



AGENDA REPORT

Meeting Date: July 2, 2013

Item Number: E-1

To: Honorable Mayor & City Council

From: Don Rhoads, Administrative Services Director & Chief Financial Officer
Don Harrison, Budget & Revenue Officer
Carolyn Johnson, Budget & Financial Analyst

Subject: RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS
AMENDING THE COMPREHENSIVE SCHEDULE OF TAXES, FEES
& CHARGES FOR THE FISCAL YEAR 2013/2014

Attachments:

1. Resolution with Exhibit A
2. Redlined Schedule of Taxes, Fees & Charges - Showing Revisions

RECOMMENDATION

It is recommended that the City Council conduct a public hearing and adopt the resolution amending the schedule of taxes, fees and charges for Fiscal Year 2013/14.

INTRODUCTION

The City levies a range of permit fees, charges, rental and use fees, taxes and other fees or payments, which are listed in a comprehensive schedule called "Schedule of Taxes, Fees & Charges" (hereinafter "Schedule of Fees & Charges" or "Schedule"). The Schedule contains the following sections:

- Section 1 – Ambulance & Alarm Fees
- Section 2 – Appeals & Hearings
- Section 3 – Business Permits
- Section 4 – Copies, Reports, etc.
- Section 5 – Facilities Use Fees
- Section 6 – Inspections, Permits, & Reviews
- Section 7 – Library Services
- Section 8 – Parking Citations

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- Section 9 – Parking Rates
- Section 10 – Recreation Fees & Animal Licenses
- Section 11 – Special Events & Filming
- Section 12 – Taxes
- Section 13 – Utility Rates & Fees

Maintaining a comprehensive book with all the various fees, charges and taxes ensures that the City provides the public with one document that contains all city fees rather than providing the information in several documents or in piecemeal form. In addition, the Schedule is available on the City's website. Although the City reviews the Schedule yearly, there are times when revisions are made to certain fees during the year. When that occurs, the comprehensive book is updated.

In accordance with section 3-1.1001 of the Beverly Hills Municipal code and Ordinance No. 79-0-1749, City fees and charges are adjusted annually, based upon the increase in the Consumer Price Index (CPI) for the preceding twelve months, and rounded to the nearest dollar.

The State Constitution generally requires the fees for services cannot exceed the "costs reasonably borne" by the City in delivery of such services. In compliance with the Constitution, the City periodically performs, a full cost study to confirm current costs of services and to recommend cost recovery levels for these fee based programs. Most fees underwent a fee study one year ago.

Planning, Building & Safety, and Code Enforcement related fees for services of the Community Development Department are not included in this proposed fee update due to that department's proposal to streamline its many fees and reduce the total number of fees. This includes some fees formerly under Engineering which have been transferred to Community Development. This effort will occur over the summer and will be brought back to the City Council upon completion of the department's recommendations.

The following proposed adjustments to the Schedule of Taxes, Fees and Charges for fiscal year 2013/14 are to reflect the following:

1. Consumer Price Index (CPI) adjustments- CPI adjustment of a 2.1% increase to Fees and Charges, based on the Consumer Price Index for all Urban Consumers in the Los Angeles / Riverside / Orange County area.
2. Special Circumstances – In some instances staff recommends a fee that is lower than full cost recovery, often times to remain competitive or to round for ease of collection.

At this time, all sections are under consideration by the City Council except Utility Rates and Fees (see page 8, under Utility Rates & Fees for further explanation).

Exhibit A to the Resolution (Attachment 1) contains the taxes, fees and charges for Fiscal Year 2013/2014 that are recommended to be adopted. Attachment 2 contains a redline document of fees that are recommended for revision. Strikeouts indicate deletion of text that is no longer relevant and/or clean up. Except as otherwise indicated, all fees are scheduled to become effective August 1, 2013. Development Fees will become effective on September 1, 2013. The Vegetation Management Program fees,

managed by the Fire Department, will become effective on January 1, 2014 so that fee increases do not take place in the middle of the inspection process.

