



COUNTY of VENTURA

COUNTY EXECUTIVE OFFICE
MICHAEL POWERS
County Executive Officer

Mike Pettit
Assistant County Executive Officer

Kaye Mand
County Chief Financial Officer

Shawn Atin
Assistant County Executive Officer/
Human Resources Director
Labor Relations

May 18, 2021

Board of Supervisors, County of Ventura
Board of Supervisors, Ventura County Watershed Protection District
Board of Directors, Ventura County Fire Protection District
800 South Victoria Avenue
Ventura, CA 93009

SUBJECT: Public Hearing Regarding Adoption of Resolutions Establishing and Amending the Service Rates and Fees for Various Services of the County, Watershed Protection District, and Fire Protection District for Fiscal Year 2021-22, and Authorizing the Discounting of Certain Fees and Waiving of Certain Fees, Late Fees and Penalties for COVID-19 Impacted Businesses; and Adoption of a Resolution Amending the Rents, Fees, and Insurance Requirements for the Harbor Department and Reaffirming the Harbor Director's Authority to Approve Agreements within Board-Established Guidelines. (RECOMMENDATION #2 REQUIRES 4/5THS VOTE)

RECOMMENDATIONS

It is recommended that your Board, acting as the Board of Supervisors of the County, Board of Directors of the Fire Protection District and Board of Supervisors of the Watershed Protection District, take the following actions as applicable:

1. APPROVE and ADOPT resolutions (Attachments 1 through 5 and 7 through 19) establishing and amending the service rates and fees for various services of the County, Watershed Protection District and Fire Protection District (latter two collectively "Special Districts") for FY 2021-22 and authorizing the discounting of certain fees and waiving of certain fees, late fees and penalties for COVID-19-impacted businesses.
2. APPROVE and ADOPT the resolution (Attachment 6) amending the Harbor Department's rents, fees and insurance requirements and reaffirming the Harbor Director's authority to approve agreements as provided in the resolution within Board-established guidelines. **(REQUIRES 4/5THS VOTE)**

FISCAL/MANDATES IMPACT

Although state law does not mandate that a county establish and impose service rates and fees, state law does set limits on certain types of fees if a county does decide to charge service rates and fees to help pay for such services. The amount of revenue collected from many service rates and fees is dependent on the volume of services demanded by the public. The County Executive Office FY 2021-22 Preliminary Budget contains over \$1.16 billion in revenue from Charges for Services (a 3.00% increase from FY 2020-21), some of which are generated from these service rates and fees. Because of the broad scope of revenues included in Charges for Services, the increases or decreases in revenue may not directly correlate to the increases or decreases in the service rates and fees included in the various attachments to this Board letter.

The vast majority of increased revenues are driven by increases in demand and levels of service, not rate increases. General Fund revenue from Charges for Services is budgeted to decrease by \$8.32 million, which represents a 4.09 % decrease from the FY 2020-21 Adopted Budget. This decrease is primarily driven by a \$2.0 million decrease in Substance Use Services and a \$1.7 million decrease in Cost Allocation Plan charges.

Non-General Fund revenue from Charges for Services is budgeted to increase by approximately \$41.6 million, which represents a 4.50% increase from the FY 2020-21 Adopted Budget. The increase is primarily driven by a \$6.9 million increase in Ventura County Medical Center charges; a \$12.5 million increase in the Ventura Health Care Plan's insurance premiums due to increases in rates and clients from the clinic integration; and \$7.1 million increase Mental Health Services' charges for services related to Medi-Cal.

Fee Waiver

To help address the financial impact on businesses due to the COVID-19 pandemic, the County has kept many rates and fees related to businesses flat. For example, in FY 2020-21 the Resource Management Agency and Fire Protection District reduced or waived fees for those businesses impacted by and subject to closure due to the COVID 19 pandemic. For FY 2021-22 these rates and fees will continue to be reduced or waived at a total cost of \$2,275,000.

In addition, for FY 2021-22, the General Fund will continue to partially offset the Public Works Agency's Development Services rates due to nonstandard and extraordinary operational impacts to Development Services due to non-permitted activity inspections, reporting and litigations. This support will help to mitigate rate increases from the Public Works Agency.

