



City of Emeryville

CALIFORNIA

MEMORANDUM

DATE: April 21, 2020
TO: Christine Daniel, City Manager
FROM: Susan Hsieh, Finance Director
SUBJECT: Resolution Of The City Council Of The City Of Emeryville Amending
The City Of Emeryville Master Fee Schedule For Fiscal Year 2020-21

RECOMMENDATION

Staff recommends that the City Council hold a Public Hearing and thereafter approve the resolution updating the Master Fee Schedule effective July 1, 2020.

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. 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 2015-16 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, the Engineering News Record 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 2.5% as measured by the average change in the SF Bay Area Consumer Price Index from December 2018 to December 2019.

Proposed increases for fees in the City Manager and City Clerk, Finance, Fire and Economic Development & Housing 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, 2020 if approved by the City Council. Please note that 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. Building Division

Most Building Division fees are based on construction valuation. These fees remain unchanged to ensure that Emeryville's fees are comparable to those of other cities. Most flat fees have been increased by CPI, however some minimum hourly fees and other small flat fees had larger increases to reflect the City's cost to process them. There are no changes to the School Fees or the California Building Standards Commission fees.

Sewer Connection Fees

The sewer connection fee is a one-time fee that is paid to the City when a property owner/developer pulls a building permit that includes new connections to the Sanitary Sewer collection system. The fee is used to make capital improvements to the sewer collection system. Section 7-8.306 of Chapter 8 of Title 7 of the Emeryville Municipal Code provides that the rate "shall be adjusted annually on July 1 by resolution of the City Council to reflect the change in the Engineering News Record (ENR) Construction Cost Index during the preceding twelve (12) months. The March ENR Construction Cost Index value shall be used as the basis of adjustment." At the time the draft master fee schedule was presented to the Joint Budget and Governance and Budget Advisory Committees on March 12, 2020, the March 2020 ENR Construction Cost Index was not available. These fees have since been adjusted and are included in the attached fee schedule.

2. Planning Division

Staff proposes to add provisions under "Environmental Review" for Negative Declarations and EIRs to "Deposit full contract amount for environmental consultant prior to start of work" rather than current \$15,000 and \$30,000 deposits, respectively. This will address issues encountered with applicants not being timely with their payments for consultants' invoices.

Staff proposes to update the Alameda County filing fees for environmental documents. These fees, set by the State Department of Fish & Game, increase every year on January 1. The fees shown are as of 1/1/2020. They will go up again on 1/1/2021. (This information is provided for the public's convenience.)

3. Police Department

Most fees for the Police Department have been adjusted based on the annual CPI change. Newly proposed fees are described below. Please note that the Joint Budget and Governance and Budget Advisory Committees provided recommendations and comments regarding the report and document reproduction fees and the administrative services fees proposed below. The Joint Committee recommended setting different levels of report and document reproduction fees based on the number of pages and actual costs. The fees presented to the Joint Committee ranged from \$5 to \$20 and the revised fees range from \$6 to \$31. The Joint Committee also recommended setting administrative services fees based on actual costs and not round the fees down to the nearest ten and hundred. The fees presented to the Joint Committee ranged from \$10 to \$400. The revised fees range from \$8 to \$183 and the false alarm fees have been removed due to the reasons described below. Based on the Joint Committee's recommendations and comments, the Police Department has updated the fees.

The Joint Committee also requested that staff provide more background information about the proposed fees in the staff report to the City Council, and the narrative below has been expanded to provide more details. Please note that the ABC One Day license fee was changed from \$10 to \$183 to reflect actual costs. The Three, Four, and Five False Alarm fees of \$200, \$300, and \$400 have been removed from the draft fee schedule that was presented to the Joint Committee. The fees proposed previously did not capture the full costs and the Police Department will conduct a comprehensive analysis and propose revisions at a later time.

Report & Document Reproduction

Most law enforcement agencies charge for CD / Photo CD / DVD / Thumb Drive reproduction. The Police Department proposes that the City also charges for these services as this provides reimbursement for the materials that are provided to the requestor. Upon researching, most law enforcement agencies charge between \$20 to \$50 for reproduction.

