

**TOWN OF FAIRFAX
STAFF REPORT**

To: Mayor, Members of the Town Council

From: Michael Rock, Town Manager
Laurie Ireland-Ashley, Finance Department



Date: October 6, 2010

Subject: Adoption of a Resolution of the Town Council of the Town of Fairfax adopting a revised Master Fee Schedule

RECOMMENDATION

Adopt a Resolution with the attached Exhibits A-E representing the entire revised Master Fee Schedule.

DISCUSSION

Under state law, municipalities may charge fees for services or regulatory activities which do not exceed the reasonable cost of providing those services or activities. The Town of Fairfax has a current active Master Fee Schedule adopted by the Town Council on September 6, 2006. Since that time period general operating costs have continued to rise. The Town hired Willdan Financial Services to complete a User Fee Study dated May 15, 2009 (the "User Fee Study") to analyze the Town's costs of services and activities for which fees may be charged. Willdan identified the Fully Burdened Hourly Rate (FBHR) for several key positions within the Town of Fairfax. FBHR includes all of the costs, direct and indirect associated with the position. Direct Labor (Salary & Benefits), and Indirect (Departmental Overhead and Central Services overhead) to determine the true cost to the Town of performing various functions.

Based upon review of this analysis and the consideration of both the Town recouping the incurred expenses of staff and being fair to our citizens; per Council recommendation the Staff submits the following fee schedules for approval with only the Direct Labor (Salary & Benefits), and Direct Overhead (Departmental Overhead) included in the costs to determine the fee.

Staff recommends that the fees be adjusted to reflect the fees listed in Exhibit A through E.

FISCAL IMPACT

Cost Recovery Fees would contribute to a sustainable budget. The estimated revenue increase to the Town is difficult to calculate because it depends on the state of the economy and what decisions people make regarding using each service for which a fee is charged.

ATTACHMENTS

1. Resolution Adopting Master Fee Schedule
2. Exhibit A: Planning Fees
3. Exhibit B: Building Fees
4. Exhibit C: Administrative Fees
5. Exhibit D: Facilities Fees
6. Exhibit E: Police Fees

RESOLUTION NO. 10-47

**A RESOLUTION OF THE TOWN OF FAIRFAX APPROVING THE
MASTER FEE SCHEDULE TO RECOVER COSTS AND
PROVIDE IMPROVED CUSTOMER SERVICE**

WHEREAS, state law, as codified in Government Code section 50076, permits municipalities to charge fees for services or regulatory activities which do not exceed the reasonable cost of providing those services or activities; and

WHEREAS, the Town retained Willdan Financial Services to complete a User Fee Study dated May 15, 2009 (the "User Fee Study") to analyze the Town's costs of services and activities for which fees may be charged; and

WHEREAS, based on the User Fee Study, the Town Council hereby determines that it is necessary that fees pertaining to planning fees, building permit fees, administrative fees, facilities fees, and police fees be more commensurate with the costs to the Town of Fairfax, relative to providing such services; and

WHEREAS, based on the User Fee Study, the Town Council hereby finds that the fees identified in Exhibits A-E do not exceed the reasonable costs of providing the services or activities for which they are charged; and

WHEREAS, the Town Council further hereby determines that planning, building, administrative, facilities and police fees geared to improve cost recovery are critical to the goal of providing excellent customer service, given budget constraints and related impacts on the General Fund of the Town of Fairfax; and

WHEREAS, there are occasions when an individual or a group wishes to use Town facilities in a unique and/or special way that is not included on the adopted schedules, and, at such times, the Town Council authorizes the Town Manager to set fees appropriate to the particular use on a case-by-case basis;

NOW, THEREFORE BE IT RESOLVED, that the Town Council of the Town of Fairfax does hereby adopt the fee schedules attached hereto as Exhibits A-E and incorporated herein by reference, to be effective November 6th, 2010.

