

H-21

December 3, 2019

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Receive the supporting documentation into the record, conclude the public hearing, and adopt a Resolution amending the Master Fee and Charges Schedule for Stand-by Fire Safety Officer Fees related to Special Events and Filming. (Citywide)

DISCUSSION

The Long Beach Fire Department currently charges stand-by and spot-check inspection fees to ensure fire safety, water safety, and the presence of basic life support prior to and/or during City of Long Beach (City) special events and filming productions. At its September 3, 2019 meeting, the City Council adopted the FY 20 Master Fee and Charges Schedule, which included fee increases for stand-by services to \$130 per hour to recover staff and material costs. However, it was recently discovered that stand-by services fees were not evaluated along with the City's other special events and filming charges, and fees were raised unintentionally at this time. A user fee and cost-recovery study currently underway will evaluate direct and indirect costs associated with providing these services and will ensure consistency in review across the City's special events and filming fees.

As a result, staff is proposing to readjust the fees and recoup for staff costs only. The proposed changes will reduce the estimated additional revenues reported as part of the Adopted FY 20 Master Fees and Charges Schedule from \$47,520 to \$16,560. The proposed fee changes are as follows:

Fee	Per/Unit	Current Fee	Proposed Fee
Stand-by Fire Safety Officer - Fire Prevention	Hour, minimum billing of 4 hours	\$130.00	\$105.00
Stand-by Fire Safety Officer - Marine Safety Land	Hour, minimum billing of 4 hours	\$130.00	\$101.00

This matter was reviewed by Principal Deputy City Attorney Gary J. Anderson on November 7, 2019 and by Revenue Management Officer Geraldine Alejo on November 12, 2019.

TIMING CONSIDERATIONS

City Council action is requested on December 3, 2019, to ensure timely implementation of the proposed fees.

FISCAL IMPACT

The recommendation will amend the Master Fee and Charges Schedule and reduce stand-by Fire Safety Officer fees related to special events and filming. The proposed fee changes are calculated to recoup staff costs only. There is no impact to FY 20 budgeted revenue since it was not increased due to the FY 20 adopted fees, following the common revenue budgeting practice that generally budgets for higher revenues once there is a history of actuals and an established pattern.

In terms of projected annual revenues, this recommendation will reduce the estimated annual revenue increase reported as part of FY 20 budget adoption from \$47,520 to \$16,560. The anticipated revenue will accrue in the Fire Department and is comprised of \$13,440 in the General Fund Group and \$3,120 in the Tidelands Fund Group. These estimates will vary based on annual requests for these services. This recommendation has no staffing impact beyond the normal budgeted scope of duties and is consistent with existing City Council priorities. There is no local job impact associated with this recommendation.


SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,


XAVIER ESPINO
FIRE CHIEF

APPROVED:


THOMAS B. MODICA
ACTING CITY MANAGER

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RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF LONG BEACH AMENDING THE MASTER FEE
AND CHARGES SCHEDULE FOR STAND-BY FIRE SAFETY
OFFICER FEES RELATED TO SPECIAL EVENTS AND
FILMING

WHEREAS, the Fire Department currently charges stand-by and spot check
inspection fees for special events and film productions to ensure fire safety, water safety,
and the presence of basic life support prior to and/or during special events and filming;
and

WHEREAS, on September 3, 2019, as part of the FY 20 Budget Adoption
Master Fees and Charges Schedule, the City Council approved fee increases for Stand-
By Services to \$130 per hour to recover staff and material costs required to provide the
services; and

WHEREAS, Stand-By Services fees will have to be evaluated along with
the City's other special events and filming fees and charges through the City's user fee
and cost recovery study which is currently underway; and

WHEREAS, the study will evaluate direct and indirect costs associated with
providing these services and will ensure consistency in review across the City's special
events and filming fees; and

WHEREAS, in the interim, staff is proposing to reduce the fees and recoup
for staff costs only; and

WHEREAS, the proposed changes will reduce the estimated additional
revenues reported as part of FY 20 budget adoption from \$47,520 to \$16,560; and

NOW, THEREFORE, the City Council of the City of Long Beach hereby
resolves as follows:

1 Section 1. The facts set forth in the Recitals of this Resolution are true
2 and correct and are hereby incorporated by reference herein as though set forth in full.

