



COUNTY OF SAN DIEGO

AGENDA ITEM

BOARD OF SUPERVISORS

NORA VARGAS
First District

JOEL ANDERSON
Second District

TERRA LAWSON-REMER
Third District

NATHAN FLETCHER
Fourth District

JIM DESMOND
Fifth District

DATE: May 4, 2021 and May 18, 2021

04

TO: Board of Supervisors

SUBJECT

NOTICE OF PUBLIC HEARING

AN ORDINANCE AMENDING THE SAN DIEGO COUNTY ADMINISTRATIVE CODE, ARTICLE XX, RELATING TO SAN DIEGO COUNTY FIRE CHARGES AND FEES (DISTRICTS: ALL)

OVERVIEW

To promote fire safety within the region, San Diego County Fire (County Fire) reviews residential and commercial projects to ensure compliance with the County Fire Code and California Fire Code. County Fire assesses charges and fees to recover its costs for this work, which are approved by the County Board of Supervisors (Board). The levies are charged to individuals or agencies applying for new residential and commercial building permits, tenant improvement permits, gate and grading permits, and special event permits. The Board last approved revisions to the fees and rates in Article XX of the San Diego County Administrative Code on December 3, 2013 (1).

County Fire recently conducted a review of fees and rates to ensure compliance with Board Policy B-29 (Fees, Grants, and Revenue Contracts – Department Responsibility for Cost Recovery), which requires County departments to recover the costs to provide services to agencies or individuals. As a result, County Fire is proposing actions that support the cost of providing County Fire services, while ensuring fee levels that are fair and equitable for customers and the public. A total of 20 County Fire fees and two rates, and associated costs, were reviewed, resulting in a proposed increase in 14 fees, a proposed increase in one rate, a proposed decrease in six fees, and the deletion of one rate. The Auditor and Controller reviewed and approved the supporting documentation and the methodology for establishing the fees in this proposal for Fiscal Year 2021-22.

Today's request is for the Board to consider an ordinance amending Article XX of the County Administrative Code related to fees for services provided by County Fire. If the Board takes this action as recommended, then on May 18, 2021, it may consider adoption of the proposed ordinance.

This action contributes to the *Live Well San Diego* vision by furthering activities that help make San Diego a more resilient community by ensuring that adequate fire protection and prevention measures are included in new residential and commercial development.

SUBJECT: AN ORDINANCE AMENDING THE SAN DIEGO COUNTY ADMINISTRATIVE CODE, ARTICLE XX, RELATING TO SAN DIEGO COUNTY FIRE CHARGES AND FEES (DISTRICTS: ALL)

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

On May 4, 2021:

1. Waive Board Policy B-29 (Fees, Grants and Revenue Contracts – Department Responsibility for Cost Recovery) as it relates to previously authorized fee waivers, such as structures damaged or destroyed by natural disaster, modifications to the homes of disabled veterans, and plan check and inspection fees for the Homeowner and Business Owner Relief Act permits.
2. Find the proposed project is exempt from the California Environmental Quality Act (CEQA) as specified under Section 15273 of the CEQA Guidelines and approve the findings in Attachment D pursuant to CEQA Guidelines Section 15273 (a)(1), which provides a statutory exemption for the establishment, modification, structuring, restructuring, or approval of rates, tolls, fares, or other charges by public agencies that the public agency finds are for the purpose of meeting operating expenses.
3. Approve the introduction of the Ordinance (first reading), read title, and waive further reading of the Ordinance:

AN ORDINANCE AMENDING THE SAN DIEGO COUNTY ADMINISTRATIVE CODE, ARTICLE XX, RELATING TO SAN DIEGO COUNTY FIRE CHARGES AND FEES (DISTRICTS: ALL)

If, on May 4, 2021, the San Diego County Board takes action as recommended, then on May 18, 2021, consider and adopt (second reading):

1. AN ORDINANCE AMENDING THE SAN DIEGO COUNTY ADMINISTRATIVE CODE, ARTICLE XX, RELATING TO SAN DIEGO COUNTY FIRE CHARGES AND FEES (DISTRICTS: ALL)

FISCAL IMPACT

Funds for this request will be included in the Fiscal Years 2021-22 CAO Recommended Operational Plan, San Diego County Fire. If approved, this request will result in an estimated increase in revenue of \$36,270 in Fiscal Year 2021-22. The proposed fees ensure full cost recovery for services related to fire plan reviews, inspections, and other technical work, with certain exceptions for which a waiver of Board Policy B-29 is requested. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

The proposed fees and rates will have an impact on the business community within the San Diego County Fire Protection District and fire protection districts or municipal water districts that contract with County Fire to provide fire plan reviews and inspections. Services have previously been provided to individual applicants without full cost recovery. The proposed levies have been

SUBJECT: AN ORDINANCE AMENDING THE SAN DIEGO COUNTY ADMINISTRATIVE CODE, ARTICLE XX, RELATING TO SAN DIEGO COUNTY FIRE CHARGES AND FEES (DISTRICTS: ALL)

found to be fair and comparable with those assessed by other agencies for similar services. Attachment F – Regional Comparison of Major Fee Types compares County Fire’s proposed fees to those in neighboring Fire Protection Districts and County Fire Departments.

