

**CITY OF SAN ANTONIO  
SAN ANTONIO METROPOLITAN HEALTH DISTRICT  
CITY COUNCIL AGENDA MEMORANDUM**

**TO:** Mayor and City Council

**FROM:** Fernando A. Guerra, MD, MPH, Director of Health

**SUBJECT:** REVENUE ADJUSTMENTS FOR FY 2006

**DATE:** September 15, 2005

**SUMMARY AND RECOMMENDATIONS**

This ordinance will increase fees for the following: the purchase of birth and death certificates from \$12.00 each and \$10.00 each respectively to an amount prescribed by the State Vital Statistics Office; the food establishment/vendor reinspection fee from \$35.00 to \$45.00 for the first reinspection, \$60.00 to \$70.00 for the second reinspection, \$85.00 to \$100.00 for the third reinspection, and \$100.00 to \$120.00 for the fourth and subsequent reinspections; the fee for a food service operator's identification card from \$6.00 to \$10.00 per person; the annual facility inspection fee from \$40.00 to \$45.00; the annual childcare permit fee for a child care facility with on-site food preparation from \$150.00 to \$175.00, for a child care facility with no on-site food preparation from \$75.00 to \$85.00, for a child care facility with no food served from \$40.00 to \$50.00, for an after school care facility from \$400.00 per agency to \$20.00 per agency site and for a group home facility from \$75.00 to \$85.00. This ordinance will also amend chapters 2, 13 and 15 of the City Code to reflect these changes.

**BACKGROUND INFORMATION**

For FY 2006, the San Antonio Metropolitan Health District (SAMHD) is proposing changes to existing fees in six (6) areas. A brief explanation of each revenue item is provided below:

	Current	Estimated
<b>Birth and Death Certificate Fees</b>		
Birth Certificates		
Born in San Antonio/Bexar County	\$12.00	\$13.00
Born anywhere in Texas after 1925 (includes \$1.83 State surcharge)	\$13.83	\$14.83
Death Certificates		
First Copy	\$10.00	\$11.00
Additional copies of same certificate	\$4.00	No Change

SAMHD's Vital Statistics Division serves as the official repository for information on all births and deaths occurring in the county. Copies of birth and death certificates are sold to qualified applicants. Fees for these certificates are regulated by the State Office of Vital Statistics. This agency has plans to increase fees in FY 2006, probably in December and for an amount that has not been determined. A conservative estimate is that the birth and death certificates will both be increased by at least \$1.00; however, when a patron purchases more than one death certificate in the same transaction, the fee for additional copies will remain at \$4.00 each. Using these estimates, the fee increase from birth

certificate sales will generate an additional \$101,750.00, and from death certificate sales an additional \$44,300.00 in new revenue.

This ordinance will authorize these fee increases when directed by the State and by the prescribed amounts. The details of these changes will be provided to City Council prior to implementation.

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	<b>Current</b>	<b>Proposed</b>
<b>Reinspection Fees</b>		
1st Reinspection	\$35.00	\$45.00
2nd Reinspection	\$60.00	\$70.00
3rd Reinspection	\$85.00	\$100.00
4th and Subsequent Reinspections	\$100.00	\$120.00

Sanitarians from the Food and Environmental Health Division routinely inspect all food establishments in San Antonio. When a violation of the health code is found, the owner/manager of the food establishment is given a reasonable time to correct the problem. The sanitarian re-inspects the establishment immediately after this deadline. If the problem has not been corrected and if the violation does not warrant closure of the establishment, the sanitarian will schedule a re-inspection and assess a fee for this service. Reinspections will continue with additional fees (as provided above) until the problem is abated. These fee increases will generate \$1,160.00 in additional revenue.

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	<b>Current</b>	<b>Proposed</b>
<b>Food Service Operator's Identification Card</b>	\$6.00	\$10.00

The Food and Environmental Health Division also issues identification cards to applicants who have met the State's educational requirements for food service operator. This ordinance will increase the current license fee of \$6.00 per person to \$10.00 per person, resulting in \$3,000.00 additional revenue.

