

ORDINANCE NO. FCD ~~2424~~2425-__

An ordinance of the San Bernardino County Flood Control District, State of California, to repeal Ordinance No. FCD ~~2324~~2324-01 and to establish fees related to products and services.

The Board of Supervisors of the San Bernardino County Flood Control District, State of California, ordains as follows:

SECTION 1. Effective July 1, ~~2024~~2025, Ordinance No. FCD ~~2324~~2324-01 is repealed.

SECTION 2. Effective July 1, ~~2024~~2025, the fees for the San Bernardino Flood Control District, State of California, shall be:

(a) Permits and permit amendments:

(1) Minor construction:

(A) Definition: utilities (parallel up to 100', site, non-parallel); general and miscellaneous; small side drain connection (maximum 4'x4' reinforced concrete box (RCB) or 48" diameter reinforced concrete pipe (RCP)); soil/geotechnical boring:

(I) Filing fee\$313.00 (non-refundable)

(II) Review fee (for each connection)Actual Cost
..... as described in (h) herein (non-refundable)

Review fee initial deposit ~~\$2,700~~\$2,850.00

(III) Inspection fee (for each connection).....Actual Cost
..... as described in (h) herein (non-refundable)

Inspection fee initial deposit..... ~~\$1,150~~\$1,075.00

(2) General and miscellaneous use:

(A) Permit amendments:

- 1 (I) Administrative amendment
2 (for each requested change)..... \$307.00
3 (changes include name change, site change and time
4 extension)
- 5 (B) Confined space video inspection..... Actual Cost as described
6in (h) herein
7 Confined space video inspection initial deposit \$1,300.00
- 8 (C) Monthly land use fee for San Bernardino County Flood
9 Control District property. Minimum \$600/month for area up to
10 1 acre. Fee prorated above 1 acre \$600.00/acre/month
- 11 (D) Long term encroachment permit:
- 12 (I) Definition: Long term encroachments are site
13 encroachments initially installed under a minor or major
14 permit but involve more permanent structures such as
15 a well site.
- 16 (II) Renewal fee (non-refundable) \$307.00
- 17 (III) Annual Inspection Fee:
18 Applicable each anniversary date for any permit
19 extending past 1 year term.
- 20 (i) Initial Site \$1,062.00
21 (ii) Each Additional Site (within one mile radius) .. \$256.00
- 22 (IV) Late fee (for annual billings)(non-refundable) \$293.00
23 plus 1.5% per month
- 24 **NOTE:** If any Long Term Encroachment Permit fees are not paid
25 when due and payable, permittee shall pay to the District an
26 additional two hundred and ninety-three dollars (\$293.00) for each
27 fee due as an administrative processing charge. Fees not paid when
28 due shall bear interest from the date due at the rate of one and one-

- 1 half percent (1.5%) per month.
- 2 (E) Minor temporary ingress.....\$153.00 (non-refundable)
- 3 (3) Major construction:
- 4 (A) Filing fee.....~~\$712~~598.00 (non-refundable)
- 5 (B) Review fee...Actual cost as described in (h) herein (non-refundable)
- 6 Review fee initial deposit..... ~~\$6,800~~7,225.00
- 7 (C) Inspection fee Actual cost as described in (h) herein
- 8 Inspection fee initial deposit ~~\$3,500~~3,675.00
- 9 (4) Community Benefit:
- 10 (A) Definition: Community Benefit permits are permits needed
- 11 when community groups and individuals want access to
- 12 facilities for litter removal, graffiti removal or other beneficial
- 13 reasons:
- 14 (I) Filing fee No fee
- 15 (5) Non-obstructive existing encroachment (5 year term):
- 16 (A) Definition: Non-obstructive existing encroachments are
- 17 encroachments where the encroachment does not interfere
- 18 with the operation and maintenance of the facility and has
- 19 been in existence for over 10 years:
- 20 (I) Filing fee No fee
- 21 (6) Soil removal or select disposal (goods and services):
- 22 (A) Under 50 cubic yards:
- 23 (I) Borrow\$114.00 (non-refundable)
- 24 (II) Aggregate Material for Flood protection group permits:
- 25 Definition: Aggregate Material for Flood protection
- 26 group permits are permits for community and fire
- 27 agencies who request material for sandbags and pick
- 28 up the material themselves:

