



Legislation Text

File #: 19-0663, Version: 1

HEARING - Chief Administrative Office, Airports & Cemeteries Division, Department of Transportation, Planning and Building Department, and Environmental Management Department recommending the Board adopt and authorize the Chair to sign the following:

- 1) Resolution **183-2019** entitled "Chief Administrative Office, Airports Division Fee Schedule," thereby rescinding prior Resolution 080-2019, May 21, 2019, with no change to fees. (Item 27).
- 2) Resolution **184-2019** entitled "Chief Administrative Office, Cemeteries Division Fee Schedule," thereby rescinding prior Resolution 080-2019, May 21, 2019 (Item 27).
- 3) Resolution **185-2019** entitled "Department of Transportation Fee Schedule and Policies and Procedures," thereby rescinding prior Resolution 080-2019, May 21, 2019 (Item 27).
- 4) Resolution **186-2019** entitled "Planning and Building Department Fee Schedule and Policies and Procedures," thereby rescinding prior Resolution 080-2019, May 21, 2019 (Item 27), and provide direction to staff on which of the following Appeal Fee options the Board would like to adopt:
Option A (staff recommendation): set the Appeal fee at \$943 and convert the base application to T&M to recover any costs associated with the Appeal beyond the initial \$943 Appeal fee;
Option B: set the Appeal fee at tiered amounts of \$943 for projects appealed to the Planning Commission and \$3,221 for projects appealed to the Board of Supervisors;
Option C: set the Appeal fee at \$3,221 (the average cost of an Appeal based on the 2014 fee study);
Option D: leave the Appeal fee at the current rate of \$239; or
Option E: set the Appeal fee at an amount deemed appropriate by the Board.
- 5) Resolution **187-2019** entitled "Environmental Management Fee Schedule and Policies and Procedures," thereby rescinding prior Resolution 080-2019, May 21, 2019 (Item 27), with either:
Option A: Rate increase per Fiscal Year (FY) 2018-19 approved rate multiplied by the FY 2015-16 time study; or
Option B: Rate increase per FY 2018-19 approved rate multiplied by the FY 2018-19 time study (Attachment V). (Est. Time 1.5 Hrs.)

FUNDING Fees for service.

DISCUSSION / BACKGROUND

On June 23, 2015 (Item 50) at a Board Workshop, Community Development Agency (CDA) presented the results of an Agency-wide fee study that included comparisons with other local jurisdictions, findings related to costs to provide services, policy considerations, potential new fees and Consolidated Policies and Procedures. Following the Workshop, the draft Consolidated Fee Schedule and draft Consolidated Fee Policies and Procedures developed by CDA were forwarded to the Chief Administrative Office (CAO), County Counsel and Auditor's offices for review of technical adequacy. Outside stakeholders were engaged in a collaborative review of the draft service fees and draft policies and procedures to ensure transparency and public input in the process.

On March 22, 2016 (Item 29) the CDA brought forth an agenda item recommending the Board approve and authorize the Chair to sign Resolution 049-2016 establishing a Consolidated Fee Schedule and Consolidated Fee Policies and Procedures and Adopting Fees for Agency Services, effective July 1, 2016. A public hearing was noticed and held on the matter. A motion was made to

approve staff's recommendations, with the exception of the automatic fee increase provision and Airport fees being set at full value. Subsequent to March 22, 2016, determination was made that the motion failed.

On April 5, 2016 (Item 46) in accordance with County Ordinance Code section 2.03.140, and upon recommendation by County Counsel, the Board voted to reconsider Item No. 29 from March 22, 2016, and adopted Resolution 063-2016 to rescind Resolution 049-2016, which had been inadvertently signed due to misinterpretation of the Board's March 22, 2016 vote.

On May 3, 2016 (Item 31), a Consolidated Fee Schedule and updated Fee Policies and Procedures for the El Dorado County, Community Development Agency were presented to the Board, as part of Resolution 079-2016. The Board adopted the implementing Resolution with the direction that the fee amount for Special Event Permits for Parades Involving Road Closures (Parade/Road Closure Permits) be reduced to reflect an initial submission fee of \$200, then reduced to \$100 for repeating parade events in subsequent years two through five.

On April 18, 2017, (Item 6), the El Dorado County Board of Supervisors adopted Ordinance 5051 reorganizing the Community Development Agency into separate departments. The Community Development Agency's Transportation Division is now referred to as the El Dorado County Department of Transportation. The Community Development Agency's Planning and Building Division and Long Range Planning Division is now referred to as the El Dorado County Planning and Building Department. The Community Development Agency's Environmental Management Division is now referred to as the El Dorado County Environmental Management Department. The Community Development Agency's Administration and Finance - Airports and Cemeteries Division is now referred to as the El Dorado County, Chief Administrative Office, Airports and Cemeteries Division.

