



# County of Monterey

Board of Supervisors  
Chambers  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901

## Board Report

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**File #:** 12-107, **Version:** 1

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Adopt Resolution amending Article I.e. of the Monterey County Master Fee Resolution effective July 1, 2012, to add and adjust certain fee categories relating to oversight and services provided by the Health Department's Environmental Health Bureau pursuant to the attached Fee Schedule.

### RECOMMENDATION:

It is recommended that the Board of Supervisors:

Approve a resolution amending Article I.e. of the Monterey County Master Fee Resolution effective July 1, 2012, to add and adjust certain fee categories relating to oversight and services provided by the Health Department's Environmental Health Bureau pursuant to the attached Fee Schedule.

### SUMMARY:

Environmental Health is proposing amendments to Article I.e. the Master Fee Resolution to add and adjust certain fee categories relating to Environmental Health (EH) oversight and services. The new fee categories and adjustments of existing fees reflect the time analysis and recapture of costs associated with certain inspections, without exceeding the reasonable and actual costs of those services and the benefits received by the recipient.

### DISCUSSION:

Time analysis of certain inspection activities by EH staff has shown that the cost of providing the services significantly exceeds the costs that can be recaptured by existing fee categories. Staff made use of accurate daily activity reports, routinely recorded by inspectors throughout the prior year, to analyze time spent completing certain inspection types. The results support the requested adjustments as appropriate.

For these undervalued services, new fee categories are proposed to recover as close to, while not exceeding, 100% of the associated costs of the regulatory service for which the fee is generated. The proposed fees are only to help recapture costs associated with the specifically related regulatory service for which the fee is imposed, not to supplement the County costs of any non-fee generating services or activities:

- "Permit for construction or repair of OWTS (Onsite Wastewater Treatment Systems) on slopes greater than 20%" (\$1,788.00 each) to be used when the definition is met, instead of "New / replacement conventional OWTS" (\$1,043.00 each)
- "Permit for construction of commercial non-municipal sewage treatment facility with flow less than 10,000 gpd (gallons per day), up to 27 hours" (\$3,576.00 each, plus approved hourly rate above 27 hours) to be used when the definition is met, instead of "New / replacement alternative OWTS" (\$1,788.00 each)
- "Permit for construction of commercial non-municipal sewage treatment facility with flow 10,000 gpd or greater, up to 41 hours" (\$5,364.00 each, plus approved hourly rate above 41 hours) to be used when the definition is met, instead of "New / replacement alternative OWTS" (\$1,788.00 each)
- "Staff witness water well seal placement on Saturday, Sunday or Health Department staff holiday" (\$195.00 each) to be used when the definition is met, in addition to the existing applicable water well construction fee.

- “Body Art Facility Plan Check” (Approved hourly rate; 2 hour minimum each)

Additionally, a change in fee category is required by Assembly Bill 300 (AB 300) which requires that ear piercing facilities be assessed a one-time notification fee of no more than \$45.00 until 2015:

- “Ear Piercing Facility Notification” (\$45.00 each), to replace “Ear Piercing Facility Permit” (\$100.00 each)

Changes in terminology previously used in the Master Fee Resolution are also proposed, but do not affect the associated fees previously approved by the Board.

In reference to Body Art fees, the following changes are proposed to reflect terminology used in AB 300:

- Change “Operator Card” to “Operator Registration”
- Change “Temporary Operator Card” to “Temporary Operator Registration”

In reference to Food Facility permits, the following changes are proposed to reduce the erroneous perception that eating at any particular food facility is “riskier” than another, and to more accurately reflect the frequency of health inspections:

- Change “Risk 1” to “Tier 1” in those fee categories where that term was previously approved
- Change “Risk 2” to “Tier 2” in those fee categories where that term was previously approved
- Change “Risk 3” to “Tier 3” in those fee categories where that term was previously approved

If the requested fee adjustments are approved the new fees would become effective July 1, 2012, and would be reflected in the invoices generated for the Fiscal 2012-13 annual permit renewals cycle and for any payments received for that cycle. The copy of the proposed fee adjustments is on file with the Clerk to the Board.

#### OTHER AGENCY INVOLVEMENT:

The Office of the County Counsel has reviewed, and approved as to form and legality, the proposed resolution and amendment to the Monterey County Master Fee Resolution, Article I.e.

#### FINANCING:

The recommended fee adjustments are intended to recapture the costs associated with the provision of the indicated regulatory services and inspections, and do not exceed actual costs for providing these services. As such, the fees represent a charge imposed for the specific regulatory service provided directly to the payor that is not provided to those not charged, and which does not exceed the reasonable costs to the County for providing the regulatory service. Anticipated revenues resulting from proposed fee adjustment are included in the FY 2012-13 Recommended Budget. The proposed fees provide recapture of regulatory services costs, without generating additional revenue, to assure that the programs remain revenue neutral with no additional

impact on the County's General Fund Contribution to the Department.

Prepared by: Cindy Reagan, Finance Manager, 4528

Approved by: Ray Bullick, Director of Health, 4526

**Attachments:**

Attachment A - Article I.e. Fee Schedule [clean] (on file with the Clerk to the Board)\

Attachment B - Article I.e. Fee Schedule [strike through] (on file with the Clerk to the Board)

Resolution amending Monterey County Master Fee Schedule