ADVISORY BOARD STATEMENT

The rates and fees in the proposed ordinance were presented to the Fire Advisory Board (Advisory Board) on April 19, 2021 (1). The Advisory Board voted unanimously in support of the proposed fee schedule as presented.

BACKGROUND

San Diego County Fire (County Fire) is committed to maintaining the highest quality work product and customer service at the most efficient cost. Staff continually evaluate opportunities to streamline and improve processes, utilizing new technology as it becomes available. At the same time, County Fire periodically evaluates the fees and rates it charges to align with current costs, as required under the San Diego County Board of Supervisors (Board) Policy B-29 (Fees, Grants, and Revenue Contracts—Department Responsibility for Cost Recovery).

County Fire recently conducted a review of twenty (20) fees and two (2) rates, and associated costs, to ensure cost recovery for services provided. County Fire’s fees are charged to individuals, groups, or agencies within the San Diego County Fire Protection District, as well as to fire protection districts or municipal water districts that contract with County Fire to provide fire plan reviews and inspections. County Fire analyzed the services it provides to customers, including the tasks and functions performed as part of the service, and any direct and indirect costs. The analysis focused on services that directly benefit an individual or group within the San Diego County Fire Protection District and contracted fire protection districts or municipal water districts. The analysis excluded services that benefit the public at large, such as annual inspections of businesses and schools, that ensure the public is safe when visiting stores, restaurants, and schools. County Fire established criteria to determine a fair and equitable fee for direct services provided by ensuring that very large projects do not unjustly influence the cost of these charges and fees.

Based on this review, County Fire proposes changes to the levies, detailed in Attachment E – Summary of Proposed Fee Schedule. The proposed fees and rates are intended to match anticipated operational expenses, including wage rates and fringe benefit costs for County employees assisting with the review and approval of applications submitted to the County. The Auditor and Controller has reviewed and approved the supporting documentation and the methodology for establishing the fees in this proposal for FY 2021-22. On average, the changes would increase levies \$42, or 24%, over previous levels. The proposed changes and bases are as follows:

- Decreases to six (6) plan review fees
 - The proposed fee decreases are a result of decreases in operational costs from streamlining internal processes and procedures within County Fire.
 - Note: These fees include the Special Event/Fire Plan Review fee. On May 5, 2020 (16) the Board took action to defer fees related to the special events industry and on May 4, 2021, will consider a proposal to waive these fees through Fiscal Year 2021-22. Should the Board take action to waive these fees, the Special Event/Fire

SUBJECT: AN ORDINANCE AMENDING THE SAN DIEGO COUNTY ADMINISTRATIVE CODE, ARTICLE XX, RELATING TO SAN DIEGO COUNTY FIRE CHARGES AND FEES (DISTRICTS: ALL)

Plan Review fee will not be charged to permit applicants through June 30, 2022, unless reinstated by an action of the Board.

- Increases to fourteen (14) plan review and inspection fees
 - The proposed fee increases are based on the increasing complexity of fire and life protection systems and associated time required to inspect and ensure proper construction and operation of these systems.
 - Note: These fees include the Special Event/Fire Inspection fee. On May 5, 2020 (16) the Board took action to defer fees related to the special events industry and on May 4, 2021, will consider a proposal to waive these fees through Fiscal Year 2021-22. Should the Board take action to waive these fees, the Special Event/Fire Inspection fee will not be charged to permit applicants through June 30, 2022, unless reinstated by an action of the Board.
- An increase to the Fire Prevention Specialist (FPS) rate
 - The proposed rate increase is based on negotiated salary and benefit increases, as well as indirect costs, for the Fire Prevention Specialist position. This proposed rate may be charged when (1) a specific fee for a project is not listed in the fee schedule, (2) a project requires specialized work, or (3) the Fire Code Official approves a request for service outside normal business hours, in which case the rate would be charged at one and a half times the standard rate. In addition, this rate is included in the methodology that is used to produce a contracted rate with fire protection districts or municipal water districts that contract with County Fire for these services.
- The removal of the Geographic Information Systems Analyst rate
 - The removal of this rate is due to County Fire no longer having a budgeted position for Geographic Information Systems Analyst.

