



CITY OF MARTINEZ

CITY COUNCIL AGENDA

June 5, 2013

TO: Mayor and City Council
FROM: Tim Tucker, City Engineer
SUBJECT: Amend User Fee Schedule – Engineering Plan Review Fee for Commercial/Site Development Projects
DATE: May 23, 2013

RECOMMENDATION:

Conduct a public hearing and adopt a resolution to amend the Schedule of Fees for City Services to establish : (1) Engineering Plan Review fee for Commercial/Site Development Projects that are subject to provisions C.3 of the Stormwater NPDES permit requirements; and (2) to establish an annual inspection(s) fee for existing stormwater control facilities.

BACKGROUND:

The current City’s Engineering Fees include a Stormwater Control Plan Review fee for residential subdivisions only; however, provision C.3 of the recently enacted Municipal Regional Stormwater NPDES Permit requires that commercial and site development projects which generally include removal, replacement, or creation of 2500 square feet, or more, of impervious surface also be subject to Stormwater Control Plan Review. The proposed fees are intended to cover additional staff reviews for projects subject to those requirements. The two new fees being proposed are as follows:

- A. For Commercial/Site Development Projects subject to C.3 Requirements the current Engineering hourly rate multiplied by the hours or fraction of an hour expended by Engineering staff.
- B. Annual Inspection(s) fee for Existing Stormwater Control Facilities: Current Engineering hourly rate (if inspected by staff) multiplied by the number of hours expended by Engineering staff, and/or actual consultant cost + 25% administrative oversight.

The services to be provided by the City which would be defrayed in part by the Commercial/Site Development Stormwater Control Plan Review Fee are the review of report(s), calculations, construction plans and preparation of agreement(s) as required insuring compliance with the permit requirements.

The annual inspection fee for Existing Stormwater Control Facilities is charged to those that have entered into a Stormwater Operation Maintenance Agreement with the City. The services provided by the City that are defrayed in part by this fee are: annual inspection of existing stormwater control facilities, preparation of inspection report, and conducting follow up re-inspection(s), if required, to insure that all required maintenance and improvement are preformed.

The annual fee will be calculated on a cost recovery basis, whether inspected by staff or by a consultant, or by a combination of the two. If inspected by a consultant, in whole or in part, the typical 25% administrative oversight for peer review is charged in addition to the number of hours expended by the consultant, which shall be charged at the consultant's hourly rate incurred by the City. A copy of the revised Engineering Fee Schedule is attached as Exhibit A.

FISCAL IMPACT:

The new commercial/site development stormwater review fee and the inspection fee will cover all estimated staff costs.

ACTION:

Motion adopting a resolution amending the Schedule of Fees for City Services to establish: (1) an Engineering Commercial/Site Development Stormwater Plan Review Fee, and, (2) a Stormwater Facilities Inspection Fee.

Attachments:

Resolution

Exhibit A: Engineering Fee Schedule

APPROVED BY:


City Manager

RESOLUTION NO. -13

AMENDING THE SCHEDULE OF FEES FOR CITY SERVICES
TO ESTABLISH ENGINEERING COMMERCIAL STORMWATER
REVIEW AND ANNUAL INSPECTION FEES

WHEREAS, it is the policy of the City Council of the City of Martinez to establish fees in regard to governmental services specifically authorized by statute or ordinance as well as certain services and functions performed by the City in a proprietary capacity; and

WHEREAS, it has been the policy of the City Council of the City of Martinez to review and adjust the fees periodically to ensure they are equitable and justifiable; and

WHEREAS, additional plan review time is needed in order to verify that commercial and site development projects comply with the requirements of provision C.3 of the Municipal Regional Permit Stormwater NPDES Permit; and

WHEREAS, the current fee schedule does not include a review fee for commercial and site development projects that are subject to the requirements of provision C.3 of the NPDES Permit; and

WHEREAS, the NPDES permit requires City staff, or a consultant working under the direction of the City, to annually inspect existing stormwater control facilities; and

