

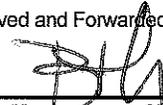


STAFF REPORT

Agenda Date: 09/27/2016
Agenda Item: 3.6

Date: September 27, 2016
To: Bryan H. Montgomery, City Manager
From: Deborah Sultan, Finance Director
Troy Edgell, Code Enforcement Manager
SUBJECT: Approve Resolution Establishing Code Enforcement Re-Inspection Fees and Certain Police Service Fees

Approved and Forwarded to the City Council:


Bryan Montgomery, City Manager

Background and Analysis

The request for approval of the Code Enforcement Re-inspection Fee applies to the recurring visits required to address chronic nuisance properties. When an enforcement official investigates a property to determine compliance with provisions of the municipal code and subsequently establishes a violation exists, a Notice of Violation is provided to the property owner of record and a compliance due date is established. The initial Notice of Violation advises each responsible party that re-inspection fees may be charged for each subsequent re-inspection if the violation is not corrected prior to the first regularly scheduled inspection following issuance of the Notice of Violation.

Though the City enjoys a high compliance rate for initial violators, there are properties that either refuse to remedy the nuisance causing the violation or refuse to engage with enforcement officials to develop long-term solutions. When this occurs, excessive staff time ends up being dedicated to these chronic or recurring nuisance properties.

This resolution allows the City to invoice those chronic nuisance property owners for the actual time spent by City Staff addressing the nuisances either not corrected by the property owner in a timely manner or when the property owner refuses to address the nuisances. It is important to note that any amounts invoiced that go unpaid must first be confirmed by the City Council before being placed as a special assessment on the tax rolls.

The request for approval of the Police Service Fee concerns an omission in the 9 August 2016 Resolution approving certain Police Service Fees, specifically the cost to provide photographs applicable to Accident and Crime Reports. A time in motion study determined that providing this service is \$6.00 (\$5.00 for copying and \$1.00 for the CD). Staff recommends the City charge this amount.

The fees requested for approval are only to cover actual expenses incurred and are not for general revenue purposes.

Fiscal Impact

The fiscal impact of the recommended action is not expected to be significant overall. The additional revenues will cover most of the additional expenditures.

Recommendation

Staff recommends the Council adopt the attached resolution that establishes the fees listed therein.

RESOLUTION NO. -16

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY
APPROVING THE REVISED FEE SCHEDULE FOR CODE ENFORCEMENT AND
POLICE SERVICES**

WHEREAS, on April 28, 2015 the City Council adopted Resolution No.51-15 approving the 2015 Schedule of City Fees; and

WHEREAS, the City recently formed the City Oakley Police Department, terminating the contract for police services with Contra Costa County; and

WHEREAS, Police department staff conducted a comprehensive review of the 2015 Schedule of Fees to determine what changes or additions should be made and;

WHEREAS, Code Enforcement department staff conducted a comprehensive review of the Re-Inspection Fees to determine what changes or additions should be made and;

WHEREAS, as required by Article XIII of the California Constitution and law, cities can only charge rates or fees that are equal or less than the reasonably anticipated costs of providing the services, conferring a benefit, granting a privilege, performing regulatory duties, enforcing laws or as a condition of property development;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Oakley hereby approves the adjustments and additions of photography fees of \$6.00 for accident and crime reports for City Police services and actual costs incurred for Code Enforcement services and that the modification of fees shall take effect immediately.

PASSED AND ADOPTED this 27th day of September by the City Council of the City of Oakley by the following vote:

- AYES:
- NOES:
- ABSTENTIONS:
- ABSENT:

APPROVED: _____
 Kevin Romick, Mayor

ATTEST:

 Libby Vreonis, City Clerk

 Date