If approved by the Board, the proposed updates to County Fire's fees would take effect in Fiscal Year (FY) 2021-22. Worksheets explaining the basis for each fee are available for public review in accordance with Government Code section 66016.

ENVIRONMENTAL STATEMENT

The proposed project is exempt under California Environmental Quality Act Guidelines Section 15273 because it modifies and restructures charges by a public agency that are for the purpose of meeting operating expenses, including employee wage rates and fringe benefits.

LINKAGE TO THE COUNTY OF SAN DIEGO STRATEGIC PLAN

Today's proposed actions support the Living Safely Strategic Initiative in the County of San Diego's 2021-2026 Strategic Plan by supporting activities that make San Diego the most resilient community in America and the safest urban county in the nation. The actions will ensure that adequate fire protection and prevention measures are included in new residential and commercial development. Periodically reviewing San Diego County Fire services and related fees ensures that the County is optimizing its operational delivery system to ensure efficiency, integration and innovation while maintaining fiscal stability.

Respectfully submitted,

SUBJECT: AN ORDINANCE AMENDING THE SAN DIEGO COUNTY
ADMINISTRATIVE CODE, ARTICLE XX, RELATING TO SAN DIEGO
COUNTY FIRE CHARGES AND FEES (DISTRICTS: ALL)



HELEN N. ROBBINS-MEYER
Chief Administrative Officer

ATTACHMENT(S)

ATTACHMENT A: An Ordinance Amending the San Diego County Administrative Code, Article XX, Relating to San Diego County Fire Charges and Fees (Clean Copy)

ATTACHMENT B: An Ordinance Amending the San Diego County Administrative Code, Article XX, Relating to San Diego County Fire Charges and Fees (Informational Copy)

ATTACHMENT C: Notice of Public Hearing

ATTACHMENT D: CEQA Section 15273 Findings

ATTACHMENT E: Summary of Proposed Fee Schedule

ATTACHMENT F: Regional Comparison of Major Fee Types

SUBJECT: AN ORDINANCE AMENDING THE SAN DIEGO COUNTY
ADMINISTRATIVE CODE, ARTICLE XX, RELATING TO SAN DIEGO
COUNTY FIRE CHARGES AND FEES (DISTRICTS: ALL)

AGENDA ITEM INFORMATION SHEET

REQUIRES FOUR VOTES: ☐ Yes ☒ No

WRITTEN DISCLOSURE PER COUNTY CHARTER SECTION 1000.1 REQUIRED

☐ Yes ☒ No

PREVIOUS RELEVANT BOARD ACTIONS:

December 3, 2013 (1) Adopt an Ordinance Amending “The San Diego County Administrative Code Relating To The Establishment Of San Diego County Fire Authority Fees And Charges”

BOARD POLICIES APPLICABLE:

B-29 Fees, Grants, Revenue Contracts—Department Responsibility for Cost Recovery

BOARD POLICY STATEMENTS:

Board Policy B-29 mandates that departments seek to recover the full cost, to the extent legally possible, of all services provided to agencies or individuals outside of the County of San Diego through grants, contracts or, where they may be charged, fees. Reimbursement through grants, contracts or fees will be for the full cost of all services, with certain exceptions approved by the Board of Supervisors.

A waiver of Board Policy B-29 is requested to continue previously directed fee waivers, including fees for rebuilding structures damaged or destroyed by natural disasters, Homeowner and Business Owner Relief Act permits, and accessibility modifications made to the homes of disabled veterans.

MANDATORY COMPLIANCE:

N/A

**ORACLE AWARD NUMBER(S) AND CONTRACT AND/OR REQUISITION
NUMBER(S):**

N/A

ORIGINATING DEPARTMENT: San Diego County Fire

OTHER CONCURRENCE(S): Auditor and Controller

CONTACT PERSON(S):

Herman Reddick

Name

858-974-5813

Phone

Herman.Reddick@sdcounty.ca.gov

E-mail

Craig Schaffer

Name

858-495-5434

Phone

Craig.Schaffer@sdcounty.ca.gov

E-mail

SUBJECT: AN ORDINANCE AMENDING THE SAN DIEGO COUNTY
ADMINISTRATIVE CODE, ARTICLE XX, RELATING TO SAN DIEGO
COUNTY FIRE CHARGES AND FEES (DISTRICTS: ALL)