



**AGENDA
REGULAR MEETING**

**City Council of the Town of Colma
Colma Community Center
1520 Hillside Boulevard
Colma, CA 94014**

**Wednesday, October 25, 2017
CLOSED SESSION – 6:00 PM
REGULAR SESSION – 7:00 PM**

CLOSED SESSION – 6:00 PM

1. **In Closed Session Under Government Code § 54956.9(d), CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**

Number of Cases: 1

PLEDGE OF ALLEGIANCE AND ROLL CALL – 7:00 PM

REPORT FROM CLOSED SESSION

ADOPTION OF AGENDA

PRESENTATIONS

- Peninsula Reflections Dementia Awareness
- San Mateo County CalFresh Program
- SMC Alert System Proclamation

PUBLIC COMMENTS

Comments on the Consent Calendar and Non-Agenda Items will be heard at this time.
Comments on Agenda Items will be heard when the item is called.

CONSENT CALENDAR

2. Motion to Accept the Minutes from the October 5, 2017 Special Meeting.
3. Motion to Accept the Minutes from the October 11, 2017 Regular Meeting.

NEW BUSINESS

4. **TOWN HALL PROJECT – AMENDMENT V CONSULTING SERVICES FOR FF&E**

Consider: Motion to Adopt Resolution Approving and Authorizing the City Manager to Enter into a Fifth Amendment to the Agreement for Architectural Services with Ratcliff Architects to Develop Plans and Specifications for the Procurement of Furniture, Fixtures and Equipment for the Town Hall Renovation Project.

STUDY SESSION

5. **TRANSIENT OCCUPANCY TAX**
6. **BUSINESS REGISTRATION FEE**

These items are for discussion only; no action will be taken at this meeting.

REPORTS

Mayor/City Council

City Manager

ADJOURNMENT

The City Council Meeting Agenda Packet and supporting documents are available for review at the Colma Town Hall, 1188 El Camino Real, Colma, CA during normal business hours (Mon – Fri 8am-5pm). Persons interested in obtaining an agenda via e-mail should call Caitlin Corley at 650-997-8300 or email a request to ccorley@colma.ca.gov.

Reasonable Accommodation

Upon request, this publication will be made available in appropriate alternative formats to persons with disabilities, as required by the Americans with Disabilities Act of 1990. Any person with a disability, who requires a modification or accommodation to view the agenda, should direct such a request to Brian Dossey, ADA Coordinator, at 650-997-8300 or brian.dossey@colma.ca.gov. Please allow two business days for your request to be processed.

1. **In Closed Session Under Government Code § 54956.9(d), CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**

Number of Cases: 1

These items are for discussion only; no action will be taken at this meeting.



MINUTES SPECIAL MEETING

City Council of the Town of Colma
Colma Community Center, 1520 Hillside Boulevard
Colma, CA 94014

Wednesday, October 5, 2017

6:00 p.m.

CALL TO ORDER

Mayor Helen Fisicaro called the Special Meeting of the City Council to order at 6:07 p.m.

Council Present – Mayor Helen Fisicaro, Vice Mayor Raquel “Rae” Gonzalez, Council Members Joanne F. del Rosario, John Irish Goodwin and Diana Colvin were all present

Staff Present – Interim City Manager William C. Norton, Administrative Services Director Brian Dossey, Contract Director of Public Works Brad Donohue, Contract Assistant Engineer Mahan Bozorginia, and City Clerk Caitlin Corley were in attendance.

ADOPTION OF THE AGENDA

Mayor Fisicaro asked if there were any changes to the agenda. None were requested. The Mayor asked for a motion to adopt the agenda.

Action: Council Member del Rosario moved to adopt the agenda; the motion was seconded by Council Member Colvin and carried by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Helen Fisicaro, Mayor	✓				
Raquel Gonzalez	✓				
Joanne F. del Rosario	✓				
John Irish Goodwin	✓				
Diana Colvin	✓				
	5	0			

NEW BUSINESS

1. NOTICE OF AWARD – TOWN HALL PROJECT – INFILL & SITEWORK

Contract Director of Public Works Brad Donohue presented the staff report. Mayor Fisicaro opened the public comment period at 6:15 p.m. and seeing no one come forward to speak, she closed the public comment. Council discussion followed.

Action: Mayor Fisicaro moved to Adopt a Resolution Waiving Any Irregularities in the Bid of and Awarding and Authorizing the City Manager to Execute a Construction Contract for the Town Hall Addition and Renovation Project, Phase IV Infill & Sitework with BHM Construction, Inc.; the motion was seconded by Council Member Colvin and carried by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Helen Fisicaro, Mayor	✓				
Raquel Gonzalez	✓				
Joanne F. del Rosario	✓				
John Irish Goodwin	✓				
Diana Colvin	✓				
	5	0			

ADJOURNMENT AND CLOSE IN MEMORY

Mayor Fisicaro adjourned the meeting at 6:29 p.m. in honor of everyone impacted by the tragedy in Las Vegas, Ginny Anderlini, longtime community member; Carolyn Livengood, reporter, community activist and tireless volunteer; and Chris Pallas, former San Bruno Council Member and School Board Member.

Respectfully submitted,

Caitlin Corley

**MINUTES
REGULAR MEETING**

City Council of the Town of Colma
Colma Community Center, 1520 Hillside Boulevard
Colma, CA 94014

Wednesday, October 11, 2017

7:00 p.m.

CALL TO ORDER

Mayor Helen Fisicaro called the Regular Meeting of the City Council to order at 7:20 p.m.

Council Present – Mayor Helen Fisicaro, Vice Mayor Raquel “Rae” Gonzalez, Council Members Joanne F. del Rosario, John Irish Goodwin and Diana Colvin were all present

Staff Present – Interim City Manager William C. Norton, City Attorney Christopher Diaz, Administrative Services Director Brian Dossey, Police Chief Kirk Stratton, Contract Director of Public Works Brad Donohue, Contract City Planner Michael Laughlin, and City Clerk Caitlin Corley were in attendance.

REPORT FROM CLOSED SESSION

Mayor Fisicaro stated, “No action was taken at tonight’s closed session meeting.”

ADOPTION OF THE AGENDA

Mayor Fisicaro asked if there were any changes to the agenda. None were requested. The Mayor asked for a motion to adopt the agenda.

Action: Council Member del Rosario moved to adopt the agenda; the motion was seconded by Council Member Colvin and carried by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Helen Fisicaro, Mayor	✓				
Raquel Gonzalez	✓				
Joanne F. del Rosario	✓				
John Irish Goodwin	✓				
Diana Colvin	✓				
	5	0			

PRESENTATION

Interim City Manager Bill Norton introduced new Contract Finance Director Brian Moura.

Police Chief Kirk Stratton introduced and swore in new Police Officer Anthony McKenna.

PUBLIC COMMENTS

Mayor Fisicaro opened the public comment period at 7:32 p.m. residents Shirley Stone, Pat Hatfield and Jim Letcavage expressed concern about the new parking permit process.

CONSENT CALENDAR

2. Motion to Accept the Minutes from the September 27, 2017 Regular Meeting.
3. Motion to Approve Report of Checks Paid for September 2017.
4. Motion to Accept Informational Report on Recreation Department Programs, Activities, Events, and Trips for the Third Quarter of 2017.
5. Motion to Adopt a Resolution Designating Certain Products, Brands or Services Pursuant to Public Contract Code Section 3400.
6. Motion to Adopt a Resolution Amending Subchapter 3.08 and Adding Subchapter 3.11 to the Colma Administrative Code, Relating to Email and Other Electronic Communications and the Public Records Act.
7. Motion to Adopt a Resolution Approving Road Maintenance and Rehabilitation Account (RMRA) Project List and Amending Gas Tax Appropriations for Fiscal Year 2017-2018.

Action: Council Member Colvin moved to approve the Consent Calendar items #2 through 7; the motion was seconded by Council Member Goodwin and carried by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Helen Fisicaro, Mayor	✓				
Raquel Gonzalez	✓				
Joanne F. del Rosario	✓				
John Irish Goodwin	✓				
Diana Colvin	✓				
	5	0			

NEW BUSINESS

8. SERRAMONTE BOULEVARD AND COLLINS MASTER PLAN

Contract City Planner Michael Laughlin presented the staff report. Mayor Fisicaro opened the public comment period at 7:53 p.m. and seeing no one come forward to speak, she closed the public comment. Council discussion followed.

Action: Vice Mayor Gonzalez moved to Adopt a Resolution Authorizing the City Manager to Execute a Contract with Dyett and Bhatia in the Amount of \$336,518 for Preparation of the Serramonte Boulevard and Collins Avenue Master Plan; the motion was seconded by Council Member del Rosario and carried by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Helen Fisicaro, Mayor	✓				
Raquel Gonzalez	✓				
Joanne F. del Rosario	✓				
John Irish Goodwin	✓				
Diana Colvin	✓				
	5	0			

STUDY SESSION

9. RESERVE POLICE OFFICER PROGRAM

Police Chief Kirk Stratton presented the staff report. Mayor Fisicaro opened the public comment period at 8:26 p.m. and seeing no one come forward to speak, she closed the public comment. Council discussion followed.

This item was for discussion only; no action was taken at this meeting.

COUNCIL CALENDARING

The next Regular City Council Meetings will be on Wednesday, October 25, 2017 at 7:00 p.m. and Wednesday, November 8, 2017 at 7:00 p.m.

REPORTS

Helen Fisicaro

Peninsula Italian American Social Club Columbus Day Event, 10/6/17
Black Bear Diner Ribbon Cutting, 10/10/17
Daly City Youth Wall Breaking Event, 10/11/17

Raquel "Rae" Gonzalez

Black Bear Diner Ribbon Cutting, 10/10/17

Joanne F. del Rosario

Black Bear Diner Ribbon Cutting, 10/10/17

Interim City Manager Bill Norton reminded everyone that Republic Services will be holding a Free Recycling and Compost Giveaway Event on Saturday, October 14, 2017.

ADJOURNMENT

Mayor Fisicaro adjourned the meeting at 9:03 p.m. in honor of Marge Barajas, former Colma resident

Respectfully submitted,

Caitlin Corley





STAFF REPORT

TO: Mayor and Members of the City Council

FROM: Brian Dossey, Administrative Services Director
Brad Donohue, Director of Public Works
Mahan Bozorginia, Project Manager

VIA: William C. Norton, Interim City Manager

MEETING DATE: October 25, 2017

SUBJECT: Town Hall Project - Amendment V Consulting Services for FF&E

RECOMMENDATION

Staff recommends that the City Council adopt:

RESOLUTION APPROVING AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A FIFTH AMENDMENT TO THE AGREEMENT FOR ARCHITECTURAL SERVICES WITH RATCLIFF ARCHITECTS TO DEVELOP PLANS AND SPECIFICATIONS FOR THE PROCUREMENT OF FURNITURE, FIXTURES AND EQUIPMENT FOR THE TOWN HALL RENOVATION PROJECT.

