 9-11

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHMOND ESTABLISHING FEES FOR APPLICATION REVIEW, APPROVAL AND ANNUAL REGULATION REQUIRED FOR MEDICAL MARIJUANA COLLECTIVES

WHEREAS on September 21, 2010 the City Council of the City of Richmond adopted Ordinance Number 28-10 (codified as Richmond Municipal Code Chapter 7.102) which creates a permitting program for up to three medical marijuana collectives Citywide; and

WHEREAS RMC Chapter 7.102 sets forth the basic requirements that all applicants must fulfill in order for the application to be deemed complete; and

WHEREAS RMC Chapter 7.102 also provides that all complete applications shall be reviewed and evaluated by the Planning and Building Services, Fire, and Code Enforcement Departments (the “Reviewing Departments”); and

WHEREAS, in Resolution Number 136-10 the City Council set forth the criteria to be used to rate all complete applications; and

WHEREAS the Finance Department of the City of Richmond contracted with NBS Local Government Solutions of San Francisco to prepare a fee study analyzing the costs of processing applications for medical marijuana collectives in accordance with the procedures and criteria adopted by the City Council; and

WHEREAS NBS Local Government Solutions has completed a fee study that analyzes the costs of (1) determining whether applications are complete; (2) rating complete applications and conducting public hearings; and (3) regulating collectives; and

WHEREAS based on that fee study, the Finance Department recommends adopting (1) a non-refundable application fee for initial review of all applications; (2) a rating and public hearing fee for all complete applications; and (3) an annual regulatory fee for all permitted medical marijuana collections,

NOW THEREFORE THE CITY COUNCIL OF THE CITY OF RICHMOND resolves as follows:

SECTION 1. The application and regulatory fees for Medical Marijuana Collectives shall be as follows, subject to adjustment in accordance with Richmond Municipal Code Chapter 13.45:

Description of Services	Fee per Service	Frequency of Service
Application Completeness Review	\$2,085.00	Per Application
Complete Application Review	\$16,787.00	Per Application
Appeal of Rating Body Decision	\$1,994.00	Per Appeal
Annual Regulation and Inspection	\$15,690.00	Quarterly

SECTION 2. Severability. If any section, subsection, sentence, clause, phrase or portion of this resolution is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed each and every section, subsection, phrase or clause of this resolution irrespective of the fact that any one or more sections, subsections, phrases or clauses be declared invalid or unconstitutional, whether on its face or as applied.

I certify that the foregoing resolution was passed and adopted by the members of the Richmond City Council at a joint meeting held on Tuesday, February 1, 2011, by the following vote:

AYES: Councilmembers Bates, Beckles, Booze, Ritterman, Rogers, Vice Mayor Butt, and Mayor McLaughlin

NOES: None

ABSTENTIONS: None

ABSENT: None.

DIANE HOLMES
Clerk of the City of Richmond

[SEAL]

Approved:

GAYLE MCLAUGHLIN
Mayor

Approved as to form:

RANDY RIDDLE
City Attorney

State of California }
County of Contra Costa } : ss.
City of Richmond }

I certify that the foregoing is a true copy of **Resolution No. 9-11**, finally passed and adopted by the City Council of the City of Richmond at a joint meeting held on February 1, 2011.