The foregoing Resolution was duly passed and adopted at a Regular Meeting of the Town Council of the Town of Fairfax held in said Town on the 6th day of October, 2010, by the following vote, to wit:

AYES:
NOES:
ABSENT:

Lew Tremaine, Mayor

Attest:

Judy Anderson, Town Clerk

Exhibit A	
Resolution No.	
Fee Schedule : Planning Fees	
Year: 2010/2011	
Planning Fees	Fee Amount
Service/Application	
PLANNING FEES	
The following fees are based upon an estimate of the minimal amount of planning staff time necessary to process various planning entitlements. These fees do not include costs pertaining to other Town Staff members related to processing planning entitlements. Also, the following fee schedule does not include the cost or related fees associated with the review of an application by the Town Engineer.	
Basic Sign Permit Fee (conforming use)	\$88
Design Review Fees	
Preliminary Design Review Signs	\$174
Permit	\$100
Modification	\$174
Banner Installation (non-profit)	\$456
Confiscated Sign - (Real Estate)	\$141
Exterior Color Change	\$194
Residential Construction >= \$19,999	\$781
Residential Construction <= \$20,000	\$781
Commercial Projects - Minor	\$409
Commercial Projects - Major	\$4,851
Modification	\$390
Modification of Approved Plan	\$781
Multiple Residential, per Each Unit Over 10	\$4,851
Violation Inspection (Violator Billed)	\$404
Ridgeline Scenic Corridors	
Principal Structures	\$567
Accessory Structures	\$567
Planned Development District (**Deposits for Contract Planners)	
Preliminary Development Plan	\$2,500
Master Plan	\$2,500
Precise Plan	\$2,500
Amendment to Approved Plan	\$2,500
Rezoning and Pre-zoning	
Rezoning and Pre-zoning	\$3,000
	+ graphics at cost
General Plan Amendment	
General Plan Text	\$2,500
	+ graphics at cost
General Plan Map	\$2,500
	+ graphics at cost

****All Deposits are submitted at the minimum listed above. When the balance reaches \$500 additional deposit funds will be requested to continue the project. All costs are at consultant cost plus 30% or FHR per hour.**

Exhibit A	
Resolution No.	
Fee Schedule : Planning Fees	
Year: 2010/2011	
Planning Fees	Fee Amount
Service/Application	
Use Permits	
Use Permit	\$813
Modifications of Approved Use Permits	\$813
Variances	
Fences	\$461
Modification of Approved Fence Variances	\$461
All Other Variances	\$738
Modification of Approved Variances	\$636
Renewal, Extension of Time	\$122
Annexation	
Annexation Application/Processing	\$69
LAFCO Fee (estimated minimum)	\$69
Hill Area Residential Development Permit (HRD)	
HRD	\$4,448
Modification of Approved HRD Permit	\$4,448
Renewal	\$156
Traffic Impact Report (TIP) - consultant fees	
TIP	\$4,683
+	\$603
Illegal Tree Cutting Fee	\$1,000
Well Drilling Permit	\$126
Research (\$60.00 minimum)	\$60
This Fee pertains to extensive research of records and information at Town Hall by Town Hall Staff	FHR Rate per dept - \$60.00 Minimum
Photocopying - Planning	.25 per page for the first 10 pages additional pages at staff hourly rate
Ordinance Preparation	
Application Fee	\$3,202
Town Attorney Deposit	\$400
Development Agreement	
Application Fee	\$703
Town Attorney Deposit	\$400