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	<b>Current</b>	<b>Proposed</b>
<b>Facility Inspection Fee</b>	\$40.00	\$45.00

Upon the request of an owner, proprietor, or family, the Food and Environmental Health Division will provide a health inspection for any type of facility or establishment not currently regulated or licensed elsewhere in the City Code. The current inspection fee of \$40.00 would be increased to \$45.00. This change would mainly affect foster homes and would result in \$2,125.00 additional revenue for the City General Fund

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	<b>Current</b>	<b>Proposed</b>
<b>Health Service Childcare Permit Fees</b>		
Child care facility with on-site food preparation	\$150.00	\$175.00
Child care facility with no on-site food preparation	\$75.00	\$85.00
Child care facility with no food served	\$40.00	\$50.00
After school care	\$400.00	\$20.00
	(per agency)	(per site)

The Food and Environmental Health Division inspects and issues permits to childcare facilities in San Antonio. This ordinance provides that these fees would be increased as indicated above. These increases would generate \$9,640.00 in additional revenue.

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	<b>Current</b>	<b>Proposed</b>
<b>Health Service Group Home Facility Permit Fee</b>	<b>\$75.00</b>	<b>\$85.00</b>

The Food and Environmental Health Division provides inspections of group homes to ensure that a healthy environment exists for their residents. The current rate of \$75.00 per inspection is proposed to be increased to \$85.00 per inspection. This increase will help defray a part of the expense necessary to provide these inspections and generate an additional \$310.00 in revenue.

### **POLICY ANALYSIS**

The fee increases in this ordinance follow past City policy of adjusting license, permit and service fees to offset the increased costs of providing the associated City services.

### **FISCAL IMPACT**

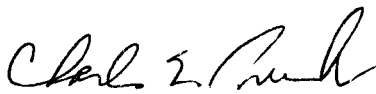
The total estimated annual increase in City revenues due to the fee adjustments is \$162,285.00.

### **COORDINATION**

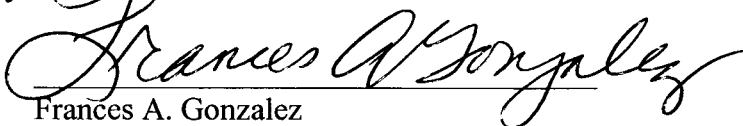
The City Attorney's Office, the Office of Management and Budget, and the Finance Department have reviewed the fee changes contained in this ordinance.

### **SUPPLEMENTARY COMMENTS**

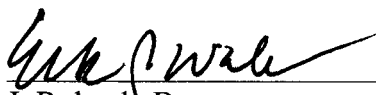
Provisions of the Ethics Ordinance do not apply.



Fernando A. Guerra, MD, MPH  
Director of Health



Frances A. Gonzalez  
Assistant City Manager



J. Rolando Bono  
City Manager

## AN ORDINANCE

INCREASING FEES FOR THE PURCHASE OF BIRTH AND DEATH CERTIFICATES FROM \$12.00 EACH AND \$10.00 EACH RESPECTIVELY TO AN AMOUNT PRESCRIBED BY THE STATE VITAL STATISTICS OFFICE; INCREASING THE FOOD ESTABLISHMENT/VENDOR REINSPECTION FEE FROM \$35.00 TO \$45.00 FOR THE FIRST REINSPECTION, \$60.00 TO \$70.00 FOR THE SECOND REINSPECTION, \$85.00 TO \$100.00 FOR THE THIRD REINSPECTION, AND \$100.00 TO \$120.00 FOR THE FOURTH AND SUBSEQUENT REINSPECTIONS; INCREASING THE FEE FOR FOOD SERVICE OPERATOR'S IDENTIFICATION CARD FROM \$6.00 TO \$10.00; INCREASING THE FOSTER HOME AND OTHER FACILITY ANNUAL INSPECTION FEE FROM \$40.00 TO \$45.00; INCREASING THE HEALTH SERVICE-CHILDCARE PERMIT FEE FOR CHILD CARE FACILITY WITH ON-SITE FOOD PREPARATION FROM \$150.00 TO \$175.00, FOR CHILD CARE FACILITY WITH NO ON-SITE FOOD PREPARATION FROM \$75.00 TO \$85.00, FOR CHILD CARE FACILITY WITH NO FOOD SERVED FROM \$40.00 TO \$50.00, FOR AFTER SCHOOL CARE FROM \$400.00 PER AGENCY TO \$20.00 PER SITE; INCREASING THE HEALTH SERVICE GROUP HOME FACILITY PERMIT FEE FROM \$75.00 TO \$85.00; AND AMENDING CHAPTERS 2, 13, AND 15 OF THE CITY CODE TO REFLECT THESE CHANGES.

