



# San Bernardino County

## Legislation Text

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**File #: 1976, Agenda Item #: 57**

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

**April 7, 2020**

**FROM**

**GARY McBRIDE, Chief Executive Officer, County Administrative Office**

**SUBJECT**

Introduction of the 2020-21 Proposed Annual County Fee Ordinance

**RECOMMENDATION(S)**

CONTINUED FROM TUESDAY, MARCH 24, 2020, ITEM NO. 70:

1. Conduct a public hearing on the 2020-21 Proposed Annual County Fee ordinance containing necessary revisions to the fees.
2. Make alterations, if necessary to proposed ordinance, including:
  - a. Amend Section 16.0231 Waiver/Refund of Fees to include language to defer payment, eliminate the fee cap associated with the waiving of fees other than by the Board of Supervisors in the event of a disaster or other good cause shown to serve a public purpose, and to require approval by the County Chief Executive Officer, when obtaining Board of Supervisors' approval is not immediately feasible.
3. Approve introduction of proposed ordinance.
4. Read title only of proposed ordinance; waive reading of the entire text and SCHEDULE FOR FINAL ADOPTION ON TUESDAY, APRIL 21, 2020, on the Consent Calendar.  
(Presenter: Gary McBride, Chief Executive Officer, 387-5417)

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

**Improve County Government Operations.**

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

**FINANCIAL IMPACT**

County fee revenue is projected to increase by 2.7% (\$5.4 million) in 2020-21, primarily due to increases in salary and benefit costs based on negotiated Memoranda of Understanding (MOU) and updated Indirect Cost Rate Proposals (ICRP) calculated by the Auditor-Controller/Treasurer/Tax Collector (ATC). 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 of Supervisors (Board) each year to recommend fee adjustments for the following fiscal year.

County Policy No. 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, it is not

always the fee amount recommended by the department, i.e., a lower fee amount is recommended. This 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 that the fee does not recover.

Each year departments are 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 February 25, 2020, a fee workshop with the Board was conducted to discuss the 2020-21 proposed fees. No changes to the proposed fees were recommended at that time. In response to the current COVID-19 pandemic, a revision to Fee Ordinance Section 16.0231 Waiver/Refund of Fees is recommended to allow Department Heads to defer payment of, waive, or refund any fee in the event of a disaster, or other good cause shown to serve a public purpose if the following conditions are met:

1. Exigent conditions exist whereby obtaining Board approval of the fee waiver/refund/deferral would not be immediately feasible; and
2. The Department receives concurrence from the County Chief Executive Officer.

This proposed language change eliminates the \$3,000 fee amount threshold, offers the ability to defer payment, and requires concurrence by the County Chief Executive Officer.

The effective date of most fees will be July 1, 2020. Regional Parks' fees are scheduled to become effective on May 21, 2020, 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 (Kenneth Hardy, Supervising Deputy County Counsel, 387-5401) on March 25, 2020; Finance (Wen Mai, Principal Administrative Analyst, 387-4020) on March 25, 2020; and Finance and Administration (Kelly Welty, Deputy Executive Officer, 387-5423) on March 25, 2020.