

CITY OF OAKLAND
AGENDA REPORT

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2008 MAY 22 PM 7:28

TO: Office of the City Administrator
ATTN: Deborah A. Edgerly
FROM: Budget Office
DATE: May 29, 2008

RE: **Supplemental Report Responding to Questions and Concerns from the May 15, 2008 Special City Council Meeting and Additional Department Amendments on an Ordinance Amending Ordinance Number 12809 C.M.S. (Master Fee Schedule), as Amended, to Establish, Modify, and Delete Fees Assessed by Selected Offices, Departments, and Agencies of the City of Oakland**

SUMMARY

During the May 15th Special City Council meeting, Council members raised questions and expressed concerns of items that would change the Master Fee Schedule. Section A in this report outlines questions and concerns raised by Council during the May 15th discussion.

Section B delineates (by department) additional amendment recommendations to the Master Fee Schedule as a result of the May 15, 2008 special meeting on the FY 2008-09 Midcycle Budget proposals.

SECTION A: COUNCILMEMBER QUESTIONS AND CONCERNS

Councilmember Patricia Kernighan

Police Background Investigations Fee (page D-1)

Q. To whom are these fees charged?

A. Any unit/department outside of the Oakland Police Department.

Q. Does the fee cover the actual costs?

A. Yes, it is inclusive of investigator background investigations and finger printing.

Construction Permit Fee (page E-9)

Q. Are these Fire inspections currently performed at no cost?

A. No, these charges are in accordance with Fire Code adopted by the City Council. The current fee is a flat fee; the proposal is to create more equity by changing to an hourly rate. This provides greater equity to customers, based on construction type and size, and captures actual staff costs for services rendered.

Q. Are any of these fees applied to single family homes?

A. Yes, it can be applied to automatic fire sprinklers; primarily in assessment districts where sprinklers are required.

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Building Services Inspection Fee (page I-9)

Q. Are fees set at the right amounts?

A. The fees are set up as an escalating or sliding scale based on the cost of the construction value. Building services contracted with Marshal & Swift (Building Construction Cost Company) to review and compare fees.

Q. Under what circumstances would you implement a Billing Appeal fee?

A. There is currently no fee for duplicate appeals for the same determination. There is a warning issued with the first appeal denial that repeat submittals will be charged the billing fee.

Parking at Lakeside Park (page G-8)

Q. New parking fee at Lakeside Park is applied to cars and school buses on weekdays; don't we want to encourage people to visit the area?

A. OPR wants to encourage healthy lifestyles and the use of Lakeside Park. This parking fee is designed in part to ensure that commuters are charged for parking at Lakeside on weekdays. In addition, it has been determined that the majority of school buses drive through and drop off students, and do not park. With the proposed new fee, this option would continue to be available. Only buses that park in the lot and take up six parking spaces would have to pay the fee. Visitors to the area who did not wish to pay the fee would continue to have the option to park on the streets around Lake Merritt.

Councilmember Henry Chang

Planning and Zoning (page I-21)

Q. Why is there a 14 percent increase across the board?

A. Four percent increase is for cost of living adjustment. The added 10 percent increase is to bring revenues more in line with spending (from 50 percent cost-covering to the proposed 60 percent).

Q. Doesn't cost recovery mean the length of time one sets and looks at project?

A. The proposed 14 percent increase would apply to all Zoning fees. Most projects don't need the more expensive permits required for major projects.

Q. The new Enterprise fund is set up to pool funds for Planning to draw from and the other side (Zoning) generates revenues?

A. Planning and Building Fees include planning fees that are not collected up front, but collected on the back end.

Councilmember Jean Quan

Q. What is the overall rationale for department fee increases?

A. In some cases it is for cost of living increases. In other cases it is because there have not been fee increases for several years and no longer cover staff time.

Police Background Investigations Fee, follow up (page D-1)

Q. Is this a new fee? Was there not a background fee before?

A. Yes, this is a new fee. No, OPD was not charging for background checks to City departments or outside departments / businesses.

Q. So, the city will have a fee for other departments (internal charges)?

A. Yes, if departments request a background investigation.

Q. Will departments be disproportionately charged, like kids programs at OPR, part-time employees, summer employment programs, or internship programs?

A. No, part time employees, summer employment programs or internship programs will have only finger prints conducted, which is only \$10. There are no background checks.

