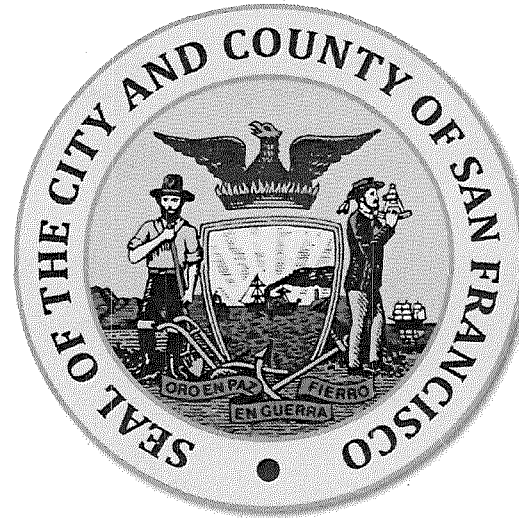


Bill # 190619, 190620
Received in Committee
6/12/19
js



Board of Appeals

FY20 & FY21 Budget Presentation to
The Board of Supervisors

JUNE 12, 2019

Board of Appeals

Mission

- Provide the public with a final administrative review process for the issuance, denial, suspension, revocation and modification of City permits, licenses and other determinations.
- Provide an efficient, fair and expeditious public hearing and decision-making process before an impartial panel.

0113 Board Members
President Rick Swig
Commissioner Ann Lazarus
Commissioner Darryl Honda
Commissioner Rachael Tanner
Commissioner (Vacant)

0961 Department Head
Julie Rosenberg (1 FTE)

8173 Legal Assistant
Gary Cantara (1 FTE)

8106 Legal Process Clerk
(3 FTES)
Xiomara Mejia
Alec Longaway
Monika Leng

Strategic Goals

- Goal #1: Enhance the appeal process for all participants (the public, Board members and staff) through the increased use of technology.
- Goal #2: Foster workforce development: As a small department, cross training is important to ensure coverage and service provision at all times; staff retention is also key to maintaining competencies and institutional knowledge.
- Goal #3: Analyze and amend the Board's Rules of procedure and governing legislation to modernize appeal processing, enhance the public's understanding of appeal rights and the appeal process, and eliminate inconsistencies.

Performance Measures

- Goal: Support our staff to ensure we are equipped to handle appeals and the public hearing process in an efficient, fair and expeditious manner.
 - Schedule and complete annual performance plans and reviews
 - Staff members will know what is expected of them
 - Provides an opportunity for feedback
 - Staff can be given the tools and resources they need to serve the public
- Goal: Measure the quality of our services and timeliness of decision by tracking appeals.
 - Percentage of cases decided within 75 days of filing
 - Percentage of written decisions released within 15 days of final action

