



Meeting Date: 5/17/11

ACTION	TYPE OF ITEM
<input type="checkbox"/> Approved Recommendation	<input type="checkbox"/> Info/Consent
<input type="checkbox"/> Ord. No(s). _____	<input type="checkbox"/> Report
<input type="checkbox"/> Res. No(s). _____	<input checked="" type="checkbox"/> Public Hearing (Info/consent)
<input type="checkbox"/> Other _____	<input type="checkbox"/> Other _____

Prepared By: Miguel Trujillo, CUPA Coordinator *MT*

Agenda Item No. **K-1**

Reviewed By: City Manager *[Signature]*

City Attorney *[Signature]*

Finance *[Signature]*

Other (Specify) \_\_\_\_\_

**DATE:** May 5, 2011

**TO:** City Council

**FROM:** W.J. Milligan, Fire Chief  
Fire Department

*W.J. Milligan*

**SUBJECT:** Adjustment of Fees for Certified Unified Program Agency Services and Permits

**RECOMMENDATION**

That City Council adopt a resolution establishing fees for services performed and permits issued by the Certified Unified Program Agency of the Fire Department.

**DISCUSSION**

The Certified Unified Program Agency (CUPA) has the responsibility and authority to implement and enforce the requirements of the Health and Safety Code, Chapter 6.5 "Hazardous Waste Control Law", Chapter 6.7 "Underground Storage of Hazardous Substances", Chapter 6.67 "Aboveground Petroleum Storage Act", and Chapter 6.95 Hazardous Materials Release Response Plans and Inventory". CUPA is a special revenue fund program requiring full cost recovery for services provided. Program costs are recovered through the establishments of fees for the purpose of meeting operating expenses.

Following a 2005-2006 fee study, City Council approved Resolution No. 13,526, which adjusted CUPA fees to achieve full cost recovery for the implementation of the CUPA program. CUPA fees were to be increased in two phases. The first increase occurred in 2008-2009. A second increase was to occur in 2009-2010. However, following a program and budget review, phase two was temporarily put on hold and CUPA fees have not been increased since FY 2008-2009. The Fire Department CUPA division is now requesting to increase CUPA fees, effective July 1, 2011, to the amounts to which they should have been increased in FY 2009-2010. In an effort to assist small businesses, CUPA fees for Conditionally Exempt Small Quantity Generators (CESQG) will not be increased. The details of an adjustment to each individual fee are shown on the proposed fee schedule set forth in Attachment #2.

## **FINANCIAL IMPACT**

The proposed fee adjustment will increase annual revenues by approximately \$110,000. Approval of this recommendation will not require the City of Oxnard to provide matching funds.

Attachment #1 - Resolution Approving CUPA Fees

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD  
SETTING FEES FOR CERTIFIED UNIFIED PROGRAM AGENCY SERVICES AND  
PERMITS

WHEREAS, the Certified Unified Program Agency ("CUPA") has the responsibility and authority to implement and enforce the requirements of Chapter 6.5, 6.7, 6.57, and 6.95 of the California Health and Safety Code; and

WHEREAS, City Council examines the costs associated with such enforcement and sets fees for CUPA services and permits.

NOW, THEREFORE, the City Council of the City of Oxnard resolves that the fees set forth in exhibit A, attached hereto and made a part hereof, are adopted as the fees for CUPA services and permits as of July 1, 2011.

PASSED AND ADOPTED THIS 17<sup>th</sup> day of May, 2011, by the following vote:

AYES:

NOES:

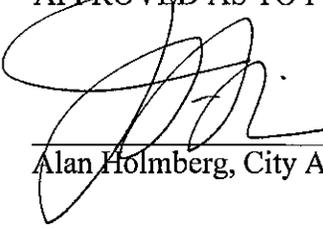
ABSENTS:

\_\_\_\_\_  
Dr. Thomas E. Holden, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Daniel Martinez, City Clerk

  
\_\_\_\_\_  
Alan Holmberg, City Attorney

for  
5.9.11

ATTACHMENT # 1  
EXHIBIT A  
PAGE 1 OF 4

**EXHIBIT A**  
**Effective July 2011**  
**CUPA Fee Adjustments**

**FIRE/CERTIFIED UNIFIED PROGRAM AGENCY (CUPA)**

Hazardous Materials Permits to store, handle or use hazardous materials or install, close, or operate a hazardous materials facility.

