

**TOWN OF FAIRFAX
STAFF REPORT**

To: Mayor, Members of the Town Council

**From: Michael Rock, Town Manager
Michael Vivrette, Finance Department**



Date: September 7, 2011

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

RECOMMENDATION

Adopt Resolution 11- with the attached Exhibits A-E representing the entire revised Master Fee Schedule to take effect November 6, 2011.

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. Due to rising operating costs, 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. The Master Fee Schedule which was the result of the study was implemented and subsequently updated on October 6, 2010

Based upon review of the rates currently in effect 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. Revisions to the rates previously adopted have been noted on the exhibits attached. In most cases, the proposed rate changes are based on council input and are corrections of errors on the previous schedule. At council's request, Building Fees have been rounded to the nearest dollar for uniformity. Additional fees for minor building electrical and mechanical repairs have been added to provide relief where the cost of permits often exceeded the associated cost of repairs.

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 revenue impact to the Town 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 11-

A RESOLUTION OF THE TOWN OF FAIRFAX UPDATING 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 review of the User Fee Study as previously adopted and updated October 6, 2010, 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 6, 2011.

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 7th day of September, 2011, by the following vote, to wit:

AYES:
NOES:
ABSENT:

Larry Bragman, Mayor

Attest:

Judy Anderson, Town Clerk

Exhibit A**Resolution No.****Fee Schedule : Planning Fees****Year: 2011/2012****Planning Fees****Fee Amount****Service/Application****Current Cost****Proposed Change****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. Note: 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

\$100

Banner Installation (non-profit)

\$456

\$250

Design Review Fees

Preliminary Design Review Signs

\$174

Permit

\$100

Modification

\$174

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

Pre Application Meeting

\$150

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

Exhibit A		
Resolution No.		
Fee Schedule : Planning Fees		
Year: 2011/2012		
Planning Fees		Fee Amount
Service/Application	Current Cost	Proposed Change
General Plan Amendment		
General Plan Text	\$2,500	
	+ graphics at cost	
General Plan Map	\$2,500	
	+ graphics at cost	
<i>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.</i>		
Use Permits		
Use Permit	\$813	
Modifications of Approved Use Permits	\$813	
Variances		
Fences	\$461	
Modification of Approved Fence Variances	\$461	
All Other Variances	\$738	\$1,125
Modification of Approved Variances	\$636	\$1,125
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		
	\$500	
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	

Exhibit A

Resolution No.

Fee Schedule : Planning Fees

Year: 2011/2012

Planning Fees	Fee Amount	
Service/Application	Current Cost	Proposed Change
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 Deposit - \$190 per hour)	\$400	
Development Agreement		
Application Fee	\$703	
Town Attorney Deposit (\$400 Deposit - \$190 per hour)	\$400	
Excavation or Fill		
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	\$515	
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	
<p>**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%.</p>		

Exhibit A
Resolution No.
Fee Schedule : Planning Fees
Year: 2011/2012

Planning Fees		Fee Amount	
Service/Application	Current Cost	Proposed Change	
Lot Line Adjustments			
Lot Line Adjustment Application/Processing - Ministerial	\$1,500		
Lot Line Adjustment Application/Processing - Discretionary	\$2,500		
<i>**All Deposits are submitted at the minimum listed above. When the balance reaches \$500 additional deposit funds will be 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		
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	\$500	
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		

Exhibit A		
Resolution No.		
Fee Schedule : Planning Fees		
Year: 2011/2012		
Planning Fees		Fee Amount
Service/Application	Current Cost	Proposed Change
Annexation	\$1,067	
Traffic Impact Permit	\$750	
Excavation Permit Review	\$1,067	
Map Review	\$2,135	
Site Specific Engineering Review	\$534	
Engineering Deposit	\$500	
<p>* These deposits are estimated minimums based upon the cost of reviewing various permits and entitlements, plus 30% for related planning review and administrative costs.</p> <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 fee 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		

Exhibit A**Resolution No.****Fee Schedule : Planning Fees****Year: 2011/2012****Planning Fees****Fee Amount****Service/Application****Current Cost****Proposed Change**

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.