On June 27, 2017, (Item 20), the Board adopted Resolution 105-2017 entitled "Resolution Establishing a Consolidated Fee Schedule and Consolidated Fee Policies and Procedures for El Dorado County Community Development Services and Adopting Fees for Services," thereby rescinding prior Resolution 079-2016 and reestablishing an updated Consolidated Fee Schedule without the Special Event Permit Fee for Parades Involving Road Closures, as well as updated Consolidated Fee Policies and Procedures, all reflecting minor language updates in recognition of the newly-organized Community Development Services, providing a "shared service model."

On May 21, 2019, (Item 27), the Board adopted Resolution 080-2019 entitled "Resolution Establishing a Consolidated Fee Schedule and Consolidated Fee Policies and Procedures for El Dorado County Community Development Services and Adopting Fees for Services," thereby rescinding prior Resolution 105-2017 and reestablishing an updated Consolidated Fee Schedule with changes made to the Airports Division only.

Each department has fee update recommendations for the Board, as follows:

CHIEF ADMINISTRATIVE OFFICE, AIRPORTS DIVISION

The Chief Administrative Office, Airports Division is recommending the Board adopt and authorize the Chair to sign Resolution **183-2019** entitled "Chief Administrative Office, Airports Division Fee Schedule," thereby rescinding prior Resolution 080-2019 adopted by the Board on May 21, 2019 (Item 27), entitled "Resolution Establishing a Consolidated Fee Schedule and Consolidated Fee

Policies and Procedures El Dorado County Community Development Services and Adopting Fees for Services.”

This new Airports Division Fee Schedule (Resolution Exhibit A) has been fully extracted from the former Fee Schedule Resolution 080-2019, reflecting no modifications or updates to fees.

CHIEF ADMINISTRATIVE OFFICE, CEMETERIES DIVISION

The Chief Administrative Office, Cemeteries Division is recommending the Board adopt and authorize the Chair to sign Resolution **184-2019** entitled “Chief Administrative Office, Cemeteries Division Fee Schedule,” thereby rescinding prior Resolution 080-2019 adopted by the Board on May 21, 2019 (Item 27), entitled “Resolution Establishing a Consolidated Fee Schedule and Consolidated Fee Policies and Procedures El Dorado County Community Development Services and Adopting Fees for Services.”

Chief Administrative Office, Cemeteries Division Fee Schedule (Resolution Exhibit A) has been extracted from the combined Resolution 080-2019 and has fee deletions, along with a fee addition per staff requests to offset General Fund costs where specific services are being provided. In accordance with previously established policies and procedures, a public hearing is being conducted simultaneously with the Board’s consideration of the revised fee schedules and resolutions.

DEPARTMENT OF TRANSPORTATION

The Department of Transportation is recommending the Board adopt and authorize the Chair to sign Resolution **185-2019** entitled “Department of Transportation Fee Schedule and Fee Policies and Procedures” (Resolution), thereby rescinding prior Resolution 080-2019 adopted by the Board on May 21, 2019 (Item 27), entitled “Resolution Establishing a Consolidated Fee Schedule and Consolidated Fee Policies and Procedures El Dorado County Community Development Services and Adopting Fees for Services.”

The Department of Transportation’s Fee Schedule (Resolution Exhibit A) has been extracted from the combined Resolution 080-2019 and has been updated to reflect the new approved Fiscal Year 2018-19 rates, multiplied by the number of hours it took to perform the service in the Fiscal Year 2015-16 study. Due to some hourly rate increases per job class, the Fee Schedule also includes some fee increases and decreases, as well as fee additions per staff requests to offset General Fund costs where project specific tasks are being performed. In accordance with previously established policies and procedures, a public hearing is being conducted simultaneously with the Board’s consideration of the revised fee schedules and resolutions.

Notable recommended changes include the following:

- An increase and decrease to the Department of Transportation’s fees due to the update of the CalTrans approved rates multiplied by the Fiscal Year 2015-16 hourly time study;
- The addition of an Ad Hoc category for a project when there is no other fee able to charge to a developer for work needing review;
- Abandonment of Easements (AOE) and Irrevocable Offer of Dedications (IOD) are assigned to the Surveyor’s Office and no fee is being collected to cover Transportation staff. In the previous fee study, it was thought that the Surveyor would collect a fee with enough to cover Transportation staff time, however this is not being done, therefore a Transportation fee for AOE’s and IOD’s is now

recommended;

- An increase in the General Vacation Fee from \$1,444 to \$1,500 and T&M to offset General Fund costs.
- The addition of a Public Facilities Financing Plan/Fiscal Impact Analysis Time and Materials Fee to provide the ability for County staff to charge applicants for the time to review these documents;
- An increase in the Appeal (Encroachments) Flat Fee from \$50 to \$230 to offset the General Fund cost associated with staff time to process an Appeal.