EXECUTIVE SUMMARY

The proposed Fifth Amendment would commission Ratcliff Architects to take their schematic design (A simple furniture space plan), and produce a comprehensive plan and specification defining characteristics such as furniture type and size, wood and fabric type, colors, ergonomics, ADA requirements, and cost estimates. Ratcliff's obligation from previous agreements was to deliver a conceptual design defining the furniture layout in the various offices, conference room and public areas. The detailed work in defining furniture characteristics described above was never part of the original scope of services under the Agreement for Architectural Services as amended by the First, Second, Third and Fourth Amendments. The proposed Fifth Amendment will complete the final phase of interior design work and allow Staff to issue a solicitation for a contractor who will procure and install the selected furniture, fixtures and equipment.

FISCAL IMPACT

The proposed not-to-exceed fee from Ratcliff Architects for furniture, fixtures and equipment design and construction administration services ("FF&E Services") is \$38,900. The fee covers the completion of design development and construction administration services regarding the

delivery of final construction documents for going to bid. The proposed costs for these services is within the Town Hall Renovation Project's overall budget. If the Fifth Amendment is approved, it would increase the total contract amount under the Agreement for Architectural Services to \$1,683,365.00.

BACKGROUND

Ratcliff was required to survey existing facility conditions and interview with Staff on their various needs regarding office furniture and needed equipment pursuant to the original scope of services under the Agreement for Architectural Services. The proposed Fifth Amendment would commission Ratcliff to utilize the information and data that was obtained during this previous step along with City selected finishes and color schemes, in order to create an inventory of what furniture and equipment is needed for the various offices and conference rooms, City Council Chambers, public areas and large file and record storage areas.

The basis of design for furniture, fixtures and equipment is typically a separate design process. Furniture, fixtures and equipment design is typically performed by interior design specialists who are familiar with current industry products and availability. Ratcliff has a division within their firm that provides interior design and construction administration services. The reason these services are not part of the original scope of services under the Agreement for Architectural Services is because the parties did not at that time generally have a clear understanding of the specific needs and design features of the project. Furniture, fixtures and equipment design services are typically procured at a later stage of the project.

ANALYSIS

In addition to Ratcliff, Staff contacted three other local design firms that have the capability of producing facility space planning, plans and specifications. The other firms that were contacted for providing such services were: RMA Studio, Brereton Architects and Martinkovic Milford Architects. All three were given the schematic space plan and asked to provide pricing for the furniture, fixtures and equipment basis of design, associated construction administration services and other minor services related to the procurement and installation of the furniture, fixtures and equipment. None of the above firms responded to the request for pricing.

Ratcliff's proposal for a furniture, fixtures and equipment basis of design consists of two parts; design development and construction documents. The design development will comprise of collaboration between Ratcliff and Staff. Ratcliff will prepare and submit a conceptual design for Staff review and decision/direction. Ratcliff will also provide estimating services for products being proposed.

The construction documents will be an expansion of the schematic design previously provided. Ratcliff will take the schematic plan and provide more detailed drawings and elevations along with specifications so that the Town can obtain accurate pricing from interested bidders.

Council Adopted Values

Approval of the Fifth Amendment is the responsible action, Staff solicited proposals from three other firms but received no response. Given that Ratcliff produced the initial schematic design

and is most familiar with the project and its various finishes and color selections, Ratcliff is well suited to perform the furniture, fixtures and equipment basis of design services. This amendment will not require an increase of the budget for the Town Hall project.

Alternatives

While the City Council could reject the Fifth Amendment, doing so is not recommended. Since other proposals were solicited and none were submitted, rejecting the Fifth Amendment would only delay the Town Hall Renovation Project further as Staff proceeds to solicit proposals from additional firms.

CONCLUSION

Staff recommends City Council approve the Resolution approving and authorizing the City Manager to execute the Fifth Amendment to the Agreement for Architectural Services. This will allow Staff to begin collaboration with Ratcliff on the furniture, fixtures and equipment basis of design. Upon completion and preparation of construction documents by Ratcliff, Staff will return to the City Council for approval of the solicitation for the Town Hall Renovation Project - Furniture, Fixture and Equipment Package.

ATTACHMENTS

- A. Resolution
- B. Fifth Amendment to Agreement for Architectural Services
 - (a) Ratcliff Proposal
- C. FF&E Schematic Design



RESOLUTION NO. 2017-_____
OF THE CITY COUNCIL OF THE TOWN OF COLMA

**RESOLUTION APPROVING AND AUTHORIZING THE CITY MANAGER TO ENTER INTO
 A FIFTH AMENDMENT TO THE AGREEMENT FOR ARCHITECTURAL SERVICES WITH
 RATCLIFF ARCHITECTS TO DEVELOP PLANS AND SPECIFICATIONS FOR THE
 PROCUREMENT OF FURNITURE, FIXTURES AND EQUIPMENT FOR THE TOWN HALL
 RENOVATION PROJECT**

The City Council of the Town of Colma does hereby resolve:

1. Background.

- (a) On or about February 26, 2014, the Town and Ratcliff Architects ("Ratcliff") entered into an Agreement for Architectural Services (the "Agreement"), for the design of the Colma Town Hall Renovation project (the "Project").
- (b) The Agreement permits the Town and Ratcliff to amend the terms and conditions of the Agreement upon mutual written agreement of the parties.
- (c) On or about March 11, 2015, the Town and Ratcliff entered into a First Amendment to the Agreement ("First Amendment") whereby the fee and scope of work for completion of the Phase II design services for the Project was agreed upon by the parties.
- (d) On or about July 27, 2016, the Town and Ratcliff entered into a Second Amendment to the Agreement ("Second Amendment") to address additional costs associated with the design services for Phase II of the Project.
- (e) On or about October 31, 2016, the Town and Ratcliff entered into a Third Amendment to the Agreement ("Third Amendment") to compensate Ratcliff for certain additional tasks to complete the Phase II design services as agreed to between the parties.
- (f) On or about May 23, 2017, The Town and Ratcliff entered into a Fourth Amendment to the Agreement ("Fourth Amendment") to perform additional tasks to complete: (1) the Phase II construction administration services on the Project; and (2) value engineering and conforming plans.
- (g) The Town and Ratcliff now desire to enter into a Fifth Amendment to the Agreement ("Fifth Amendment") to perform additional tasks related to furniture, fixtures and equipment basis of design ("FF&E Services").

2. Finding.

- (a) The City Council finds that Ratcliff has demonstrated it possesses the qualifications and experience necessary to perform the FF&E Services and at a fair and reasonable price to the Town.

/

/

3. Order

(a) The Fifth Amendment adding FF&E Services to the scope of services under the Agreement is hereby approved in the not-to-exceed amount of \$38,900.

(b) The City Manager is authorized to execute the Fifth Amendment on behalf of the Town, with such minor technical amendments as may be deemed appropriate by the City Manager and the City Attorney.

Certification of Adoption

I certify that the foregoing Resolution No. 2017-___ was duly adopted at a regular meeting of said City Council held on October 25, 2017 by the following vote:

Name	Counted toward Quorum			Not Counted toward Quorum	
	Aye	No	Abstain	Present, Recused	Absent
Helen Fisicaro, Mayor					
Raquel Gonzalez					
Joanne del Rosario					
Diana Colvin					
John Irish Goodwin					
Voting Tally					

Dated _____

Helen Fisicaro, Mayor

Attest: _____
Caitlin Corley, City Clerk

FIFTH AMENDMENT TO
AGREEMENT FOR ARCHITECTURAL SERVICES

THIS FIFTH AMENDMENT (“Fifth Amendment”) is made entered into this _____ day of _____, 2017, by and between the **TOWN OF COLMA**, a municipal corporation organized under the laws of the State of California with its principal place of business at 1198 El Camino Real, Colma, CA 94014 (“Town”) and **RATCLIFF ARCHITECTS** with its principal place of business at 5856 Doyle Street, Emeryville, CA 94608 (“Architect”). Town and Architect are sometimes individually referred to as “Party” and collectively as “Parties” in this Fifth Amendment.

RECITALS

WHEREAS, on or about February 26, 2014, the Town and Architect entered into an Agreement for Architectural Services (the “Agreement”), for the design of the Colma Town Hall Renovation project (the “Project”); and

WHEREAS, the Agreement permits the Town and Architect to amend the terms and conditions of the Agreement upon mutual written agreement of the parties; and

WHEREAS, on or about March 11, 2015, the Town and Architect entered into a First Amendment to the Agreement (“First Amendment”) whereby the fee and scope of work for completion of the Phase II design services was agreed upon by the Parties; and

WHEREAS, on or about July 27, 2016, the Town and Architect entered into a Second Amendment to the Agreement (“Second Amendment”) to address additional costs associated with the design services for Phase II of the Project; and

WHEREAS, on or about October 31, 2016, the Town and Architect entered into a Third Amendment to the Agreement (“Third Amendment”) to compensate Architect for certain additional tasks to complete the Phase II design services as agreed to between the Parties; and

WHEREAS, on or about May 23, 2017, The Town and Architect entered into a Fourth Amendment to the Agreement (“Fourth Amendment”) to perform additional tasks to complete: (1) the Phase II construction administration services on the Project; and (2) value engineering and conforming plans; and

WHEREAS, Town has requested Architect to perform additional tasks related to furniture, fixtures and equipment basis of design (“FF&E Basis of Design”), which shall include: (1) design development and (2) generation of construction documents (“Additional Services”);

AGREEMENT

NOW, THEREFORE, in good and valuable consideration of the mutual promises and covenants contained herein, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

1. **Amendment Terms.**

The Agreement is hereby amended as follows:

- a. **Additional Services.** Town acknowledges Architect must complete certain Additional Services in order to complete the FF&E Basis of Design. Such Additional Services are described in Attachment “A”, attached to this Fifth Amendment and incorporated herein by this reference
- b. **Architect’s Fee for Additional Services.** In accordance with Sections 3.8 and 3.10 of the Agreement, Town and Architect agree that Architect will perform the Additional Services on a time and materials basis for a not to exceed fee of \$38,900 (“Additional Services Fee”), as further described and set forth in Attachment “A”. Architect shall not be entitled to any additional compensation except as explicitly authorized by a written agreement between the Parties.
- c. **Invoicing for Additional Services.** In accordance with Section 3.10.4 of the Agreement, Architect shall submit itemized invoices on a monthly basis which indicate with specificity the Additional Services performed, percentage or portion of Additional Services completed, method of computing the amount payable, payments previously made against the Additional Services Fee, and the amount to be paid. Architect’s failure to invoice Town for tasks rendered more than sixty (60) days after performance of the task and to otherwise comply with the invoicing requirements set forth herein shall constitute cause for Town to refuse payment and shall be deemed a waiver by Architect of its right to pursue further payment or make a claim against Town for the unpaid amounts associated with said tasks.
- d. **Over Budget.** The Town’s budget for construction services related to the FF&E Basis of Design is \$260,000 (“FF&E Budget”). If the lowest responsible bidder submits a responsive bid that exceeds the FF&E Budget by more than ten percent (10%), Town may request Architect to amend, at Architect’s sole cost and expense, the plans, drawings and specifications associated with the FF&E Basis of Design in order to rebid the construction contract. All revisions necessary to bring the lowest responsible bidder’s responsive bid within the FF&E Budget , including any omissions, deferrals or alternates, shall be made in consultation with, and subject to the approval of, the Town.