Exhibit A	
Resolution No.	
Fee Schedule : Planning Fees	
Year: 2010/2011	
Planning Fees	Fee Amount
Service/Application	
Excavation or Fill	
1 to 25 cubic yards	
1 to 100 Cubic Yards	\$87
Over 100 Cubic Yards	\$1,188
Certificates of Compliance	
Any	\$461
	plus \$37 per parcel
conditional certificates	\$264
	plus \$37 per parcel
Encroachment Permits	
Fences	\$250
Retaining Walls	\$622
Other Structures	\$622
Street Opening Permit	\$253
Environmental Review (**Deposits)	
Initial Study/Negative Declaration	\$2,500
Environmental Impact Report	\$2,500
County Processing Fee	\$2,500
Mitigation Monitoring	\$2,500
State Fish and Game Fees	\$2,500
<i>**All Deposits are submitted at the minimum listed above. When the balance reaches \$500 additional deposit funds will be requested to continue the project. All costs are at consultant cost plus 30%.</i>	
Lot Line Adjustments	
Lot Line Adjustment Application/Processing - Ministerial	\$1,500
Lot Line Adjustment Application/Processing - Discretionary	\$2,500
Engineering Deposit	\$500
<i>**All Deposits are submitted at the minimum listed above. When the balance reaches \$500 additional deposit funds will be requested to continue the project. All costs are at FHR by dept per hour.</i>	
Subdivisions	
Tentative Map	
a. Less than 5 lots	\$2,500
b. 5 lots or more	\$2,500
c. Extension of Tentative Map	\$2,500
Final Map Fee	\$2,500

Exhibit A	
Resolution No.	
Fee Schedule : Planning Fees	
Year: 2010/2011	
Planning Fees	Fee Amount
Service/Application	
Preliminary Planning Review	
Preliminary review of planning entitlement applications, and related consultation with the Planning Director	1 HR Deposit + FHR x Time
Review of building permit applications to determine if decision by Planning Commission or Design Review Board is required (for project valuation under \$50,000)	\$229
Review of building permit applications to determine if decision by Planning Commission or Design Review Board is required (for project valuation greater than or equal to \$50,000)	\$282
Appeal Fee	\$945
ENGINEERING REVIEW FEES*	
Commercial Projects	\$850
HRD Permit Review, Single Family Residences	\$2,135
HRD Permit Review, 50% (or greater) Remodels	\$2,135
Non-HRD, Single Family Residences	\$650
Non-HRD, 50% (of greater) Remodels	\$450
Planned Development District Applications	\$1,067
Annexation	\$1,067
Traffic Impact Permit	\$750
Excavation Permit Review	\$1,067
Map Review	\$2,135
Site Specific Engineering Review	\$534
* These deposits are estimated minimums based upon the cost of reviewing various permits and entitlements, plus 30% for related planning review and administrative costs.	

Exhibit A	
Resolution No.	
Fee Schedule : Planning Fees	
Year: 2010/2011	
Planning Fees	Fee Amount
Service/Application	
<p>* Unused portions of these fees will be refunded to the applicant at the conclusion of the permit or entitlement review process. If the cost of the review exceeds the original deposit amount, the applicant will be required to deposit additional monies, at the rate of \$150 per hour, before processing continues or prior to the issuance of the respective permits or entitlements.</p>	
CONTRACT OR CONSULTING SERVICES	
<p>In addition to planning staff, and the services of the Town Engineer, the services of an outside consultant, other than an Environmental Impact Report Consultant may be necessary. The consultant's time will be charged on a cost basis plus 30% of the contract cost to recover administrative costs incurred by the Town.</p>	
ADVANCED PLANNING, TECHNOLOGY and INFRASTRUCTURE IMPROVEMENT FEES	
General Plan Maintenance Fee	5% on building permit with a value greater than \$10,000
Technology Improvement Fee	5% on building permit fee
Infrastructure Improvement Fee	5% on building permit fee
PENALTY FOR WORK WITHOUT VALID ENTITLEMENT OR PERMITS	
<p>Where work requiring a permit or entitlement required by the Fairfax Town Code or the Uniform or California Building Codes, for which fees are specified in this resolution, is started or proceeded with prior to obtaining said permit, the fees shall be three times the cost of the required permit. The payment of such fees shall not relieve any persons from fully complying with the requirements of the Codes in the execution of the work nor from any other penalties prescribed therein.</p>	