Revenue Sources

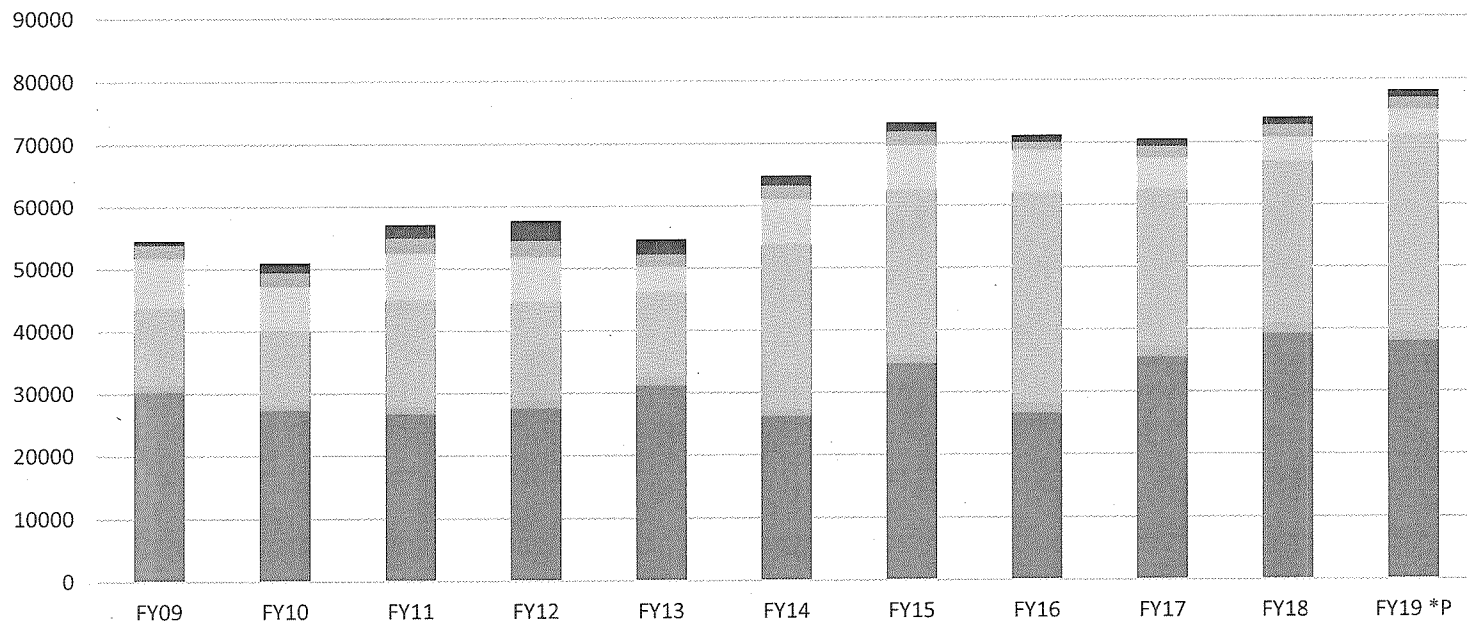
Permit Surcharges

- Surcharges = 96% of revenue
 - Collected on new and renewed permit applications with the goal of cost recovery
 - Rate proportional to percentage of cases originating from each department
 - Controller performs rate analysis after other departments submit permit data in April
 - Controller may make CPI-based adjustments; rate changes beyond CPI require legislation
 - Legislation may also be warranted to change the permit types upon which surcharges are levied (e.g., permits issued by the Office of Cannabis)

Appeal Filing Fees

- Filing Fees = 4% of revenue
- Collected by the Board when new appeals are filed

Permit Volume

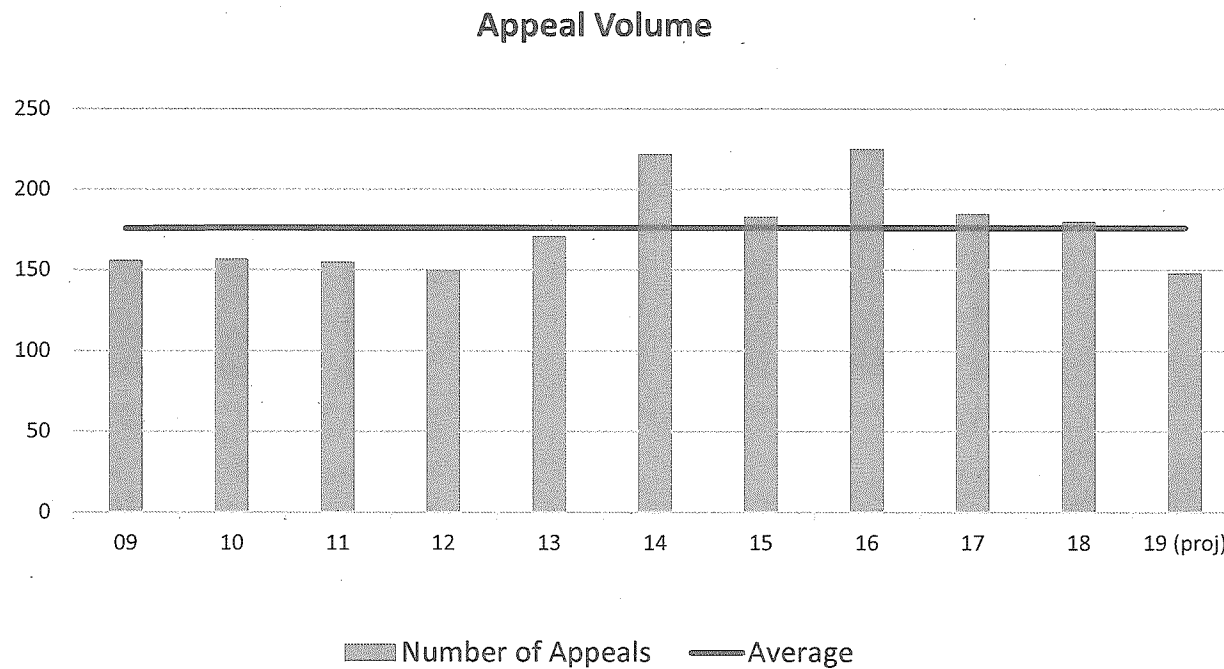


DBI
 City Planning
 DPW
 Taxi
 Entertainment Commission
 DPH Tobacco
 Police
 DPH Environmental