- 1 (a) Filing fee No fee
- 2 (B) 50 cubic yards to 100 cubic yards:
- 3 (I) Borrow\$199.00 (non-refundable)
- 4 (C) 101 cubic yards to and including 10,000 cubic yards:
- 5 (I) Filing fee\$427.00 (non-refundable)
- 6 (II) Inspection fee:
- 7 (i) Borrow\$1.50/cu. yd. (non-refundable)
- 8 (D) Permit fees for sand and gravel removal over 10,000 cubic
- 9 yards shall be set by competitive market conditions as
- 10 determined by bids or proposals. In addition, a filing and
- 11 inspection fee will apply as follows:
- 12 (I) Filing fee\$541.00 (non-refundable)
- 13 (II) Inspection fee:
- 14 (i) Borrow Actual cost as described in
- 15 subdivision (h) herein
- 16 Inspection fee initial deposit..... \$2,500.00
- 17 (7) Apiary rental site on property\$1.00/colony
- 18 (A) Apiary rental site on property minimum fee\$100.00
- 19 **NOTE:** In addition to the apiary rental fee, the San Bernardino County Flood
- 20 Control District requires a Minor Temporary Ingress permit to be obtained
- 21 prior to being granted access to District property as identified in Section
- 22 (a)(2)(E).
- 23 (8) San Bernardino County Flood Control District land use with Board
- 24 of Supervisors approval:
- 25 (A) Filing fee.....\$680.00 (non-refundable)
- 26 **NOTE:** San Bernardino County Flood Control District land use permits will
- 27 be negotiated as leases on an individual basis. Existing land use permits
- 28 will be reissued as leases upon expiration of the permit.

- 1 (b) Reproduction services:
 - 2 (1) Maps, exhibits and plans:
 - 3 (A) Prints \$1.00/sq. ft.
 - 4 (B) Plotting service \$1.50/sq. ft. (3 sq. ft. min.)
 - 5 (2) Miscellaneous documents:
 - 6 (A) Black and white copies:
 - 7 (I) 8-1/2 inches x 11 inches \$0.10/page
 - 8 (II) 8-1/2 inches x 14 inches \$0.10/page
 - 9 (III) 11 inches x 17 inches \$0.15/page
 - 10 (B) Color copies:
 - 11 (I) 8-1/2 inches x 11 inches \$1.30/page
 - 12 (II) 8-1/2 inches x 14 inches \$1.40/page
 - 13 (III) 11 inches x 17 inches \$1.50/page
 - 14 (3) Unless a different fee is authorized in this Code or by law, a fee shall be
15 charged for the scanning of architectural plans, or similar plans or drawings,
16 for the purpose of submitting electronic plans or drawings to the District for
17 plan review purposes as part of a development permit application or similar
18 application.
 - 19 (A) First scanned page \$10.00
 - 20 (B) Each additional scanned page \$5.00
- 21 (c) Flood hazard analysis \$1,749.00/report
- 22 (d) Hydrologic-climatological research \$57.00/half-hour
 - 23 (1) Transfer of data (CD/DVD) \$15.00 each
- 24 (e) Mapping services:
 - 25 (1) Digital data preparation \$28.00/quarter hour (1/4 hour min.)
 - 26 (2) Digital data on CD \$15.00/order
- 27 (f) Area drainage plan fees:
 - 28 (1) Upper Etiwanda area \$9,790.00/acre

- 1 (2) San Sevaine Creek area \$4,405.00/acre
- 2 (3) Comprehensive Storm Drain Plan #3, Project 3-5 \$7,159.00/acre
- 3 (g) Surplus property:
- 4 (1) Application fee (non-refundable) \$1,189.00
- 5 (2) Appraisal review and administration..... Actual Cost as described
- 6 in (h) herein (non-refundable)
- 7 Appraisal review and administration fee initial deposit..... \$5,250.00
- 8 Potential purchaser will be responsible for providing all property boundary
- 9 surveys, legal descriptions and appraisals of the property. The San
- 10 Bernardino County Flood Control District will review the survey work,
- 11 prepare the grant deed and work with the Real Estate Services Department
- 12 to prepare the resolution and Board agenda item for declaring the property
- 13 surplus and seek Board of Supervisors' approval of the transaction. These
- 14 fees are in addition to the requirement that the purchaser pay fair market
- 15 value for the property.
- 16 (h) Actual cost calculation as identified in Sections (a)(1)(A)(II), (a)(1)(A)(III), (a)(2)(B),
- 17 (a)(3)(B), (a)(3)(C), (a)(6)(D)(II)(i) and (g)(2) of this ordinance.
- 18 (1) Actual cost is the sum of:
- 19 (A) The products of multiplying the time spent on the project by
- 20 the San Bernardino County Flood Control District personnel
- 21 by the applicable hourly charge rates; and
- 22 (B) Mileage charges; and
- 23 (C) Any other costs incurred by the District in processing the project.
- 24 (2) Hourly charge rates and mileage rates:
- 25 (A) Schedule of Charges:
- 26 Personnel Classification..... Hourly Rate
- 27 (I) Administrative Assistant \$69.00
- 28 ~~(II)~~ Construction Equipment Worker..... \$6771.00

