



City of Emeryville

CALIFORNIA

MEMORANDUM

DATE: May 7, 2024
TO: Paul Buddenhagen, City Manager
FROM: Lawrence Chiu, Finance Director
SUBJECT: **Resolution Of The City Council Of The City Of Emeryville Amending The City Of Emeryville Master Fee Schedule For Fiscal Year 2024-2025**

RECOMMENDATION

Staff recommends that the City Council hold a Public Hearing and approve the attached resolution updating the Master Fee Schedule effective July 1, 2024.

BACKGROUND

The City of Emeryville charges fees for a variety of specific services offered by City departments. These fees are intended to recover the costs of services provided, to the extent possible. Services for which fees are charged are those performed by a governmental agency for the benefit of an individual community member or group. It is the City's policy that the costs of services benefiting individuals and not the community at large should be borne by the individuals receiving the service. The City may only set fees at a level to recover the full cost of providing the service and may not make a "profit" on fees. However, in certain circumstances for policy reasons, it is reasonable to set fees at a level that does not recover the full cost of the service, thereby resulting in a General Fund subsidy.

The last comprehensive fee analysis for Emeryville was conducted in fiscal year 2016 by NBS and adopted by the City Council on July 19, 2016. The Master Fee Schedule attached to the proposed resolution has been updated with the San Francisco Bay Area Consumer Price Index (CPI), or, in certain cases as mandated by the Municipal Code and the Engineering News-Record (ENR) Construction Cost Index for San Francisco.

DISCUSSION

The Master Fee Schedule attached to the proposed resolution identifies fee changes and additions proposed by City departments. The tables contain a description of the fee, the current level of the fee and the proposed change. Primarily the proposed changes reflect adjustments of 2.4% as measured by the average change in the San Francisco Bay Area Consumer Price Index from February 2023 to February 2024.

Proposed increases for fees in the City Manager, City Clerk, Community Development Public Works, and Community Services departments were based on the annual CPI changes. Other new or significantly revised updates are detailed by department below.

The proposed changes will take effect on July 1, 2024, if approved by the City Council. Government Code Section 66017(a) provides that new or increased fees relating to the filing, accepting, reviewing, approving, or issuing of an application, permit, or entitlement of a development project shall become effective 60 days after adoption of the new fee or increase.

Highlights of Proposed Changes

1. Community Development Department Building Division

The sewer connection fee is a one-time fee that is paid to the City when a property owner/developer gets a building permit that includes new connections to the Sanitary Sewer collection system. The fee is used to make capital improvements to the sewer system. Sewer Connection Fees have been updated per Emeryville Municipal Code (EMC) Section 7-8.306. The fees are based on the change in the Engineering News-Record Construction Cost Index for March 2023 - March 2024, which is 2.7%. For clarity, staff propose to add a note for Electrical, Plumbing and Mechanical permits regarding the minimum fee when permits are issued separately.

A penalties section has been added to both the Building and Planning Division fee schedule. The Building Division's penalties are for Building violations of EMC Title 8. Included are three new penalties for violations with a footnote⁶ to the penalties section.

Staff has proposed establishing the penalties amounts at \$100 for first violations, \$200 for repeat violations within one year of the first violation, and \$500 for each subsequent violation within one year of the first violation. These amounts are consistent with the fines established by many other cities in the region. As proposed, these penalties are applicable to all violations of EMC Titles 8 and 9, including but not limited to, unpermitted construction in progress, property maintenance issues (graffiti, debris, etc.), habitability deficiencies (lack of heat, water, smoke detectors, unpermitted occupancy), unpermitted signs or land uses, and noncompliance with conditions of approval. Staff recommends adopting the Master Fee Schedule with the proposed penalty amounts to provide an additional tool to staff to ensure compliance with the EMC.

Planning Division

Updated the title for filing fees required by the State Department of Fish and Game to Department of Fish and Wildlife reflecting that department's current name.

Updated the Department of Fish and Wildlife CEQA fees for 2024 to increase every year on January 1st.

As discussed above, a penalties section is also proposed for the Planning Division of the Master Fee Schedule. These new penalties apply to violations of EMC Title 9.

2. Finance Department

Staff proposes to change the new business license processing fee and annual renewal fee start date from January 1, 2025, to July 1, 2024, to coincide with the rest of the Master Fee Schedule. Staff also recommends increasing the Annual Business License Renewal Fee by \$1, from \$10 to \$11. The Business License Renewal Fee has not increased in over 17 years.

3. Fire

Staff recommends adding (1) more description under the Fire Code Permits fee, and (2) Expedited Fire Plan Check fee to the Fire Section of the Master Fee Schedule to be consistent with the Building Permit expedited options.

4. Police Department

Staff recommends adding a new fee for Video Redaction Service. This fee is being added to recover costs associated with requests from the public and/or media, relating to redacting confidential and personally identifiable information (PII) from videos in the possession of the Emeryville Police Department. The Police Department has received an increasing number of requests for officer body worn camera video. The fee of \$120 per hour for Police Non-Sworn Rate - Overtime will be the rate for video redaction service for the public.

Effective April 1, 2024, the Alameda County Sheriff's Office will no longer be responsible for issuing Concealed Carry Weapon (CCW) permits to residents and/or business owners who reside in the City of Emeryville. That responsibility will go to the Emeryville Police Department to comply with the laws relating to CCW permit application review and processing. These changes are reflected under Application for Concealed Weapon Permit, Police Investigation section. Three new fees are proposed to reflect the steps necessary, and the average fees charged by other Bay Area municipal police departments.

5. Community Services Department
Community Services

Staff have added six new picnic area rental fees for Huchin Park. These fees are based on the same fee range as Doyle-Hollis Park.

Youth Services Division

Staff proposes increasing fees for Summer Basic Day Camp, Summer Extended Day Camp and Morning Camp to support the increase in hourly staff rates and supplies, as well as more competitive rates with surrounding summer camps. For example: Berkeley's fees are \$200-\$350 and Alameda's fees are \$238-\$324 (not full day). Emeryville's camp fees will range from \$145-\$200. This will decrease General Fund subsidies to run the program.

Staff also propose adding Teen Center Monthly Passes of \$15 to the Master Fee Schedule, removing Master Swim Program Fees, and changing the title of Swim Team fee descriptions to be more accurate with number of swim days per week.

FISCAL IMPACT

The recommended actions will provide the City an opportunity to recover costs for providing City services.

ADVISORY BODY REVIEW

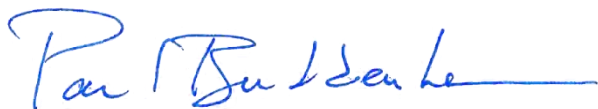
The proposed Master Fee Schedule was reviewed by the Budget & Governance and Budget Advisory Committees on April 29th and 30th respectively.

CONCLUSION

Staff recommends that the City Council approve the proposed revisions to the Master Fee Schedule for Fiscal Year 2024-2025.

PREPARED BY: Andrea Arriaga, Accountant
REVIEWED BY: Lawrence Chiu, Finance Director

APPROVED AND FORWARDED TO THE CITY COUNCIL OF THE CITY OF EMERYVILLE:



Paul Buddenhagen, City Manager

ATTACHMENTS

- Draft Resolution
- Draft Master Fee Schedule (Redline)
- Exhibit A – Fiscal Year 2024-2025 Proposed Master Fee Schedule (Clean)