Current FY Update

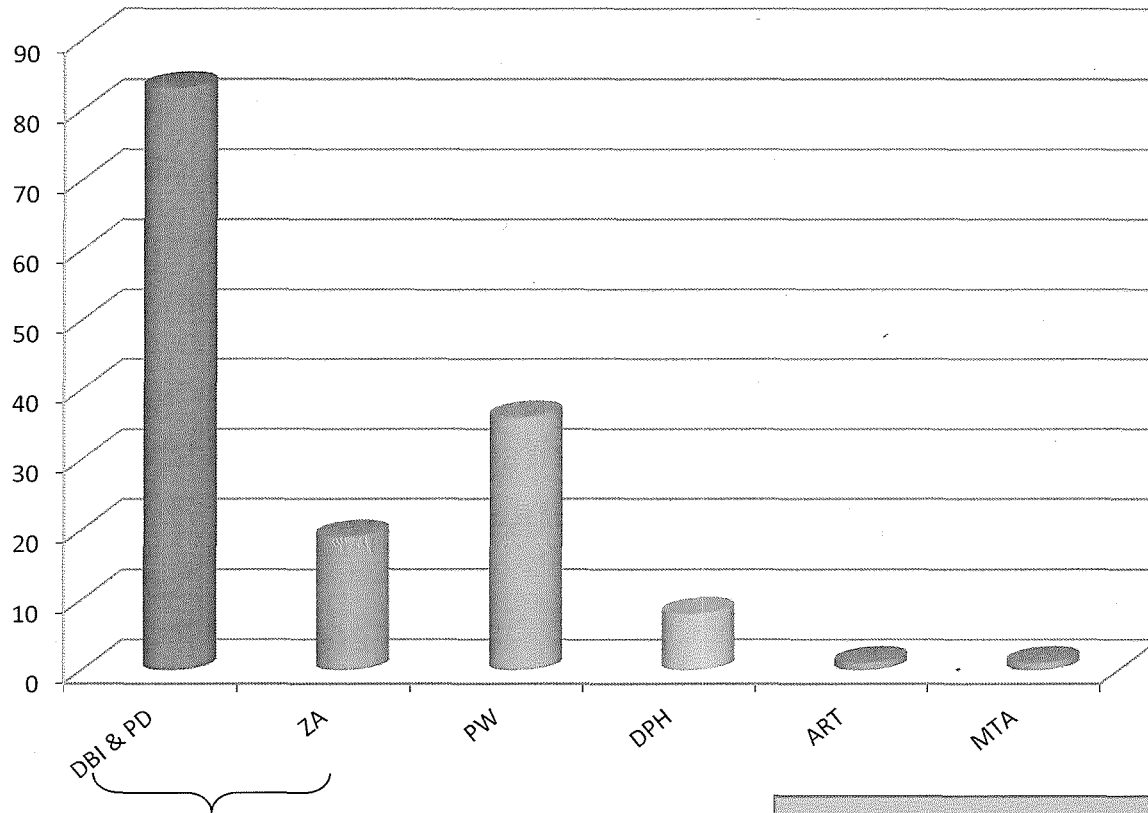
Year-End Projection – Appeals

- Projected appeal volume for FY19 (148 appeals) is 16% below the 10-year average of 176 appeals per year.



Appeal Distribution

(based on projected appeals filed for FY19)