DISCUSSION

The following is a discussion of the proposed changes for each section of Attachment 2 – Redlined Schedule of Taxes, Fees & Charges.

Ambulance & Alarm Fees (Section 1)

- Most Ambulance and Alarm fees are recommended to increase by the Consumer Price Index.
- Fees for Oxygen, Medical Supplies, and Mileage are remaining the same and therefore not included in this Resolution.
- The non-resident surcharge will remain at 10% and is therefore not included in this Resolution.
- The “False Alarm Service Charge Appeal Fee” is a contracted rate that we pay a vendor and is not increasing. It is not included in this Resolution.
- The DUI Collision Emergency Response fee will remain set at actual cost and is therefore not included in this Resolution.

Appeals & Hearings (Section 2)

- The Appeals to City Council fees are not recommended to increase and therefore are not included in this Resolution. These fees will be reviewed as part of the streamlining process of the Community Development fees.
- The remaining fees under Appeals & Hearings are recommended to increase by the Consumer Price Index.

Business Permits (Section 3)

- All fees under Business Permits are recommended to increase by the Consumer Price Index, except Bingo Permit fees which are set by State Law and will remain the same. Therefore Bingo Permit fees are not part of this Resolution.

Copies, Reports, etc. (Section 4)

- Most fees are recommended to increase by the Consumer Price Index, however since many of these fees are small they will not actually increase because the Consumer Price Index is too small. Fees that are not increasing are not part of this Resolution.
 - Photocopies – black & white (citywide)
 - Fire Department – Incident Report and Emergency Medical Information copy fees.
 - Police Department – Standard Reproduction (per page) / First Page copy
 - Police Department – Reproduction from microfilm (per page)
 - Police Department – Reproduction Costs for Contact Sheet and photos
 - Police Department – Traffic Accident / Crime / Incident report copy fees
 - Police Department – Fingerprint on request (per permit)
 - Police Department – Report Certification

- Many fees are simply set at “actual cost”. These fees will vary based on the size and/or frequency of the document being requested. These fees are not part of this Resolution as they are not changing.
- The fees for Clerical Costs for Subpoenas and Discovery Motions, Lien Sale Processing, Repossession, and Concealed Weapon Permit fees are set by State Law and are not increasing, and therefore not part of this Resolution.
- Vehicle Auction Purchase Deposit fee is rounded up one dollar for ease of collection, and is based on 10 days of daily storage.

Facility Use Fees (Section 5)

- Most Facility Use Fees are recommended to increase by the Consumer Price Index.
- Security Deposit fees are set at double the room rental rate.
- A new fee is being added for Audio visual set-up at the Library. The fee is minimal and was created to recover the cost of an hourly part-time staff member’s time.
- The non-resident fee for interior use of Greystone Estate, Mondays – Thursdays is being corrected. It was incorrectly listed at the resident rate in the fiscal year 2012/13 schedule.
- A new fee is being added for a cleaning fee for the catering kitchen at Greystone Estate.
- The Non-resident rate for Long Term Parking at Greystone Estate is being corrected. It was incorrectly listed in the fiscal year 2012/13 schedule.
- The fees for the use of Beverly Canon Gardens have been revised. The old rates were solely for weddings/commitment ceremonies, whereas the new rates apply to all special events. Staff were unable to rent the facility to its potential under the previous rate structure due to the fees being disproportionately high. The proposed rates make the facility more marketable and competitive with similar facilities in and around the Beverly Hills community. The Recreation & Parks Commission has recommended the new fee structure and pricing levels that are being presented in this fee schedule. The new fee structure is modeled after the rates at Greystone.
- The Pay-to-Stay Jail Facility fee and Bail Bond Advertising fees are remaining the same and therefore not included in this Resolution. These are fees that should stay competitive in order to not drive away business.
- The guided trolley tour fees are not increasing in order to promote the City to private and corporate interests. Trolley fees are not part of this Resolution.
- The Metropolitan Transportation Authority Bus Pass fee has been moved from the Parking Rates section, however the fee is not increasing.
- Staff is recommending a \$1.00 reduction in the Senior Taxi Coupon Book fee and reinstating the original \$6 senior share per the adopted service agreement. This fee was increased from \$6 to \$7 in FY2011/12 but never implemented due to the terms of the service agreement. As this is a fee charged to Seniors, the \$6 rate should remain. This is a program that allows seniors to pay \$6 for \$24 worth of taxi service.

