

ORDINANCE NO. 1898

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN RAFAEL, CALIFORNIA, AMENDING CHAPTER 3.34 OF THE SAN RAFAEL MUNICIPAL CODE ESTABLISHING A FEE AND SERVICE CHARGE REVENUE/COST COMPARISON SYSTEM, BY REVISING SECTION 3.34.040.

THE CITY COUNCIL OF THE CITY OF SAN RAFAEL DOES HEREBY ORDAIN AS FOLLOWS:

Division 1. Chapter 3.34, Section 3.34.040, of the San Rafael Municipal Code is hereby amended to read as follows:

Section 3.34.040: Schedule of Fees and Service Charges

- (a) The City Manager, Finance Director and each City department director, under the direction of the City Manager, shall review periodically the fees and service charges listed following, and prepare a proposed "MASTER FEE SCHEDULE" for adoption by the City Council, as originally proposed or as modified in the form of a resolution, so as to recover the listed percentage of costs reasonably borne necessary to provide the listed regulation, product or service.

<u>Reference No.</u>	<u>Product or Service</u>	<u>% of cost Recovery</u>	<u>Footnote</u>
General Services			
T-01.01.10	NSF Check Processing	55%	1
T-01.02.10	Business Application Review	50%	
T-01.02.12	Regulatory License Processing	50%	
T-01.02.13	Business License Renewal Processing	100%	
T-01.02.15	Business License Listing	100%	
T-01.02.20	Closing Out Sale Permit	100%	
T-01.02.25	Payment Plan Processing	41%	
T-01.03.10	Agenda Subscription Service	100%	
T-01.03.20	Minutes Subscription Service	100%	
T-01.04.20	Reproduction Work/Copies	13%	3
T-01.04.30	Bound Reports	100%	

<u>Reference No.</u>	<u>Product or Service</u>	<u>% of cost Recovery</u>	<u>Footnote</u>
T-01.04.40	Annual Budget/CAFR /Audit	100%	
T-01.04.50	Microfilming Copies	100%	
T-01.05.10	Municipal Code Book	100%	
T-01.05.20	Certification of Documents	100%	
T-01.05.22	Animal Control Fees	0%	8
T-01.06.10 - 20	Public Use of Council Chambers	100%	
T-01.06.30	Downtown Banner Hanging	79%	
T-01.06.40	Special Events Permit	100%	
T-01.06.41	Special Events Cleaning Deposit	100%	
T-01.06.42	Film Location Site Survey	100%	
T-01.06.43	Event Planning & Coordination	100%	

Development Services

T-05.01.00	Construction Plan Check	100%
T-05.02.00	Construction Inspection	95%
T-05.06.10	Residential Inspection	100%
T-05.06.11	Condo Inspection Report	100%
T-10.01.10	Lot Line Adjustment	91%
T-10.01.20	Small Subdivision Map	100%
T-10.01.30	Tentative Map	97%
T-10.01.40	Subdivision Exception	64%
T-10.01.50	Map Amendments and Extensions	93%
T-10.01.60	Certificate of Compliance	100%
T-10.02.40	Development Agreement	100%
T-10.03.10	Use Permit (Administrative/Temporary)	95%
T-10.03.30	Use Permit (ZA)	100%
T-10.03.40	Use Permit (PC)	100%
T-10.04.10	Variance (ZA)	100%
T-10.04.20	Variance (PC)	100%
T-10.04.30	Reasonable Accommodation for Disabled	100%
T-10.04.40	Exception Request	97%
T-10.05.20	Design Review STD (Staff/Admin.)	97%
T-10.05.22	Design Review – OTC (Staff/Admin.)	100%
T-10.05.25	Design Review (Staff W/ DRB)	100%
T-10.05.30	Design Review (ZA W/O DRB)	96%
T-10.05.40	Design Review (ZA W/DRB)	99%
T-10.05.50	Design Review SFR (PC)	99%
T-10.05.52	Design Review – All Others (PC)	99%
T-10.05.55	Design Review (Exception Hillside Standard)	100%
T-10.05.60	Conceptual Review	100%
T-10.06.10	Sign Review (Staff)	100%
T-10.06.15	Sign Review (Staff W/ DRB)	100%
T-10.06.20	Sign Program – Minor (Staff)	100%
T-10.06.21	Sign Review – Major (PC)	99%
T-10.06.22	Sign Review – Minor Exception	100%
T-10.06.24	Sign Review – Major Exception	100%