Q. So, who pays the \$2,500?

A. Any City Department or outside entity requesting a Level One background check would pay the fee amount.

Councilmember Jane Brunner

Public Works Trees (page H-3/4)

Q. Why is there a 44 percent increase to tree planting?

A. The fee is intended to recover actual costs for planting; it would include the cost of the inspection, tree, tree stake and two people with the equipment to plant the tree.

Q. Is the fee for a City tree or a privately-owned tree?

A. The fee is for a street tree. This fee is not currently charged. The current budget supports tree planting. If the budget did not continue to support tree planting, property owners could elect to have the City provide that service (planting) by paying the proposed fee. The fee will not be charged unless the budget no longer supports tree planting.

Q. When is the Tree Removal fee applied?

A. The Replacement Tree In Lieu fee is related to development sites only. It is applied when a development project requires native trees to be removed to develop the site and the required replacement trees cannot be planted due to site constraints. All revenues are applied toward tree planting in City parks, streets and medians.

Q. Is the tree replacement fee also applied to development sites?

A. No, this service fee is for damaged trees. It is applied when a person hits a tree or damages a City tree of a replaceable size. In such cases, the person pays the actual costs to replace the tree.

Fire Administration- Appeals (page E-1)

Q. Why is there an Appeal for Billing fees (page E-1)?

A. This is related to the new fire code that was adopted by City Council.

Park Use Permits (page G-1)

Q. Is there no cost for 1-50 patrons (page G-1)?

A. The fee is \$50. This is a restructuring of the fee. The old Park Use Permit fee was 1 to 99 patrons at \$50. The new restructured fee is for 1 to 49 patrons at \$50 and 50-99 patrons at \$75. This is in line with the fees charged by other cities in the area. It is important to note that the City bears a cost for issuance of park permits for events: Not only is the site reserved for private use and the designated area cleaned before and after the event, but the permit ensures that a Park Ranger will (at a minimum) drive by the site during the event to check for potential problems.

Q. Field Rentals (page G-8); did you work with the different leagues to change the fees?

A. Yes, the proposed fees were developed in coordination with a member of the Parks and Recreation Advisory Commission (PRAC) who is very involved in adult sports leagues and field reservations.

Councilmember Nancy Nadel

Fire Service- Permits

Q. Why is there a fee for exhibit and trade shows (page E- 5)?

A. The fee is within the fire code adopted by City Council. There is a cost for time to review plans and a physical inspection by Fire personnel.

Q. Why is there a fee for Fireworks when they are not allowed (page E-5/6)?

A. The City does not allow fireworks. This item is in the fire code and therefore is intended as a potential fee in the Master Fee Schedule.

Q. Why is there a fee for EBMUD Meter Approval (page E- 11)?

A. The fee is for new sprinkler installations tied to meters. The fee applies to any sprinkler system.

SECTION B: CITY AGENCY/DEPARTMENT ADDITIONAL AMENDMENTS

Office of Parks and Recreation is proposing the following addition to page G-9

F. Field Rentals (Groups)

3. Additional Fees

- | | |
|---|---------------------|
| f. Artificial Turf Maintenance Fee (Youth) | \$5.00 per session |
| g. Artificial Turf Maintenance Fee (Adults) | \$10.00 per session |

Fire Services is proposing the following additional changes:

L. Subpoena Fees (page E-3)

1. Witness Fee (Not Related to Employee's Duties) from \$57.00 + \$0.485 mileage to \$57.00 + **\$0.555 mileage**

Permits (page E-9)

B. Construction Permits as required by the Oakland Fire Code Section 105.7

3. Automatic Fire Extinguishing Systems Installation

- a. 13D Systems (**Single Family Dwelling/Duplex**)

Community & Economic Development is proposing the following changes:

WORKFORCE DEVELOPMENT (page I-27)

A. Process Fee

1. Enterprise Zone Hiring Tax Credit Voucher

- a. Normal processing fee from \$50.00 each to **\$75.00 each**
b. Expedited processing fee for 15 day turn-around from \$70.00 each to **\$95.00 each**
c. Expedited processing fee for 30 day turn-around from \$65.00 each to **\$90.00 each**

RECOMMENDATION

Staff recommends that the City Council accept this report and adopt the proposed ordinance amending the Master Fee Schedule, as presented at the May 15th Special City Council meeting and as described above. Once adopted, the amended fees will become effective on July 1, 2008.

Respectfully submitted,



SARAH T. SCHLENK

Budget Director

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APPROVED AND FORWARDED TO THE
CITY COUNCIL:


Office of the City Administrator