DISCUSSION

A. General Overview of Service Rates and Fees

In the past, your Board has adopted numerous resolutions and various ordinances and ordinance amendments establishing or amending service rates and fees for the County, Fire Protection District and Watershed Protection District. Today's recommended actions establish or amend some of these County and Special District service rates and fees in order to partially offset the increased costs of those governmental services.

County agencies and departments provide a variety of valuable public services for which they are allowed by law to recover their costs through regulatory fees. Except where set by law, such regulatory fees generally must be established so as to be reasonably related to the fee payer's burden imposed on the regulatory system or the benefit received by the fee payer from the regulatory activity or public service. There are two basic types of regulatory fees included here: (1) those that are based on service rates; and (2) those that are based on fixed charges. Service rates reflect a per hour cost of a particular County staff person classification and are specified in Attachment 1, Schedule A. Service rates are primarily composed of salary and benefits and any applicable overhead costs. Once adopted, service rates may either be incorporated by reference into various contracts, resolutions, and ordinances imposing regulatory fees for various County services or be used to calculate the amount of the regulatory fee to be charged. Many of the service rates in Attachment 1, Schedule A, are not currently being utilized to calculate regulatory fees but are maintained on an "as needed basis."

The second type of regulatory fee is a fixed charge or dollar amount that is charged to the person or entity requesting or initiating the need for specific government services. Some of these fixed charges for County and Special District services are found in Attachment 1, Schedule A, and other fixed charges are contained in Attachments 2-19. Both the service rates and fixed charges are based on the estimated time to perform tasks using County and Special District salary and benefits, and other applicable costs which are consistent with those found in the County's proposed FY 2021-22 Preliminary Budget.

B. Exceptions to the Board Policy of Full Cost Recovery

Every County agency and department has determined that its services rates and fees are consistent with your Board's policy of full cost recovery. There are, however, a few exceptions to your Board's full cost recovery policy which include, but are not limited to, the following: (1) Probation Agency rates and fees that are on a "charging up to" basis, because full cost recovery from these fees is rare because of the income level of the people served by the Probation Agency. (2) Behavioral Health user fees related to the implementation of drug treatment programs pursuant to Penal Code section 1210.1, which are on a "charging up to" basis, because full cost recovery from these fees is rare because the users are in drug treatment programs. (3) Certain Health Care Agency fees which are based on state Medi-Cal guidelines which are often below actual costs. (4) Public Works Agency (PWA) Road Encroachment permit fees which are intentionally held to less than full cost recovery in an effort to encourage property owners and contractors who perform work in the County road right-of-way to obtain the necessary permits from

PWA Transportation. This is done in the interest of public safety. Therefore, in order to avoid the attendant public safety problem that may come with full cost recovery for this fee, the Road Encroachment fees have historically been set at levels below full cost recovery. 5) Transportation Permit Fees for Extralegal Loads (i.e., oversized vehicles), which are established by state statute and cannot be changed without action by the state. (6) Some Fire Protection District (FPD) fees that are being intentionally held to less than full cost recovery. FPD is utilizing data generated from Accela which more accurately reflect full cost for services rendered. Because of this some of FPD's rates and fees resulted in significant increases. Rather than pass these increases on to the public, FPD will spread these increases over future years while continually reevaluating as more data become available. (7) Under the Health Care Agency's Self-Pay Discount Policy (SPDP) patients who do not have health insurance or have high deductible health insurance plans are offered a discounted rate to ensure these patients receive access to quality care without regard to the patient's ability to pay. (8) Sheriff services contract rates exclude the Air Unit, Crime Lab and other services from rates charged to contract cities.

To help address the financial impact on businesses due to the COVID-19 pandemic, the County has kept RMA fees related to businesses flat. In addition, as was done in FY 2020-21, a total of \$2.25 million of fee waivers will be funded by the General Fund in FY 2021-22 for business severely impacted by the pandemic.