<u>Reference No.</u>	<u>Product or Service</u>	<u>% of cost Recovery</u>	<u>Footnote</u>
T-10.06.30	Temporary Banner Permit	100%	
T-10.07.00	Appeal to Planning Commission	75%	1
T-10.07.10	Appeal to City Council	88%	1
T-10.08.20	Negative Declaration	100%	
T-10.08.30	Environmental Impact Review	100%	
T-10.08.40	Monitoring of Mitigation Measures/Condition Approval	100%	
T-10.13.10	General Plan Amendment	99%	
T-10.13.20	Rezoning/Pre-zoning	99%	
T-10.13.30	Planned District	100%	
T-10.13.40	General Plan Maintenance	52%	
T-10.14.02	Pre-Application Meeting	40%	
T-10.14.20	Licensing Agreement (outdoor dining)	80%	
T-10.14.22	Certificate of Appropriateness	100%	
T-10.14.42	Exception Request	100%	
T-10.14.50	Certificate of Public Convenience & Necessity	100%	
T-10.14.52	Pre-Application Neighborhood Meeting	100%	
T-10.14.60	Contract Planner/Consultant Administration	100%	
T-10.14.62	Planning Research	100%	
T-10.14.72	Building Permit - Plan Check	100%	
T-10.14.82	Archaeology Reference	100%	
T-10.14.90	Zoning Research Letter Response	100%	
T-10.15.01	Hotel & Apt Inspection Program	99%	
T-10.15.02	Hotel & Apt Second Re-inspection	100%	

Engineering Services

T-01.04.60 - 65	Mapping Services	100%	
T-03.05.10	Oversize Load Review	100%	
T-11.01.20	Minor Encroachment Permit	100%	
T-11.01.21	Revocable License Agreement for Major Continuing Encroachment	100%	
T-11.01.25	Utility/Special District Encroachment Permit	100%	
T-11.01.30	Temporary Encroachment Permit	100%	
T-11.02.10	Abandonment Processing	100%	
T-11.02.20	Baypoint Assessment District	100%	7
T-11.02.21	Loch Lomond Assessment District	100%	7
T-11.02.30	Parcel Map Plan Check	27%	
T-11.02.40	Parcel Map Plan Check/Council Action	32%	
T-11.02.50	Final Map Plan Check	100%	
T-11.03.12	Subdivision Plan Checking	100%	
T-11.04.10	Improvement Inspections (Curb, Gutter, Sidewalk, Driveway)	100%	
T-11.04.50	Subdivision and Assessment Districts	100%	
T-11.06.10	Grading Plan Check and Grading Inspection	95%	
T-11.08.10	Water Course Permit	6%	
T-11.08.20	Tide Land Permit	22%	

<u>Reference No.</u>	<u>Product or Service</u>	<u>% of cost Recovery</u>	<u>Footnote</u>
T-11.09.11	Flood Plain Letter Response	43%	
T-11.09.20	Property Information Requests	100%	
T-11.09.30	Oversize/Overweight Load Review	100%	2
Maintenance Services			
T-13.03.00	Sewer Service	100%	6
Public Safety			
T-03.01.10	Fingerprinting- Non Criminal	100%	
T-03.03.00	Concealed Weapon Application Review	100%	2
T-03.03.20	Concealed Weapon Renewal Review	100%	2
T-03.07.10	Burglar Alarm Permit	100%	
T-03.07.12	Police False Alarm Response	100%	
T-03.08.10	DUI Restitution	100%	2
T-03.10.10	Towing Operator Investigation	100%	
T-03.10.15	Admin. Towing Fees - Suspended Licenses	100%	
T-03.11.14	Parade Permit	40%	
T-03.11.18	Special Event Support	100%	
T-03.11.22	County Fair Support	100%	6
T-03.12.10	Clearance Letter	100%	
T-03.12.21	Police Report Copy/Research	100%	3
T-03.14.20	Research Time - Subpoenas	100%	3
T-03.14.30	Duplication Costs- Police Reports	100%	
T-03.14.40	Special Process Duplicating	100%	
T-03.14.50	Discovery Motions- Criminal	100%	
T-03.16.11	Massage Operator (noncertified)	100%	
T-03.17.00	Fortune Teller Permits	100%	
T-03.18.00	Mobile Vendor Permits	100%	
T-03.19.00	Taxi Cab P C – Owner/Operator	100%	
T-06.01.00-.01	Fire Permit Inspections	49%	
T-06.01.02	Liability for Fire Emergencies	25%	
T-06.01.03	Inspection Outside Normal Business Hours	100%	
T-06.01.04	Fire Watch	100%	
T-06.01.05	Nuisance Alarm	100%	
T-06.01.06-.07	Consultative Services – Fire Inspections	84%	
T-06.01.10	Construction Fire Permits-Backflow Prev Assy	47%	
T-06.01.11	Construction Fire Permits-Underground Fireline	57%	
T-06.01.12	Construction Fire Permits-Fire Sprinklers	57%	
T-06.01.13	Construction Fire Permits-Alarm & Detect Sys	57%	
T-06.01.14	Construction Fire Permits-Flam/Combus. Tank	57%	
T-06.02.01	Fire Code Related Hazardous Materials Inspections	41%	
T-06.02.15	Hazardous Materials – Residential	73%	