2. **Effective Date.** This Fifth Amendment shall only be effective upon the execution by both the Town and Architect.

3. **Counterparts.** This Fifth Amendment may be executed in any number of counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.
4. **Continuing Effect.** This Fifth Amendment shall affect only the items specifically set forth herein, and all other terms and conditions of the Agreement, as amended by the First, Second, Third and Fourth Amendments, shall remain in full force and effect.

IN WITNESS WHEREOF, the Parties hereto have, by their duly authorized representatives, executed this Fifth Amendment to the Agreement for Architectural Services, as of the month, day and year first above written.

TOWN OF COLMA

By: _____
William C. Norton,
Interim City Manager

RATCLIFF ARCHITECTS

By: _____

Title: _____

Printed Name: _____

Attest: _____
Caitlin Corley, City Clerk

**ATTACHMENT “A”
FF&E BASIS OF DESIGN ADDITIONAL SERVICES/RATE SCHEDULE
(DATED OCTOBER 12, 2017)**

RATCLIFF

5856 Doyle Street
Emeryville CA 94608
Tel 510 899 6400
www.ratcliffarch.com

October 12, 2017

Mr. Mahan Bozorginia
Town of Colma
1188 El Camino Real
Colma, CA 94014

Re: Furniture
Project #: 34003.18

Dear Mahan,

We are pleased to present our proposal for architectural services for the selection, layout, procurement and installation of the furnishing for the Colma Town Hall project. Ratcliff will prepare documentation for confirmation of the furniture type, design and layout as illustrated in the Schematic Design. Drawings and specifications will be prepared to document the selection, finishes, color and quality for the procurement of the furnishings. Our understanding is that the Town of Colma will take responsibility for Construction Administration.

The following description outlines the tasks and deliverables at each phase:

Design Development

- Collaborate with vendors(s) to confirm contracts for discounted pricing
- Email furniture plans to client to confirm type, performance, finishes and estimated pricing. Review will be completed internally by Town of Colma.
- Updated Power Point presentation to illustrate furniture type and finishes
- Meeting (1) Town of Colma for approval of DD (Formal presentation at Council Meeting)

Construction Documents

- Prepare detailed plans and specifications suitable for pricing and procurement
- Review pricing quotations; annotate required revisions and corrections
- Review RFP document prepared by the Town of Colma

Ratcliff Fees Summary

Design Development.....	\$21,000
Construction Documents	\$17,900

Total Fee\$38,900

Ratcliff proposes to provide the services outlined above on an actual time spent, not to exceed Thirty Eight Thousand Nine Hundred Dollars (\$38,900) without written authorization by the Owner.

Reimbursable expenses are a separate amount and will be billed at actual cost. Professional renderings are excluded from the scope of work described above and may be commissioned as necessary or requested by the Owner.

Please let us know if you have additional questions regarding our proposal or require additional information. If the proposal is acceptable, we will work with you to formalize a contract.

Very truly yours,

A handwritten signature in black ink, appearing to read "Dan Wetherell". The signature is fluid and cursive, with a large initial "D" and a stylized "W".

Dan Wetherell, AIA
Principal-in-Charge

Project: Colma Town Hall												
Project No.: Furniture Specifications												
Date: 20170928				REVISED 20171012								
Note 1: Furniture Specifications stand as Basis of Design; in-kind alternatives may be submitted for approval; include stipulation in RFP				ESTIMATED HOURS BY LABOR/STAFF CATEGORY								
Note 2: Conceptual Furniture Plan must be modeled and dimensioned with final furniture selections by furniture dealer; include stipulation in RFP				N/A	Project	Sr. Proj.	Sr. Proj.	Intermed.	Project	TASK TOTAL		
Note 3: Furniture Plans by furniture dealer must include installation/anchorage requirements; include stipulation in RFP				Date	Principal	Architect	Designer	Designer I	Admin.			
Note 4: Price Quotation by furniture dealer to include images, finish and upholstery samples; include stipulation in RFP					\$245	\$166	\$166	\$122	\$78	Hours	Labor Rate	
	MILESTONE/DELIVERABLE	SUBJECT	TASK		Dan W.	Bill W.	Bonnie	Andrea	Admin.			
DD	Design Development - Estimated 6 Weeks											
	Proceed as modeled	Meet Project Target	Collaborate with vendor RE products discounted in Purchasing Contract (County?) to meet furniture budget target		2	4	16	0	4	26	\$4,122	
		Prepare Presentation Materials	Prepare presentation with images representing products specified as Basis of Design in type, performance, finishes; estimated pricing		0	0	28	16	4	48	\$6,912	
	(1) Meeting without Ratcliff	Town of Colma Internal Review	Review presentation; achieve consensus to move forward		0	0	0	0	0	0	\$0	
		Documentation	Annotate Power Point with Client Comments as visual Minutes to conclude DD		0	0	16	4	4	24	\$3,456	
		Coordinate with dealer in demo items; rate by written format; compile results	Prepare rating form; compile results; submit to Colma for approval		1	4	16	4	4	29	\$4,365	
	(1) Meeting with Ratcliff	Ratcliff Presents plan to Council	Final review		2	5	5	0	0	12	\$2,150	
CD	Construction Documents - Estimated 8 Weeks			Subtotal							\$21,005	
	Proceed as modeled	Documentation	Dimension furniture plans, finalize furniture specifications as PDF, collaborate with manufacturers		0	2	38	4	4	48	\$7,440	
		Documentation	Submit furniture specifications for final pricing		0	0	16	0	4	20	\$7,440	
		Documentation	Review pricing quotation; annotate required revisions and corrections		0	0	16	0	4	20	\$2,968	
		Documentation	Review and comment on RFP document prepared by Town Staff		0	4	16	4	4	28	\$28	
			Subtotal								\$17,876	
Total Hours by Staff Category					5	19	167	32	34	383		
Total Billable					\$1,225	\$3,154	\$27,722	\$3,904	\$2,652		\$38,881	





AC RM
000-E

ELEV.
000-A

FILE STORAGE
005

ITTEL
003

ELECTRICAL
004

MACH RM
000-C

BASEMENT OFFICE
002

BASEMENT LOBBY
001

STAFF KITCHEN & BREAK ROOM
007

MECH.
015

STORAGE
006

MECH.
009

STORAGE
014

MECH / STORAGE
013

SHOWER
010

UNISEX
011A

UNISEX
011B

JAN.
012

LINE OF FLOOR OPENING ABOVE

PT-1

PT-2

PT-3

PT-4

PT-5

PT-6

PT-7

PT-8

PT-9

PT-10

PT-11

PT-12

PT-13

PT-14

PT-15

PT-16

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- XX — WALL FINISH
- XX — EXTENT OF WALL FINISH
- XX — UPPER WALL FINISH
- XX — GUARD RAIL FINISH
- XX — WAINGSCOT FINISH
- XX — BASE FINISH
- XX — FLOOR FINISH
- XX — UPPER CABINET FINISH
- XX — COUNTERTOP FINISH
- XX — LOWER CABINET FINISH
- XX — CEILING FINISH
- CG — CORNER GUARD LOCATION
- XX — SIGNAGE TYPE
SEE A-802
- NOT INCLUDED IN CONTRACT UNLESS NOTED OTHERWISE
- FURNITURE ITEM INCLUDED IN CONTRACT.
REFER TO FURNITURE SCHEDULE AND DETAILS
- HATCH LEGEND:
 - (H) TILE, SPEC SECTION 09 30 90, TO REMAIN
 - NEW LOBBY TILE, REFER TO SHEET A-611 FOR ADDITIONAL LAYOUT DETAILS

Professional Engineer Seal for William J. Blessing, No. C-16988, State of California, expires 08-31-17.

[illegible]

SHEET
NUMBER

A-610





STAFF REPORT

TO: Mayor and Members of the City Council
FROM: Michael Laughlin, City Planner, CSG Consultants
VIA: William C. Norton, Interim City Manager
MEETING DATE: October 25, 2017
SUBJECT: Transient Occupancy Tax (TOT) Study Session

RECOMMENDATION

This item is a study session for informational purposes only. No City Council action is required; however, staff seeks comments, questions, impressions and opinions from each Council member regarding issues and concerns.

EXECUTIVE SUMMARY

An Economic Development Strategic Plan prepared by Bay Area Economics (BAE) for the Town in 2011-2012 noted that Town revenues are heavily dependent on retail sales and card room taxes. The study identified types of businesses that could diversify revenue sources, including the addition of a hotel. In order to generate tax revenue from occupancy at a hotel in Colma, the Town will have to establish a Transient Occupancy Tax (TOT). A TOT must be approved by Colma voters at an election.

FISCAL IMPACT

None at this time.

BACKGROUND

At the time of the preparation of the 2011-2012 Colma Economic Development Strategic Plan, the Town was coming out of the recession. Auto and retail sales tax revenues to the Town were greatly reduced since 2008, requiring the Town to reduce services and suspend capital improvement projects. In addition, there were several vacant auto dealership buildings. The economic study identified business types missing from Colma through a "leakage analysis", including restaurants, a hotel and home furnishings. The study recommended consideration of these other types of businesses to diversify Town revenue sources and to encourage increased spending by those visiting the Town.

In addition to the Economic Plan, the Town commissioned the preparation of an Urban Design Study to look at vacant and underutilized sites in Town. The Urban Design Study is a long-range plan which primarily looks at appropriate development form to complement the Town's existing development. The Plan identifies locations where a hotel could be located. Two possible locations include the Kohl's property and the Bocci monuments site at the Colma BART station. However, a hotel could be considered at any appropriately sized commercial site in the Town.

As part of the City Council's Strategic Plan, the City Council has identified the establishment of a TOT as an activity that will allow the Town to generate tax revenue from occupancy at Colma hotels, as they are developed in the future.

Since the recession, there has been a great deal of interest in hotel development in South San Francisco, San Bruno, Millbrae and Daly City. A developer has expressed interest in developing a hotel on Serramonte Boulevard just north of Gellert Boulevard.

ANALYSIS

California Revenue and Taxation Code Section 7280 authorizes cities to levy a TOT on transient guests for the privilege of occupying a hotel. The tax was originally designed to compensate local government for the increased public service costs incurred by serving local tourists. There is no cap on the tax rate for a TOT under State law; however, any new or increased TOT requires voter approval under Proposition 218.

For a general TOT (a tax imposed for general government purposes), a simple majority (50% plus one vote) approval is required. For a special TOT (a tax imposed for special purposes, including taxes imposed for specific purposes and placed into a general fund), 2/3 voter approval is required. Staff recommends that the Council consider a general TOT because only a simple majority vote is required to approve the tax. With Colma's small voting population, a 2/3 supermajority may be difficult to achieve.