Inspections, Permits & Reviews (Section 6)

- Planning, Building & Safety, Code Enforcement, and some Engineering related fees for services of the Community Development Department are not included in this Resolution due to the department's proposal to streamline its many fees and reduce the total number of fees in the near future.
- Most fees under Inspections, Permits, and Reviews are recommended to increase by the Consumer Price Index.

Engineering

- Most fees are recommended to increase by the Consumer Price Index.
- The Engineering fees that are administered by Community Development (listed below) are not part of this Resolution, as they will be reviewed as part of the Department streamlining efforts.
 - Driveway Approach Permit
 - Sidewalk Replacement Street Use Permit
 - Tree Replacement
 - Curb and Gutter
 - Curb Drain Use Permit
 - Paving Replacement Inspection
 - Construction Barricade / Fence Structure Use Permit
 - Housing Move Permit
 - Moving Truck Street Use – No Parking Sign
- The following fees are set at actual cost, or are pass through fees and are not recommended to change and are therefore not part of this Resolution:
 - Easement Processing
 - Monument Inspection
 - Covenant and Agreement
 - Street Right-of-Way Vacation Processing
 - Public Improvement Plan Check
 - Utility and Minor Plan Check Revision
 - Subsequent Submittal of Plans after standard number of plan checks
 - Public Works Inspection / Re-inspection
- Heavy Haul fees are set by State Statute and are therefore not part of this Resolution.
- The following Deposit fees are not recommended to change and are therefore not part of this Resolution:
 - Drilling Permit
 - Development of Oil, Gas & Minerals
 - Approval of Exploratory Boundary
 - Mining and Extraction Application

Fire

- Most Fire Department fees are recommended to increase by the Consumer Price Index.
- The following fees are set at Actual Cost and are not recommended to change, therefore they are not part of this Resolution:
 - Special Inspection of Underground Storage Tank fee, for removal, modify and clean-up.
 - Vegetation Management Program – Lot Clearing by City Staff
 - Inspection Services
- Annual Permits not listed by California Fire Code is set at Actual Cost and is not recommended to change, therefore it is not part of this Resolution.

Police

- The Correctable Citation Sign-off fee is not recommended to change and is therefore not part of this Resolution.

Public Works & Transportation

- Most fees are recommended to increase by the Consumer Price Index.
- The Fee for Traffic/Parking Consulting Services projects requiring special or particularly involved circulation or parking analysis fee is recommended to remain the same and is therefore not part of this Resolution.
- The Business National Pollutant Discharge Elimination System (NPDES) inspection fee is a pass through fee from the county and is recommended to remain the same and is therefore not part of this Resolution.
- The Industrial Waste Discharge Program fees are County Pass through fees. Fees are increasing to the new County Rates. There is no fee for the Permit Application therefore that is not part of this Resolution.
- The Violation/Compliance Inspection, Wastewater Sampling, and Inspection, Closure, Industrial Waste fees are set at actual cost and are not recommended to change and therefore are not part of this Resolution.

