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Title: Actions pertaining to the 554th Amendment to the Master Fee Schedule:
 1. Adopt a finding of statutory exemption pursuant to CEQA Guidelines Section 15273(a) for amendments to fees pertaining to: (1) Public Utilities - (a) Solid Waste, (b) Waste Water, and (c) Water Division; (2) PARCS; (3) Parking Division - (a) Event Parking; (4) Police; (5) Public Works.
 2. ***RESOLUTION - 554th Amendment to the Master Fee Schedule (MFS) Resolution No. 80-420 to Add, Adjust, Revise or Delete Various Fees (Subject to Mayor's veto)

Sponsors: Office of Mayor & City Manager

Indexes:

Code sections:

Attachments: 1. Reso - MFS 554th Amend_signed.pdf, 2. Exhibit A - MFS 554 Amend Redlines.pdf

Date	Ver.	Action By	Action	Result
12/12/2019	1	City Council	continued	Pass

REPORT TO THE CITY COUNCIL

December 12, 2019

FROM: WILMA QUAN, City Manager

THROUGH: HENRY FIERRO, Budget Manager
Budget and Management Studies Division

BY: TODD STERMER, Senior Budget Analyst
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SUBJECT

Actions pertaining to the 554th Amendment to the Master Fee Schedule:

- Adopt a finding of statutory exemption pursuant to CEQA Guidelines Section 15273(a) for amendments to fees pertaining to: (1) Public Utilities - (a) Solid Waste, (b) Waste Water, and (c) Water Division; (2) PARCS; (3) Parking Division - (a) Event Parking; (4) Police; (5) Public Works.
- ***RESOLUTION - 554th Amendment to the Master Fee Schedule (MFS) Resolution No. 80-420 to Add, Adjust, Revise or Delete Various Fees (Subject to Mayor's veto)

RECOMMENDATION

It is recommended that the Council:

1. Adopt the CEQA exemption; and
2. Approve the 554th Amendment to the MFS Resolution No. 80-420.

EXECUTIVE SUMMARY

The attached resolution to adopt the 554th Amendment to the Master Fee Schedule (MFS) Resolution No. 80-420 addresses fee changes, and annual routine revisions to the following sections of the MFS: Convention Center; General Government, Parks, After School, Recreation and Community Services (PARCS); Planning and Development; Police; Public Utilities; Public Works; and Transportation.

BACKGROUND

The annual revision of the MFS is being presented at this time to enable adjustments approved by Council to be incorporated into the planning of next year's budget. Staff will proceed with estimating revenues for FY 2021 based on the adoption of these updates to the schedule. The following narrative details the proposed fee adjustments by MFS section and then goes on to detail those fees impacting multiple sections.

City Attorney: The City Attorney's Office has requested Code Enforcement Fees be moved out of the Planning and Development section of the MFS. The City Council moved Code Enforcement activities from the Planning and Development Department to the City Attorney's Office in Fiscal Year 2020 and this amendment would capture the organizational change. The proposed move will not change any of the Code Enforcement Fees.

Public Utilities (Solid Waste): The Solid Waste Division is proposing adjustments to seven existing fees and the inclusion of one new fee. The existing fees are adjusted annually to reflect the current cost of service and materials. The existing fees being adjusted include: Container Exchange fee; Container Exchange for New 64 gallon container; Container Exchange for New 96 gallon container; Solid Waste Special Haul fee (30 minute minimum fee and each additional 15 minutes fee); Foreman's Charge; and the Skip Fee for 3rd subsequent incidents. The new fee is a special event truck rental fee to recover the cost of a truck when requested by residential customers or for public relations. The new fee is comprised of operations and maintenance costs in addition to the cost of a driver, clerical staff and equipment.

Public Utilities (Wastewater): The Wastewater Division is proposing adjustments to the fee charged to other City Departments and outside agencies for Laboratory Services. One fee is currently utilized for each of the four categories of analytical tests performed on wastewater samples. The Division would like to stratify the existing fee and add two additional fees to ensure full cost recovery is captured for each respective analysis type.