PD = Planning Department

DBI = Department of Building Inspection

ZA = Zoning Administrator

PW = Public Works

DPH = Department of Public Health

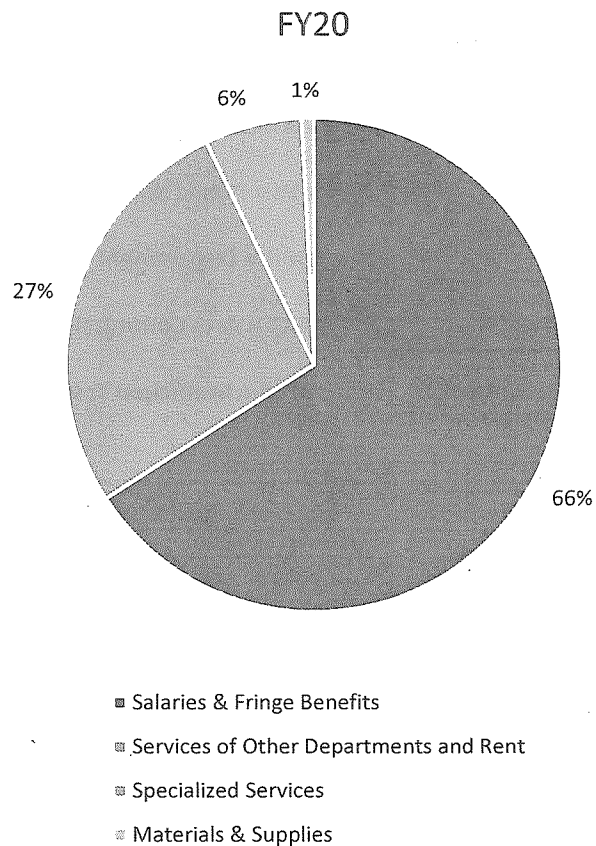
ART = Arts Commission

MTA = Municipal Transportation Agency

Land Use
Matters n=102

69% percent of the projected appeals filed for FY19 are of land use decisions issued by the Planning Department, Department of Building Inspection, Zoning Administrator and Planning Commission

Overview: Expenditure Budget (FY20)



- Two-thirds of the Board's expenditure budget covers salary & fringe benefit expenses: 5 FTEs and 5 Commissioners (66%)
- Services provided by other departments and rent comprise the next largest portion (27%)
- Specialized Services (6%)
 - Neighborhood notification, interpreter & delivery services
- Materials & Supplies (1%)

FY20 & FY21 Budgets Revenue

- Surcharge rates are designed to generate the revenue needed to cover operating expenses in both FYs.
- FY20: Only three rates will be increased, and this will be done by a CPI adjustment:
 - DBI: From \$18.50 to \$19.00
 - Planning Department: From \$18.50 to \$19.00
 - DPH: From \$43.00 to \$44.50
- FY21: Surcharge rates will be analyzed during next year's budget process.
- No change is projected in filing fee amounts or revenue.

FY20 & FY21 BUDGET PROPOSALS

	FY19 BUDGET	FY20 PROPOSED	FY19-20 VARIANCE	FY21 PROPOSED	FY20-21 VARIANCE
REVENUE					
Surcharges	\$1,326,263	\$1,127,655	\$(198,608)	\$1,112,496	\$(15,159)
Filing Fees	\$46,037	\$46,037	0	\$46,037	0
Total Revenue	\$1,372,300	\$1,173,692	\$(198,608)	\$1,158,533	\$(15,159)
EXPENSES					
Personnel	\$738,076	\$773,043	\$34,967	\$806,034	\$32,991
Other	\$634,224	\$400,649	\$(233,575)	\$352,499	\$(48,150)
Total Expenses	\$1,372,300	\$1,173,692	\$(198,608)	\$1,158,533	\$(15,159)

Budget Proposals include increases in expenditures in both budget years to cover mandatory increases in salaries/fringe benefits and rent. Additionally, a portion of the move costs will be paid in FY20 and the remainder added to rent and phased in over time.

Appendix A: Surcharge Rates

PERMIT ISSUING DEPARTMENT	CURRENT SURCHARGE	PROPOSED FY20 SURCHARGE
DBI and Planning	\$18.50	\$19.00
Public Health	\$43.00	\$44.50
Public Works	\$6.50	No change
Entertainment Commission	\$4.00	No change
MTA (Taxi)	\$2.00	No change
Police	\$6.00	No change

Surcharges are calculated by: (1) Determining the number of appeals filed in the prior fiscal year that originated with actions taken by each funding department; (2) applying the percentage of appeals for each department to the Board's budget to determine the dollar amount each funding department should contribute; and (3) dividing this dollar amount by the number of appealable permits issued by each funding department.

Appendix B - Filing Fees

DETERMINATION TYPE	FILING FEE
ZONING ADMINISTRATOR DETERMINATION	\$600
PLANNING COMMISSION ACTION	\$600
DEPT. OF BUILDING INSPECTION ALTERATION, DEMOLITION OR OTHER PERMIT	\$175
DEPT. OF BUILDING INSPECTION IMPOSITION OF PENALTY	\$300
DEPT. OF BUILDING INSPECTION RESIDENTIAL HOTEL OR APARTMENT CONVERSION PERMIT	\$525
POLICE DEPT. OR ENTERTAINMENT COMMISSION PERMIT TO BUSINESS OWNER	\$375
POLICE DEPT. OR ENTERTAINMENT COMMISSION PERMIT TO EMPLOYEE	\$150
POLICE DEPT. OR ENTERTAINMENT COMMISSION PERMIT REVOCATION OR SUSPENSION	\$375
PUBLIC WORKS TREE REMOVAL PERMIT WHEN ISSUED TO CITY	\$100
OTHER ORDER OR DECISION (FOOD TRUCK, TAXI, TOBACCO, MASSAGE, ETC.)	\$300
REHEARING REQUEST & JURISDICTION REQUEST	\$150