T-06.02.16	Consultative Services – Hazardous Materials	73%	
T-06.03.05	Fire Report-Hydrant Flow Test	73%	
T-06.04.01-.04	Commercial Life/Safety Inspections	80%	
T-06.05.00	Commercial Life/Safety Reinspection	62%	
T-06.07.00	Fire Protection Service to CSA #19	100%	6
T-06.08.00	Emergency Medical Services	100%	
T-06.09.01	Fire Code Review of Building Permit	48%	
T-06.09.02	Fire Permit Inspection	100%	
T-06.10.01	Fire/EMS Training and Education	100%	
T-06.11.02	Liability for Emergencies	100%	
T-06.11.04	Fire Watch	88%	
T-06.12.01	Fire Code Hazmat Inspection	100%	
T-06.12.15	Hazardous Materials-Residential	100%	
T-06.12.16	Consultative Services-Hazmat	100%	
T-06.13.00	Fire Report	100%	2
T-06.15.01	Vegetation Management Plan Ck & Inspection	100%	
T-06.16.05	Nuisance Alarm Fee	87%	
T-06.17.00	Fire Protection Service to CSA#19	67%	
T-06.18.00	Emergency Medical Assistance	94%	

Leisure & Cultural Services

T-07.01.10- 07.04.30	Library Fines, Fees and Rentals	5%	9
T-07.07.10 - 40	Falkirk Rentals	100%	
T-07.07.20	Falkirk Programs	100%	
T-08.00.01	Adult Recreation Programs	47%	
T-08.00.02	Youth Recreation Programs	86%	
T-08.00.03	Senior Recreation Programs	53%	
T-08.00.06	Recreation Facility Rentals	90%	4
T-08.06.10	Childcare Program	84%	
T-08.06.11	Childcare—Latchkey	100%	5
T-08.06.12	Childcare—Pickleweed Grant	100%	5

Footnotes

1. Cost recovery for non-applicant residents is 9% for Planning Appeals and 10% for Council Appeals; all others are 100%.
2. Maximum allowed by State law.
3. Subject to Statutory Limitation.
4. Cost recovery goal for paid rentals is 100%
5. Subject to Grant limitations
6. Subject to negotiations with contracted third parties involved in service delivery.
7. Subject to limitations of existing assessment district restrictions.
8. Cost is paid by general taxes; fees collected are remitted directly to Animal Services Agency.
9. Library services are a tax-supported program. Nominal fines and fees are established to assist in management of services and materials.

- (b) The hereinabove services as listed in this section shall be as defined in that certain document entitled "Cost of Services Study for the City of San Rafael dated July, 2011", as produced by Management Services Institute, now known as Revenue & Costs

Specialists, LLC, of Fullerton, California, a copy of which is on file with the City Clerk.

- (c) The schedule of frequency of rate adjustments may be varied by the City Manager to adjust revenues sufficient to meet debt service coverage requirements, of any bond, certificate, or ordinance, resolution, indenture, contract, or action under which securities have been issued by the City which contain any coverage factor requirement.

The City Manager may vary the review schedule listed in this Section if, in the judgment of the City Manager and a directly affected and requesting department head, a gross inequity would be perpetrated by not revising the "MASTER FEE SCHEDULE".

Division 2.

The adoption of this Ordinance is exempt from the California Environmental Quality Act (Public Resources Code Section 21080 et seq.), because it improves and sets forth a procedure for determining fees for purposes of meeting the operating expenses of city departments, as set forth in Public Resources Code Section 21080(b)(8).

Division 3.

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted the Ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid.

Division 4.

A summary of this Ordinance shall be published and a certified copy of the full text of this Ordinance shall be posted in the office of the City Clerk at least five (5) days prior to the Council meeting at which it is adopted.

This Ordinance shall be in full force and effect thirty (30) days after its final passage, and the summary of this Ordinance shall be published within fifteen (15) days after adoption,

together with the names of the Council members voting for or against same, in the Marin Independent Journal, a newspaper of general circulation published and circulated in the City of San Rafael, County of Marin, State of California.

Within fifteen (15) days after adoption, the City Clerk shall also post in the office of the City Clerk, a certified copy of the full text of this Ordinance along with the names of those Council members voting for or against the Ordinance.

Albert J. Boro, Mayor

Attest:

Esther C. Beirne, City Clerk

The foregoing Ordinance Number 1898 was read and introduced at a regular meeting of the City Council of the City of San Rafael on the 1st day of August, 2011 and ordered passed to print by the following vote, to wit:

AYES: COUNCILMEMBERS: Brockbank, Connolly, Heller & Mayor Boro

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: Levine

and will come up for adoption as an ordinance of the City of San Rafael at a regular meeting of the Council to be held on the 15th day of August, 2011.

Esther C. Beirne, City Clerk