

City of Los Alamitos

Agenda Report Consent Calendar	December 15, 2008 Item No: 9E
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To: Mayor Dean Grose & Members of the City Council

Via: David L. Rudat, Interim City Manager

From: Steven Mendoza, Community Development Director

Subject: Request to Implement Senate Bill (SB1473) and the Collection of the Appropriate Fees; January 1, 2009

Summary: The purpose of this report is to inform the City Council about Senate Bill 1473 that was recently passed into law and to have the Council acknowledge and direct staff to start the collection of the appropriate fees starting January 1, 2009.

Recommendation: City Council direct staff to establish and begin collecting the fee in compliance with Senate Bill 1473, effective January 1, 2009.

Background

On September 30, 2008, Governor Schwarzenegger signed SB 1473 into law. It will take effect on January 1, 2009. Among other things, the bill provides for the creation of the Building Standards Administration Special Revolving Fund, which is established in the State Treasury. Monies deposited in this fund will come from a surcharge on both residential and nonresidential building permits.

Discussion

The bill requires that each city and county collect a fee from an applicant for a building permit, assessed at the rate of four dollars (\$4) per one hundred thousand dollars (\$100,000) in valuation, with appropriate fractions thereof, but not less than one dollar (\$1). "Appropriate fractions thereof" is interpreted to be \$1 per every twenty-five thousand (\$25,000) in valuation per table illustrated below. Fees will be submitted quarterly to the California Building Standards Commission (CBSC), as follows:

Permit Valuation	Fee
\$1 – 25,000	\$1
\$25,001 – 50,000	\$2
\$50,001 – 75,000	\$3
\$75,001 – 100,000	\$4
Every \$25,000 or fraction thereof above \$100,000	add \$1

In addition, SB 1473 states that the city or county may retain up to ten (10) percent of the fees collected for related administrative costs and for code enforcement education.

The bill requires that the local jurisdiction transmit the remainder to CBSC for deposit in the Building Standards Administration Special Revolving Fund. Once appropriated, monies deposited in this fund will be available to CBSC, the Department of Housing and Community Development, and the Office of the State Fire Marshal for expenditure in carrying out the provisions of the State Building Standards Law and provisions of State Housing Law that relate to building standards. Emphasis is to be placed on the development, adoption, publication, updating, and educational efforts associated with green building standards.


The City of Los Alamitos Building and Safety Department is set up to collect this fee through the HdL software that is used for permit issuance. Staff will contact our software consultant to make the necessary changes to our permitting program to collect and track this fee. Staff will set up a separate finance account in order to track these fee deposits and to disburse them accordingly.

First quarter fees will begin January 1, 2009 and end on March 31, 2009. The notification and report of that quarter's fee will be due on April 15, 2009 to the CBSC. In order to stay consistent throughout the State, a Fee Report Sheet was created which all jurisdictions are required to use for tracking their fees and submittal of their report to CBSC. A sample of this form for the first quarterly report is attached.

Fiscal Impact

It is estimated that the City will retail fifty-six dollars (\$56.00) of the five hundred sixty-one dollars (\$561.00) collected based upon permits issued in fiscal year 2007-08.

Submitted By:



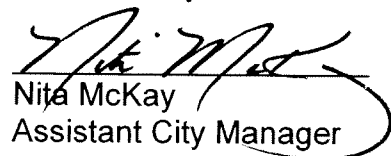
Steven A. Mendoza
Community Development Director

Approved By:



David L. Rudat
Interim City Manager

Reviewed By:



Nija McKay
Assistant City Manager

Attachments: 1). Senate Bill 1473 Sample Quarterly Report Form

FEE REPORT

BUILDING STANDARDS ADMINISTRATION SPECIAL REVOLVING FUND

FOR THE QUARTER BEGINNING _____ THROUGH _____ YEAR _____

1. Name of [] City or [] County for which fees are being remitted:

Prepared by: _____ Agency: _____

Mailing Address: _____
 Number Street

Post Office Box Number

City Zip Code

Contact Person: _____ Phone No.: _____

2. Fees assessed on permits for which a valuation is determined at a rate as follows:

Permit Valuation	Fee
\$1 – 25,000	\$1
\$25,001 – 50,000	\$2
\$50,001 – 75,000	\$3
\$75,001 – 100,000	\$4
Every \$25,000 or fraction thereof above \$100,000	Add \$1

Total fees assessed: \$ _____

3. Less 10% local government retainer: \$ _____

4. Total fees enclosed: \$ _____

Under penalty of perjury, I declare that I have examined this report, and to the best of my knowledge and belief, it is true, correct, and complete.

 Authorized Signature Position Title Date

Please make check payable to the *California Building Standards Commission*. Mail check and Fee Report form to:

California Building Standards Commission
 2525 Natomas Park Drive, Suite 130
 Sacramento, CA 95833