Full Cost Recovery Rate: \$177.33 per hour

Type of Service		Current Fee	New Fee
Fee Basis	Average Units		
<b>Annual Fees per Tank</b>			
Above Ground Tank			
Fire Environmental Specialist	1.50 Hours	\$195.00	\$266.00
CalARP			
Fire Environmental Specialist	2.25 Hours	\$283.00	\$399.00
Underground Tank			
Fire Environmental Specialist	1.75 Hours	\$238.00	\$310.00
<b>Hazardous Materials</b>			
Quantity Range 1: 200-1500 CF of Compressed Gases			
Fire Environmental Specialist	3.00 Hours	\$478.00	\$532.00
Quantity Range 1: 500-5000 lbs. of Solids			
Fire Environmental Specialist	3.00 Hours	\$478.00	\$532.00
Quantity Range 1: 55-550 gals. of Liquids			
Fire Environmental Specialist	3.00 Hours	\$478.00	\$532.00
Quantity Range 2: 5001-25000 lbs. of Solids			
Fire Environmental Specialist	5.00 Hours	\$813.00	\$887.00
Quantity Range 2: 551-2750 gals. of Liquids			
Fire Environmental Specialist	5.00 Hours	\$813.00	\$887.00
Quantity Range 2: 1501-10000 CF of Compressed Gases			
Fire Environmental Specialist	5.00 Hours	\$813.00	\$887.00
Quantity Range 3: 10001-20000 CF of Compressed Gases			
Fire Environmental Specialist	6.25 Hours	\$1,023.00	\$1,108.00
Quantity Range 3: 25001-50000 lbs. of Solids			
Fire Environmental Specialist	6.25 Hours	\$1,023.00	\$1,108.00
Quantity Range 3: 2751-5500 gals. of Compressed Gases			
Fire Environmental Specialist	6.25 Hours	\$1,023.00	\$1,108.00
Quantity Range 4: Above 20000 CF of Compressed Gases			
Fire Environmental Specialist	8.25 Hours	\$1,354.00	\$1,463.00
Quantity Range 4: Above 50000 lbs. of Solids			
Fire Environmental Specialist	8.25 Hours	\$1,354.00	\$1,463.00
Quantity Range 4: Above 5500 gals. of Solids			
Fire Environmental Specialist	8.25 Hours	\$1,354.00	\$1,463.00

**EXHIBIT A**  
**Effective July 2011**  
**CUPA Fee Adjustments**

**FIRE/CERTIFIED UNIFIED PROGRAM AGENCY (CUPA)**

Hazardous Materials Permits to store, handle or use hazardous materials or install, close, or operate a hazardous materials facility.

Full Cost Recovery Rate: \$177.33 per hour

Type of Service		Current Fee	New Fee
Fee Basis	Average Units		
<b>Site Closure Plan Review and Inspection</b>			
Fire Environmental Specialist	1.00 Hour	\$130.00	\$177.00
<b>Hazardous Waste</b>			
Conditionally Exempt Small Quantity (CESQG) Fire Environmental Specialist	2.50 Hours	\$284.00	\$284.00
Generators (CESQG & "Silver Only") Fire Environmental Specialist	1.75 Hours	\$217.00	\$217.00
Range #1 < 5 Tons Fire Environmental Specialist	2.00 Hours	\$229.00	\$355.00
Range #2 5-50 Tons Fire Environmental Specialist	2.50 Hours	\$305.00	\$443.00
Range #3 > 50 Tons Fire Environmental Specialist	3.50 Hours	\$425.00	\$621.00
<b>Permanent Closure Permit</b>			
01 - Tank Site Permit Fire Environmental Specialist	5.50 Hours	\$716.00	\$975.00
02 - Tank Site Permit Fire Environmental Specialist	7.00 Hours	\$870.00	\$1,241.00
03 - Tank Site Permit Fire Environmental Specialist	8.50 Hours	\$1,023.00	\$1,507.00
04 - Tank Site Permit Fire Environmental Specialist	10.00 Hours	\$1,177.00	\$1,773.00
Reinspection Fee, per hour Fire Environmental Specialist	1.00 Hour	\$130.00	\$177.00
<b>Tiered Annual Permitting Fees</b>			
Conditional Authorization Permit by Rule - First Fire Environmental Specialist	5.50 Hours	\$716.00	\$975.00
Conditional Authorization Permit by Rule - Second and Each Additional Fire Environmental Specialist	1.25 Hours	\$187.00	\$222.00
Conditionally Exempt - First Fire Environmental Specialist	1.85 Hours	\$240.00	\$328.00
Conditionally Exempt - Second and Each Additional Fire Environmental Specialist	1.00 Hour	\$129.00	\$177.00

**EXHIBIT A**  
**Effective July 2011**  
**CUPA Fee Adjustments**

**FIRE/CERTIFIED UNIFIED PROGRAM AGENCY (CUPA)**

Hazardous Materials Permits to store, handle or use hazardous materials or install, close, or operate a hazardous materials facility.

Full Cost Recovery Rate: \$177.33 per hour

Type of Service				
Fee Basis	Average Units	Current Fee	New Fee	
<b>Underground Storage Tank Installation</b>				
01 - Tank Site Permit Fire Environmental Specialist	12.50 Hours	\$1,627.00	\$2,217.00	
02 - Tank Site Permit Fire Environmental Specialist	14.00 Hours	\$1,823.00	\$2,483.00	
03 - Tank Site Permit Fire Environmental Specialist	15.50 Hours	\$2,018.00	\$2,749.00	
04 - Tank Site Permit Fire Environmental Specialist	17.00 Hours	\$2,213.00	\$3,015.00	
05 - Tank Site Permit Fire Environmental Specialist	18.50 Hours	\$2,408.00	\$3,281.00	
Follow-up/ Re-inspection Fee Fire Environmental Specialist	1.00 Hour	\$130.00	\$177.00	
<b>Permit to Modify or Repair – Minor</b> Fire Environmental Specialist	6.00 Hours	\$885.00	\$1,064.00	
<b>Surcharges</b>				
CalARP	Per Site	\$270.00	\$270.00	
State General Oversight	Per Site	\$24.00	\$24.00	
Electronic Reporting	Per Site	\$25.00	\$25.00	
State Underground Tank	Per Tank	\$15.00	\$15.00	