If approved by the voters, the TOT would be applied to all charges for any "transient occupancy" (guest stay) lasting 30 consecutive days or less in a Colma hotel. Hotels that operate in Colma would be required to collect TOT tax from the "transient" (guest) as part of the bill and remit that tax directly to the Town with a tax return for verification purposes, similar to way that Lucky Chances does for their casino use. Many California cities have TOT's, so this collection/remittance process has become standard hotel business practice.

In order to place a measure on the November 2018 ballot, the City Council will need to consider the text of the measure, establish a tax rate, and take an action, by a 2/3 vote, to place the measure on the ballot. If the City Council is supportive of placing a measure on the November 2018 ballot, staff would come back to the City Council in early 2018 with the necessary documents to consider. If the City Council approves placement of the ballot measure, it would then be forwarded to the County Registrar by the City Clerk in the summer of 2018. If approved by voters, the provisions of the tax will be placed in the Municipal Code.

Staff has prepared a survey of local TOT tax rates. As shown on the attached summary, the rates range from 10% in Daly City to 12% for a majority of northern San Mateo County

jurisdictions. While the City Council may propose a rate higher or lower than 12%, the 12% rate would be staff's initial recommendation. Setting the rate higher may require the hotel operator to set their room rates proportionately lower so that the room rate with taxes is competitive in the market area, making the Town less attractive to hotel developers.

Given recent legal developments with Internet bookings and the "sharing economy", staff could prepare at the Council's direction a ballot measure that includes modern terminology to ensure that the TOT is fully and fairly applied to all "transient occupancies", whether they are booked directly with the hotel, through an online travel company (OTC), or through Air B&B, VBRO and other short-term rental websites.

Regular searches by staff have identified no short-term rentals in Colma, and there are currently no restrictions on them. If the Council wishes to allow short-term rentals, staff will need to follow this up with a recommendation to City Council on a permit procedure. The City Council could also express a preference to not permit short term rentals in the Town and thereby eliminate the need to have this provision in the ballot measure.

Council Adopted Values

The study session is consistent with the Council value of *responsibility* because it considers the long-term economic stability and diversity of the Town.

Sustainability Impact

N/A

Alternatives

None

CONCLUSION

The City Council is encouraged to ask questions about the establishment of a TOT. In addition, the City Council is encouraged to consider the appropriate percentage of tax if there is general agreement to proceed. The City Council may also wish to discuss or ask questions of staff about other types of short-term rentals which are currently not regulated by the Town.

ATTACHMENTS

- A. TOT survey



Town of Colma TOT Survey

City	TOT %	Code Section
Brisbane	12%	3.24.030
Burlingame	12%	4.09.025
Daly City	10%	3.32.020
Millbrae	12%	
Pacifica	12%	3-7.03
San Francisco	14%	502.8-1(a)
South San Francisco	10%: 9%; 1%	4.20.030; 4.20.033

Daly City

3.32.020 - Tax imposed.

For the privilege of occupancy in any hotel, each transient is subject to and shall pay a tax in the amount of **ten percent** of the rent charged by the operator. This tax constitutes a debt owed by the transient to the city which is extinguished only by payment to the operator or to the city. The transient shall pay the tax to the operator of the hotel at the time the rent is paid. If the rent is paid in installments, a proportionate share of the tax shall be paid with each installment. The unpaid tax shall be due upon the transient's ceasing to occupy space in the hotel. If for any reason the tax due is not paid to the operator of the hotel, the tax administrator may require that such tax shall be paid directly to the tax administrator.

Pacifica

Sec. 3-7.03. - Tax imposed.

For the privilege of occupancy in any hotel, each transient shall be subject to and shall pay a tax in the amount of **twelve (12%) percent** of the rent charged by the operator. Such tax shall constitute a debt owed by the transient to the City, which debt shall be extinguished only by payment to the operator or to the City. The transient shall pay the tax to the operator of the hotel at the time the rent is paid. If the rent is paid in installments, a proportionate share of the tax shall be paid with each installment. The unpaid tax shall be due upon the transient's ceasing to occupy space in the hotel. If for any reason the tax due is not paid to the operator of the hotel, the Tax Administrator may require that such tax shall be paid directly to the Tax Administrator.

San Francisco

How is Transient Occupancy Tax (TOT, aka "Hotel Tax") calculated and collected on a transaction for transient accommodations?

The TOT is 14% of the rent and is added to the amount of rent charged to the guest. To calculate TOT, multiply the rent charged by 14%. Under Tax Collector Regulation 2012-1, "rent" is the entire amount charged to the guest, regardless whether some or all of those charges are designated as "service fees" or "advertising fees." For example, if a guest is charged \$110 plus a \$20 "service fee," the taxable rent is \$130. The tax would be 14% of \$130, which is \$18.20. To collect the TOT, the party that receives the rent payment adds

TOT to the rent and collects both at the same time. In the last example, a guest would be charged \$110 + \$20 + \$18.20 = \$148.20. The party receiving payment from the guest must provide a receipt. The receipt must separately state the amount of TOT collected.

Burlingame

For the privilege of occupancy in any hotel of the City of Burlingame, each transient is subject to and shall pay a transient occupancy tax of 12% of the rent charged by the hotel operator. Please refer to the TOT Ordinance or Chapter 4.09 of the Burlingame Municipal Code for detailed information.

4.09.025 Tax rate.

For the privilege of occupancy in any hotel, each transient is subject to and shall pay a tax in the amount of twelve (12) percent of the rent charged by the operator. (Ord No. 1668, (2001); Ord. 1840 § 1, (2009))

South San Francisco

4.20.030 Tax imposed.

For the privilege of occupancy in any hotel, each transient is subject to and shall pay a general tax in the amount of **nine percent** of the rent charged by the operator and a special tax of one percent. The total general and special taxes imposed pursuant to this chapter shall equal ten percent of the rent charged by the operator. If a room is rented by a firm, corporation, partnership, joint venture or any other organization on a long term basis, the tax imposed by this section shall fall upon and be borne by each individual who occupies or has the right to occupy the room for a period of thirty consecutive days or less. The tax constitutes a debt owed by the transient to the city, which is extinguished only by payment to the operator or to the city. The transient shall pay the tax to the operator of the hotel at the time the rent is paid. If the rent is paid in installments, a proportionate share of the tax shall be paid with each installment. The unpaid tax shall be due upon the transient's ceasing to occupy space in the hotel. The operator shall be liable for any amount of tax that he or she fails to collect or remit; and must remit to the city the entire amount of tax due and collected. If for any reason the tax due is not paid to the operator of the hotel, the tax administrator may require that such tax shall be paid directly to the tax administrator. (Ord. 1419 § 1, 2009; Ord. 1364 § 1, 2005; Ord. 1126 § 2, 1993; Ord. 772 § 1, 1978; Ord. 676 § 1, 1974; Ord. 638 § 1, 1972; Ord. 554 § 3, 1966)

4.20.033 Special tax imposed.

There is imposed a special tax upon the privilege of occupancy in any hotel. Each transient is subject to and shall pay a special tax of **one percent** of the rent charged by the operator. The revenue generated by the one percent increment shall only be used for the purpose of funding parks, recreation, library and public safety services and shall be in addition to, and separated from, the general excise tax imposed pursuant to Chapter 4.20.030. If a room is rented by a firm, corporation, partnership, joint venture or any other organization on a long term basis, the tax imposed by this section shall fall upon and be borne by each individual who occupies or has

the right to occupy the room for a period of thirty consecutive days or less. The tax constitutes a debt owed by the transient to the city which is extinguished only by payment to the operator or to the city. The transient shall pay the tax to the operator of the hotel at the time the rent is paid. If the rent is paid in installments, a proportionate share of the tax shall be paid with each installment. The unpaid tax shall be due upon the transient's ceasing to occupy space in the hotel. If for any reason the tax due is not paid to the operator of the hotel, the tax administrator may require that such tax shall be paid directly to the tax. (Ord. 1364 § 1, 2005)

Millbrae

3.30.030 Tax imposed.

For the privilege of occupancy in any hotel, each transient is subject to and shall pay a tax in the amount of twelve percent of the rent charged by the operator, commencing on January 1, 2010. Said tax constitutes a debt owed by the transient to the city which is extinguished only by payment to the operator or to the city. The transient shall pay the tax to the operator of the hotel at the time the rent is paid. If the rent is paid in installments, a proportionate share of the tax shall be paid with each installment. The unpaid tax shall be due upon the transient's ceasing to occupy space in the hotel. If for any reason the tax due is not paid to the operator of the hotel, the tax administrator may require that such tax shall be paid directly to the tax administrator. (Ord. 234, § 1, Amended by Ord. 279, § 1; Ord. 333, § 2; Ord. 404, § 1; Ord. 486, § 1, Ord. 573, § 1 and Ord. 725, § 1; 1976 Code § 3-6.03; 1966 Code § 5377).

Brisbane

3.24.030 - Tax imposed.

For the privilege of occupancy in any hotel, each transient is subject to and shall pay a tax in the amount of twelve percent (12%) of the rent charged by the operator. This tax is also applicable to the rent of hotel rooms by businesses on a long-term basis for temporary use by their clients or employees. Such tax constitutes a debt owed by the transient to the city, which is extinguished only by payment to the operator or to the city. The transient shall pay the tax to the operator of the hotel at the time the rent is paid. If the rent is paid in installments, a proportionate share of the tax shall be paid with each installment. The unpaid tax shall be due upon the transient's ceasing to occupy space or rent space for potential occupancy, in the hotel. If for any reason the tax due is not paid to the operator of the hotel, the tax administrator may require that such tax shall be paid directly to the tax administrator.

(Ord. 450 § 1(part), 2000).

(Ord. No. 540, § 1, 11-3-09)

Menlo Park is the most recent city to have passed a 2% Transient Occupancy Tax (TOT) increase in San Mateo County. It was done in 2012. Ordinance No. 983 amends their Municipal Code to increase the TOT subject to voter approval.

Other cities in San Mateo County that have been successful in increasing the Transient Occupancy Tax:

- 2011 – foster city
- 2011 – Redwood City
- 2010 – Pacifica
- 2009 – Burlingame
- 2009 – Brisbane
- 2009 – Millbrae
- 2009 – San Mateo
- 2009 – South San Francisco
- 2009 – San Bruno



STAFF REPORT

TO: Mayor and Members of the City Council
 FROM: Michael Laughlin, City Planner, CSG Consultants
 VIA: William C. Norton, Interim City Manager
 MEETING DATE: October 25, 2017
 SUBJECT: Business Registration Fee Study Session

RECOMMENDATION

This item is a study session for informational purposes only. No City Council action is required; however, staff seeks comments, questions, impressions and opinions from each Council member regarding issues and concerns.

EXECUTIVE SUMMARY

The Town currently charges \$26 for all business registrations. Staff has found that this fee does not recover costs to administer the business registration program. Staff would like to present information to the Council on options for raising this fee to better recover costs while still remaining business friendly.

FISCAL IMPACT

None at this time.

ANALYSIS

The Town's \$25 business registration fee has been in place for many years. Several years ago, a state mandated \$1 surcharge is required to be collected for the purpose of providing information to businesses on accessibility requirements, so the fee collected is \$26. The Town's fee is the lowest in San Mateo County and possibly the state.