3 Section 2. The City Council finds that the Stand-by Fire Safety Officer -
4 Fire Prevention and Stand-by Fire Safety Officer - Marine Safety Land provisions
5 contained in Exhibit "A" attached hereto and incorporated by reference, provide for the
6 charging of reasonable Stand-by Fire Safety Officer Fees.

7 Section 3. The City Council hereby adopts and approves the new
8 adjusted fees and charges as set forth and described in Exhibit "A", attached hereto and
9 incorporated herein by this reference, as though set forth in full, word for word. The fees
10 and charges set forth in said Exhibit "A" shall thereafter be incorporated into those fees
11 and charges previously adopted and approved by the City Council by Resolution and
12 shall collectively be known as the Master Fee and Charges Schedule of the City of Long
13 Beach and may be made available to the public for its information and review.

14 Section 4. Adoption of the new fees and charges set forth and described
15 in this Resolution for the specified City services, as shown in Exhibit "A" attached hereto
16 and incorporated herein by this reference, are intended to recover costs necessary to
17 provide the services within the City for which the fees are charged. In adopting the new
18 adjusted fees and charges set forth in this Resolution, the City Council of the City of Long
19 Beach is exercising its powers under Article XI, Section 7 of the California Constitution.

20 Section 5. All requirements of California Government Code Sections
21 66000, et seq., are hereby found to have been satisfied.

22 Section 6. The fees and charges adopted and all portions of this
23 Resolution are severable. Should any of the fees or charges or any portion of this
24 Resolution be adjudged to be invalid and unenforceable by a body of competent
25 jurisdiction, then the remaining fees and/or Resolution portions shall be, and continue to
26 be, in full force and effect, except as to those fees and/or Resolution portions that have
27 been adjudged invalid. The City Council of the City of Long Beach hereby declares that it
28 would have adopted each of the fees or charges and this Resolution and each section,

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
411 West Ocean Boulevard, 9th Floor
Long Beach, CA 90802-4664

1 subsection, clause, sentence, phrase and other portion thereof, irrespective of the fact
2 that one or more of the service fees, charges or sections, subsections, clauses,
3 sentences, phrases or other portions of this Resolution may be held invalid or
4 unconstitutional.

5 Section 7. All provisions of prior City Council ordinances and resolutions
6 establishing Stand-by Fire Safety Officer Fees are hereby rescinded and repealed in part
7 or in whole to the extent of any conflict between said ordinances and resolutions and the
8 provisions established by this Resolution.

9 Section 8. This resolution shall take effect immediately upon its adoption
10 by the City Council, and the City Clerk shall certify the vote adopting this resolution.

11 I hereby certify that the foregoing resolution was adopted by the City
12 Council of the City of Long Beach at its meeting of _____, 2019,
13 by the following vote:

14
15 Ayes: Councilmembers: _____
16 _____
17 _____

18
19 Noes: Councilmembers: _____
20 _____

21 Absent: Councilmembers: _____
22 _____

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25 _____
26 City Clerk

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EXHIBIT "A"

List of Proposed Fee Adjustments for Fiscal Year 2020 (FY20)					
Department: Fire					
FIRE SAFETY OFFICER					
Fee	Per/Unit	Current Fee	Proposed Fee	Annual Revenue Change	Fund
Stand-by Fire Safety Officer - Fire Prevention	Hour, minimum billing of 4 hours	\$130.00	\$105.00		
Stand-by Fire Safety Officer - Marine Safety Land	Hour, minimum billing of 4 hours	\$130.00	\$101.00		