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**WHEREAS**, the San Antonio Metropolitan Health District maintains and issues birth and death records through its Vital Statistics Registrar; and

**WHEREAS**, the SAMHD regularly performs inspections to protect the health and safety of residents and visitors; and

**WHEREAS**, the San Antonio Metropolitan Health District (SAMHD) issues identification cards for individuals that supervise personnel who handle food, and annual permits for health service facilities; and

**WHEREAS**, the personnel and other related costs to provide said permits and inspections have increased and it is necessary revise the existing fees for these activities; **NOW THEREFORE:**

### **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** The fee charged by the Vital Statistics Division of the San Antonio Metropolitan Health District for the issuance of certified copies of birth and death certificates is hereby increased to an amount prescribed by the State Vital Statistics Office.

**SECTION 2.** City Code **Section 2-2. Registration of vital statistics, fees for records.** (b) and (c) are hereby amended to read as follows:

- (b) *Fee for records other than death certificates.* Except in the case of certified copies of death certificates, the registrar shall issue to a properly qualified applicant a certified copy of any records within registrar's keeping upon payment of a fee of thirteen dollars (\$13.00).

- (c) *Fees for death certificates.* The registrar shall issue to a properly qualified applicant a certified copy of any certificate of death within the registrar's keeping upon payment of a fee of eleven dollars (\$11.00). Additional copies of the same death certificate may be provided to the applicant upon payment of a fee of four dollars (\$4.00) for each additional copy issued, providing that application for the additional copy is made on the same date and on the same application as the first certificate.

**SECTION 3.** Fund 11001000, Fund Center 3601010000, Cost Center 3601010001, Internal Order 236000000001, GL No. 4402500 Health Service Birth Certificates, is hereby designated for use in accounting for the above revenue transactions.

**SECTION 4.** Fund 11001000, Fund Center 3601010000, Cost Center 3601010001, Internal Order 236000000001, GL No. 4402505 Health Service Death Certificates, is hereby designated for use in accounting for the above revenue transactions.

**SECTION 5.** The fee charged by the San Antonio Metropolitan Health District for any food establishment or vendor requiring inspection beyond the normal inspection schedule is hereby increased to \$45.00 for the first reinspection, \$70.00 for the second reinspection, \$100.00 for the third reinspection, and \$120.00 for the fourth and subsequent reinspection.

**SECTION 6.** City Code **Section 13-44. Reinspection fee.** is hereby amended to read as follows:

There is imposed a reinspection fee for any food establishment or food vendor regulated under Chapter 13 of the City Code. Any establishment or vendor that requires an inspection beyond the normal schedule will be charged a fee as follows for each reinspection:

1 <sup>st</sup> Reinspection . . . . .	\$ 45.00
2nd Reinspection . . . . .	70.00
3rd Reinspection . . . . .	100.00
4th and Subsequent Reinspection . .	120.00

Fees are due upon the reinspection and failure to pay the fee will result in the immediate suspension of the appropriate license. Such suspension will only be lifted at such time as the reinspection fee is paid and violations noted are corrected.

**SECTION 7.** Fund 11001000, Fund Center 3601010000, Cost Center 3601010001, Internal Order 2360000000012, GL No. 4202117, is hereby designated for use in accounting for the above revenue transactions.

**SECTION 8.** The term of certification for a food service operator's identification card issued by the San Antonio Metropolitan Health District will coincide with the food service training certificate issued from the Texas Department of Health Services (TDSHS) or other accredited courses.

**SECTION 9.** City Code **Section 13-367. Terms of certification.** (g) is hereby amended to read as follows:

(g) The San Antonio Metropolitan Health District shall recognize a food service operator's training certificate from the Texas Department of State Health Services (TDSHS) or other accredited courses until such time as the food service training certificate expires. Renewals shall be made in accordance with Section 13-368 of this article. An identification card as required by Section 13-367 shall be issued to a person holding a certificate not issued by the San Antonio Metropolitan Health District for the same fee as a replacement card as stipulated in Section 13-370(c) of this article.

**SECTION 10.** A food service operator's certificate may be renewed if the holder meets all three (3) health authority requirements as outlined in City Code Section 13-368.

