

REPORT TO CITY COUNCIL

DATE: NOVEMBER 10, 2009

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: GREG RAMIREZ, CITY MANAGER

BY: MIKE KAMINO, DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT

SUBJECT: APPROVE RESOLUTION NO. 09-1560, AMENDING THE FEE AND CHARGES FOR SERVICES RENDERED FOR APPLICATIONS FOR APPEAL TO THE CITY COUNCIL

The request before the City Council is to approve the attached Resolution No. 09-1560, amending the fee and charges for services rendered for applications for appeal to the City Council.

In July of 2006, by adopting attached Resolution 06-1425, the City Council amended and updated the fees for Planning Department applications. This update represented the first fee increase in Planning Department applications in 13 years, and the City Council determined that it was necessary to assess appropriate fees for processing private development related requests. Prior to adoption of the current fees, the City hired a professional consultant who completed a study to determine the actual costs incurred by the City for the services to be provided for each development application. The adopted, updated fees reflect the findings of that study.

As the City Council is aware, decisions of the Planning Commission can be appealed to the City Council, subject to the submittal of an appeal application and required fees. Applications for appeal to the City Council require payment of a \$1,942 fee, plus payment of a public hearing notification fee that varies from \$393 to \$539, depending on the type of development application being considered. During the three years since adoption of the current appeal fee, residents have approached the City Council requesting that consideration be given to reducing the appeal fee. If the City Council is in favor of this concept, it is recommended that the City Council consider amending the total fee, including public hearing notification costs, to \$1,000. This reduction in fee would result in the City subsidizing \$1,335 to \$1,481 of the appeal application service charges. As a matter of fairness, staff also requests that the proposed reduced fee be applied uniformly to all interested appellants, including project applicants.

RECOMMENDATION

Staff recommends the City Council approve the attached Resolution No. 09-1560, amending the fee and charges for services rendered for applications for appeal to the City Council to \$1,000.

Attachments: Resolution No. 09-1560
Resolution No. 06-1425

RESOLUTION NO. 09-1560

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, AMENDING FEES AND CHARGES FOR SERVICES RENDERED FOR APPLICATIONS FOR APPEAL TO THE CITY COUNCIL

WHEREAS, on July 12, 2006, the City Council adopted Resolution No. 06-1425 entitled “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, AMENDING FEES AND CHARGES FOR SERVICES RENDERED IN RELATION TO THE PLANNING, ENGINEERING, AND BUILDING AND SAFETY DIVISIONS”; and

WHEREAS, the adopted application fees represent the actual costs incurred by the City of Agoura Hills for the services to be provided by the Planning, Engineering, and Building and Safety Departments; and

WHEREAS, the City Council has determined that it is necessary to amend and reduce the fees and charges for services rendered for applications for appeal to the City Council in order to promote and facilitate public participation in local government; and

WHEREAS, the City Council has considered the information provided to them to make the following determination.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Agoura Hills as follows:

SECTION 1. The City Council AMENDS the fee and charges for applications for appeal to the City Council outlined in Resolution 06-1425.

SECTION 2. The fee for applications for appeal to the City Council shall be \$1,000. This fee shall include the charge for public hearing notification.

SECTION 3. This resolution is to take effect as of the date passed, approved and adopted.

PASSED, APPROVED, and ADOPTED this 10th day of November, 2009, by the following vote to wit:

AYES: (0)
NOES: (0)
ABSTAIN: (0)
ABSENT: (0)

Resolution No. 09-1560

Denis Weber, Mayor

ATTEST:

Kimberly M. Rodrigues, City Clerk

RESOLUTION NO. 06-1425

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, AMENDING FEES AND CHARGES FOR SERVICES RENDERED IN RELATION TO THE PLANNING, ENGINEERING, AND BUILDING AND SAFETY DIVISIONS

WHEREAS, the City Council has determined that it is necessary to assess fees for the process of private development related requests, planning, engineering, building and safety related requests, and other services;

WHEREAS, on January 27, 1993, the City Council adopted Resolution No. 93-766 entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS ESTABLISHING FEES FOR PERMITS REQUIRED BY THE VARIOUS CODE REGULATING PRIVATE CONSTRUCTION."

WHEREAS, the City has completed a study to determine the actual costs incurred by the City of Agoura Hills for the services to be provided by the Community Development and Building and Safety Departments.

WHEREAS, the fees established by this resolution represent actual costs of said services based on the past experience of City of Agoura Hills personnel and with advisement from professional service personnel acquired to assist the City of Agoura Hills;

WHEREAS, the City Council has sufficiently considered the information presented to them in order to make the following determination.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Agoura Hills as follows:

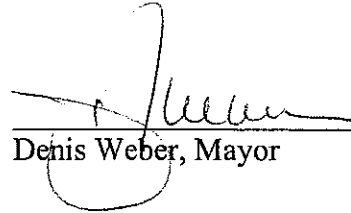
SECTION 1. The City Council AMENDS the fees outlined in Resolution No. 93-766.