WHEREAS, the current fee schedule does not include a fee for conducting the annual inspection of existing stormwater control facilities; and

WHEREAS, in order for the City to recover its costs associated with this additional plan review(s); and its costs to conduct annual inspections of existing stormwater control facilities, the City will need to establish the following two new fees: 1) Engineering review of commercial/site development projects that are subject to provision C.3 of the Municipal Regional Permit Stormwater NPDES Permit; and 2) inspection of stormwater control facilities under a stormwater operation maintenance agreement; and

WHEREAS, the City wishes to adopt the recommended user fees or service charges in the amounts set forth in the attached Exhibit A; and

WHEREAS, notice was published and sent to interested parties as required by Government Code sections 6062(a) and 66016, respectively; and

WHEREAS, on June 5, 2013, the City Council held a public hearing in compliance with Government Code Sections 66016(a) and 66018 where all oral and written presentations were heard.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Martinez amends the Engineering Fee Schedule by adopting the Commercial/Site Development Stormwater Control Plan Review and Inspection of Existing Stormwater Control Facilities fees at the rates set forth in the attached Exhibit A-Engineering Fee Schedule in the Schedule of Fees for City Services.

BE IT FURTHER RESOLVED that this Resolution shall become effective on August 5, 2013, pursuant to Government Code Section 66017.

* * * * *

I HEREBY CERTIFY that the foregoing is a true and correct copy of a resolution duly adopted by the City Council of the City of Martinez at a Regular Meeting of said Council held on the 5th day of June, 2013, by the following vote:

AYES:

NOES:

ABSENT:

RICHARD G. HERNANDEZ, CITY CLERK
CITY OF MARTINEZ

Exhibit A
ENGINEERING FEE SCHEDULE
ADOPTED BY RESOLUTION NO. -13

Service	Refundable Security Deposit	Fee Schedule
Major Subdivision Tentative Map phase		\$3,250 + \$435/lot
Minor Subdivision Tentative Map phase		\$3,255
Major Subdivision Improvement Plan Check	\$10,000	\$14,090 + \$1,085/lot
Major Subdivision Stormwater Control Plan Review		\$1,445 + \$150/lot
Minor Subdivision Improvement Plan Check	\$5,000	\$8,670 + \$1,085/lot
Minor Subdivision Stormwater Control Plan Review		\$865 + \$150/lot
Single Family Residence Plan Check (1)	\$2,500	\$5,705
Commercial Planning Phase (2)		\$1,085 + \$435/acre
Commercial Plan Check Phase	\$5,000	\$1,085 + \$4,985/acre
Commercial/ Site Development Stormwater Control Plan Review		\$123/hr
Inspection of Existing Stormwater Control Facilities		\$123/hr, and/or peer review rate (as one or both may be applicable); inspections to be made on an annual basis
Encroachment Permit (3)	\$500 (min.)	\$123/hr
Building Permit (4)		\$123/hr
Overload Permit (State regulated fee)		\$16
Lot Line Adjustment	\$2,000 (min.)	\$123/hr
Certificate of Compliance	\$2,000 (min.)	\$123/hr
Creek Encroachment Permit	\$2,500	\$123/hr
Subdivision Map checking		\$2,710 + \$545/lot
Map Checking - Commercial/Industrial (major)		\$123/hr
New Parcel Charge (County fee for computer mapping)		\$50/lot

Footnotes:

- (1) Grading/site development permit, retaining walls, or drainage improvement required
- (2) Project acreage is developed portion of property including building pad and disturbed area
- (3) Excluding sidewalk repair permits, for which no fee is charged. Minimum security deposit on sidewalk repair permits reduced from \$500 to \$250.
- (4) New house in subdivision with composite plan approved

Additional Notes:

1. At the City Engineer's discretion, an hourly rate may be charged in lieu of sliding scale
2. Fees for peer review or consultant plan check shall be at actual cost plus 25% overhead charge
3. Fees are based on two reviews and final submittal check. Additional reviews will be charged at an hourly rate.