**SECTION 11.** City Code **Section 13-368. Renewal of certification.** (a)(3) is hereby amended to read as follows:

- (a) A food service operator's certificate may be renewed if the holder:
  - (1) Attends a refresher course on food protection approved by the health authority; and
  - (2) Passes the required tests at the conclusion of the course; and
  - (3) Makes application on a form provided by the health authority prior to the expiration date of the THDSD or other accredited course certificate.
- (b) The application shall include all information required under section 13-367(b). The application shall include the name and address, if any, where the applicant is employed, his title, and his signature. Such application must be accompanied by payment of the fee set out in section 13-370 of this article.
- (c) Obtaining a passing score of seventy-five (75) on a national examination for certification of food service operators shall be deemed to satisfy subsection (a)(2) above.

**SECTION 12.** A food service operator's certificate application is hereby increased to \$10.00.

**SECTION 13.** City Code **Section 13-370. Fees.** (a) is hereby amended to read as follows:

- (a) Food service operator's certificate. An application fee of ten (\$10.00) shall be required to be paid to the health authority at the time of application or renewal. This fee is required regardless of whether or not the course requirement is waived.

**SECTION 14.** Fund 11001000, Fund Center 3601010000, Cost Center 3601010001, Internal Order 2360000000012, GL No. 4201221 is hereby designated for use in accounting for the above revenue transactions.

**SECTION 15.** The annual inspection required by the State for all individuals, organizations and/or businesses, including foster homes, requesting health department inspections for any type of facility or establishment not currently regulated or licensed elsewhere in the City Code is hereby increased to \$45.00.

**SECTION 16.** City Code Section 15-2. Fees for services from health department. (d) is hereby amended to read as follows:

(d) All individuals, organizations and/or businesses, including foster homes, requesting health department inspections for any type of facility or establishment not currently regulated or licensed elsewhere in the City Code shall pay a forty-five dollar (\$45.00) fee for each inspection. All fees shall be paid before the inspections are performed. Fees collected under this section shall be deposited into the city general fund.

**SECTION 17.** Fund 11001000, Fund Center 3601010000, Cost Center 3601010001, Internal Order 236000000144, GL No. 4402115, is hereby designated for use in accounting for the above revenue transactions.

**SECTION 18.** The permit requirements for various types of childcare facilities are hereby increased for child care facility with on-site food preparation from \$150.00 to \$175.00, for child care facility with no on-site food preparation from \$75.00 to \$85.00, for child care facility with no food served from \$40.00 to \$50.00, and for after school care from \$400.00 per agency to \$20.00 per site.

**SECTION 19.** City Code Section 15-222. Permit requirements for child care facilities (g) Permit fee. is hereby amended to read as follows:

(g) *Permit fee.*

(1) The permit fee for child care facilities not involved in on-site preparation of food service shall be fifty dollars (\$50.00) (pro-rated at four dollars and seventeen cents (\$4.17) per month until May 31 following date permit issuance) upon issuance and annually thereafter.

(2) The permit fee for child care facilities involved in on-site preparation of food service shall be:

a. Primary food production	\$175.00
(pro-rated at \$14.58 per month)	
b. Satellite or non-meal production	85.00
(pro-rated at \$7.08 per month)	
c. Food production for learning experience upon	30.00
issuance and annually thereafter	
(pro-rated at \$2.50 per month)	

(3) The permit fee for group day home facilities shall be eighty-five dollars (\$85.00) (pro-rated at seven dollars and eight cents (\$7.08) per month) upon issuance and annually thereafter.

(4) All new facilities shall pay permit fees as shown in this section with the following provisions: The amount in each case shall be provided according to the month in which such establishment began operations. Those establishments commencing operation on July 1st shall pay a pro-rated portion of the stated charge.

- (5) Permit fees charged to agencies providing after school care of school age children at multiple sites not involved in on-site preparation of food shall be twenty dollars (\$20.00) per site annually. Those establishments commencing operation on July 1st shall pay a pro-rated portion of the stated charge.

**SECTION 20.** Fund 11001000, Fund Center 3601010000, Cost Center 3601010001, Internal Order 236000000012, GL No. 4402916, is hereby designated for use in accounting for the above revenue transactions.

**SECTION 21.** The financial allocations in this ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the City Manager or the City Manager's designee, correct allocation to specific fund numbers, fund centers, cost centers, internal order numbers, and account numbers as necessary to carry out the purpose of this Ordinance.

**SECTION 22.** This ordinance shall be effective on October 1, 2005.

PASSED AND APPROVED this \_\_\_\_\_ day of September, 2005.

**M A Y O R**

ATTEST:

City Clerk

APPROVED AS TO FORM \_\_\_\_\_  
City Attorney