SECTION 2. The City Council HEREBY ESTABLISHES fees and charges for private development and related services as listed in Exhibits A and B, attached hereto and incorporated herein by reference.

SECTION 3. This resolution is to take effect as of the date passed, approved and adopted.


PASSED, APPROVED, AND ADOPTED, this 12th day of July, 2006, by the following vote to wit:

AYES: (5) Weber, Kuperberg, Edelston, Koehler, Schwarz
NOES: (0)
ABSENT: (0)
ABSTAIN: (0)



Denis Weber, Mayor

ATTEST:



Kimberly M. Rodrigues, City Clerk



EXHIBIT A

USER FEE STUDY SUMMARY SHEET

- PER UNIT INFORMATION -

City of Agoura Hills

Planning

2005/06

Service Name	Service Type	Current Fee	% of Full Cost	100% of Full Cost	Current Subsidy	Cost Recovery Policy Level (%)
1 Amend to Appl - Minor	fee	\$953	56.16%	\$1,696	\$744	100.00%
2 Amend to Appl - Major	fee	\$1,905	66.41%	\$2,868	\$963	100.00%
3 Annexation	fee	\$2,340	8.15%	\$28,715	\$26,375	100.00%
4 Appeal to PC	fee	\$518	31.59%	\$1,640	\$1,122	100.00%
5 Appeal to Council	fee	\$480	24.71%	\$1,942	\$1,462	100.00%
6 Certif of Compliance	fee	\$420	82.78%	\$507	\$87	100.00%
9 Day Care Permit	fee	\$409	42.19%	\$970	\$561	100.00%
10 Day Care Permit Hearing	fee	\$125	11.09%	\$1,128	\$1,003	100.00%
11 EIR or MND	deposit	\$4,000	16.50%	\$24,240	\$20,240	100.00%
12 Initial Study	fee	\$285	13.81%	\$2,064	\$1,779	100.00%
13 Categorical Exemption	fee	\$0	0.00%	\$560	\$560	100.00%
14 GPA: Pre-Screen Review	fee	\$391	27.80%	\$1,406	\$1,015	100.00%
15 GPA: Public Hearing	fee	\$2,183	93.49%	\$2,335	\$152	100.00%
16 - Geological Consult Rvw	deposit	\$2,000	1003.55%	\$199	-\$1,801	100.00%
17 Geotech. Consult Rvw	deposit	\$2,000	625.45%	\$320	-\$1,680	100.00%
18 Interp by Planning Comm	fee	\$338	17.84%	\$1,894	\$1,556	100.00%
19 Landscape PC Admin Review	fee	\$323	84.26%	\$383	\$60	100.00%
20 Landscape PC Consult Review	fee	\$0	0.00%	\$386	\$386	100.00%
21 Lot Line Adj	fee	\$518	134.24%	\$386	-\$132	100.00%
22 Modification	fee	\$713	64.43%	\$1,107	\$394	75.00%
23 Oak Tree Adm Rvw - SFD	fee	\$67	18.56%	\$361	\$294	100.00%
24 Oak Tree Adm Rvw - Other	fee	\$338	60.33%	\$560	\$222	100.00%
25 Oak Tree Pmt Consultant	fee	cost	100.00%	cost	\$0	100.00%
26 Occupancy Insp	fee	\$83	52.50%	\$158	\$75	100.00%