Public Utilities (Water Division): The Water Division is proposing adjustments to thirteen fees, the deletion of one fee and various text changes. These fees are adjusted annually to reflect the current cost of service and materials. Fees being adjusted include: Service Disconnection; Service Restoration; Fire Hydrant Damage Repair; Three Inch Fire Hydrant Meter Deposit; Fire Hydrant Wrench Deposit; Water Supply Well Permit; Water Supply Well Inspection; Monitoring Well Permit; Monitoring Well Inspection; Well Abandonment Permit; Well Abandonment Inspection; Well Destruction Permit; and Well Destruction Inspection. Lastly, the fee for temporary water service to

non-metered residences is proposed for deletion as non-metered residences no longer exist within the City.

Transportation: The Transportation Department is proposing to update language in the MFS to further define which customers are eligible to receive discounted fare rates. The proposed update would add the language, "Military with Valid ID" to codify the current practice of offering military personnel access to the discounted fare rate.

PARCS: The PARCS Department is proposing adjustments to ten fees (nine of which are contractual), the addition of one new fee and various text changes. The proposed adjustments are as follows:

- The nine contractually adjusted fees are Green Fees at Riverside Municipal Golf Course (Riverside). Per the terms of the Riverside lease agreement, the green fees may be adjusted annually in an amount not to exceed the 12 month percentage change in the U.S. Bureau of Labor Statistics the Consumer Price Index (CPI) (Urban Wage Earners and Clerical Workers for the San Francisco-Oakland-San Jose Area). The cumulative increase to these fees is 2.968% which falls under the maximum of 2.984% based on the CPI change between June 2018 and June 2019. These fees will be effective January 1, 2020.
- The existing \$25 fee to cancel reservations within 48 hours of an event would be replaced with a \$15 fee to be applied whenever refunds are issued. The fee will recover the internal costs associated with processing refunds. There were 198 refunds issued in Fiscal Year 2019 but only 11 of the refunds were subject to the \$25 fee under the 48-hour rule.
- A new fee is proposed to offset the cost of materials and Planned Maintenance Staff time for preparing fields and courts for private rentals related to league and tournament play. There are approximately 60 requests per year and staff spends four hours preparing the fields for these private rentals. The fee would not apply to the Regional Sports Complex due to field preparation being included in the rental fee. Preparation of fields and courts at the beginning of the season would be continued as part of overall maintenance of these resources.

Parking Fees:

To reflect current organizational oversight, the Parking Division has proposed moving Parking Fees to the Planning and Development portion of the MFS. Also, in an effort to ensure that parking fees are centrally maintained, the Parking Division has proposed deleting parking fees in the General Government and Convention Center sections of the MFS. Most of the Parking Fees located in the other MFS sections are incorrect or are no longer used. The Parking Division has also proposed various text changes to Parking Fees for increase clarity. Some of the proposed adjustments are to *finer* which are not related to a tangible expense, but are designed to discourage behavior that is detrimental to the general public.

Some key items to note:

Safety Violations:

Safety violations are violations related to parking situations that jeopardize public safety. The penalty for safety violations was raised to \$100 in FY 2020 because the differential between an overtime/expired meter violation and the safety violations was insufficient to leverage the penalty to

encourage compliance. Four safety violations were omitted from the FY 2020 update and the Division proposes increasing these penalties to \$100 in FY 2021.

City Department Sponsored Permits:

Annual permits for vendors and board and commission members will be added to the MFS as the current rate is only codified in Administrative Order 7-4. The fee will be adjusted up from \$180 to \$240 to match the current staff rate. The Administrative Order will be updated when the fee increases. The per-day rate for the City Hall North Lot and the Promenade Lot will also be codified in the MFS.

Met Lot:

The Parking Division has proposed monthly parking contracts for the purchase of 10 or more permits for the Met Lot (Calaveras Street and Van Ness Avenue) in the Cultural Arts District.

Event Parking:

Proposed adjustments to Event Parking include a fee range reflective of the varying rates which may be charged based on event related agreements.

Vehicle Registration Tabs:

Fees for Vehicle registration violations have been update in accordance with the California Vehicle Code.

