

APR 15 2008

LOS ANGELES FIRE DEPARTMENT



DOUGLAS L. BARRY
FIRE CHIEF



April 8, 2008

BOARD OF FIRE COMMISSIONERS
FILE NO. 08-047

TO: Board of Fire Commissioners
FROM: Douglas L. Barry, Fire Chief *DLB*
SUBJECT: **UNIFIED PROGRAM FEE ADJUSTMENT FOR FISCAL YEAR 2008-2009**

| | | | |
|---------------|-----------------------------------|---|------------------------------------|
| FINAL ACTION: | <input type="checkbox"/> Approved | <input type="checkbox"/> Approved w/Corrections | <input type="checkbox"/> Withdrawn |
| | <input type="checkbox"/> Denied | <input type="checkbox"/> Received & Filed | <input type="checkbox"/> Other |

Recommendations:

In accordance with Section 57.04.12, Subsection C of the Los Angeles Municipal Code (L.A.M.C.), which authorizes the Board to modify fees based on the cost of services, these recommendations have been reviewed and concurred by the City Administrative Officer. The following recommendations are submitted to the Board for consideration and public hearing:

1. The fees charged for the Unified Program (L.A.M.C., Section 57.14.10C) be increased approximately 10 percent as listed in Attachment 1.
2. The Board's Executive Assistant be directed to publish the required notice of public hearing on the proposed fee increase at a regularly scheduled meeting of the Board.
3. The attached Resolution (Attachment 2) adjusting the Board controlled fees be adopted after the required public hearing and notice of this action be transmitted to the Mayor and City Council at the conclusion of the public hearing. If the Mayor and Council do not take action within 60 days, the Resolution adopted by the Board will be published through the Office of the Board of Fire Commissioners and the new fees will become effective upon publication.
4. The Board's Executive Assistant be directed to publish the Resolution based on Mayor and City Council action.

Summary:

The Unified Program, or otherwise known as the Hazardous Waste and Hazardous Materials Regulatory Program, was created in 1993 through the passage of Senate Bill 1082. It consolidated under one agency, the Certified Unified Program Agency (CUPA), the following six hazardous materials and waste programs:

- 1) Hazardous Waste Generator and Onsite Hazardous Waste Treatment Programs
- 2) Aboveground Petroleum Storage Tank Spill Prevention Control and Countermeasure Plan
- 3) Hazardous Materials Release Response Plans and Inventory Program
- 4) California Accidental Release Prevention Program
- 5) Underground Storage Tank Program
- 6) Uniform Fire Code Plans and Inventory Requirements

In July 1997, the Los Angeles Fire Department (LAFD) received certification to administer the CUPA Program. The staff of the CUPA Program administer and enforce all of the above programs with the exception of the Hazardous Waste Generator Program, which is coordinated between the LAFD and the County of Los Angeles.

As a certified CUPA Agency, the LAFD has the authority under State law to develop and recover the necessary costs to administer the program. The proposed fee schedule was determined based on Fiscal Year 2008 – 2009 staff salary costs, the federally audited and approved Cost Allocation Plan (CAP) 29 overhead costs, and equipment and expense costs. The Unified Program Fee Schedule was last updated in Fiscal Year 2005-2006. The proposed Unified Program Fee Schedule for Fiscal Year 2008-2009 represents an approximate 10 percent increase in the current fees.

Conclusion:

Increasing the Unified Program fees by approximately 10 percent is necessary to recover the cost of administering and enforcing the CUPA Program.

The revenue projected in Fiscal Year 2008-2009 for the Unified Program is \$5.1 million. The \$196,326 revenue increase is attributed to increases in three of the six hazardous materials and waste programs. The other three programs will be reviewed at a different time.

| Revenue Code | Revenue Description | F.Y. 2007-2008 Revenue Projection | F.Y. 2008 - 2009 Revenue Projection | Revenue Increase |
|--------------|---------------------|-----------------------------------|-------------------------------------|------------------|
| 3898 | Unified Program | \$4,872,860 | \$5,069,186 | \$196,326 |

Board report prepared by Muriel Gee, Senior Management Analyst I, Bureau of Administrative Services.

Attachments

ATTACHMENT 1

Unified Program Proposed Fee Schedule - 2008/09

| PROGRAM | CODE | CATEGORY | FEE | New Fee |
|--|------|---|-------------|----------|
| Underground Storage Tanks | 5000 | Annual Permit, per tank | \$405 | \$446 |
| UFC HMMP & HMRRP (Business Plan & Inventory) | 4500 | Inventory Count: 1 to 3 | \$265 | \$292 |
| | 4501 | Inventory Count: 4 to 7 | \$530 | \$583 |
| | 4502 | Inventory Count: 8 to 15 | \$800 | \$880 |
| * RMP (ARP) Accidental Release Prevention Program | 3500 | Administrative Fee | \$660 | \$660 |
| | 3501 | Risk Factor Fee (varies, based on chemical risk) | \$5.25/unit | \$6/unit |

* The RMP (ARP) Accidental Release Prevention Program includes both the Administrative Fee and the Risk Factor Fee. There is no increase in the Administrative Fee. The only increase is in the Risk Factor Fee.

ATTACHMENT 2

RESOLUTION NO.

WHEREAS, Section 57.14.10 Unified Program Facility Permit Schedule of Fees of the Los Angeles Municipal Code authorizes the Board of Fire Commissioners to determine on a regular basis, with the concurrence of the City Administrative Officer, the schedule of applicable charges necessary to recover City costs for issuing numerous permits;

WHEREAS, these permits include the Unified Program Facility Permit Schedule of Fees as identified in the Los Angeles Municipal Code, Section 57.14.10C; and

WHEREAS, the Board of Fire Commissioners, at its meeting of DATE, adopted a recommended fee for which it has been given authority to establish fees; and

WHEREAS, in accordance with Section 57.04.12, Subsection C, of the Los Angeles Municipal Code, the City Administrative Officer, Mayor, and City Council have reviewed and concurred with the recommended fees;

NOW THEREFORE, BE IT RESOLVED, that the BOARD OF FIRE COMMISSIONERS adopts the following Unified Program Fee Schedule – 2008/09.

Unified Program Proposed Fee Schedule - 2008/09

| PROGRAM | CODE | CATEGORY | FEE | New Fee |
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Adopted this DATE
BOARD OF FIRE COMMISSIONERS

GENETHIA HUDLEY-HAYES, PRESIDENT

Attest: _____
BLANCA GOMEZ-REVELLES,
COMMISSION EXECUTIVE ASSISTANT