County of San Diego Board of Supervisors
AGENDA ITEM INFORMATION SHEET

AGENDA ITEM SUBJECT/TITLE:
COST RECOVERY PROPOSAL TO ADOPT ORDIANCES RELATED TO FEES AND DEPOSITS IN THE DEPARTMENT OF ENVIRONMENTAL HEALTH AND QUALITY EFFECTIVE FISCAL YEAR 2024-25 AND CEQA EXEMPTION (5/1/2024 - FIRST READING; 5/22/2024 - SECOND READING UNLESS ORDINANCE IS MODIFIED ON SECOND READING) (DISTRICTS: ALL)

REQUIRES FOUR VOTES:	**Yes** ☐	**No** ☑
WRITTEN DISCLOSURE PER COUNTY CHARTER SECTION §1000.1 REQUIRED:	**Yes** ☐	**No** ☑
NOTICED PUBLIC HEARING REQUIRED:	**Yes** ☑	**No** ☐
PROJECT UNDER CEQA:	**Yes** ☐	**No** ☑
If Yes, approval of CEQA document required?	**Yes** ☐	**No** ☑
DECISION WITHIN GOVERNMENT CODE SECTION 84308:	**Yes** ☐	**No** ☑

PREVIOUS RELEVANT BOARD ACTIONS:
May 24, 2023 (2), Approval of fee adjustment effective FY2023-24 and associated ordinance revisions introduced on May 3, 2023 (10); April 27, 2022 (8), Approval of fee adjustments effective FY 2022-23 and associated ordinance revisions introduced on April 6, 2022 (7); May 19, 2021 (4), Approval of fee adjustments effective FY 2021-22 and associated ordinance revisions introduced on May 5, 2021 (1); April 7, 2021 (3), Directed staff to return with alternative funding options to offset fee increases, and adopted a resolution and directed the CAO to notify the State Water Resources Control Board of the County's intent to return the Small Drinking Water Systems Program to the State; May 1, 2019 (5), Approval of fee adjustments effective FY 2019-20 and associated ordinance revisions introduced on April 10, 2019 (6); April 25, 2018 (1), Approval of fee adjustments effective FY 2018-19 and associated ordinance revisions introduced on April 18, 2018 (2); May 3, 2017 (2), Consideration and adoption of fee adjustments for the small drinking water system and cottage food programs effective FY 2017-18 and associated ordinance revisions introduced on April 25, 2017 (30); March 22, 2017 (5), Approval of fee adjustments effective FY 2017-18 and associated ordinance revisions introduced on March 15, 2017 (1); July 14, 2010 (7), Approval of fee adjustments effective FY 2010-11 and associated ordinance revisions introduced on June 30, 2010 (1); September 19, 2007 (17), Approval of amendments to the San Diego Code of Regulatory Ordinances Related to the Department for Environmental Health introduced on August 1, 2007(2); May 16, 2007 (9), Approval of fee adjustments effective FY 2007-08 and Fiscal Year 2008-09 and associated ordinance revisions introduced on April 25, 2007 (2); April 5, 2006 (31), Approved revisions to Title 6 of the County Code of Regulatory Ordinances relating to small drinking water system fee adjustments effective FY 2006-07 through FY 2008-09 introduced on March 1, 2006 (7); February 24, 2004 (23), Establishment of Department of Environmental Health reserve designation; February 12, 2003 (12), Approval of revisions to Title 6 of the County Code of Regulatory Ordinances relating to hazardous materials, underground storage tank and medical waste fee adjustments effective FY 2002-03 through FY 2005-06 introduced on January 29, 2003 (2); December 11, 2002 (25), Approval of revisions to Title 6 of the County Code of Regulatory Ordinances relating to food and housing and fee adjustments effective FY 2002-03 through FY 2005-06 introduced on December 4, 2002 (1); April 4, 2001 (21) Approval of fee adjustments and associated ordinance revisions for FY 2001-02 introduced on March 14, 2001 (3); November 12, 1996 (25), Adopted revisions to Title 6 of the County Code of Regulatory Ordinances related to solid waste local enforcement agency fees introduced on November 5, 1996 (9); May 14, 1996 (30), Approval of fee adjustments and associated ordinance revisions introduced on May 7, 1996 (6); July 20, 1993 (57), August 4, 1992 (31/32), June 18, 1991 (75), August 7, 1990 (26), July 5, 1989 (37), June 21, 1988 (72) and May 12, 1987 (101), Approval of Environmental Health Services Fee Ordinance Amendment; May 27. 1986 (65) and June 18, 1985 (116), Adopted fee revisions for environmental health protection; May 8, 1984 (38/39) Approval of ordinances related to an exemption and refund of health permit fees for nonprofit organizations introduced on May 1, 1984 (1); November 11, 1983 (88), Waived Board Policy B-29 and directed staff to prepare ordinances that exempt nonprofit health permit fees.

BOARD POLICIES APPLICABLE:
B-29 Fees, Grants, Revenue Contracts - Department Responsibility for Cost Recovery

BOARD POLICY STATEMENTS:
Board Policy B-29 mandates that departments recover the full cost of all services provided to agencies or individuals outside the County of San Diego organization. Reimbursement by fees, contracts, and grants 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: *Fees, Grants, Revenue Contracts - Department Responsibility for Cost Recovery* (Board Policy B-29) is requested because the proposed fees do not cover all operating costs in the food, body art, organized camps, state small water systems and hazardous materials program fees. The total unrecovered cost, per Board Policy B-29, for permit fees that are not full cost recovery is $1,129,714, and if approved, will be funded with $528,121 in restricted General Fund fund balance, $34,500 in 1991 Health Realignment revenue, and $567,093 from the Environmental Health Trust Fund.

Additionally, a waiver of Board Policy B-29 is requested to continue to reduce fees for food, housing, pool, and temporary event permits requested by nonprofit organizations. The total unrecovered cost per Board Policy B-29 for these waivers is approximately $450,000in DEHQ for FY 2024-25, and if approved, will be funded with existing General Purpose Revenue.

Inclusive of all funding sources and programs, the total unrecovered cost per Board Policy B-29 for DEHQ in FY 2024-25 is $1,579,714. In future fiscal years, DEHQ will return to the Board to identify any unrecovered costs and funding sources. There will be no additional staff years.

MANDATORY COMPLIANCE:
N/A

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

ORIGINATING DEPARTMENT: Environmental Health and Quality

OTHER CONCURRENCE(S): N/A

INTERNAL REVIEW COMPLETED: **YES** ☑ **NO** ☐ Madison O'Barr Digitally signed by Madison O'Barr Date: 2024.04.17 15:40:51 -07'00'

Signature

CONTACT PERSON(S):

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