The fee waivers include:

- 50% reduction of annual permit/registration fees body art practitioners
- 50% reduction of annual permit/registration fees for food facilities such as food courts, restaurants, temporary and mobile food facilities
- For businesses storing hazardous materials/waste (i.e., automotive repair and other industrial operations), 100% of the base fee portion of their annual permit will be waived

Also due to the effects of the COVID-19 pandemic, the resolution covering fees imposed by FPD (Attachment 1) will authorize the Fire Chief to waive the following fees for FY 2021-22: (a) annual inspection fees for licensed residential care facilities (Attachment 1, Schedule A, page A-25, § XIII); (b) fees for the mandatory annual fire safety inspections of residential occupancies containing sleeping units where the occupants are primarily transient in nature, also known as R-1 Occupancies (Attachment 1, Schedule A, page A-25, § XIV); and tent and canopy (temporary membrane structures) permit fees for businesses that are expanding outdoor operations due to COVID-19 (Attachment 1, Schedule A, page A-26, § XVI).

In addition, the implementation of various legislative bills, such as California Assembly Bill 1869, has resulted in the repealing of the County's authority to collect various fees contingent upon a criminal arrest, prosecution, or conviction for the cost of administering the criminal justice system, including administering probation and mandatory supervision,

processing arrests and citations, and administering home detention programs, continuous electronic monitoring programs, work furlough programs, and work release programs. This bill would repeal the authority to collect many of these fees, among others. The bill would make the unpaid balance of these court-imposed costs unenforceable and uncollectible and would require any portion of a judgment imposing those costs to be vacated.

C. Effective Date

If your Board adopts the above-referenced resolutions, the associated service rates and fees will become effective on July 1, 2021, with the following exceptions:

- (1) RMA Technician Service Rates in Attachment 1, Schedule A;
- (2) RMA Planning Division fees in Attachment 1, Schedule B;
- (3) RMA Code Compliance fees in Attachment 1, Schedule C;
- (4) RMA Environmental Health Division land use permit fees in Attachment 1, Schedule F;
- (5) RMA Building and Safety Division fees in Attachment 2, Schedule A;
- (6) RMA Environmental Health Division fees related to various facilities listed in Attachment 3;
- (7) PWA Floodplain Management Services Fees in Attachment 4, Schedule A;
- (8) Ventura County Watershed Protection District fees in Attachment 7;
- (9) PWA land use fees in Attachment 16; and
- (10) RMA hazardous materials facilities fees in Attachment 17.

These ten County and Special District service rates and fees will become effective on the 60th day after the date of Board adoption of the resolutions pursuant to Government Code section 66017(a).

HARBOR DEPARTMENT AUTHORITY

In addition to setting rates and fees for the upcoming fiscal year, Recommendation #2 is reaffirming the delegation from your Board for the Director of the Harbor Department to approve leases, concession agreements, extensions, other agreements and legal notices as specified. This delegation enables the Harbor Department to better serve the business needs of the Harbor.

FORMATTING AND PUBLIC NOTICE

This Board letter includes 19 resolutions which are attached. In the interest of giving the Board more information on the above-referenced subject matters, each schedule contains a "legislative format" version showing deleted language in ~~strikeout~~ and amended or new language in underline from the current rate or fee schedule as well as a "clean" version showing the rate or fee schedule with the proposed amended language. In a few cases,

two versions of the subject rate or fee schedule are not presented because the "legislative format" does not provide any additional information.

In accordance with state law, the Office of the Clerk of the Board has issued a public notice for the public hearing on annual service rates and fees for the County Board of Supervisors, the Fire Protection District Board of Directors, and the Watershed Protection District Board of Supervisors. The service rate or fee calculations prepared by the respective county department or agency for the numerous new or amended service rates and fees before your Board were reviewed by the Auditor-Controller's Office, except for VCMC and Public Health Laboratory service rates because they are not based on the cost of providing the medical or lab procedure. Documentation justifying these changes is available to the public upon request from the respective departments, agencies or Special Districts or from the County Executive Office. Further, County Counsel has reviewed the attached resolutions and proposed revisions thereto.

If you have any questions, please call me at (805) 662-6868.