The Police Department is charging the fees based on actual costs such as material (paper, postage, toner, envelopes) and labor. Citizen requests, crime/accident reports requested by insurance companies and computer-generated reports are printed from the Computer Aided Dispatch (CAD)/Records Management System (RMS) to provide records for involved parties in an incident. Crime victims are not charged for the reports. In reviewing the actual cost and time for citizen requests, the amount was changed from \$10 to \$7. If a report is more than 20 pages, an additional \$0.10 per page would be charged. This is the same for the computer-generated reports, an additional \$0.10 per page will be charged for more than 20 pages, however, the cost was changed from \$5 to \$6 to reflect actual costs. It is the same for crime/accident reports for insurance companies, which was changed from \$10 to \$8 which more accurately reflected the actual cost. In addition, if there is more than 20 pages, an additional \$0.10 per page will be charged. CD's / Photo CD's / DVD's / Thumb drives are provided in cases where there may be photos,

body worn camera footage or additional evidence. In reviewing the actual cost of the materials and labor for providing these items, a change was made from charging \$20 to \$31 which more accurately reflects the total cost.

Administrative Services

The Police Department proposes charging a fee for the following items: Clearance letters, ABC One Day Licenses and Fix-it Tickets. These are items that are not currently charged for. These services take time to provide to our community and are a benefit to them. Clearance letters are provided to a citizen by running a local records check to ensure there are no negative contacts in the City of Emeryville with the police department. A letter is provided advising as such and includes a copy of their government issued identification. In 2019, the Police Department provided 11 clearance letters. The Department has not received any requests in 2020 thus far. In reviewing the actual cost and time involved for clearance letters, a change was made from charging \$10 to \$13. An ABC license can be requested for the temporary sales of liquor for consumption on the premises at a special event. The original amount proposed for an ABC One Day License was \$10. This amount should be changed to \$183 to reflect the actual cost which is based on the amount of time it takes to research and issue the license. A fee will be charged for a correctable violation ticket for only those citations that are corrected at the Department when a person has been issued a citation by law enforcement (moving or parking) that is eligible to be corrected. This does not include when an officer or technician is flagged down on the street for this service. In reviewing the actual cost and time involved for correctable violation tickets, a change was made from \$10 to \$8.

With regard to false alarm fees, in the past a citation was issued to a business that was in violation of three (3), four (4) and five (5) false alarms within 120 days. It was not cost effective at the time, as the amount charged did not reflect the actual cost of the officer(s) responding to the call, the involvement of the call taker/dispatcher and the administrative work needed to issue the citations and possibly testify in court. No new fees are proposed at this time. An in-depth cost analysis needs to be completed to ensure the cost accurately reflects these items in the future.

4. Public Works Department

Many fees for Public Works have been adjusted based on the annual CPI change. The discharge of ground water into sanitary sewer fee will increase to \$1.92 per \$100 cubic feet of discharge based on the City Ordinance effective January 1, 2021.

5. Community Services Department

In general, Community Service programs are subsidized by the General Fund. It has been the City's longstanding policy to keep the fees low to ensure programs are affordable to residents and non-residents. Community Services Department fees are presented below.

Child Development Center Division

Certain fees have been adjusted to reflect the CPI increase or current cost. In addition, the age ranges have been revised and 'Wobblers' were incorporated into the 'Infants' group.

Rental Fees

Certain fees have been adjusted to reflect the CPI increase, a 5% increase or current cost. For Rental Fees and Community Events Permits, the Non-Resident category has been expanded to include Businesses. Some fees have been combined to minimize confusion. The expansion to include Businesses was added after the draft fee schedule was reviewed by the Joint Budget and Governance and Budget Advisory Committees.

Youth Services Division

Certain fees have been adjusted to reflect the CPI increase or current cost. Youth Camps and After School Program Fees are being adjusted to end in a number divisible by 10 so that the sliding scale fees calculate to a whole dollar. Some fees have been corrected or added for Aquatics programs including Private and Semi-Private Swim Lessons, and additional Swim Team categories.

Adult Services Division

Certain fees have been adjusted to reflect the CPI increase or current cost. Staff proposes a \$5 fee increase for Senior Center membership.

FISCAL IMPACT

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

ADVISORY BODY REVIEW

The proposed master fee schedule was reviewed by the Joint Budget and Governance and Budget Advisory Committees on March 12, 2020. Certain fees have been updated following that meeting as discussed above.

CONCLUSION

Staff recommends that the City Council approve the proposed revisions to the master fee schedule.

PREPARED BY: Susan Hsieh, Finance Director

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



Christine Daniel, City Manager

ATTACHMENTS

- Draft Master Fee Schedule (Redline)
- Draft Resolution
- Exhibit A – FY 20-21 Proposed Master Fee Schedule (Clean)