



Board Agenda Item 12

DATE: August 5, 2025

TO: Board of Supervisors

SUBMITTED BY: Paul Nerland, County Administrative Officer

SUBJECT: Amendment to Master Schedule of Fees - Section 4400 (Enterprise Zone Activities (CAO))

RECOMMENDED ACTION(S):

- 1. Conduct first hearing to amend the Master Schedule of Fees, Charges and Recovered Costs Ordinance by amending Section 4400 - Enterprise Zone Activities to rename Section 4400 to "Section 4400 - County Administrative Office," and adding Subsection 4402, Code Enforcement Hourly Rates, to adopt hourly rates for Code Enforcement activities, waive reading of the Ordinance in its entirety; and set the second hearing for August 19, 2025;**
- 2. Designate County Counsel to prepare a fair and adequate summary of the proposed Ordinance; and**
- 3. Direct the Clerk of the Board to post and publish the required summary in accordance with Government Code Section 25124(b)(1).**

There is no increase in Net County Cost (NCC) associated with the recommended actions. Approval of the recommended actions would revise the existing Master Schedule of Fees, Charges and Recovered Costs Ordinance (Ordinance), Section 4400 - Enterprise Zone Activities by renaming Section 4400 to broaden the scope of that section to include other County Administrative Office (CAO) rates, add Subsection 4402, Code Enforcement Hourly Rates, to allow for hourly rates for Code Enforcement activities, to ensure accurate cost recovery when that is allowed by law. This item is countywide.

ALTERNATIVE ACTION(S):

Your Board may direct Department staff not to adopt the hourly rates, change a portion of the hourly rates, or propose alternative hourly rates; however, these alternative costs may not recover the costs of service.

FISCAL IMPACT:

There is no increase in NCC associated with the recommended actions. The proposed adoption of the hourly rates, if approved by your Board, would ensure that cost recovery is accurate when Code Enforcement is authorized by law to seek recovery of its costs. These hourly rates will be billed to property owners who fail to remedy violations after the expiration of the Notice of Violation or Notice and Order to Abate a Public Nuisance and are intended to recover the cost of staff time incurred for continued enforcement actions taken after the notice period has lapsed. Those potentially recoverable costs may include, but are not limited to, investigation costs, enforcement costs, clerical and administrative costs to process paperwork, costs incurred to prepare and provide notices and prepare for and conduct administrative hearings, costs to physically abate violations, and costs for compliance monitoring.

DISCUSSION:

On December 3, 2024, your Board approved the establishment of a Code Enforcement Officer classification series and reclassified six existing Planner positions within the Department of Public Works and Planning. The purpose was to align job classifications with operational responsibilities and begin structurally separating code enforcement from planning functions. This action addressed recruitment and retention challenges and positioned the County to build a more specialized code enforcement workforce.

On March 11, 2025, your Board received a verbal presentation from the CAO on the status of the Code Enforcement Program, which had been operating under the CAO on a temporary basis. The Board approved direction for staff to proceed with the assignment of the program, staffing, and facility planning under the CAO.

On April 22, 2025, your Board approved the permanent transfer of the Code Enforcement Program to the CAO and authorized the addition of seven new positions, one Division Manager, one Staff Analyst I, and five Code Enforcement Officers to strengthen program oversight, improve responsiveness, and formalize the new organizational structure.

To fully implement and sustain the program, the recommended amendment to add Subsection 4402, Code Enforcement Hourly Rates, to Section 4400 of the Master Schedule of Fees ensures that Code Enforcement staff time can be reasonably and accurately measured for when cost recovery is allowed by law. The proposed hourly rates will be used to measure the cost of staff time for enforcement activities including, but not limited to, investigation, enforcement, clerical and administrative work, preparing and providing notices, preparing for and conducting administrative hearings, physically abating violations, and compliance monitoring. Additionally, renaming Section 4400 clarifies the broader scope of that section to include additional hourly rates for the CAO and make the section titles more consistent.

Hourly rates are set by staff classification to ensure an accurate cost recovery structure. This approach aligns fee collection with the actual personnel costs of those performing program-related work. These hourly rates will be billed to property owners who fail to remedy violations after the expiration of the Notice of Violation or Notice and Order to Abate a Public Nuisance and are intended to recover the cost of staff time incurred for continued enforcement actions taken after the notice period has lapsed. The hourly rates are separate from citation penalties under Fresno County Ordinance Code Chapter 1.13.030 in that these penalties are issued when a provision of the code has been violated and the property owner failed to abate within the period prescribed in the warning letter.

The cost assumptions and methodology were reviewed and approved by Auditor-Controller/Treasurer-Tax Collector to ensure compliance with applicable fiscal policies and cost recovery requirements. The adopted methodology reflects approved salary and benefits including a reasonable estimate of anticipated program costs for FY 2025-26 and will be re-evaluated following the close of FY 2025-26 to assess alignment with actual expenditures.

If the recommended actions are approved by your Board, the second hearing will be set for August 19, 2025. If your Board adopts the recommended hourly rates at the second hearing, the adopted hourly rates will take effect on September 19, 2025.

REFERENCE MATERIAL:

Item 8, April 22, 2025
Item 10, March 11, 2025
Item 51, December 3, 2024

ATTACHMENTS INCLUDED AND/OR ON FILE:

Ordinance
Attachment A - MSF Change Comparison
On file with Clerk - Ordinance Summary

CAO ANALYST:

Maria Valencia