1	(II) <u>(III)</u>	Cultural Resources Specialist	\$ 144 <u>147</u> .00
2	(III) <u>(IV)</u>	Ecological Resource Specialist	\$ 109 <u>110</u> .00
3	(IV) <u>(V)</u>	Engineer I	\$ 96 <u>99</u> .00
4	(V) <u>(VI)</u>	Engineer II	\$143.00
5	(VI) <u>(VII)</u>	Engineer III	\$ 147 <u>155</u> .00
6	(VII) <u>(VIII)</u>	Engineer Trainee	\$ 88 <u>92</u> .00
7	(VIII) <u>(IX)</u>	Engineering Manager	\$ 211 <u>221</u> .00
8	(IX) <u>(X)</u>	Engineering Technician II	\$ 81 <u>84</u> .00
9	(X) <u>(XI)</u>	Engineering Technician III	\$ 95 <u>100</u> .00
10	(XI) <u>(XII)</u>	Engineering Technician IV	\$ 111 <u>114</u> .00
11	(XII) <u>(XIII)</u>	Engineering Technician V	\$ 130 <u>131</u> .00
12	(XIII) <u>(XIV)</u>	Equipment Operator	\$ 85 <u>86</u> .00
13	(XIV) <u>(XV)</u>	Equipment Parts Specialist	\$ 106 <u>109</u> .00
14	(XV) <u>(XVI)</u>	<u>Executive Administrative Assistant I</u>	<u>\$97.00</u>
15	(XVII)	Fiscal Assistant	\$ 66 <u>70</u> .00
16	(XVI) <u>(XVIII)</u>	Land Surveyor	\$ 151 <u>133</u> .00
17	(XVII) <u>(XIX)</u>	Maintenance and Construction Supervisor I	
18			\$ 142 <u>110</u> .00
19	(XVIII) <u>(XX)</u>	Maintenance and Construction Supervisor II	
20			\$ 145 <u>119</u> .00
21	(XIX) <u>(XXI)</u>	Office Assistant II	\$ 43 <u>46</u> .00
22	(XX) <u>(XXII)</u>	Office Assistant III	\$ 63 <u>67</u> .00
23	(XXI) <u>(XXIII)</u>	Planner I	\$ 95 <u>94</u> .00
24	(XXII) <u>(XXIV)</u>	Planner II	\$ 114 <u>119</u> .00
25	(XXIII) <u>(XXV)</u>	Planner III... ..	\$ 142 <u>144</u> .00
26	(XXIV) <u>(XXVI)</u>	Public Service Employee	\$ 17 <u>18</u> .00
27	(XXV) <u>(XXVII)</u>	Public Works Arborist	\$ 114 <u>101</u> .00
28	(XXVI) <u>(XXVIII)</u>	Public Works Operations Superintendent	

1		\$ 157 <u>166</u> .00
2	(XXVII) <u>(XXIX)</u>	Public Works Operations Supervisor..... \$ 146 <u>123</u> .00
3	(XXVIII) _____	Secretary I\$69.00
4	(XXIX) _____	Secretary II\$86.00
5	(XXX) _____	Senior Ecological Resource Specialist... \$ 149 <u>126</u> .00
6	(XXXI) _____	Senior Equipment Operator..... \$ 96 <u>102</u> .00
7	(XXXII) _____	Staff Analyst II \$ 107 <u>110</u> .00
8	(XXXIII) _____	Supervising Engineer \$ 165 <u>174</u> .00
9	(XXXIV) _____	Supervising Planner \$ 146 <u>150</u> .00
10	<u>(XXXV) _____</u>	<u>Supervising Public Works Project Manager . \$149.00</u>

11 (B) Mileage charges Current IRS standard mileage rate/\$0.96/mile

12 (3) Deposits for Developer Deposit Accounts and Project Trust Accounts:

13 An initial deposit is required for each actual cost service or process. The

14 initial deposit is as specified in this ordinance. If no amount is specified, the

15 initial deposit is the San Bernardino County Flood Control District's initial

16 estimate of the actual cost of the service or process. The San Bernardino

17 County Flood Control District may revise its estimate at any time during the

18 processing of the service or process. If a revised estimate is higher than a

19 previous estimate, the San Bernardino County Flood Control District may

20 require an additional deposit. Notice of any required additional deposit shall

21 be mailed (including email) to the applicant. The notice shall include the

22 date by which the deposit must be made and shall inform the applicant that

23 unless provision for payment is made by the date specified, the application

24 will be deemed denied without prejudice, without further action by the San

25 Bernardino County Flood Control District. Any such denial without prejudice

26 is not appealable. Each estimate shall be the result of a good faith attempt

27 to determine the probable actual cost of the service or process based on

28 the nature of the project, the District's experience in processing similar

1 services or processes, and applicable rates. In addition, the Flood Control
2 Engineer or designee has the authority, with agreement of the applicant, to
3 increase or decrease the required initial deposit amounts based on the
4 complexity of the service or process. Initial deposits or any additional
5 deposits for all services or processes related to a project shall be placed
6 and combined into a Project Trust Account. Such combined deposited
7 funds will be utilized as the source of payment for any flat fee service,
8 security deposit, or actual cost service on that project. In addition, deposits
9 may also be placed in a Developer Deposit Account. Deposited funds in a
10 Developer Deposit Account may be used by an individual or entity to fund
11 various Project Trust Accounts.

