

**MOORPARK CITY COUNCIL
AGENDA REPORT**

TO: Honorable City Council
FROM: Ron Ahlers, Finance Director *RA*
DATE: August 27, 2015 (City Council meeting of October 7, 2015)
SUBJECT: Consider New City Council Policy 3.11, Authorizing the City Manager to Enter into Payment Arrangements

BACKGROUND

The Moorpark Municipal Code (MMC) designates circumstances where the City Manager is authorized to waive fines and fees relevant to administrative citations and public nuisance cases. In the past, the City has received requests from individuals for payment arrangements due to their inability to pay the entire fine or fee. Generally the City has granted these requests for payments arrangements. It is the intent of this policy to extend the City Manager's authority to grant payment arrangements.

DISCUSSION

From time to time the City has been approached by an individual requesting payment arrangement in order to pay a City fine or fee. This has occurred more frequently with Social Host citations since the fine amount is \$2,500 and the recipient is often a person under the age of 21. The City Manager has granted such requests. However, staff is seeking City Council authorization to grant the City Manager the ability to enter into these payment arrangements. Generally, staff will consider a request when the dollar amount is greater than \$300 with the minimum monthly amount set at no less than \$100.

Staff shall incorporate this policy into the next version of the City Council Policies; listing it under Section 3, Policies Administered by City Manager's Office.

STAFF RECOMMENDATION (Roll Call Vote)

Adopt City Council Policy 3.11, and incorporate this Policy in the next update of the City Council Policy Resolution.

Attachment:

Policy 3.11 Payment Arrangement Policy

3.11 Payment Arrangement Policy

1. The City Manager is responsible for implementing this policy.
2. Purpose

The Moorpark Municipal Code designates circumstances where the City Manager is authorized to waive fines and fees relevant to administrative citations and public nuisance cases. It is the intent of this policy to extend the City Manager's authority to make payment arrangements.

3. Policy regarding payment plan

The City Manager is hereby granted authority to enter into a payment plan or arrangement with a person or entity requesting a payment arrangement in order to pay fines, fees and penalties. The maximum term of the payment arrangement shall not exceed 12 months. The Finance department is responsible for establishing the payment agreement with the person or entity and tracking the payments until the amount is paid in full.

4. Persons ineligible for Payment Arrangements

- A. Members of the Moorpark City Council, Moorpark Planning Commission, Moorpark Parks and Recreation Commission, Moorpark Arts Commission, and Library Board Members.
- B. Mayor and City Council appointees including but not limited to Air Pollution Control District Advisory Committee, Area Housing Authority, Senior Center Advisory Committee, Area Agency on Aging, Citizens Transportation Advisory Committee, and Teen Council.
- C. All City employees in non-competitive service (management positions).
- D. Any and all City contractors and affiliates of these City contractors, as determined by the City Manager on a case-by-case basis, which may include contractors, subcontractors, subsidiaries, partnerships, and affiliates of these City contractors.
- E. Family members of A – D above are excluded for all of the above-listed participant exclusions. "Family members" is defined as follows: mother, father, grandfather, grandmother, aunt, uncle, cousin, sister, brother, son, daughter, step-son, step-daughter, son-in-law, daughter-in-law, nephew, niece, grandchild, mother-in-law, father-in-law, brother-in-law, sister-in-

law, spouse as defined as a partner in marriage (California Civil Code Section 4100), and domestic partner as defined by California Family Code Section 297 and including the requirement for the filing of a Declaration of Domestic Partnership with the Secretary of State. In addition, "family members" shall be defined to include non-blood relatives as a result of a subsequent marriage commonly referred to as a step-relative, including but not limited to step-mother, step-father, step-sister, step-brother, step-son, step-daughter, step-grandchild, step-mother-in-law, step-father-in-law, step-brother-in-law, and step-sister-in-law.