

2012 APR -9 AM 11:46

Amadi Sotelo
City Attorney

OAKLAND CITY COUNCIL
ORDINANCE NO. 13111 C.M.S.

AN ORDINANCE AMENDING ORDINANCE NO. 13078 C.M.S., THE MASTER FEE SCHEDULE, AS AMENDED, TO ESTABLISH OR MODIFY FEES ASSESSED BY THE OFFICE OF THE CITY ADMINISTRATOR TO ESTABLISH AN INTERIM MOBILE FOOD VENDING PARKING USE FEE FOR PERMITS ISSUED PURSUANT TO CHAPTER 5.51

WHEREAS, the City of Oakland periodically updates its Master Fee Schedule to account for general cost of living increases and program changes and other costs; and

WHEREAS, City departments incur costs related to the implementation, regulation, and oversight of city programs and permitting activities; and

WHEREAS, the fee modifications and additions proposed herein have been justified by the respective agencies and are identified in an "Agenda Report" dated February 15, 2012 to Deanna J. Santana, City Administrator, entitled Amendments to OMC and Master Fee Schedule;" and

WHEREAS, the City Council finds and determines that the herein-referenced modifications and additions are necessary to reimburse the City for the costs of performing the various municipal and regulatory functions; and

WHEREAS, when the City of Oakland's existing Vehicular Food Vending program was originally implemented in 2001, Oakland was a leader in recognizing this small business format, and creating a legal mechanism for their participation in the local economy; and

WHEREAS, in the past three years, with the changes in the economy and the growing food market, entrepreneurs have taken mobile food vending into a whole new direction; and

WHEREAS, there is greater general public acceptance and demand for mobile food vendors, and

WHEREAS, Planning Staff are currently working on developing the permitting and operating standards for a new interim citywide mobile food vending program; and

WHEREAS, the interim regulations will remain in place and be effective only through January 1, 2013, or until the City Council adopts permanent mobile food vending regulations, whichever comes first; and

WHEREAS, the interim regulations limit the length and frequency of mobile food vending "Group Site" or "Food Pod" activities at a single site to no more than two (2) dates per week and up to forty (40) dates in any one 12-month period; and

WHEREAS, implementation of the interim regulations would result in a reduction of hourly revenue collected at metered spaces which are used for food vending pod sites; and

WHEREAS, for the reasons set forth above, the Council declares that this ordinance is necessary to establish interim hourly parking meter fee for mobile food vending program; and

WHEREAS, a Public Hearing was held on March 20, 2012 to review the proposed fee changes; now, therefore

THE COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:

Section 1: The Master Fee Schedule as set forth in Ordinance No. 13078, as amended, is hereby amended to modify and establish fees assessed by the Office of the City Administrator and as set forth in **Exhibit A**, attached hereto and made a part hereof.

Section 2: This ordinance shall be effective on March 20, 2012 upon approval by the Council of the City of Oakland.

IN COUNCIL, OAKLAND, CALIFORNIA, APR 3 2012, 20

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, DE LA FUENTE, KAPLAN, ~~NEPOMUKIAN~~, NADEL, SCHAFF, and *Reid - 7*

NOES- *0*

ABSENT- *0*

ABSTENTION- *0*

Excused- *Kernighan - 1*

ATTEST: *LaTonda Simmons*
LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California

Date of Attestation April 11, 2012



**City of Oakland
Master Fee Schedule
Effective July 19, 2011**

CITY ADMINISTRATOR

PROPOSED FEE
(FY 2011-12)
%
CHANGE

FEE DESCRIPTION	FEE	UNIT	FEE	UNIT	% CHANGE
SPECIAL ACTIVITIES					
A. APPLICATION FILING FEE FOR A SPECIAL ACTIVITY PERMIT AS REQUIRED BY OAKLAND MUNICIPAL CODE					
25 Food Vending Group Site Permit					
a. Application/Processing	\$421.66	per site (non-refundable application fee)			
b. Notification Fee	\$200.00	generate a list of property owners and businesses within 300 feet			
c. Permit Fee	\$100.00	Per Group Site operation date			
d. MFV Parking Space Use Fee (before 6pm) Hourly rate for meter	\$2/hr	Per Metered space/Per Group Site Operation Date for			
e. MFV Parking Space Use Sign	\$3.10	Per sign or Replacement Sign			