Staff has identified the steps and average staff time to process business registrations. For new businesses that are permitted, planning staff typically spends 30 minutes to an hour or more answering questions from various professionals about zoning, building permits, fictitious business names, signage and other aspects of establishing a business in Colma. For auto businesses, staff is also required to review and process a zoning affidavit for the Department of Motor Vehicles. A similar affidavit from the Alcoholic Beverage Control Bureau is required for businesses serving or selling alcohol. There is no charge for processing these additional forms.

For home occupations, the Town processes a one-time Home Occupation Permit. The application fee for this approval is \$50.

Once a business is established, the following common steps are required for renewal. The Town processes approximately 250 in-town and out of town registrations per year:

Task	Average Time (in minutes) per registration
Renewal notification (review business list, prepare notices and ADA information and eblast or mail – 8-9 hours total divided by 250)	2
Application Intake by Assistant Planner or Permit Technician (phone information, counter assistance, receipt checks, logging checks, electronic and paper filing)	15
Application completeness review and sign-off by planning staff, contacting businesses about incomplete applications and transmittal to Administrative Technician	5
Logging business registrations and update of contact information by Administrative Technician	5
Preparation of Business Registration Certificate by Administrative Technician and email or mail to applicant	5
Processing and deposit of checks by Finance Department	10
Total:	42

In addition to these common steps, the Planning Department contacts businesses by phone, email and in person prior to the renewal deadline to prevent businesses from accruing penalties. In many cases, there is a breakdown between the local business manager and the corporate office or third-party business registration processor. Once a business enters the penalty period, staff spends an average of 30 minutes to an hour in enforcement time per delinquent business until the business registration is finally submitted. Every year, there are about 20-30 of Colma's average of 250 businesses which require additional staff time to resolve issues associated with them. The City Council increased penalty fees a few years ago, but the fees normally do not recover the staff costs with enforcement since most penalties are collected in the first two months, when the penalty fee is either \$25 or \$50.

Considering the total time of 42 or more minutes, not including enforcement time, the current business registration fee represents a significant subsidy of staff resources in administering this program. When taking into account staff and consultant salaries and overhead, the \$25 covers only a fraction of the cost of Town resources.

Jurisdictions typically either charge a flat fee or collect a fee based on the number of employees or gross receipts. Below is a table of local jurisdictions and the fees collected:

Business Registration Survey Table

Jurisdiction	Fee Type	Application Fee	Minimum Fee in addition to Application fee	Maximum Fee
Daly City	Gross Receipts	None	\$101 (up to \$100k gross receipts)	Unlimited - .001 x gross receipts
South San Francisco	Varies, see attached. Additional \$15 database fee and \$25 Alarm registration fee	\$106.75	Plus \$18.00 per employee	\$117,865
Brisbane	Varies, see attached.	None	\$50 for 100 sq. ft. home occupation or 50k gross receipts	Unlimited – by either gross receipts or employees
San Bruno	None	None	\$111.00 (up to \$75k gross receipts)	Unlimited – gross receipts
Millbrae	Varies	None	\$27.00 home occupation with 15k in receipts	Unlimited - .20/\$1000
San Carlos	Per employee	None	\$193.00 for business w/1 employee	\$2,471
San Francisco	Gross Receipts	None	\$75 (up to \$100k gross receipts)	\$35,000

There are two options in which the Town can proceed. The City Council could consider fee adjustments that would better cover documented costs for providing the service. This process would only require a Council action to amend the Administrative Code Fee Schedule, and preparation of a report showing that fees do not exceed the Town's costs of providing business licenses. If the Council would like the fee to be based on either a gross receipts or a cost per employee methodology, this would be considered a tax since the collected fee exceeds the cost of providing service. The justification that most jurisdictions use for this tax is that larger businesses, their employees and customers directly and indirectly generate a greater need for municipal services (i.e. wear and tear on roadways, use of sewer system, use of police services etc.). As a tax, a ballot measure would be required. A further discussion of the legal framework of these two approaches, as well as the nature and requirements of the two approaches, are described below.

Legal Framework

In 1996, the California voters adopted Proposition 218, which (among other things) added Articles XIII C and XIII D to the California Constitution. This Constitutional amendment required all general taxes be approved by a general majority as part of a general election, and that special taxes be approved by a 2/3 majority. Later, in 2010, the California voters adopted Proposition 26, which further specified the definition of a tax. Proposition 26 added, among other things, section 1(e) to Article XIII C of the California Constitution.

Pursuant to section 1(e) of Article XIII C, any fee or charge imposed by a local agency such as the Town will constitute a "tax" unless it meets one of seven exemptions:

(1) A charge imposed for a specific benefit conferred or privilege granted directly to the payor that is not provided to those not charged, and which does not exceed the reasonable costs to the local government of conferring the benefit or granting the privilege.

(2) A charge imposed for a specific government service or product provided directly to the payor that is not provided to those not charged, and which does not exceed the reasonable costs to the local government of providing the service or product.

(3) A charge imposed for the reasonable regulatory costs to a local government for issuing licenses and permits, performing investigations, inspections, and audits, enforcing agricultural marketing orders, and the administrative enforcement and adjudication thereof.

(4) A charge imposed for entrance to or use of local government property, or the purchase, rental, or lease of local government property.

(5) A fine, penalty, or other monetary charge imposed by the judicial branch of government or a local government, as a result of a violation of law.

(6) A charge imposed as a condition of property development.

(7) Assessments and property-related fees imposed in accordance with the provisions of Article XIII D.

Additionally, Proposition 26 places the burden on the Town to demonstrate, with a preponderance of the evidence, that any fee or charge (including a business license fee) is not a tax because it meets the requirements of the exemptions above.

The exemptions most applicable to the Town's business license fee would be exemption 1, 3, and 5. The Town may charge for its costs associated with granting a business license pursuant to exemption 1, which includes staff time and labor and any other reasonable associated costs. In addition, pursuant to exemption 3, the Town may charge for its reasonable costs associated with investigating and enforcing business licenses. Separate from that, the Town may impose a penalty for failing to renew a business license, or operating a business without a valid license. These penalties need not be tied to any sort of cost to the Town of enforcing the business license requirements.

So long as business license fees and associated fees and charges meet these exemptions, the Town may adopt such fees and penalties without an election. However, if the fees or charges do not meet one of these exemptions, the fees or charges will be considered “taxes” requiring voter approval.

Fee for Service

If the Council is amenable to this approach, staff could bring back an amended fee schedule that includes the following:

- A one-time zoning clearance fee of approximately \$100 to offset the initial cost of assisting permitted businesses from operating in Colma (San Bruno charges \$125, San Carlos \$90). This fee would not apply if the business is required to obtain a Use Permit.
- Raising the business registration fee equal to or slightly less than the cost of providing the service. Staff estimates that this cost would be approximately \$200, depending on the calculation of staff costs and overhead.
- Increase the initial enforcement fee to \$100 to cover staff time to carry out enforcement for non-payment.

Staff estimates that implementation of this approach would increase Town revenues by an additional \$25,000 to \$35,000, better covering actual staff costs of the business registration program.

Business Tax

If desired, the Town could place an item on the November 2018 or a future ballot an item to collect a business tax either using the per employee method or the gross receipts method with or without a cap. This would be in addition to a processing fee for service as described above. This would allow the Town to increase general fund revenue substantially. The downside of this approach is that it places an additional cost on businesses in the Town. In addition, staff processing time would increase due to the need to certify the number of employees or gross receipts before collecting the fee.

As shown in the table above, fees can vary considerably between jurisdictions. Since Colma has many large businesses, use of a gross receipts methodology without a cap could require payment of tens of thousands of dollars. San Carlos took a more moderate approach by using a per employee charge with a cap of \$2,471.00. San Carlos uses a 3% per year fee escalator in their fee calculation.

Staff would appreciate feedback from the City Council on cost recovery for application processing and the idea of a business tax to increase general fund revenue.

Council Adopted Values

The study session is consistent with the Council value of *responsibility* because it considers cost recovery for services provided by the Town.

Sustainability Impact

N/A

Alternatives

None

CONCLUSION

The City Council is encouraged to ask questions and provide direction to staff about business registration fees.

ATTACHMENTS

- A. Fee schedules from various jurisdictions

SCHEDULE OF TAXES**Business License****Generally applicable tax rate.**

Every person having a fixed place of business transacting, engaging in, or carrying on a business in the city, except a business as to which the tax rate established by another section of this article is made specifically applicable, shall pay a business license tax based upon the annual gross receipts of such businesses as follows:

Gross Receipts	Annual Tax
Less than \$75,000	\$ 75.00
\$75,000 or more, but less than \$100,000	\$ 100.00
Over \$100,000	\$110.00, plus \$5.25 for each additional \$5,000 or fraction thereof up to \$500,000
Over \$500,000	\$530.00, plus \$4.00 for each additional \$5,000 or fraction thereof up to \$1,000,000
Over \$1,000,000	\$930.00, plus \$2.75 for each additional \$5,000 or fraction thereof up to \$5,000,000
Over \$5,000,000	\$3,130.00, plus \$1.65 for each additional \$5,000 or fraction thereof.

Central administrative offices, auxiliary units manufacturing.

Every person who, at a fixed place of business within the City, transacts, engages in, or carries on any central administrative office, auxiliary unit or manufacturing establishment shall pay an annual license tax based upon the area of the place of business occupied and the average number of persons employed, as follows:

Area of Place of Business Occupied	Annual tax
999 square feet or less	\$ 150.00
1,000--2,499 square feet	250.00
2,500--4,999 square feet	350.00

5,000--9,999 square feet	550.00
10,000 square feet or more	850.00

Number of Employees	Additional Annual Tax
1—10	\$7.50 per employee
11—25	\$75.00, plus \$5.00 for each employee in excess of 10
26—50	\$195.00, plus \$4.00 for each employee in excess of 25
51 or more	\$350.00, plus \$3.00 for each employee in excess of 50

Amusement concessions.

Every person conducting any amusement concession, not in conjunction with a carnival or fair, shall pay a license tax for each concession and device as follows:

Type of concession	Quarterly tax
A. Merry-go-round, ferris wheel, dodgem, swing or other mechanical device for the carrying of passengers	\$75.00
B. Ball and ring throwing games, spin-the-wheel, mechanical and electrical games, shooting gallery, keno, lotto, and similar games of chance	\$50.00
C. Sales of merchandise or foodstuffs, not in connection with any game of chance	\$30.00

Apartment and rooming houses.

Every person conducting the business of apartment house or rooming house shall pay an annual license tax of \$50.00 base fee and \$1.00 for each room, based on a three room minimum.

Commercial property rental.

Every person conducting the business of commercial property rental shall pay an annual license tax of a \$50.00 base fee and \$10.00 for up to the first 1,000 square feet and \$10.00 for each additional 1,000 square feet of property available for commercial rental.

Bowling alleys and similar games

Every person conducting a public bowling alley, skee ball, bat ball, or other similar device, equipment or means of entertainment shall pay an annual license tax of \$40.00 for each alley.