Exhibit A	
Resolution No.	
Fee Schedule : Planning Fees	
Year: 2010/2011	
Planning Fees	Fee Amount
Service/Application	
REIMBURSEMENT OF TOWN ATTORNEY COSTS	
The Town Attorney's time is charged at the rate specified in the current contract with the Town. A minimum deposit is required in conjunction with a formal request for the Town Attorney Services, plus %50 per transaction for Administrative/Senior Planner.	\$400 Deposit (\$190 per hour)
RESIDENTIAL RE-SALE INSPECTION	
Residential Re-Sale Inspection	\$405
Per additional living Unit	\$70
SOLAR ENERGY PERMIT FEES	
Installation of Solar Energy collection devices	158 EXEMPT

Exhibit B
Resolution No.
Fee Schedule : Building Permits
Year: 2010/2011

Building Permit Fees	Fee Amount
Service/Application	Cost
RESIDENTIAL	
New Home	\$ 5,199.51
Major Remodel	\$ 3,864.42
Major Kitchen Structural	\$ 2,878.40
Major Bath Structural	\$ 1,999.56
Minor Kitchen	\$ 1,543.31
Addition Major	\$ 2,878.40
Minor Bath	\$ 878.84
Roof Large	\$ 526.69
Roof Small	\$ 385.83
Water Heater	\$ 280.18 Exempt
Water Line	\$ 244.97
Gas Service	\$ 456.26
Electrical Service	\$ 456.26
Solar	\$ 456.26
Furnace	\$ 280.18 Exempt
Addition Minor	\$ 1,898.53
Garage New	\$ 2,250.68
Carport New	\$ 1,475.95
Garage Repair	\$ 949.26
Carport Repair	\$ 949.26
Deck New	\$ 949.26
Deck Repair	\$ 597.12
New Foundation	\$ 808.41
Earthquake Retro	\$ 385.83 Exempt
Ejector Pump	\$ 315.40
Sun Room	\$ 597.12
Garage Door	\$ 244.97
Pool House	\$ 2,321.11
Re-pipe Home	\$ 244.97
Radiant Heating	\$ 385.83
Creek Bank Repairs	\$ 1,616.81
Woodstove	\$ 244.97
Swimming Pool	\$ 1,123.80
Hot Tub	\$ 456.26
Retaining Wall	\$ 949.26
COMMERCIAL	
Major Remodel	\$ 5,796.62
Roof Large	\$ 790.03
Roof Small	\$ 578.74
Water Heater	\$ 420.27
Water Line	\$ 367.45

Exhibit B
Resolution No.
Fee Schedule : Building Permits
Year: 2010/2011

Building Permit Fees	Fee Amount	
Service/Application	Cost	
Gas Service	\$	684.39
Electrical Service	\$	684.39
ADA Upgrades Minor	\$	878.84 Exempt
ADA Upgrades Major	\$	1,442.27 Exempt
Grease Traps	\$	244.97
Awning	\$	244.97
Sign Structural	\$	244.97
Freezer	\$	597.12
Mop Sink	\$	244.97
Solar	\$	684.39 Exempt
RESIDENTIAL & COMMERCIAL		
Pool Equipment	\$	385.83
Demolition	\$	104.11
Insulation	\$	244.97
Siding	\$	385.83
Windows	\$	244.97
Doors	\$	244.97
Sheet Rock Repairs	\$	244.97
Minor Dry rot Repairs	\$	385.83
Major Dry rot Repairs	\$	878.84
Plumbing Minor	\$	244.97
Plumbing Major	\$	597.12
Interior Stairway	\$	597.12
Exterior Stairway	\$	385.83
Air Conditioning	\$	280.18
Temp Power Pole	\$	456.26
Sauna	\$	385.83
Skylight	\$	385.83