Sincerely,



Robert Bravo
Deputy Executive Officer



m.p. Michael Powers
County Executive Officer

ATTACHMENT 1:	JOINT RESOLUTION	Establishing and Amending County, Fire Protection District and Watershed Protection District Rates and Fees for Various Services
	Schedule A	Schedule of FY 2021-22 Service Rates & Fees for Various County Agencies, Departments, and Special Districts
	Schedule B	Resource Management Agency (RMA) Planning Division Fee Schedule
	Schedule C	RMA Code Compliance Fee Schedule

	Schedule D	County Clerk and Recorder and Elections Statutory and Non-Statutory Fees
	Schedule E	Public Works Agency (PWA) Road Fund Encroachment Permit Fees
	Schedule F	RMA Environmental Health Division (EHD) Land Use Permit Fees
	Schedule G	EHD Fees for Onsite Wastewater Treatment Systems Permits and Related Services
ATTACHMENT 2:	RESOLUTION	Establishing RMA Building and Safety Division Rates and Fees
	Schedule A	RMA Building and Safety Division Fee Schedule
ATTACHMENT 3:	RESOLUTION	Establishing RMA EHD Fees Pertaining to Issuance of Permits for Food Facilities, Organized Camps, Massage Businesses, and Public Swimming Pools
ATTACHMENT 4:	RESOLUTION	Establishing PWA Fees for the Enforcement and Administration of the Ventura County Floodplain Management Ordinance
	Schedule A	PWA – Floodplain Management Services Fees
ATTACHMENT 5:	RESOLUTION	Establishing PWA Fees for Grading Permits and Grading Plan Review Pursuant to the Ventura County Building Code
	Schedule A	Fees for Grading Permits & Inspection Services
ATTACHMENT 6:	RESOLUTION	Establishing Harbor Department Rents, Fees and Insurance Requirements and Delegating Authority for Execution of Certain Agreements Subject to Specified Guidelines
	Schedule A	Harbor Department Rate and Fee Schedule
ATTACHMENT 7:	RESOLUTION	Establishing Fees for Watercourse Permits and Use of Ventura County Watershed Protection District (VCWPD) Property

	Schedule A	Fees for Services Provided by VCWPD
ATTACHMENT 8:	RESOLUTION	Establishing Ventura County Animal Services Rates and Fees
	Schedule A	Ventura County Animal Services Schedule of Rates and Charges for Services
ATTACHMENT 9:	RESOLUTION	Establishing RMA Code Compliance Division Weights and Measures Packer and Scanner Fees
ATTACHMENT 10:	RESOLUTION	Establishing RMA EHD Fees for Various Permits, Registrations, Exemptions and Appeals Relating to Medical Waste and Body Art
ATTACHMENT 11:	RESOLUTION	Establishing RMA EHD Fee for Backflow Prevention Device Tester Certification
ATTACHMENT 12:	RESOLUTION	Establishing the Fee for Processing Offers of Dedication of Easements to County Service Area No. 32
ATTACHMENT 13:	RESOLUTION	Establishing RMA EHD Solid Waste Fees and Solid Waste Control Fee
ATTACHMENT 14:	RESOLUTION	Establishing Fees Pertaining to State Small Water Systems and Individual Water Systems
ATTACHMENT 15:	RESOLUTION	Establishing Well Permit and Related Fees Pursuant to Ventura County Ordinance No. 4468
	Schedule A	PWA – Well Permit Fees
ATTACHMENT 16:	RESOLUTION	Establishing PWA Processing Fees Relating to Certain Land Use Entitlements and Subdivisions
	Schedule A	Processing Fees & Deposits Relating to Certain Land Use Entitlements and Subdivisions
ATTACHMENT 17:	RESOLUTION	Establishing Fees for the Regulation of Hazardous Materials Facilities
ATTACHMENT 18:	RESOLUTION	Establishing Information Technology Services Rates and Fees

	Schedule A	Telecommunication Equipment and Services Rate and Fee Schedule
ATTACHMENT 19: RESOLUTION		Establishing Rates and Fees for the General Services Agency (GSA)
	Schedule A	GSA Comprehensive Rate Sheet