Library Services (Section 7)

- Most Library fees are set to increase by the Consumer Price Index, however since many of these fees are small they will not actually increase because the Consumer Price Index is too small. Fees that are not increasing are not part of this Resolution.
- Library fees are being rounded for ease of collection.
- The fee for a replacement Library Card is not increasing as this is set at the actual cost of the card. It is not part of this Resolution.
- The fees for patrons to purchase supplies, and use the public scanner are not increasing as these are set at cost and offered as a service to our patrons.
- Passport Processing Service fees are set by Federal Law and are not increasing.

Parking Citations (Section 8)

- Most fees under Parking Citations are remaining the same and are therefore not part of this Resolution.
- City of Beverly Hills Municipal Code and California Vehicle Code Parking Penalties of Disabled Space and Unlawful use of Invalid Disabled Placard are increasing as a reflection of the impacts of Disabled Placard misuse within the community.
- One new Misuse of Disabled Placard fee was added called 4461(a).
- The “Unlawful use of Invalid Disabled placard”, “Parking/blocking wheelchair access (b)”, and “Parked within 3’ of sidewalk ramp (b)” fees are increasing, as a reflection of the impacts of Disabled Placard misuse within the community.

Parking Rates (Section 9)

- Most parking rates are recommended to remain unchanged and are therefore not included in this Resolution.
- The rates for Metropolitan Transportation Authority Bus Pass and Taxi Coupon Book have been moved to the Facilities Use Fee section, listed under Transportation.
- Staff is recommending a \$1.50 increase to the Preferential Parking Permit fee for the purpose of rounding the number for ease of collection. The new, higher fee (\$35.00) is still lower than the cost of providing the service (\$49.88), as determined by the fee study that was conducted on the Parking rates last year. Staff is recommending keeping the fee below the full cost recovery rate as this is a fee paid by residents.
- Staff is recommending a reduction of \$1.00 in the Resident Overnight Parking Permit fee for ease of collection. Staff is also recommending a new fee structure for the Resident Overnight Parking Permit. The new structure will reduce the cost of the permit by \$7 each month during the calendar year.
- Staff is recommending increasing the Parking rates at the 9333 Third Street Facility by \$1.00, and changing the “per hour after 2 hours rate” to a “per half hour after 2 hours” rate. The rate for vehicles entering after 6:00pm would remain the same.
- Currently the Administration fee is a flat rate. The parking fees range from .50 cents to \$22, staff is recommending establishing a variation in the Administration fee to allow for eligibility of a refund when the parking fee is \$5.00 or less; without this modification a refund cannot be issued.
- The Facility Charges are recommended to increase by the Consumer Price Index.

Recreation Fees & Animal Licenses (Section 10)

- Most of the Recreation Fees are small and will not actually increase because the Consumer Price Index is too small, and fees are rounded to the nearest dollar for ease of collection. Some fees have been prorated to each participant in the past and will continue to be prorated. Fees that are not increasing are not part of this Resolution.
- Fees for the Tennis Courts are recommended to stay the same and are therefore not part of this Resolution.
- Youth Sports Fees are not increasing and are not part of this Resolution.

- Fees for Animal Control are based on the Los Angeles City Fees and are not increasing and are not part of this Resolution.
- Trapping fees are set by the contractor. The delivery and set-up fees are decreasing, while the “per trapped animal” fees are remaining the same.
- A new fee for a one-man team to clean up a dead animal on the street is being added. The fee is set at the rate that is charged by the contractor.

Special Events and Filming (Section 11)

- Special event and filming fees are being increased by the Consumer Price Index, and rounded to the nearest dollar.
- City personnel time at special events is remaining at “actual cost” and is therefore not part of this Resolution.
- The fee for Sworn Police Personnel at Special Events is not increasing to stay competitive, and therefore is not included in this Resolution.
- There is a correction being made to the Street Closures text. The text incorrectly indicated that the fee was per block. The text is being corrected to read per event.

Taxes (Section 12)

- Most taxes are effective August 1, 2013.
- Classification A, C, and I, are effective January 1, 2014.
- Taxes that are not increasing are not included in this Resolution.
- There is one new fee that the City is required by the State to charge. It’s a \$1.00 fee added to Business Tax processing. The funds are restricted for use to fund certified access specialist (CASp) training and programs.