The Department of Transportation's Policies and Procedures (Resolution Exhibit B) has been extracted from the former Resolution 080-2019.

PLANNING AND BUILDING DEPARTMENT

The Planning and Building Department is recommending the Board adopt and authorize the Chair to sign Resolution **186-2019** entitled "Planning and Building Fee Schedule and Fee Policies and Procedures" (Resolution), thereby rescinding prior Resolution 080-2019 adopted by the Board on May 21, 2019 (Item 27), entitled "Resolution Establishing a Consolidated Fee Schedule and Consolidated Fee Policies and Procedures El Dorado County Community Development Services and Adopting Fees for Services."

The Planning and Building Department's Fee Schedule (Resolution Exhibit A) has been extracted from the combined Resolution 080-2019 and has been updated to reflect the new approved Fiscal Year 2018-19 blended rate, multiplied by the number of hours it took to perform the service in the Fiscal Year 2015-16 hourly time study. In accordance with previously established policies and procedures, a public hearing is being conducted simultaneously with the Board's consideration of the revised fee schedules and resolutions.

As a result of increased staffing costs and the requirement to comply with State Regulations, the Fee Schedule also includes some fee increases, as well as the addition of new fees to offset General Fund costs where project specific tasks are being performed.

Notable recommended changes include the following:

- An increase to the Planning Division hourly rate from \$119.27 to \$139.82 to adjust for increased staffing costs, increased CalPERS costs, A-87 costs, and director allocation;
- An increase to the Building Division hourly rate from \$108.88 to \$126.12 to adjust for increased staffing costs related to staffing costs, increased CalPERS costs, A-87 costs, and director allocation;
- The addition of a Mitigation Monitoring and Reporting Program/Condition of Approval Compliance Time and Materials Fee to recover the cost of staff time associated with ensuring compliance with Mitigation Measures and Conditions of Approvals pursuant to State regulations after a project has been approved (see Attachment M for staff analysis);
- The addition of Model Water Efficiency Landscape Ordinance Fees to provide a funding mechanism to recoup staff time associated with reviewing Model Water Efficiency Landscape plans pursuant to State regulation;
- The addition of a Public Facilities Financing Plan/Fiscal Impact Analysis Time and Materials Fee to provide the ability for County staff to charge Applicants for the time to review these documents; and
- Staff is asking the Board to review the time analysis regarding the Appeal (Planning Project) Fee provided. Staff is recommending an increase in the Appeal fee from \$239 to \$948, and Time and

Materials, to offset the General Fund cost associated with staff time to process an Appeal (see Attachment N for staff analysis). Five options are provided for Board consideration:

Option A (Staff recommendation): Increase the Appeal fee to \$943, and convert the base Application to T&M;

Option B: Appeal fee is tiered with two categories; \$943 for projects appealed to the Planning Commission and \$3,221 for projects appealed to the Board of Supervisors;

Option C: Set the fee at \$3,221 for full cost recovery;

Option D: Leave the Appeal fee at the current charge of \$239;

Option E: Set the Fee at another amount deemed appropriate by the Board, but not to exceed the cost of providing the service (\$3,221).

The Planning and Building Department Policies and Procedures (Resolution Exhibit B) has been extracted from the former Resolution 080-2019.

ENVIRONMENTAL MANAGEMENT DEPARTMENT

The Environmental Management Department (Environmental Management) is recommending the Board consider two (2) proposed fee increase options evaluated during the Fiscal Year 2018-19 Fee Increase study and adopt either Option A or Option B in order for Environmental Management to better recover costs of providing services to the public, and authorize the Chair to sign either Resolution **187-2019** with Option A or Resolution **187-2019** with Option B entitled "Environmental Management Fee Schedule and Fee Policies and Procedures" (Resolution), thereby rescinding prior Resolution 080-2019 adopted by the Board on May 21, 2019 (Item 27), entitled "Resolution Establishing a Consolidated Fee Schedule and Consolidated Fee Policies and Procedures El Dorado County Community Development Services and Adopting Fees for Services."

