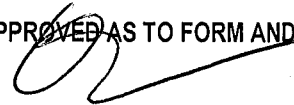


FILED
OFFICE OF THE CITY CLERK
OAKLAND

APPROVED AS TO FORM AND LEGALITY



City Attorney

2018 JUL -3 AM 10:39

OAKLAND CITY COUNCIL
ORDINANCE No. _____ C.M.S.

AN ORDINANCE AMENDING ORDINANCE NO. 13448 C.M.S. (THE FISCAL YEAR 2017-18 MASTER FEE SCHEDULE, OR "MFS"), TO ESTABLISH, MODIFY AND DELETE FEES AND PENALTIES ASSESSED BY OFFICES, DEPARTMENTS, BUREAUS, AND AGENCIES OF THE CITY OF OAKLAND, REFERENCED HEREIN.

WHEREAS, the City of Oakland periodically amends City Council Ordinance No. 13448 and updates its Master Fee Schedule to account for the various cost increases relating to municipal programs, services and activities; and

WHEREAS, the City has experienced and anticipates continuing increases in the costs to operate and maintain municipal government citywide; and

WHEREAS, City Administrators Office, Department of Transportation, Economic & Workforce Development, Planning and Building Department, Oakland Police Department, Oakland Parks and Recreation, Oakland Public Works, Revenue Management Bureau, Oakland Fire Department, the Office of the City Attorney, and the Office of the City Clerk, ~~and Housing and Community Development~~ ("the Departments"), undertook analysis and evaluation of the revenue requirements to fund ongoing municipal services, programs and activities and the fee structure necessary to proportionately allocate the costs of providing these government services and programs; and

WHEREAS, the Agenda Report including Attachments A-1, A-2, A-3, A-4, A-5, A-6, A-7, A-8, A-9, A-10, and A-11, ~~and A-12~~ (herein "the Agenda Report") dated April 2, 2017, provided by staff of the Departments in support of the amendments to this ordinance, was prepared and includes proposed fees and charges, and documentation supporting the estimated and reasonable costs for continuing to provide the various government services; and

WHEREAS, the investigations conducted by staff of the Departments reflected in the Agenda Report show that existing revenues are and will be insufficient to cover the current and projected costs of operating and maintaining identified City government activities, services and programs; and

WHEREAS, the fee modifications and additions proposed by the Departments, and the facts and analysis in support thereof are identified in the Agenda Report; and

WHEREAS, the proposed amendments to the Master Fee Schedule reflect the transfer of certain fee categories to appropriate departments managing, performing the function, and/or providing the services without modification to the fees with such functions or services certain; and

WHEREAS, the Agenda Report shows that revenues derived from the proposed fees and charges will not exceed the funds required to provide the related government activities, services and programs of the Departments; and

WHEREAS, the Agenda Report shows that the amounts of the proposed fees and charges will not exceed the proportional cost of service provided or benefit attributable to each fee payer; and

WHEREAS, the Agenda Report shows that the proposed fees and charges for a product, benefit or service are imposed for a specific government service, benefit or product provided directly to the payer that is not provided to those not charged, and does not exceed the reasonable costs to the City of providing the service, benefit or product; and

WHEREAS, at the Public Hearing held on May 15, 2018, the Council reviewed and considered the proposed fee changes; and

WHEREAS, based upon all written and oral reports and presentations to Council, including the Agenda Report and each of the Attachments thereto, the City Council finds and determines that the proposed modifications and additions to the Master Fee Schedule set forth herein are necessary to reimburse the City for the costs of performing the various municipal and regulatory functions, and that these fees do not exceed the proportional cost of the service or benefit attributable to the fee payer; now, therefore

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

Section 1. The City Council finds and determines that the foregoing recitals are true and correct and are hereby incorporated herein as findings and determinations of the City Council.

Section 2. The Master Fee Schedule as set forth in Ordinance Number 13448 C.M.S. as amended, is hereby amended to modify and establish the fees assessed by the City Administrators Office, Department of Transportation, Economic and Workforce Development, Planning and Building Department, Oakland Police Department, Oakland Parks and Recreation Oakland Public Works, Revenue Management Bureau, Oakland Fire Department, the Office of the City Attorney, and the Office of the City Clerk, ~~and Housing and Community Development~~ as set forth in Exhibit-A, attached hereto, incorporated into and made a part hereof.

Section 3. If any section, subsection, subdivision, sentence, clause or phrase of this Ordinance or any part thereof is for any reason held to be unconstitutional, invalid, or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remainder of the Ordinance or any part thereof.

Section 4. This ordinance shall be effective immediately upon passage if it receives affirmative votes of six or more Councilmembers; otherwise, with five Councilmember votes it shall be effective upon the seventh day following adoption. All fees hereby approved shall be effective July 10, 2018.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2018

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GIBSON MCELHANEY, GUILLEN, KALB, KAPLAN, PRESIDENT REID

NOES -

ABSENT -

ABSTENTION -

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

ORDINANCE

AMENDING ORDINANCE 13448

FY 2018-19 MASTER FEE SCHEDULE

DEPARTMENT PROPOSALS

Exhibit A:

- A-1 CITY ADMINISTRATOR'S OFFICE
- A-2 DEPARTMENT OF TRANSPORTATION
- A-3 ECONOMIC & WORKFORCE DEVELOPMENT
- A-4 PLANNING & BUILDING
- A-5 OAKLAND POLICE
- A-6 OAKLAND PARKS & RECREATION
- A-7 OAKLAND PUBLIC WORKS
- A-8 REVENUE MANAGEMENT BUREAU
- A-9 OAKLAND FIRE DEPARTMENT
- A-10 OFFICE OF THE CITY ATTORNEY
- A-11 OFFICE OF THE CITY CLERK
- ~~A-12 HOUSING & COMMUNITY DEVELOPMENT (BLANK)~~

ATTACHMENT B – EXHIBIT A