Restricted Parking in a Parkway:

Fresno Municipal Code section 14-1002 prohibits stopping, standing or parking a vehicle within any parkway. As such, the Parking Division has proposed and addition to the MFS to codify the penalty for violating this section of the Municipal Code.

Meter Occupancy Permit:

As a convenience option, the Parking Division has proposed the addition of an \$80.00 fee for Meter Occupancy Permits purchased after the 15th of the month. The fee for permits purchased any time through the 15th of the month would remain unchanged at \$160.00.

Police: The Police Department is proposing to adjust fees for Contract Law Enforcement Services (CLES). The CLES Program allows the public the opportunity to hire an officer for private events at a special contract rate. These fees were last increased in FY 2018 but due to Fresno Police Officer Association Memorandum of Understanding increases in FY 2018 and FY 2020, the fees will no longer cover the full cost of the program. Overhead costs are approximately 6.3%.

Public Works: Public Works is proposing to adjust one fee and restructure another in the Engineering, Inspection, and Street Work section of the MFS. The changes are as follows:

- An increase to the Traffic Signal Request Fee to capture the full cost to the City when placing traffic signals into flash mode for outside entities. The City currently subsidizes the cost of placing a signal into flash by approximately \$160 per request. Over the last twelve months in FY 2019, the Street Maintenance / T.S.S.L. Division received approximately 625 Traffic Signal Flash requests. The increased fee would not be applicable to special events as specified by Council in Resolution 2018-147.
- A restructuring of fees for review of Traffic Studies. Public Works currently utilizes the

Miscellaneous Special Project Fee of \$144 with a 2 hour minimum to review Traffic Studies. Restructuring the fees with four levels of review will provide the City with full cost recovery and will provide clarity for City staff and customers by differentiating the requests by time and complexity as well as the exact cost to perform each level of service.

- A Level 1 - Qualitative analysis is proposed for analyses that are qualitative in nature and would not require a quantitative analysis (i.e. intersection and/or segment analysis). An example of a Level 1 traffic study would be a Trip Generation Comparison letter. This fee would be \$220 per review.
- A Level 2 - Quantitative analysis is proposed for analyses that are quantitative in nature and would include analysis of five or fewer intersections and/or segments. This fee would be \$525.00 per review.
- A Level 3 - Quantitative analysis is proposed for analyses that are quantitative in nature and would include analysis of more than five intersections and/or segments. The fee would be \$780.00 per review.
- A Level 4 - Traffic Study is proposed for quantitative analyses of intersections and/or segments and an Environmental Impact Report (EIR) transportation chapter. An example of a Level 4 traffic study review would be a study that included the analysis of four intersections and the EIR transportation chapter for a development project that proposes to amend the General Plan land use from commercial to residential housing. The fee would be \$1,055 per review.

ENVIRONMENTAL FINDINGS

Amendments to the MFS, as noted above and on the schedules attached hereto, for the following departments are determined to be statutorily exempt pursuant to CEQA Guidelines Section 15273(a) because they pertain to meeting operating expenses, including employee wage rates and materials: (1) Public Utilities - (a) Solid Waste, (b) Waste Water, and (c) Water Division; (2) PARCS; (3) Parking Division - (a) Event Parking; (4) Police; (5) Public Works.

Amendments to the MFS, as noted above and on the schedules attached hereto, for the following departments are determined to individually be not a "project" for the purposes of CEQA Guidelines Section 15378 and no further assessment is required at this time: (1) City Attorney's Office; (2) Transportation Department; (3) Parking Division - (a) Safety Violations, (b) Met Lot, (c) Vehicle Registration Tabs, (d) Restricted Parking in a Parkway, and (e) Meter Occupancy Permit.

LOCAL PREFERENCE

Local preference was not considered because this agenda item does not include a bid or award of a construction services contract.

FISCAL IMPACT

The FY 2021 Budget will be built on the assumption that the fees contained in the 554th Amendment will be implemented. The effective date of this amendment is July 1, 2020, unless

otherwise noted.

Attachment:

554th Amendment to the Master Fee Schedule Resolution
Master Fee Schedule Exhibit A