



AGENDA REPORT

Meeting Date: September 21, 2010

Item Number: D-1

To: Honorable Mayor & City Council

From: Pamela Mottice-Muller, Director of Emergency Management *PM*
Megan Roach, Senior Management Analyst *MR*

Subject: A RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS AMENDING THE COMPREHENSIVE SCHEDULE OF TAXES, FEES & SERVICE CHARGES FOR THE FISCAL YEAR 2010/2011

Attachments: 1. Resolution

RECOMMENDATION

Staff recommends that the City Council hold a public hearing and adopt the "Resolution of the Council of the City of Beverly Hills Amending the Comprehensive Schedule of Taxes, Fees & Service Charges for the Fiscal Year 2010/2011" to adopt a fee for the tobacco retailer permit.

INTRODUCTION

On August 31, 2010, the City Council adopted an ordinance establishing a permit requirement for all businesses that engage in the sale of tobacco products. The proposed resolution establishes the annual permit fee in the amount of \$204.

DISCUSSION

The tobacco retailer ordinance requires any business establishment that is dedicated in whole or part to the sale of tobacco products to obtain a tobacco retailer's permit from the City. Retailers will be required to annually submit an application to the City along with the permit fee.

The cost of the retailer permit cannot exceed the cost to administer, process, and enforce the permit. In setting the proposed permit fee, staff undertook a study and determined that the cost to conduct an annual compliance check of the approximate 51 retailers in the City would be on the average, \$204 per establishment. This includes staff time to process the application as well as to conduct a compliance check of the retailer. Accordingly, collection of the annual permit fee would offset the staff time

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required to administer and enforce the tobacco retailer permit program. The permit fee, however, does not include follow-up with non-compliant retailers or public outreach costs. During program implementation, these costs will be absorbed within the existing budget. Accordingly, staff recommends the adoption of the resolution to establish this permit fee.

FISCAL IMPACT

The cost of the retailer permit cannot exceed the cost to administer, process, and enforce the permit. The majority of staff time required to administer and enforce the tobacco retailer permit program would be offset by the cost of the annual permit.

Pamela Mottice-Muller 
Director of Emergency Management

Megan Roach 
Senior Management Analyst

Attachment 1

RESOLUTION NO. 10-R-_____

RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS
AMENDING THE COMPREHENSIVE SCHEDULE OF TAXES, FEES &
SERVICE CHARGES FOR THE FISCAL YEAR 2010/2011

The Council of the City of Beverly Hills does resolve as follows:

Section 1. As set forth in Resolution 10-R-12748, the City Council has established, amended, fixed and modified, all fees, permit fees, City service charges, and other fees, charges, extractions, and required payments for municipal services, inspections, enforcement activities or for other indicated purposes for Fiscal Year 2010-2011. (“Comprehensive Schedule of Taxes, Fees & Charges”). The City Council now desires to add a new fee to that Comprehensive Schedule of Taxes, Fee & Charges.

Section 2. The City Council hereby establishes a new permit fee for the tobacco retailer program for fiscal year 2010/2011 in the amount set forth in Exhibit A, attached hereto and incorporated herein. Said fee shall be included and incorporated into the City’s Comprehensive Schedule of Taxes, Fees & Charges.

Section 3. The City Council is taking action only on that fee as set forth in Exhibit A. The remaining taxes, fees, permit fees, City service charges, and other fees, charges, extractions, and required payments for municipal services, inspections, enforcement activities or for other indicated purposes set forth in the Comprehensive Schedule of Taxes, Fees & Charges have not been readopted and remain in place.

Section 4. The City Clerk shall certify to the adoption of this and shall cause this resolution and his certification to be entered in the Book of Resolutions of the Council of this City.

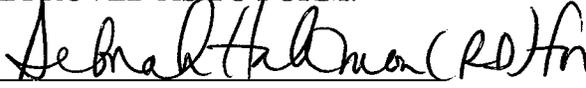
Adopted:

JIMMY DELSHAD
Mayor of the City of
Beverly Hills, California

ATTEST:

(SEAL)
BYRON POPE
City Clerk

APPROVED AS TO FORM:



LAURENCE S. WIENER
City Attorney

APPROVED AS TO CONTENT:

JEFFREY KOLIN
City Manager



SCOTT G. MILLER
Director of Administrative Services/
Chief Financial Officer

EXHIBIT A

Business Permits

REFERENCE	TYPE OF FEE OR CHARGE	2010/11 CURRENT RATE	2010/11 NEW RATE	CHANGE %
<u>Cashier's Office, First Floor</u>				
4-2.2101	Tobacco Retailer Permit		204.00	