Boxing or wrestling exhibitions

Every person staging a boxing or wrestling exhibition shall pay a license tax of \$200.00 for each such exhibition.

Carnivals and circuses

Every person conducting any carnival, circus, menagerie, wild west show, rodeo, any other like or similar exhibition or amusement shall pay a license tax of \$300.00 for the first day, and \$75.00 for each additional day, payable in advance.

Gambling Clubs

Every person, corporation, partnership or other entity conducting the business of a gambling club shall pay a quarterly tax in advance, and due on January 1st, April 1st, July 1st and October 1st of each calendar year. Commencing January 1, 1995, the tax per quarter shall be calculated as follows:

Tables Permitted by Gambling Club License	1995 Quarterly Tax Per Table
Minimum 10	\$ 400
11 to 15	1,200
16 to 20	1,800
21 to 25	2,400
26 to 30	3,000
31 to 35	3,600
36 to 40	4,200
41 to 45	4,800
46 to 50	5,400

51 to 55	6,000
56 to 60	6,600

Beginning with the above schedule, the tax paid by gambling clubs shall automatically increase July 1st of each year, commencing July 1, 1995, by the greater of 2% or the average of the annual percentage increase in the All Urban Consumer Price Index for the San Francisco/ San Jose/Oakland area for the months ending February 28th (or 29th) and April 30th.

Electrical musical devices

No person shall operate or maintain or permit to be operated or maintained in any place of business or premises open to the public and occupied by or under the control of such person any electrical musical device without having first paid a yearly business license tax of \$25.00, applied for and received a license for each electrical musical device so operated and maintained.

Mechanical, electronic, and video amusement devices

No person shall operate, maintain, or permit to be operated or maintained in any place of business or premises open to the public or under his control any mechanical amusement device without having first paid the business license tax of \$30.00, applied for and received a license therefore.

Nonresident contractors and other businesses

Every person not having a fixed place of business in the city who:

- A. Engages in the business of contracting within the city;
- or
- B. Engages in a business within the city not specifically licensed by another section of this article shall pay a license tax of \$75.00 per year.

Peddlers and solicitors

Every person who conducts the business of peddler or solicitor shall pay a business license tax of \$40.00 per day for the first day and \$10.00 per day thereafter.

Public dances -- Place of public dance

Every person conducting a public dance shall pay a business license tax of \$50.00. Every person operating a business in which public dancing is performed, conducted, allowed, carried on, or proposed to be performed, conducted, allowed, or carried on not less than three times or on three days within a period of six months shall pay a business license tax as follows:

- 1. If the dancing is accompanied by mechanized music, an annual tax of \$200.00 dollars;
- 2. If the dancing is accompanied by live or unmechanized music, an annual tax of \$450.00.

Shuffleboards

Every person engaged in the business of operating or maintaining and offering for use by patrons any shuffleboards or other game or amusement device other than a

mechanical amusement device otherwise licensed, shall pay in advance an annual license tax of \$15.00 for each such game.

Temporary vendors

Every person conducting the business of temporary vendor shall pay an annual business license tax of \$40.00 for the first day and \$10.00 per day for each subsequent day.

Condominium projects

A business license tax is imposed solely for revenue purposes upon the development and construction of all condominium projects, in the sum of one thousand dollars per planned salable condominium unit. No tax shall be imposed upon the development and construction of a condominium unit for which a completed sale or transfer of interest to the purchaser or occupant has occurred.

Single-family residential structures

A single-family residential business license tax is imposed solely for revenue proposes upon the development and construction of all single-family residential structures in the sum of \$1,000.00 per planned salable unit.

AIRPORT PARKING FACILITY

Every person, corporation, partnership or other entity conducting the business of an airport parking facility shall pay a quarterly tax due as follows. Airport Parking Facility means any privately owned or operated facility with the purpose of providing, for any form of consideration, parking or storage for motor vehicles, motorcycles, or other similar means of conveyances for persons going to or from the San Francisco International Airport.

The airport parking facility tax shall be 8% of gross receipts. Said tax shall only be applicable to gross receipts generated by the parking or storage of vehicles, at the airport parking facility. Each operator of an airport parking facility shall, on or before the last day of the month following the close of each calendar quarter, make a return to the City of the total tax. At the time the return is filed, the full amount of the tax shall be remitted to the City. Upon a finding of public benefit, the City Council may, by ordinance, decrease the airport parking facility tax set forth above.

REAL PROPERTY DOCUMENTARY STAMP (PROPERTY TRANSFER) TAX

The tax imposed is on each deed, instrument, or writing by which any lands, tenements, or other realty sold within the City shall be granted, assigned, transferred or otherwise conveyed to or vested in, the purchaser or purchasers, or any other person or persons, by his or their direction, when the consideration or value of the interest or property conveyed exceeds \$100.00.

The rate of such tax is \$0.275 for each five hundred dollars or fraction thereof.

TRANSIENT OCCUPANCY TAX

For the privilege of occupancy in any hotel or motel, each transient is subject to and shall pay a tax in the amount of 12% of the rent charged by the operator.

BUSINESS REGISTRATION FEE CALCULATIONS (FOR NEW APPLICATIONS ONLY)

Rev 8/17/2017

AS OF 8/12/17

MANUFACTURER, WHOLESALE, RETAIL	No. of EMPLOYEES											SB1186*	ZONING			TOTAL DUE				
		X	PER EMPL	BASE FEE				BUS REG FEE	STATE FEE	REVIEW FEE	ZONING TECH FEE									
	1	X	\$	31.00	=	\$	31.00	+	\$102.00	=	\$133.00	=	\$192.00	+	\$1.00	\$90.00	+	\$1.62	=	\$284.62
	2	X	\$	31.00	=	\$	62.00	+	\$102.00	=	\$164.00	=	\$192.00	+	\$1.00	\$90.00	+	\$1.62	=	\$284.62
	3	X	\$	31.00	=	\$	93.00	+	\$102.00	=	\$195.00	=	\$195.00	+	\$1.00	\$90.00	+	\$1.62	=	\$287.62
	4	X	\$	31.00	=	\$	124.00	+	\$102.00	=	\$226.00	=	\$226.00	+	\$1.00	\$90.00	+	\$1.62	=	\$318.62
	5	X	\$	31.00	=	\$	155.00	+	\$102.00	=	\$257.00	=	\$257.00	+	\$1.00	\$90.00	+	\$1.62	=	\$349.62
	6	X	\$	31.00	=	\$	186.00	+	\$102.00	=	\$288.00	=	\$288.00	+	\$1.00	\$90.00	+	\$1.62	=	\$380.62
	7	X	\$	31.00	=	\$	217.00	+	\$102.00	=	\$319.00	=	\$319.00	+	\$1.00	\$90.00	+	\$1.62	=	\$411.62
	8	X	\$	31.00	=	\$	248.00	+	\$102.00	=	\$350.00	=	\$350.00	+	\$1.00	\$90.00	+	\$1.62	=	\$442.62
	9	X	\$	31.00	=	\$	279.00	+	\$102.00	=	\$381.00	=	\$381.00	+	\$1.00	\$90.00	+	\$1.62	=	\$473.62
	10	X	\$	31.00	=	\$	310.00	+	\$102.00	=	\$412.00	=	\$412.00	+	\$1.00	\$90.00	+	\$1.62	=	\$504.62
	11	X	\$	31.00	=	\$	341.00	+	\$102.00	=	\$443.00	=	\$443.00	+	\$1.00	\$90.00	+	\$1.62	=	\$535.62
	12	X	\$	31.00	=	\$	372.00	+	\$102.00	=	\$474.00	=	\$474.00	+	\$1.00	\$90.00	+	\$1.62	=	\$566.62
	13	X	\$	31.00	=	\$	403.00	+	\$102.00	=	\$505.00	=	\$505.00	+	\$1.00	\$90.00	+	\$1.62	=	\$597.62
	14	X	\$	31.00	=	\$	434.00	+	\$102.00	=	\$536.00	=	\$536.00	+	\$1.00	\$90.00	+	\$1.62	=	\$628.62
	15	X	\$	31.00	=	\$	465.00	+	\$102.00	=	\$567.00	=	\$567.00	+	\$1.00	\$90.00	+	\$1.62	=	\$659.62

SERVICES

	No. of EMPLOYEES	X	PER EMPL	BASE FEE			BUS REG FEE	SB1186* STATE FEE	ZONING REVIEW FEE	ZONING TECH FEE	TOTAL DUE									
1	X	\$	37.00	=	\$	37.00	+	\$102.00	=	\$139.00	+	\$192.00	+	\$1.00	+	\$90.00	+	\$1.62	=	\$284.62
2	X	\$	37.00	=	\$	74.00	+	\$102.00	=	\$176.00	+	\$192.00	+	\$1.00	+	\$90.00	+	\$1.62	=	\$284.62
3	X	\$	37.00	=	\$	111.00	+	\$102.00	=	\$213.00	+	\$213.00	+	\$1.00	+	\$90.00	+	\$1.62	=	\$305.62
4	X	\$	37.00	=	\$	148.00	+	\$102.00	=	\$250.00	+	\$250.00	+	\$1.00	+	\$90.00	+	\$1.62	=	\$342.62
5	X	\$	37.00	=	\$	185.00	+	\$102.00	=	\$287.00	+	\$287.00	+	\$1.00	+	\$90.00	+	\$1.62	=	\$379.62
6	X	\$	37.00	=	\$	222.00	+	\$102.00	=	\$324.00	+	\$324.00	+	\$1.00	+	\$90.00	+	\$1.62	=	\$416.62
7	X	\$	37.00	=	\$	259.00	+	\$102.00	=	\$361.00	+	\$361.00	+	\$1.00	+	\$90.00	+	\$1.62	=	\$453.62
8	X	\$	37.00	=	\$	296.00	+	\$102.00	=	\$398.00	+	\$398.00	+	\$1.00	+	\$90.00	+	\$1.62	=	\$490.62
9	X	\$	37.00	=	\$	333.00	+	\$102.00	=	\$435.00	+	\$435.00	+	\$1.00	+	\$90.00	+	\$1.62	=	\$527.62
10	X	\$	37.00	=	\$	370.00	+	\$102.00	=	\$472.00	+	\$472.00	+	\$1.00	+	\$90.00	+	\$1.62	=	\$564.62
11	X	\$	37.00	=	\$	407.00	+	\$102.00	=	\$509.00	+	\$509.00	+	\$1.00	+	\$90.00	+	\$1.62	=	\$601.62
12	X	\$	37.00	=	\$	444.00	+	\$102.00	=	\$546.00	+	\$546.00	+	\$1.00	+	\$90.00	+	\$1.62	=	\$638.62
13	X	\$	37.00	=	\$	481.00	+	\$102.00	=	\$583.00	+	\$583.00	+	\$1.00	+	\$90.00	+	\$1.62	=	\$675.62
14	X	\$	37.00	=	\$	518.00	+	\$102.00	=	\$620.00	+	\$620.00	+	\$1.00	+	\$90.00	+	\$1.62	=	\$712.62
15	X	\$	37.00	=	\$	555.00	+	\$102.00	=	\$657.00	+	\$657.00	+	\$1.00	+	\$90.00	+	\$1.62	=	\$749.62

