



Board Agenda Item 15

DATE: July 10, 2018

TO: Board of Supervisors

SUBMITTED BY: Steven E. White, Director
Department of Public Works and Planning

SUBJECT: Amendment to Master Schedule of Fees - Public Works and Planning

RECOMMENDED ACTION(S):

- 1. Conduct first hearing to amend the Master Schedule of Fees, Charges, and Recovered Costs Ordinance by amending Sections 1000 - Computer Services (EMIS); 1500 - Parks and Recreation; and 2200 - Public Works; and waive reading of the ordinance in its entirety and set the second hearing for August 7, 2018; and**
- 2. Designate County Counsel to prepare a fair and adequate summary of the proposed ordinance and direct the Clerk of the Board to post and publish the required summary in accordance with Government Code Section 25124(b)(1).**

Approval of the recommended actions would revise existing fees in Master Schedule of Fees, Charges, and Recovered Costs (MSF) Sections 1000, 1500, and 2200 based on actual Department of Public Works and Planning costs. The fees are used for reimbursement of staff costs for projects requested by County departments and outside public agencies. In addition, the revision to Section 2200 provides fee exemptions associated with the issuance of certain permits under prescribed circumstances. This item is countywide.

ALTERNATIVE ACTION(S):

Your Board may direct staff to use current fees or propose alternative fees, which may not recover 100% of departmental staff costs and do not allow for exemptions in prescribed circumstances.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended actions. It is anticipated that with the fee rate amendments, the Department will ensure 100% cost recovery for salaries, benefits, and indirect costs. The proposed exemptions are cost neutral or no cost.

DISCUSSION:

The proposed fee rate changes ensure proper cost recovery for salary and benefits and indirect costs and have been reviewed and recommended for update in the MSF by the Auditor-Controller/Treasurer-Tax Collector to ensure 100% cost recovery.

Subsection 1001 - Staff Time under Section 1000 - Computer Services-EMIS, sets forth the hourly rate for requests from outside of the County for computer related services including parcel checks, map checks, and similar. The proposed decrease in the hourly rate is due to additional staffing, which has spread out the

cost. The current and proposed fee rates are included in Exhibit A.

Exhibit B includes the current and proposed fee rate changes to Subsection 1509 - Parks Staff under Section 1500 - Parks and Recreation. The hourly rates are used to charge outside public agencies and to estimate work for county departments for grant funded projects.

Exhibit C includes the current and proposed fee rate changes to Subsections 2201 - Inspection Services, 2204 - Road Improvement Permits, and 2205 - Miscellaneous Fees under Section 2200 - Public Works. On March 10, 2015, the Board approved an annual 10% increase to recover an estimated 48% shortfall in revenue for such services. The proposed fees will reduce the amount of Road Fund revenue being used.

Additionally, Exhibit C includes the current and proposed fee rate changes to Subsections 2207 - Capital Projects, 2208 - Admin Services - Resources, and 2209 - Development Services under Section 2200 - Public Works, which specify the hourly rate fees applied to projects requested by outside agencies, projects using tax-exempt bonds, and other special grant funded county department projects. Changes in some of the rates stem from changes to staffing composition within each job classification and are primarily due to increased salary and benefits costs.

The proposed ordinance does not modify the requirement to obtain listed permits; however, it adds Subsection 2210 - Exemptions, to provide fee exemptions associated with the issuance of certain permits under prescribed circumstances. Fees articulated under Subsection 2201 - Inspection Services "A. Encroachment Inspection Services" and under Subsection 2204 - Road Improvement Permits will not be imposed when the permit in question is associated with a project that is:

1. constructed pursuant to a cooperative project agreement between the County and another public agency, provided that the agency in question has adopted an ordinance or policy whereby it will provide a reciprocal exemption or waiver, as appropriate, of similar fees that otherwise would be charged to the County when mutually engaged with the County in a cooperative project; or,
2. improvement of county-owned or county-maintained facilities when such improvement is to be constructed by a contractor retained by the County of Fresno; or,
3. relocation, adjustment, improvement, or replacement of utility facilities when such work is requested by the County in connection with a project for the improvement of county-owned or county-maintained facilities.

In case No. 1, the proposed ordinance would provide an exemption to the listed fees when another public agency is performing improvements to county facilities pursuant to a cooperative agreement, as long as the agency in question provides a reciprocal exemption or its functional equivalent. This exemption eliminates the necessity of charging fees to another agency working on a county road, for example, in accordance with a cooperative agreement. Typically, such an agreement would provide that the County would reimburse the other agency for fees paid, and the County would effectively just be charging itself if fees were collected. Consequently, this proposed change would be cost-neutral

In case No. 2, the proposed ordinance would provide an exemption for contractors working for the County to apply for encroachment permits, but any fees collected from the contractor would ultimately be paid by the County as part of the contractor's bid price. Consequently, this proposed change would also be cost-neutral

In case No. 3, the proposed ordinance would provide an exemption to the relocation of utility facilities as a necessary prerequisite to a county project not be charged for associated permits. Generally, utilities are present in the right-of-way pursuant to franchise agreements, which require that utilities pay the County a portion of the revenues. Alternatively, utilities may be present in accordance with State Law, which prescribes the right to be located within the right-of-way. In either case, issuing no-fee permits ensures safety while facilitating relocation work that must be accomplished before county projects can commence.

Any costs associated with county inspection would be borne by the project in question, and there would be no Net County Cost associated with this exemption.

The specific circumstances under which an exemption will be applicable, such that the fees otherwise applicable under Subsection 2201 - Inspection Services - "A. Encroachment Inspection Services" and Subsection 2204 - Road Improvement Permits will not be imposed, shall be specified in a new Subsection 2210 - Exemptions, the language of which is reflected in Exhibit C.

The proposed fee rate changes will take effect 30 days after the second reading if adopted by your Board.

ATTACHMENTS INCLUDED AND/OR ON FILE:

Exhibits A-C - Proposed Rates
Exhibits A-C - Rate Change Comparison
Ordinance
On file with Clerk - Summary of Ordinance

CAO ANALYST:

Sonia M. De La Rosa