Exhibit C
 Resolution No.
 Fee Schedule : ADMINISTRATIVE
 Year 2010/2011

Type of Service	Fee Amount
Service/Application	Fee Amount
Returned Check Fee	\$ 35.00
Duplication - CD	
Recording of Town Council Meetings	\$ 5.00
Photocopying Fee (8 1/2 x 11)	
	.25 for pages 1-10
	Staff rate thereafter
Candidate Filing Fee	
County - pass thru cost	annual rate
Town Clerk Processing Fee	\$ 125.00
Research Fee (\$60.00 minimum)	
For extensive research of records and information by Town Hall Staff	\$ 60.00
	FBHR per dept - \$60 minimum
Council Agenda Packet - Paper	\$ 20.00
Duplicate Business License	\$ 25.00
Filming Permit	
1 to 5 people employed on location	\$ 118.00
6 to 39 people employed on location	\$ 156.00
40 to 50 people employed on location	\$ 198.00
Over 50 people employed on location	\$ 238.00

Exhibit D
 Resolution No.
 Fee Schedule : FACILITIES RENTAL FEES
 Year 2010/2011

Type of Service	Fee Amount	Day Rate
Facility/Property	Fee Amount	Day Rate
Women's Club (per hour rates)		
Fairfax, non-profit group	\$ 50.00	\$ 300.00
Non-Fairfax, non-profit group	\$ 75.00	\$ 450.00
Fairfax Resident, private event	\$ 100.00	\$ 600.00
Non-Resident, private event	\$ 125.00	\$ 750.00
Fairfax Youth Event (\$100 Deposit)	\$ 25.00	\$ 150.00
Pavilion (3 Hour Minimum)		
Fairfax, non-profit group	\$ 75.00	\$ 450.00
Non-Fairfax, non-profit group	\$ 125.00	\$ 750.00
Fairfax Resident, private event	\$ 185.00	\$ 1,110.00
Non-Resident, private event	\$ 215.00	\$ 1,290.00
Fairfax Youth Event (\$100 Deposit)	\$ 25.00	\$ 150.00
Bolinas & Peri Park (2 hour minimum)		
Non-Profit Group - per hour	\$ 50.00	\$ 250.00
Private Event - per hour	\$ 75.00	\$ 300.00
All Facilities and Parks - required		
Maintenance Fee	\$ 75.00	
Street Closures *		
Town Sponsored Events	\$ 75.00	
All Other Events	\$ 200.00	
* Per day non-refundable		
Damage/Cleaning Deposit		
All Buildings	\$ 450.00	
If alcohol is served	\$ 550.00	
Damage/Cleaning Deposit		
All Parks	\$ 300.00	
If alcohol is served	\$ 400.00	
Key Deposit - All Buildings		
	\$ 25.00	
	or Drivers License	
Key Loss Fee - All Buildings		
	\$ 50.00	

Exhibit E
 Resolution No.
 Fee Schedule : POLICE DEPARTMENT
 Year 2010/2011

Type of Service	Fee Amount
Service/Application	Fee Amount
Reports:	
Traffic Accidents	\$ 15.00
Crime and Incidents	\$5 for pages 1- 10 \$.10 each additional page
Duplication	
Audio, Video, & Data	<i>actual cost</i>
Vehicle	
Release	\$ 75.00
Immobilization Device Removal (Boot)	\$ 120.00
Repossession Fee	\$ 25.00
Fingerprints	
Ink	\$ 25.00
Livescan	\$ 20.00
Bicycle License	
Kid	\$ 2.00
Adult	\$ 2.00
Subpoena town employee for civil matter	\$ 150.00
Parking Permits (per year)	
Residents	\$ 60.00
Merchants	\$ 120.00
CCW Application Fee	\$ 100.00
Security check - Home	\$0
Street Closure- Block Party	\$ 25.00
Letter	
Clearance / Good Citizen Letter	Residents \$25
Notary and Fees arranged by requestor	Non-Residents \$50
Research/Crime Analysis (per hr.)	\$ 45.00
Special Events Staffing (per hr.)	\$ 100.00
ABC One-day License	\$ 35.00