

Mayor and Council Communication

DATE: 09/01/20

M&C FILE NUMBER: M&C 20-0638

LOG NAME: 03FY21 FEES

SUBJECT

(ALL) Adopt Fiscal Year 2021 Fee Adjustments for the Aviation Department, Public Events Department, Financial Management Services Department, Development Services Department, and Park and Recreation Department, Adopt Ordinance Revising Fees, Authorize Certain Fee Modifications, and Formally Designate Certain Personnel to Act on Behalf of the Financial Management Services Department in Collecting Fees and Issuing Licenses (Continued from a Previous Meeting)

RECOMMENDATION:

It is recommended that the City Council:

1. Adopt the identified fee adjustments for the Aviation Department, Public Events Department, Financial Management Services Department, Development Services Department, and Park and Recreation Department, for Fiscal Year 2021;
 2. Adopt the attached ordinance revising fees in Article I, In General, of Chapter 7, Building Administrative Code, of the Code of the City of Fort Worth relating to administrative, organizational, and enforcement rules and regulations for the Fort Worth Building, Residential, Plumbing, Mechanical, Electrical, Sign and Existing Building codes;
 3. Adopt the attached ordinance revising fees in Article XII, Fee Schedules, of Chapter 2, Administration, of the Code of the City of Fort Worth relating to development, zoning and platting applications;
 4. Authorize fee modifications to respond to market demands for the Public Events and Park and Recreation Departments for marketing, promotional and educational purposes; and
 5. Formally designate the departments and personnel that are routinely tasked with collecting fees and issuing licenses to act as agents of the Financial Management Services Department.
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DISCUSSION:

The purpose of this Mayor and Council Communication (M&C) is to take action in connection with adjusting fees that will apply to various City services during Fiscal Year 2021 (FY2021) and document compliance with the City Charter in connection with collecting fees and issuing licenses, as applicable.

A variety of fees apply to City services that range from renting out the soccer fields to lease fees for facilities at the City's airports. Many of the fees are set out in state law or in the City Code. However, in several provisions of the City Code, fees are defined as being in the amount set by City Council.

Approval of this M&C authorizes adjustments for Fiscal Year 2021 to fees that are not established by other law. In addition, this M&C would approve the ordinances revising fees in Article I: In General, Chapter 7: Building Administrative Code of the Code of the City of Fort Worth and in Article XII: Fee Schedules, Chapter 2: Administration of the Code of the City of Fort Worth relating to development, zoning and platting applications. All other fees would remain in effect at their last-adopted rate as set by state law, City ordinance, or prior City Council action, as applicable.

The proposed fees were used in crafting revenue projections for the development of the Fiscal Year 2021 budget and are included in the attached addendum. Additional fee changes used in these revenue projections will become effective midyear 2021.

The Public Events and Park and Recreation Departments operate facilities and programs that compete with public and private sector facilities for business and periodically need to make adjustments in response to market demands and for promotional and educational purposes. Approval of the fourth recommendation authorizes the Public Events Director, the Park and Recreation Director, and their designees, directly or in connection with non-profit support groups, to adjust or waive fees in response to market demands, including, but not limited to, seasonal, weather-related, and facility condition-driven factors; customer service resolutions; memberships; advertising opportunities; special marketing promotions; and educational purposes. The maximum amount of fees for facilities operated by these two departments will continue to be capped at those amounts previously approved by the City Council. The cumulative impact of the fee modifications is not expected to have a material impact on the fee revenue projected by the Public Events Department nor will the cumulative adjustments negatively impact by more than 10% the annual fee revenue projections for the Park and Recreation Department.

Finally, approval of this M&C will also officially designate other personnel and departments as acting on behalf of the Financial Management Services (FMS) Department in collecting those fees and issuing licenses, as applicable. The City Charter charges the City's Finance Department "with the administration of the financial affairs of the city, including the keeping and supervision of all accounts . . . [and] the issuance of licenses and the collection of license fees . . .". As the City has grown over the years, responsibilities for issuing licenses and collecting fees became decentralized, with various departments and personnel being assigned as reflected in the City's revenue manual. In connection with the adoption of the Fiscal Year 2016 budget, the City Council approved M&C G-18545 (September 15, 2015), which formally designated the assigned personnel and departments to act on behalf of FMS in collecting fees and issuing licenses, where applicable. Adoption of the current M&C continues that designation through Fiscal Year 2021.

A Form 1295 is not required because: This M&C does not request approval of a contract with a business entity.

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that upon approval of the above recommendations and adoption of the ordinances adjusting fee revenues, earned fee revenues will be deposited into the appropriate fund. The participating departments (and Financial Management Services) are responsible for the collection and deposit of funds due to the City.

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