PROFESSIONS

	No. of EMPLOYEES	X	PER EMPL	BASE FEE						BUS REG FEE	SB1186* STATE FEE	ZONING REVIEW FEE	ZONING TECH FEE	TOTAL DUE						
1	X	\$	49.00	=	\$	49.00	+	\$102.00	=	\$151.00	+	\$192.00	+	\$1.00	+	\$90.00	+	\$1.62	=	\$284.62
2	X	\$	49.00	=	\$	98.00	+	\$102.00	=	\$200.00	+	\$200.00	+	\$1.00	+	\$90.00	+	\$1.62	=	\$292.62
3	X	\$	49.00	=	\$	147.00	+	\$102.00	=	\$249.00	+	\$249.00	+	\$1.00	+	\$90.00	+	\$1.62	=	\$341.62
4	X	\$	49.00	=	\$	196.00	+	\$102.00	=	\$298.00	+	\$298.00	+	\$1.00	+	\$90.00	+	\$1.62	=	\$390.62
5	X	\$	49.00	=	\$	245.00	+	\$102.00	=	\$347.00	+	\$347.00	+	\$1.00	+	\$90.00	+	\$1.62	=	\$439.62
6	X	\$	49.00	=	\$	294.00	+	\$102.00	=	\$396.00	+	\$396.00	+	\$1.00	+	\$90.00	+	\$1.62	=	\$488.62
7	X	\$	49.00	=	\$	343.00	+	\$102.00	=	\$445.00	+	\$445.00	+	\$1.00	+	\$90.00	+	\$1.62	=	\$537.62
8	X	\$	49.00	=	\$	392.00	+	\$102.00	=	\$494.00	+	\$494.00	+	\$1.00	+	\$90.00	+	\$1.62	=	\$586.62
9	X	\$	49.00	=	\$	441.00	+	\$102.00	=	\$543.00	+	\$543.00	+	\$1.00	+	\$90.00	+	\$1.62	=	\$635.62
10	X	\$	49.00	=	\$	490.00	+	\$102.00	=	\$592.00	+	\$592.00	+	\$1.00	+	\$90.00	+	\$1.62	=	\$684.62
11	X	\$	49.00	=	\$	539.00	+	\$102.00	=	\$641.00	+	\$641.00	+	\$1.00	+	\$90.00	+	\$1.62	=	\$733.62
12	X	\$	49.00	=	\$	588.00	+	\$102.00	=	\$690.00	+	\$690.00	+	\$1.00	+	\$90.00	+	\$1.62	=	\$782.62
13	X	\$	49.00	=	\$	637.00	+	\$102.00	=	\$739.00	+	\$739.00	+	\$1.00	+	\$90.00	+	\$1.62	=	\$831.62
14	X	\$	49.00	=	\$	686.00	+	\$102.00	=	\$788.00	+	\$788.00	+	\$1.00	+	\$90.00	+	\$1.62	=	\$880.62
15	X	\$	49.00	=	\$	735.00	+	\$102.00	=	\$837.00	+	\$837.00	+	\$1.00	+	\$90.00	+	\$1.62	=	\$929.62

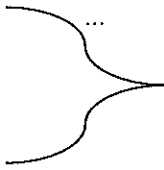
MASSAGE ONLY	# of employees	X	\$	49.00	=		+	\$102.00	=		+	\$1.00	+	\$565.00	+	\$10.17	=	
SEASONAL & SPECIALIZED	(Solicitors, Christmas Tree/Pumpkin lots, etc.)							\$849.00	+			\$1.00	+	\$90.00	+	\$1.62	=	\$941.62

For Manufacturing, Retail Wholesale, Services Categories - 1-2 employees = \$285, 2+ employees, see chart

For Professions Category - 1 employee = \$285, 2+ employees, see chart

*SB1186 - State law - disability access education fee

**CITY OF SOUTH SAN FRANCISCO
BUSINESS LICENSE TAX RATES AND FEES**

<u>CLASSIFICATION</u>		<u>2017 Tax Rates/Fees</u>
Auctioneer	...	\$117.75 per "Auction Day"
Business and Personal Services		\$88.75 + \$18 per employee/owner
Manufacturer		
Warehousing		\$117,865.00 Max
Wholesale/Retail Sales		
Distributor & Other Services		
Repair & Other Services		
Coin Operated Machines (See Ordinance for details)	...	1% of Gross Receipts
Commercial Parking Facility (See Ordinance for details)	...	8% of Gross Receipts
Construction Contractor		
*General 'A' or 'B'	...	\$176.75
*Subcontractor or Specialty 'C'	...	\$147.00
Junk Collector/Recycler (See Ordinance for details)	...	Higher of \$235.75 or 4% gross receipts * Special condition applies
Medium	...	\$589.75
Pawnbroker	...	\$235.75
Peddler or Solicitor (See Ordinance for details)	...	\$88.75 + \$18 per employee/owner + \$330.25 per vehicle used * Special condition applies
Other Peddlers		
*Single Perishable Product	...	\$165.12
*Catering Truck	...	\$330.25 per vehicle
*All Others	...	\$330.25 plus \$11.52 per day in excess of 2 persons
Professional/Semi-Professional	...	\$176.75 \$176.75 for each add'l associate, partner or member of the profesional corporation <u>Do not include:</u> Clerical, nurses, aides, etc.

Accountant, acupuncturist, advertising, analyst, appraiser, architect, artist, assayer, attorney;
 Bacteriologist, bail bond broker, broker, business opportunity broker, business and safety consultant; Cemetery broker, chemist,
 chiropodist, chiropractor, collection or mercantile agency, commercial artist, commission merchant; Computer programmer,
 Dentist, designer or decorator, design professional, including computer or graphic design,
 Drugless practitioner (does not apply to persons who treat the sick through prayer or spiritual means);
 Electrologist, engineer, entomologist; Finance company; Geologist; Herb doctor (prescriber);
 Ilustrator or show card writer, insurance or claims adjuster, insurance broker, investment and investment and investment trust;
 Laboratory, landscape architect, lapidary;
 Map maker or cartographer, mineralogist, moneylender or money broker, mortician;
 Naprapath and naturopath; Oculist, oil and gas broker, optometrist, osteopath;
 Physician, psychiatrist, psychologist; Planner or architect;

cont next page...

...cont....

Real estate broker; Stock and bond broker, surveyor, inspector, or map professional.

Tax counselor, taxidermist; Veterinarian.

Public Utilities	...	\$5893.50 ("public utility rate")
Recreation and Entertainment		
*Bowling Alley	...	\$59 per alley
*Circus or similar exhibition	...	\$589.75 for 1st day + \$117.75 add'l day
*Carnival or similar event	...	\$589.75 for 1st day + \$117.75 add'l day
*Motion Pictures	...	
*Other (See Ordinance for details)	...	\$117.75
Rental of Residential Property		
*Hotels, Motels or Apartment house (See Ordinance for details)	...	\$88.75 + \$6.25 per unit (occupied or vacant)
Temporary Vendors (See Ordinance for details)	...	\$59 per day
Trailer and Mobile Home Parks	...	\$88.75 + \$6.25 per space
Transportation of Persons	...	\$294.50 per vehicle + \$18 per employee
Changes made to License		\$10
State Mandated Fee*		\$1.00
Database Fee **	...	\$15.00
Alarm Registration Fee ***		\$25.00

Taxes for first time applicants are pro-rated by the quarter of the year.

All business licenses are valid for the current calendar year and expire December 31st of each year.

* On September 19, 2012 Governor Brown signed into law SB-1186 which adds a state fee of \$1 on any applicant for a local business license or renewal thereof. The purpose is to increase disability access and compliance with construction-related accessibility requirements and to develop educational resources for businesses in order to facilitate compliance with federal and state disability laws, as specified.

** Charged annually to all businesses located in SSF.

*Charged annually to all businesses commercially located in SSF.

These fees are adopted annually through the City of South San Francisco Master Fee Schedule.



MUNISERVICES

City of Brisbane, CA Business License Tax Fee Schedule

Questions?

Contact MuniServices toll free at (866) 240-3665 or
by emailing bizlicensesupport@muniservices.com

Remit Payment to: City of Brisbane • c/o MuniServices, LLC • 438 East Shaw Ave Box 367 • Fresno, CA 93710

Business Classification	Business Description (For Complete Description See Municipal Code Title 5)	Business License Tax Or Tax Calculation Basis (For Complete Description See Municipal Code Title 5)
520.02	Administrative Headquarters – Gross Receipts	Method 1: Gross Receipts The Greater Tax Produced By Using The Gross Receipts Or The Number Of Employees Tax Tables
521.02	Administrative Headquarters – Number Of Employees	Method 2: Number Of Employers The Greater Tax Produced By Using The Gross Receipts Or The Number Of Employees Tax Tables
520.01	All Business Not Specifically Classified Elsewhere	Tax To Be Based On Gross Receipts—See Gross Receipts Tax Table
520.15	Amusement Concessions Not In Conjunction With Circuses, Carnivals & Fairs	\$50 Quarterly And \$40 Quarterly—Refer To Specific Code Section For Details
520.19	Auto Wreckers	\$200 Annually
520.16	Boxing Or Wrestling Exhibitions	\$100 Per Exhibition
520.14	Catering & Ice Cream Vending Trucks – Semi-Annual From January To June	\$50 Semi-Annually From January To June. County of San Mateo Health Permit Required.
521.14	Catering & Ice Cream Vending Trucks – Semi-Annual From July To December	\$50 Semi-Annually From July To December. County of San Mateo Health Permit required.
520.13	Circuses, Carnivals & Fairs	\$150 For First Day And \$50 Each Day Thereafter In Advance For The Duration Of The Permit.
520.21	Commercial Kennels	\$25 For The First Ten Dogs & \$5.00 For Each Additional Dog In Excess Of Ten.
520.20	Delivery By Vehicle Or Truck Annually	Method 1: Annually \$30 Annually; May also Elect To Pay Tax As Measured By Gross Receipts
521.20	Delivery By Vehicle Or Truck Gross Receipts	Method 2 – Gross Receipts See Gross Receipt Table. May also Elect To Pay Tax Annually.
520.99	Garbage, Trash, Refuse Disposal And Transfer Stations	\$12,000 Annually
520.70	Hand Bill Distributors	\$150 Semi-Annually
520.30	Itinerant Vendors	\$25 Per Day In Advance Each Day
520.04	Manufacturing Facilities – Gross Receipts	Method 1: Gross Receipts The Greater Tax Produced By Using The Gross Receipts Or The Number Of Employees Tax Tables
521.04	Manufacturing Facilities – Number Of Employees	Method 2: Number Of Employees The Greater Tax Produced By Using The Gross Receipts Or The Number Of Employees Tax Tables
521.01	Massage Therapist	Tax To Be Based On Gross Receipts—See Gross Receipts Tax Table. California Massage Therapy Council Certification Required.
520.23	Mechanical Amusement Devices	\$100 Annually Per Distributor & 6% Of Gross Receipts With Annual Maximum Of \$350.00
520.90	Mediumship	\$100 Per Day