Option A

During the review and preparation of the Fiscal Year 2018-19 fee study and based on an in-depth review of labor rates, which included an increase due to increased costs associated with staffing, A-87, CalPERS, and overhead for general fund programs, the Chief Administrative Office, Community Development Finance and Administration worked with Environmental Management and determined that approximately a 4.6% increase to the hourly rates, as approved by the Auditor Controller, would be appropriate. It should be noted that the hourly rates for Environmental Management have not increased since the Fiscal Year 2015-16 fee study. This increase is also consistent with the rates of previously used and similar comparator counties, including Placer County, Butte County, Sacramento County, Yolo County, and Nevada County. Based on this analysis and comparison, the approved hourly rate of \$171.40 is slightly less than the average hourly rate of \$173.80. While this fee increase methodology (Option A) would result in the most minimal impact to the public, it would not fully recover costs associated with performing the services. While the proposed fee increase of approximately 4.6% is consistent with previously adopted fee increases, it does not accurately reflect the amount of staff time needed to perform the work required for these permits and/or services. During the Fiscal Year 2015-16 fee study, a comprehensive analysis of staff time and labor hours assigned to each permit and/or service was conducted using program element codes (PE Codes) from Environmental Management's time tracking and billing software program, EnvisionConnect; however, the initial data was determined to be inconclusive due to the various mitigating factors as detailed in the attached Staff Report (Attachment V).

Option B

Following the adoption of the Fiscal Year 2015-16 Fee Schedule and the inconclusive results of the

corresponding time study, Environmental Management has worked diligently to ensure that all staff time is directly attributable to conducting billable activities for each PE Code and is correctly accounted for and; therefore, feel that the current estimated average number of labor hours per PE Code represent an accurate amount of time needed to complete the work necessary for the issuance of permits or other respective services. As with Option A, the approved hourly rate for Fiscal Year 2018-19 of \$171.40 would be used as the base hourly rate, but various permit and/or service fees would be updated based on the current estimated average number of labor hours. This methodology would result in a net increase to many of the permit and/or service fees and fee revenue; however, there are also several fees that were reduced. Additional details and examples of the fee calculations are provided in the Staff Report (Attachment V). Additionally, calculations showing fee comparisons and estimated revenue increases for both Options A and B using a small sample of Environmental Management's permit and/or service fees is provided in Attachment W. A breakdown of a sample of the evaluated permit and/or services fees is provided to show fees that increased or decreased based on the Option B methodology, as well as fees that increased based on only the Option A methodology.

Environmental Management finds that in Option A, applying approximately a 4.6% increase to the base hours it takes to perform each service, from the Fiscal Year 2015-16 study, the department will recover some costs. Option B will adjust flat fees based on the updated average hours spent performing the service and will allow the department to better recover costs related to performing these services to the public and reduce the potential need for General Fund contributions.

Environmental Management's Fee Schedule (Resolution Exhibit A) for both Options A and B has been extracted from the combined Resolution 080-2019 and has been updated to reflect both options for the Board's consideration based on the new approved Fiscal Year 2018-19 blended rate. Environmental Management also made additions of new State-required inspections and added fees that are pass-through fees to the State and made some deletions of fees where no longer needed. In accordance with previously-established policies and procedures, a public hearing is being conducted simultaneously with the Board's consideration of the revised fee schedules and resolutions.

Environmental Management's Policies and Procedures (Resolution Exhibit B) for both Options A and B has been extracted from the former Resolution 080-2019.

ALTERNATIVES

The Board may also choose not to adjust fees for services at this time. However, this could affect the ability of the Departments to recover the cost to provide current services.

PRIOR BOARD ACTION

See Background/Discussion above.

OTHER DEPARTMENT AND/OR AGENCY INVOLVEMENT

County Counsel

CAO RECOMMENDATION

It is recommended that the Board approve this item.

FINANCIAL IMPACT

The proposed rates are based on cost recovery methodology in order that the affected programs

either run without a Net County Cost or a greatly reduced Net County Cost.

CLERK OF THE BOARD FOLLOW-UP ACTIONS

- 1) The Clerk of the Board will obtain the Chair's signature on the original Resolution.
- 2) The Clerk of the Board will forward one (1) copy of the signed Resolutions to each of the following departments: Chief Administrative Office, Airports and Cemeteries Division, Department of Transportation, Planning and Building Department, Environmental Management Department, for implementation.

STRATEGIC PLAN COMPONENT

Good Governance

CONTACT

Creighton Avila, Deputy Chief Administrative Officer
Chief Administrative Office, Airports and Cemeteries Division

Rafael Martinez, Director
Department of Transportation

Tiffany Schmid, Director
Planning and Building Department

Greg Stanton, Director
Environmental Management Department

Becky Morton, Chief Fiscal Officer
Chief Administrative Office, Community Development, Finance & Administration