12 (4) Applicant's obligation to pay actual cost:

13 The applicant shall pay the actual cost of the project, regardless of any
14 estimate; except that the applicant is not obligated for costs incurred after
15 the applicant delivers to the San Bernardino County Flood Control District
16 either an unconditional written withdrawal of the application, or a written
17 notice to stop work which includes a waiver of any applicable time limits for
18 processing the application.

19 (i) Returned check fee:

- 20 (1) A fee of \$25.00 per item shall be charged for each negotiable item returned
21 unpaid by the drawn financial institution for any reason, including, but not
22 limited to, non-sufficient funds or closed accounts.

23 (j) Waiver/refund of fees:

- 24 (1) Except as otherwise provided by law, the San Bernardino County Flood
25 Control District Board of Supervisors, by Board action, can waive, defer
26 payment of, or refund any fee set forth in this ordinance or any other fee
27 levied by the Flood Control District provided one of the following conditions
28 is met:

- 1 (A) The service for which the fee was levied has not and will not be
2 performed; or
3 (B) The fee was collected in error; or
4 (C) For other good cause shown, provided such waiver/refund would
5 serve a San Bernardino County Flood Control District purpose.

6 (2) In the event of a disaster, or other good cause shown to serve a San
7 Bernardino County Flood Control District purpose, the Chief Flood Control
8 Engineer may defer payment of, waive, or refund any fee set forth in this
9 ordinance or any other fee levied by the San Bernardino County Flood
10 Control District provided all of the following conditions are met:

- 11 (A) Exigent conditions exist whereby obtaining Board approval of the fee
12 waiver/refund/deferral would not be immediately feasible; and
13 (B) The San Bernardino County Flood Control District receives
14 concurrence from the County Chief Executive Officer.

15 (3) The Chief Flood Control Engineer, or designee, may refund any fee or
16 deposit set forth in this ordinance provided one of the following conditions
17 is met:

- 18 (A) The service for which the fee or deposit was levied has not and will
19 not be performed; or
20 (B) The fee or deposit was collected in error; or
21 (C) Unused deposit monies remain on actual cost projects when all
22 charges for the project have been recorded.

23 (4) As set forth in California Government Code section 6103, the state and any
24 county, city, district, or other political subdivision, are exempt from those
25 filing fees and administrative amendment fees specified in the preceding
26 Sections (a)(1)(A)(I), (a)(2)(A)(I), (a)(1)(D)(II), (a)(3)(A), (a)(4)(A)(I),
27 (a)(5)(A)(I), (a)(6)(A)(II)(a), (a)(6)(C)(I), (a)(6)(D)(I), and (a)(8)(A). Unless
28 otherwise expressly exempted by law, any county, city, district, or other

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

political subdivision shall be subject to all fees set forth herein, including but not limited to, Section (g). The state may be additionally exempt from fees pursuant to California Government Code sections 6103 and 6103.7.

SECTION 3. This ordinance shall take effect on July 1, ~~2024~~2025.

DAWN ROWE, Chair
Board of Supervisors

SIGNED AND CERTIFIED THAT A COPY
OF THIS DOCUMENT HAS BEEN DELIVERED
TO THE CHAIR OF THE BOARD

LYNNA MONELL, Clerk of the
Board of Supervisors of the San Bernardino
County Flood Control District

1 STATE OF CALIFORNIA)
2) ss.
3 COUNTY OF SAN BERNARDINO)

4 I, LYNNA MONELL, Clerk of the Board of Supervisors of the San Bernardino
5 County Flood Control District, State of California, hereby certify that at a regular meeting
6 of the Board of Supervisors of said Flood Control District, held on the ____ day of
7 _____, ~~2024~~2025, at which meeting were present: _____
8 _____

9 and the Clerk, the foregoing ordinance was passed and adopted by the following vote, to
10 wit:

11 AYES: SUPERVISORS:

12 NOES: SUPERVISORS:

13 ABSENT: SUPERVISORS:

14 IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal
15 of the Board of Supervisors this ____ day of _____, ~~2024~~2025.

16 LYNNA MONELL, Clerk of the
17 Board of Supervisors of the
18 San Bernardino County Flood Control District,
19 State of California.

20 _____
21 Deputy

22 Approved as to Form:

23 TOM BUNTON
24 County Counsel

25 By: _____
26 JOLENA E. GRIDER
27 Deputy County Counsel

28 Date: _____