USER FEE STUDY SUMMARY SHEET

- PER UNIT INFORMATION -

City of Agoura Hills

Planning

2005/06

Service Name	Service Type	Current Fee	% of Full Cost	100% of Full Cost	Current Subsidy	Cost Recovery Policy Level (%)
27 Outdoor Dining Permit	fee	\$240	16.25%	\$1,477	\$1,237	75.00%
28 Parade Permit	fee	\$63	14.82%	\$425	\$362	100.00%
29 Tentative Parcel Map	fee	\$1,553	138.30%	\$1,123	-\$430	100.00%
30 Final Parcel Map	fee	\$249	142.24%	\$175	-\$74	100.00%
31 Parcel Map Minor Revision	fee	\$1,905	236.95%	\$804	-\$1,101	100.00%
32 Parcel Map Major Revision	fee	\$510	23.41%	\$2,178	\$1,668	100.00%
33 PC Commercial/ Indust.	fee	\$129	2.31%	\$5,593	\$5,464	100.00%
34 PC SFD	fee	\$129	3.58%	\$3,606	\$3,477	100.00%
35 PC Admin	fee	\$22	54.78%	\$40	\$18	100.00%
36 Pre-Application Review	deposit	\$1,500	52.99%	\$2,831	\$1,331	100.00%
37 Pub Hrg Not. Site Plan/ Arch: Dev Resid.	fee	\$148	37.62%	\$393	\$245	100.00%
38 PHN- Site Plan/ Arch: Other	fee	\$163	32.70%	\$498	\$335	100.00%
39 PHN- CUP/Var/ Map: Dev Resid.	fee	\$282	52.36%	\$539	\$257	100.00%
40 PHN- CUP/Var/ Map: Other	fee	\$297	55.15%	\$539	\$242	100.00%
41 PHN- Modifctn: Dev Resid.	fee	\$205	52.11%	\$393	\$188	100.00%
42 PHN- Modifctn: Other	fee	\$220	55.10%	\$399	\$179	100.00%
43 PHN- Large Resid. Day Care	fee	\$171	42.83%	\$399	\$228	100.00%
44 Restrictive Covenant	fee	\$167	39.77%	\$420	\$253	100.00%
45 ROW Abandonmnt	fee	\$833	101.77%	\$819	-\$14	100.00%
46 Sign Pmt- Admin.	fee	\$23	26.00%	\$88	\$65	75.00%
47 Sign Pmt- Planning Commsn	fee	\$98	8.41%	\$1,165	\$1,067	100.00%
48 Site Check	fee	\$53	22.47%	\$236	\$183	100.00%
49 Site Plan/ Arch Rvw: ZA	fee	\$608	33.12%	\$1,836	\$1,228	75.00%
50 Site Plan/ Arch Rvw: PC	fee	\$1,395	28.12%	\$4,961	\$3,566	100.00%

USER FEE STUDY SUMMARY SHEET

- PER UNIT INFORMATION -

City of Agoura Hills

Planning

2005/06

Service Name	Service Type	Current Fee	% of Full Cost	100% of Full Cost	Current Subsidy	Cost Recovery Policy Level (%)
51 Specific Plan Amend: Pre Screen Rvw	fee	\$391	12.10%	\$3,232	\$2,841	100.00%
52 Specific Plan Amend: Public Hearing	fee	\$2,183	53.77%	\$4,060	\$1,877	100.00%
53 TUP	fee	\$83	19.53%	\$425	\$342	75.00%
54 Tentative Tract Map	fee	\$2,340	208.38%	\$1,123	-\$1,217	100.00%
55 Vesting Tract Map	fee	\$2,340	208.38%	\$1,123	-\$1,217	100.00%
56 Final Tract Map	fee	\$249	142.24%	\$175	-\$74	100.00%
57 Tract Map Revision: Minor	fee	\$510	63.43%	\$804	\$294	100.00%
58 Tract Map Revision: Major	fee	\$1,905	87.46%	\$2,178	\$273	100.00%
59 Variance: Developed Resid.	fee	\$858	30.23%	\$2,838	\$1,980	100.00%
60 Variance: Other	fee	\$1,656	67.44%	\$2,456	\$800	100.00%
61 Zone Change	fee	\$1,088	30.05%	\$3,621	\$2,533	100.00%
62 Zoning Ord. Amend: Pre Screen Rvw	fee	\$391	12.10%	\$3,232	\$2,841	100.00%
63 Zoning Ord. Amend: Pub. Hearing	fee	\$893	22.00%	\$4,060	\$3,167	100.00%
64 CUP - New Comm & Multi-Fam.	fee	\$2,010	33.32%	\$6,032	\$4,022	75.00%
65 CUP - Comm & Multi Fam Additions	fee	\$2,010	59.13%	\$3,399	\$1,389	75.00%
66 CUP - Comm use in Existing Building	fee	\$2,010	94.99%	\$2,116	\$106	75.00%
67 CUP - New Single Fam Dwelling	fee	\$2,010	46.59%	\$4,314	\$2,304	75.00%
68 CUP - Single Fam Dwelling Addition	fee	\$2,010	79.93%	\$2,515	\$505	75.00%
a 70 General Plan Update Surcharge	surcharge	\$0	0.00%	\$58,064	\$58,064	100.00%
71 Non Fee Activity	non fee	\$0	0.00%	\$683,599	\$683,599	0.00%

USER FEE STUDY SUMMARY SHEET

- PER UNIT INFORMATION -

City of Agoura Hills
Planning
2005/06

Service Name	Service Type	Current Fee	% of Full Cost	100% of Full Cost	Current Subsidy	Cost Recovery Policy Level (%)
--------------	--------------	-------------	----------------	-------------------	-----------------	--------------------------------

a *This surcharge of \$1.41 per \$1,000 construction valuation should be added to each building permit to fund the eventual update of the City's General F*