Utility Rates & Fees (Section 13)

- None of the Utility Rates & Fees are included in this Resolution.
- Fiscal year 2013/14 Water Rates for service connection charges, service installation deposits, fire protection service installation deposits, fire hydrant installation deposits, temporary service connections, temporary supply from fire hydrant, groundwater replenishment, water rates, and fire protection service charges were approved by City Council on June 4, 2013 and are not included in this Resolution.
- Water Service Restoration fees, Fire Flow Testing fees, and Water Meter Testing fees are recommended to stay the same and are not included in this Resolution.
- Wastewater, storm water and solid waste fees are not increasing and are not included in the attached, redlined, fee schedule.
- Refuse collection rates are staying the same and are not included in the Resolution.

Meeting Date: July 2, 2013

FISCAL IMPACT

Based on the Consumer Price Index and revenue analysis, it is estimated that the total adjustments to the comprehensive Schedule of Taxes, Fees, & Charges will achieve approximately \$180,000 - \$220,000 in additional cost recovery to the General Fund. This additional revenue has not been included in the fiscal year 2013/14 budget.



Don Harrison

Budget and Management Approval



Don Rhoads

Approved By

Attachment 1

RESOLUTION NO. _____

RESOLUTION OF THE COUNCIL OF THE CITY OF
BEVERLY HILLS AMENDING THE COMPREHENSIVE
SCHEDULE OF TAXES, FEES & CHARGES FOR THE
FISCAL YEAR 2013/2014

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

Section 1. The City Council hereby establishes, amends, modifies and fixes, effective August 1, 2013 (except as otherwise set forth herein), fees, permit fees, City service charges, and other fees, charges, and required payments for municipal services, use of City property, inspections, enforcement activities or for other indicated purposes, as set forth in Exhibit "A" under the column "2013/14 Rate." Said designations in Exhibit A shall supersede and prevail over any prior provisions concerning the same item in any former resolution, motion or other action of this council, and pursuant to Ordinance No. 79-O-1749 shall also prevail over any inconsistent provisions of the Municipal Code. Such fees, permit fees, City services charges and other fees, charges, and required payments for municipal services, use of City property, inspections, enforcement activities or for other indicated purposes, as set forth in Exhibit A shall be included and incorporated into the City's Comprehensive Schedule of Taxes, Fees & Charges.

Section 2. Notwithstanding Section 1, the fees for the "Vegetation Management Program" under "Inspections, Permits & Reviews" and Tax Classifications A, C, and I, New Business Tax Processing, and Tax Renewal Processing under "Taxes" shall be effective January 1, 2014.

Section 3. The City Council is taking action only on those fees, permit fees, City service charges, and other fees, charges, and required payments for municipal services, use of City property, inspections, enforcement activities or for other indicated purposes, as modified as set forth in Exhibit A. The (i) remaining fees, permit fees, City services charges, and other fees, charges, and required payments for municipal services, use of City property, inspections, enforcement activities or for other indicated purposes as set forth in the current Comprehensive Schedule of Taxes, Fees & Charges; and (ii) fees, permit fees, City service charges, and other fees, charges, and required payments for municipal services, use of city property, inspections, enforcement activities or for other indicated purposes as set forth in any resolution(s) adopted by the City Council, that are not listed in Exhibit A to this Resolution, have not been readopted or revised and remain in place at the current rate.

Section 4. The City Clerk shall certify to the adoption of this resolution and shall cause this resolution and

his certification to be entered in the Book of Resolutions of the City Council of this City.

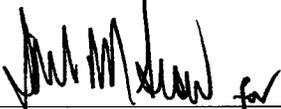
Adopted:

JOHN A. MIRISCH
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



DON RHOADS
Chief Financial Officer