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: 2011/2012

Building Permit Fees	Fee Amount	
	Current Cost	Proposed Change
COMMERCIAL		
Major Remodel	\$ 5,796.62	\$ 5,797
Roof Large	\$ 790.03	\$ 790
Roof Small	\$ 578.74	\$ 579
Water Heater	\$ 420.27	\$ 420
Water Line	\$ 367.45	\$ 367
Gas Service	\$ 684.39	\$ 684
Electrical Service	\$ 684.39	\$ 684
ADA Upgrades Minor	\$ 878.84	Exempt
ADA Upgrades Major	\$ 1,442.27	Exempt
Grease Traps	\$ 244.97	\$ 245
Awning	\$ 244.97	\$ 245
Sign Structural	\$ 244.97	\$ 245
Freezer	\$ 597.12	\$ 597
Mop Sink	\$ 244.97	\$ 245
Solar	\$ 684.39	Exempt
RESIDENTIAL & COMMERCIAL		
Pool Equipment	\$ 385.83	\$ 386
Demolition	\$ 104.11	\$ 104
Insulation	\$ 244.97	\$ 245
Siding	\$ 385.83	\$ 386
Windows	\$ 244.97	\$ 245
Doors	\$ 244.97	\$ 245
Sheet Rock Repairs	\$ 244.97	\$ 245
Minor Dry Rot Repairs	\$ 385.83	\$ 386
Major Dry Rot Repairs	\$ 878.84	\$ 879
Minor Building		\$ 245
Minor Electrical		\$ 245
Minor Mechanical		\$ 245
Plumbing Minor	\$ 244.97	\$ 245
Plumbing Major	\$ 597.12	\$ 597
Interior Stairway	\$ 597.12	\$ 597
Exterior Stairway	\$ 385.83	\$ 386
Air Conditioning	\$ 280.18	\$ 280
Temp Power Pole	\$ 456.26	\$ 245
Sauna	\$ 385.83	\$ 386
Skylight	\$ 385.83	\$ 386

Exhibit C
 Resolution No.
 Fee Schedule : ADMINISTRATIVE
 Year 2011/2012

Type of Service	Fee Amount
Service/Application	Fee Amount
Returned Check Fee	\$ 35
Duplication - CD	
Recording of Town Council Meetings	\$ 5
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
Research Fee (\$60.00 minimum)	
For extensive research of records and information by Town Hall Staff	\$ 60 FBHR per dept - \$60 minimum
Council Agenda Packet - Paper	\$ 20
Business License/ Duplicate	\$ 25
Filming Permit	
1 to 5 people employed on location	\$ 118
6 to 39 people employed on location	\$ 156
40 to 50 people employed on location	\$ 198
Over 50 people employed on location	\$ 238

Exhibit D
 Resolution No.
 Fee Schedule : FACILITIES RENTAL FEES
 Year 2011/2012

Type of Service	Fee Amount	Day Rate
Facility/Property	Fee Amount	Day Rate
Women's Club (per hour rates)		
Fairfax, non-profit group	\$ 50	\$ 300
Non-Fairfax, non-profit group	\$ 75	\$ 450
Fairfax Resident, private event	\$ 100	\$ 600
Non-Resident, private event	\$ 125	\$ 750
Fairfax Youth Event (\$100 Deposit)	\$ 25	\$ 150
Pavilion (3 Hour Minimum)		
Fairfax, non-profit group	\$ 75	\$ 450
Non-Fairfax, non-profit group	\$ 125	\$ 750
Fairfax Resident, private event	\$ 185	\$ 1,110
Non-Resident, private event	\$ 215	\$ 1,290
Fairfax Youth Event (\$100 Deposit)	\$ 25	\$ 150
Bolinas & Perl Park (2 hour minimum)		
Non-Profit Group - per hour	\$ 50	\$ 250
Private Event - per hour	\$ 75	\$ 300
All Facilities and Parks - required		
Maintenance Fee	\$ 75	
Street Closures *		
Town Sponsored Events	\$ 75	
All Other Events	\$ 200	
* Per day non-refundable		
Damage/Cleaning Deposit		
All Buildings	\$ 450	
If alcohol is served	\$ 550	
Damage/Cleaning Deposit		
All Parks	\$ 300	
If alcohol is served	\$ 400	
Key Deposit - All Buildings		
	\$ 25	
	or Drivers License	
Key Loss Fee - All Buildings		
	\$ 50	

Exhibit E
 Resolution No.
 Fee Schedule : POLICE DEPARTMENT
 Year: 2011/2012

Type of Service	Fee Amount
Service/Application	Fee Amount
Reports:	
Traffic Accidents	\$ 15
Crime and Incidents	\$ 5 for pages 1- 10 \$.10 each additional page
Duplication	
Audio, Video, & Data	<i>actual cost</i>
Vehicle	
Release	\$ 75
Immobilization Device Removal (Boot)	\$ 120
Repossession Fee	\$ 25
Fingerprints	
Ink	\$ 25
Livescan	\$ 20
Bicycle License	
Kid	\$ 2
Adult	\$ 2
Subpoena town employee for civil matter	\$ 150
Parking Permits (per year)	
Residents	\$ 60
Merchants	\$ 120
CCW Application Fee	\$ 100
Security check - Home	\$ -
Street Closure- Block Party	\$ 25
Letter	
Clearance / Good Citizen Letter	Residents \$ 25
Notary and Fees arranged by requestor	Non-Residents \$ 50
Research/Crime Analysis (per hr.)	\$ 45
Special Events Staffing (per hr.)	\$ 100
ABC One-day License	\$ 35