EXHIBIT B

USER FEE STUDY SUMMARY SHEET

- PER UNIT INFORMATION -

City of Agoura Hills

Engineering

2005/06

Service Name	Service Type	Current Fee	% of Full Cost	100% of Full Cost	Current Subsidy	Cost Recovery Policy Level (%)
1 Imp PC - \$1-\$100k	fee	\$2,650	198.16%	\$1,337	-\$1,313	100.00%
2 Imp PC - \$101-\$500k	fee	\$9,150	379.94%	\$2,408	-\$6,742	100.00%
3 Imp PC - \$501k+	fee	\$15,900	291.54%	\$5,454	-\$10,446	100.00%
4 Imp PC Revision	new fee	\$0	0.00%	\$380	\$380	100.00%
5 Final Map Check	fee	\$2,145	59.21%	\$3,623	\$1,478	100.00%
6 Imp Insp - \$1-\$100k	fee	\$3,150	272.06%	\$1,158	-\$1,992	100.00%
7 Imp Insp - \$101k-\$500k	fee	\$12,900	350.32%	\$3,682	-\$9,218	100.00%
8 Imp Insp - \$501k+	fee	\$19,650	238.55%	\$8,237	-\$11,413	100.00%
9 Encroachment Issuance	fee	\$70	81.00%	\$86	\$16	100.00%
10 Encr- Sidewalk Curb or Driveway	fee	\$30	11.66%	\$257	\$227	75.00%
11 Encr- Tree Stump	fee	\$0	0.00%	\$157	\$157	100.00%
12 Encr- Trench 1-25lf	fee	\$0	0.00%	\$354	\$354	100.00%
13 Encr- Trench ea addl 25lf	fee	\$0	0.00%	\$354	\$354	100.00%
14 Encr- Misc	fee	\$38	10.72%	\$354	\$316	100.00%
15 Dumpster - 3 yd	fee	\$10	6.37%	\$157	\$147	100.00%
16 Dumpster - 20 yd	fee	\$35	22.30%	\$157	\$122	100.00%
17 Annual Dumpster Fee	fee	\$250	180.21%	\$139	-\$111	100.00%
18 Annual Oversize Load	fee	\$90	6.35%	\$1,418	\$1,328	100.00%
19 Cert of Correction	fee	\$200	42.82%	\$467	\$267	100.00%
20 Cert of Compl. Existing	fee	\$450	48.18%	\$934	\$484	100.00%
21 Cert of Compl. LLA	fee	\$450	48.18%	\$934	\$484	100.00%
22 Misc Docs (dedication)	fee	\$450	48.18%	\$934	\$484	100.00%
23 ROW Easement	new fee	\$0	0.00%	\$934	\$934	100.00%
24 Slope Vacation	new fee	\$0	0.00%	\$934	\$934	100.00%

USER FEE STUDY SUMMARY SHEET

- PER UNIT INFORMATION -

City of Agoura Hills

Engineering

2005/06

Service Name	Service Type	Current Fee	% of Full Cost	100% of Full Cost	Current Subsidy	Cost Recovery Policy Level (%)
25 Encr- Curb Drain	fee	\$30	33.31%	\$90	\$60	99.92%
26 Non Fee Activity	non fee	\$0	0.00%	\$360,202	\$360,202	0.00%
54 Planning Support	Support	\$0	0.00%	\$185,701	\$185,701	0.00%

CITY OF AGOURA HILLS
 BUILDING DIVISION
 Plan Check and Inspection Fee Analysis

	Full Cost	Current Fee (1997 BVD)	Current Cost Recovery %	Proposed Fee (2006 BVD)	Proposed Cost Recovery %
Model Single Family Dwelling - 4,000 sq. ft.					
Plan Check & Counter	\$2,301	\$2,480	108%	no change	108%
Inspection	\$2,655	\$2,673	101%	no change	101%
Total for Category	\$4,956	\$5,154	104%		104%
Commercial Office Building - 3,000 sq. ft.					
Plan Check & Counter	\$1,561	\$1,493	96%	\$1,717	110%
Inspection	\$2,655	\$1,555	59%	\$1,788	67%
Total for Category	\$4,215	\$3,048	72%	\$3,505	83%
Single Family Room Addition - 200 sq ft					
Plan Check & Counter	\$524	\$307	59%	\$353	67%
Inspection	\$1,138	\$347	31%	\$399	35%
Total for Category	\$1,662	\$654	39%	\$752	45%

Summary of Recommendations:

- 1) adoption of 2006 building valuation data (BVD) for all categories except new single family home construction.
- 2) 12% increase on all miscellaneous permits (approximates the increase from 1997 BVD to 2006 BVD).
- 3) increase hourly based plan check and inspection fees to \$140 per hour (\$125 consultant cost + 10% city admin).
- 4) institute Technology Surcharge of \$1.27 per \$1,000 of construction valuation to pay for Intergov Permit software and document imaging.