

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS  
OF SAN BERNARDINO COUNTY  
AND RECORD OF ACTION**

**March 29, 2022**

**FROM**

**LEONARD X. HERNANDEZ, Chief Executive Officer, County Administrative Office**

**SUBJECT**

Introduction of the Fiscal Year 2022-23 Proposed Annual County Fee Ordinance

**RECOMMENDATION(S)**

1. Conduct a public hearing on the Fiscal Year 2022-23 Proposed Annual County Fee ordinance containing necessary revisions to the fees.
2. Make alterations, if necessary, to proposed ordinance.
3. Approve introduction of proposed ordinance.
  - An ordinance of San Bernardino County, State of California, to amend Chapters 1 and 2 of Division 6 of Title 1 of the San Bernardino County Code, relating to fees charged by the County.
4. SCHEDULE ORDINANCE FOR FINAL ADOPTION ON TUESDAY, APRIL 12, 2022, on the Consent Calendar.

(Presenter: Matthew Erickson, County Chief Financial Officer, 387-5423)

**COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES**

**Improve County Government Operations.**

**Operate in a Fiscally-Responsible and Business-Like Manner.**

**FINANCIAL IMPACT**

San Bernardino County (County) fee revenue is projected to be \$180.4 million for 2022-23. This includes changes to fees driven by several factors, including Board of Supervisors (Board) approved Memoranda of Understanding; insurance; retirement; and the annual number of productive hours, as calculated by the Auditor-Controller/Treasurer/Tax Collector (ATC) and others, to ensure full cost recovery. This fee revenue will enable the County to recover costs incurred to provide products and services to members of the public, businesses, and other government agencies.

**BACKGROUND INFORMATION**

The Annual County Fee Ordinance is brought to the Board each year to recommend fee adjustments for the following fiscal year. For 2022-23, departments were asked to review all fees that were last reviewed in the 2018-19 fee cycle or earlier. Additionally, departments were encouraged to review fees that have high volume and/or are the most impactful to ensure annual costs are being recovered.

County Policy 05-01 (Budget Policy) states that the full cost of service should be calculated for all County services to provide a basis for setting fees or charges. Although the full cost fee amount is calculated, a lower fee amount is sometimes recommended by the department. This

**Introduction of the Fiscal Year 2022-23 Proposed Annual County Fee Ordinance**  
**March 29, 2022**

will occur when a service is mandated and the fee amount is limited by law, or when market analysis shows that the full cost fee is not competitive with other service providers, for example, fees charged by the County Museum. In these instances, the department identifies other funding sources for the portion of the services the fee does not recover. Departments are also directed to comply with Proposition 26, which generally requires that fees not be higher than the cost of the activity and/or service provided, unless an exception applies as indicated in the proposition.

On March 1, 2022 (Item No. 73), a fee workshop with the Board was conducted to discuss the 2022-23 proposed fees. The following changes to the proposed fees were recommended:

- **Assessor-Recorder-Clerk:** The 20-day Notice Filing and the Financial Statement by a Surety Insurer filing fee (page 8 of the 2022-23 Recommended Fee Book) were initially submitted for increase. Due to the very low volume of transactions that trigger these fees, the financial impact to the department is negligible and can be absorbed in the department budget. Therefore, the Assessor-Recorder-Clerk has determined that it is not necessary to increase these two fees for 2022-23.
- **Public Health:** Upon further review, the proposed change to the “designated maintenance areas individual system permit fees” (page 51 of the 2022-23 Recommended Fee Book) is no longer recommended for 2022-23. Public Health will gather additional data to further evaluate the cost to provide this service and will present any recommendations at the next fee review cycle in 2023-24.

Additionally, the following further proposed changes, compared to the fee changes originally proposed at the fee workshop, were considered:

- **Department of Public Works – Solid Waste Management Division:** Upon further review, the Refuse Disposal Gate Fees (Section 16.0222) that were previously recommended to be increased are to remain the same due to the current trended increases of refuse disposal volumes, which will help offset cost increases. The department plans to review these fees again in the next fee review cycle for 2023-24.

The effective date for these fees will be July 1, 2022, with the exception of Regional Parks’ fees. Regional Parks’ fees are scheduled to become effective on May 12, 2022, in time for the Memorial Day Weekend, one of the highest revenue-generating periods.

**PROCUREMENT**

Not applicable.

**REVIEW BY OTHERS**

This item has been reviewed by County Counsel (Jolena Grider, Deputy County Counsel, 387-5455) on March 21, 2022; County Finance and Administration (Matthew Erickson, County Chief Financial Officer, 387-5423) on March 21, 2022.

**Introduction of the Fiscal Year 2022-23 Proposed Annual County Fee Ordinance**  
**March 29, 2022**

Record of Action of the Board of Supervisors  
San Bernardino County

Hearing Opened  
Public Comment: None  
Hearing Closed

**APPROVED**

Moved: Dawn Rowe    Seconded: Joe Baca, Jr.  
Ayes: Col. Paul Cook (Ret.), Janice Rutherford, Dawn Rowe, Curt Hagman, Joe Baca, Jr.

Lynna Monell, CLERK OF THE BOARD

BY   
DATED: March 29, 2022



cc:     File -  
JLL    03/29/2022