MUNISERVICES

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Business Classification	Business Description (For Complete Description See Municipal Code Title 5)	Business License Tax Or Tax Calculation Basis (For Complete Description See Municipal Code Title 5)
520.11	Movie Theaters, Concert Halls, Auditorium, Stadiums, Park, Arena, Racetrack, Flea Markets	25¢ For Each Person Admitted Over The Age Of Twelve Years.
521.22	Outdoor Advertising Signs 20' X 60' Or Larger	For Signs 20' X 60' And Larger, 8% Of Gross Receipts, Minimum Fee \$18,000 Per Year Per Double Faced Sign
520.22	Outdoor Advertising Signs Less Than 20' X 60'	8% Of Gross Receipts
520.12	Pawn Brokers	\$5,000 Annually
520.40	Peddlers, Hawkers & Street Vendors	\$25 Per Day In Advance Each Day
523.80	Real Estate Brokers With No Fixed Location In Brisbane Gross Receipts	Method 1: Gross Receipts See Gross Receipts Table. May also Elect To Pay Tax on Semi-Annual flat fee.
520.80	Real Estate Brokers With No Fixed Location In Brisbane Semi Annually From January To June	Method 2: Semi-Annually Flat Fee From January To June \$75 Semi-Annually; May also Elect To Pay Tax As Measured By Gross Receipts
522.80	Real Estate Brokers With No Fixed Location In Brisbane Semi Annually From July To December	Method 2: Semi-Annually Flat Fee From July to December \$75 Semi-Annually; May also Elect To Pay Tax As Measured By Gross Receipts
520.08	Rental Of Commercial Property	Tax To Be Based On Gross Receipts—See Gross Receipts Tax Table
520.09	Rental Of Residential Property	Tax To Be Based On Gross Receipts—Applicable Only To Dwellings Of Five (5) Units Or More
520.24	Residential Business License Tax	50¢ Per Square Foot Of Gross Floor Area.
520.17	Second Hand Dealers Or Collectors (Not Auto Wreckers Or Machine Wrecking)	\$150 Annually
520.50	Solicitors	\$25 Per Calendar Quarter In Advance
520.05	Storage Facilities – Gross Receipts	Method 1: Gross Receipts The Greater Tax Produced By Using The Gross Receipts Or By Multiplying 10¢ By The Number Of Square Feet Of Storage Space
521.05	Storage Facilities – Square Footage	Method 2: Square Footage The Greater Tax Produced By Using The Gross Receipts Or By Multiplying 10¢ By The Number Of Square Feet Of Storage Space
520.25	Taxicabs	\$5 Annually Per Vehicle
520.03	Warehousing Facilities – Gross Receipts	Method 1: Gross Receipts The Greater Tax Produced By Using The Gross Receipts Or The Number Of Employees Tax Tables
521.03	Warehousing Facilities – Number Of Employees	Method 2: Number Of Employees The Greater Tax Produced By Using The Gross Receipts Or The Number Of Employees Tax Tables
520.18	Waste Recycling	5¢ For Every Ton Brought Into The City And 5¢ For Every Ton Removed From The City - Must Pay at the City



MUNISERVICES

City of Brisbane, CA Business License Tax Fee Schedule

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by emailing bizlicensesupport@muniservices.com

Remit Payment to: City of Brisbane • c/o MuniServices, LLC • 438 East Shaw Ave Box 367 • Fresno, CA 93710

General and Specialty Contractors Inside City Limits of Brisbane Contractors State License Board Number is Required for all New Businesses. (Must Specify if In/Out the City Limits)		
Business Classification	Business Description (For Complete Description See Municipal Code Title 5)	Business License Tax Or Tax Calculation Basis (For Complete Description See Municipal Code Title 5)
	General Contractors Inside City Limits	Per Calendar Quarter \$35 Per Calendar Quarter; May Elect To Pay Tax As Measured By Gross Receipts
520.06	General Contractors Inside City Limits Per Calendar Quarter	January-March
521.06	General Contractors Inside City Limits Per Calendar Quarter	April-June
522.06	General Contractors Inside City Limits Per Calendar Quarter	July-September
523.06	General Contractors Inside City Limits Per Calendar Quarter	October-December
524.06	General Contractors Inside City Limits Gross Receipts	Gross Receipts
	Specialty Contractors Inside City Limits	Per Calendar Quarter \$25 Per Calendar Quarter; May Elect To Pay Tax As Measured By Gross Receipts
520.07	Specialty Contractors Inside City Limits Per Calendar Quarter	January-March
521.07	Specialty Contractors Inside City Limits Per Calendar Quarter	April-June
522.07	Specialty Contractors Inside City Limits Per Calendar Quarter	July-September
523.07	Specialty Contractors Inside City Limits Per Calendar Quarter	October-December
524.07	Specialty Contractors Inside City Limits Gross Receipts	Gross Receipts
General and Specialty Contractors Outside City Limits of Brisbane Contractors State License Board Number is Required for all New Businesses. (Must Specify if In/Out the City Limits)		
	General Contractors Outside City Limits	Per Calendar Quarter \$35 Per Calendar Quarter; May Elect To Pay Tax As Measured By Gross Receipts
520.66	General Contractors Outside City Limits Per Calendar Quarter	January-March
521.66	General Contractors Outside City Limits Per Calendar Quarter	April-June
522.66	General Contractors Outside City Limits Per Calendar Quarter	July-September
523.66	General Contractors Outside City Limits Per Calendar Quarter	October-December
524.66	General Contractors Outside City Limits Gross Receipts	Gross Receipts
	Specialty Contractors Outside City Limits	Per Calendar Quarter \$25 Per Calendar Quarter; May Elect To Pay Tax As Measured By Gross Receipts
520.77	Specialty Contractors Outside City Limits Per Calendar Quarter	January-March
521.77	Specialty Contractors Outside City Limits Per Calendar Quarter	April-June
522.77	Specialty Contractors Outside City Limits Per Calendar Quarter	July-September
523.77	Specialty Contractors Outside City Limits Per Calendar Quarter	October-December
524.77	Specialty Contractors Outside City Limits Gross Receipts	Gross Receipts



MUNISERVICES

City of Brisbane, CA Business License Tax Calculation Tables

Questions?

Contact MuniServices toll free at (866) 240-3665 or by
emailing bizlicensesupport@muniservices.com

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OUTDOOR ADVERTISING TAX CALCULATIONS		
1. Gross Receipts	\$	
2. Multiply Line By	\$0.08	
3. Tax Due	\$	If any of the signs is 20' x 60', double faced sign (or equivalent square footage) the minimum tax per sign shall be \$18,000
4. Penalty (if any)	\$	
5. Total Amount Due	\$	
Note: Please return your remittance copy showing this calculation and include a separate list showing sizes, locations and gross receipts of each sign.		
NUMBER OF EMPLOYEES TAX TABLE		
\$18.00	For first person employed –or \$18.00 per employee	
\$9.00	Per person, next 19 person employed –or \$189.00 per 20 employees	
\$4.50	Per person, next 80 person employed –or \$549.00 per 100 employees	
\$3.75	Per person, next 100 person employed –or \$924.00 per 100 employees	
\$2.25	Per person, for every person employed over 200	
GROSS RECEIPTS TAX TABLE		
OVER	BUT NO MORE THAN	BUSINESS LICENSE TAX SHALL BE
\$0	\$50,000.00	\$50.00
\$50,000.01	\$75,000.00	\$75.00
\$75,000.01	\$100,000.00	\$100.00
\$100,000.01	\$150,000.00	\$125.00
\$150,000.01	\$250,000.00	\$150.00
\$250,000.01	\$350,000.00	\$175.00
\$350,000.01	\$450,000.00	\$200.00
\$450,000.01	\$550,000.00	\$225.00
\$550,000.01	\$700,000.00	\$250.00
\$700,000.01	\$1,000,000.00	\$300.00
\$1,000,000.01	\$1,500,000.00	\$350.00
\$1,500,000.01	\$2,000,000.00	\$400.00
\$2,000,000.01	\$3,000,000.00	\$500.00 plus \$0.20 per \$1,000 or fraction thereof over \$2,000,000 & up to \$3,000,000
\$3,000,000.01	\$4,000,000.00	\$700.00 plus \$0.15 per \$1,000 or fraction thereof over \$3,000,000 & up to \$4,000,000
\$4,000,000.01	\$5,000,000.00	\$850.00 plus \$0.10 per \$1,000 or fraction thereof over \$4,000,000 & up to \$5,000,000
\$5,000,000.01	\$10,000,000.00	\$1,050.00 plus \$0.05 per \$1,000 or fraction thereof over \$5,000,000 & up to \$10,000,000
\$10,000,000.01	AND OVER	Calculate tax due based on 0.075 per \$100. Reduced by a credit for sales tax received by the City from the same business, with a min of \$1,300 & a max of \$40,178. After 2012 the max will be subject to adjustment for increase in the Consumer Price Index (Adjustment for 2016 = \$40,178)
BUSINESS LICENSE DUE DATES AND DELINQUENT DATES		
FREQUENCY	TAX DUE DATE	TAX DELINQUENT DATE
Annual License	January 1 st of each year	February 1 st of each year
Semi Annual License	January 1 st and July 1 st	10 th of January & July of each year
Quarterly License	1 st of January, April July & October	10 th of January, April, July & October
Monthly License	1 st day of each month	Same as due date
Weekly License	Monday following licensed week	
Daily License	Daily in Advance	
PENALTIES FOR LATE PAYMENTS		
Annual License	10% if tax is not paid within 30 days from Due Date 25% if tax is not paid within 60 days from Due Date	
Quarterly License	10% if tax is not paid within 10 days from Due Date 25% if tax is not paid within 20 days from Due Date	
Monthly License	10% if tax is not paid within 10 days from Due Date 25% if tax is not paid within 15 days from Due Date	
Weekly & Daily	10% if tax is not paid within 30 days from Due Date 25% if tax is not paid within 60 days from Due Date	

SAN FRANCISCO

Anticipated Gross Receipts for Calendar Year 2015

	Schedule A	Schedule B	State Fee
\$0 to \$100,000	\$90	\$75	\$1
\$100,001 to \$250,000	\$150	\$125	\$1
\$250,001 to \$500,000	\$250	\$200	\$1
\$500,001 to \$750,000	\$500	\$400	\$1
\$750,001 to \$1,000,000	\$700	\$600	\$1
\$1,000,001 to \$2,500,000	\$300	\$200	\$1
\$2,500,001 to \$7,500,000	\$500	\$400	\$1
\$7,500,001 to \$15,000,000	\$1,500	\$1,125	\$1
\$15,000,001 to \$25,000,000	\$5,000	\$3,750	\$1
\$25,000,001 to \$50,000,000	\$12,500	\$7,500	\$1
\$50,000,001 to \$100,000,000	\$22,500	\$15,000	\$1
\$100,000,001 to \$200,000,000	\$30,000	\$20,000	\$1
\$200,000,001 and over	\$35,000	\$30,000	\$1