

DEPARTMENT: BUILDING

BY: John E. Davis
PHONE: 209-966-3934

RECOMMENDED ACTION AND JUSTIFICATION:

PUBLIC HEARING:

Approve a new Master Grading Fee schedule for the Building Department based upon an increase in overhead. Since building fees for grading permits were increased in 2006, costs have increased significantly due to the addition of support staff hired to complete the paperwork and track the permitting process.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

In 2006 the Mariposa County Board of Supervisors increased building fees for grading permits when the responsibility of the entire process was given to the Resource Conservation District. Since that time, additional support staff has been hired to complete the paperwork and track the permitting process. It is therefore necessary to raise fees in order to attain financial stability.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

- Alternative: Stay with current fee structure.
- Consequences: 1. Layoff support staff.
2. Make up budget shortfall by borrowing from the General Fund.

Financial Impact? () Yes () No	Current FY Cost: \$	Annual Recurring Cost: \$
Budgeted In Current FY? () Yes () No () Partially Funded		
Amount in Budget: \$ _____		List Attachments, number pages consecutively
Additional Funding Needed: \$ _____		Mariposa County Master Grading Fee Resolution
Source:		Mariposa County Grading Permit Fee Schedule
Internal Transfer _____		Comparison of Grading Fees
Unanticipated Revenue _____ 4/5's vote		Request to Board - Overview
Transfer Between Funds _____ 4/5's vote		Attachment #1 - Task List
Contingency _____ 4/5's vote		Attachment #2 - Fiscal Year 07 Budget Report
() General () Other		

CLERK'S USE ONLY:

Res. No.: 07-468 Ord. No. _____

Vote - Ayes: 4 Noes: _____

Absent: None

Law Approved

() Minute Order Attached () No Action Necessary

COUNTY ADMINISTRATIVE OFFICER:

Requested Action Recommended

No Opinion

Comments:

The foregoing instrument is a correct copy of the original on file in this office.

Date: _____

Attest: MARGIE WILLIAMS, Clerk of the Board
County of Mariposa, State of California

By: _____
Deputy

CAO: 1/9/07



COUNTY of MARIPOSA

P.O. Box 784, Mariposa, CA 95338 (209) 966-3222

JANET BIBBY, CHAIR
LYLE TURPIN, VICE CHAIR
BRAD ABORN
DIANNE A. FRITZ
BOB PICKARD

DISTRICT III
DISTRICT II
DISTRICT I
DISTRICT IV
DISTRICT V



MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO: JOHN DAVIS, Building Director

FROM: MARGIE WILLIAMS, Clerk of the Board *MW*

SUBJECT: PUBLIC HEARING Regarding a New Master Grading Fee Schedule for the Building Department Based Upon the Increase of Overhead to Provide Code Enforcement for Mariposa County

RESOLUTION 07-468

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA

ADOPTED THIS Order on October 2, 2007

ACTION AND VOTE:

10:02 a.m. John Davis, Building Director;

PUBLIC HEARING Regarding a New Master Grading Fee Schedule for the Building Department Based Upon the Increase of Overhead to Provide Code Enforcement for Mariposa County

BOARD ACTION: John Davis and Jerry Progner/Resource Conservation District (RCD) presented the staff report and responded to questions from the Board relative to recommending an effective date; regarding their recommendation for the fee increase; and relative to penalties for grading without a permit. Supervisor Turpin requested that an annual report of permit activity be provided to the Board, including a breakdown of the cubic yards involved so that there could be future review of whether to continue with a flat rate or a fee based on the amount of cubic yards involved.

The public portion of the hearing was opened and input was provided by the following:

Ruth Sellers questioned the permit processing for grading that was done for a project by the industrial park across from the Mykleoaks Subdivision, and she specifically asked about the process for a project that involves grading for roads and building pads. Staff responded and gave an overview of the process.

Skip Skyrud asked who the "grading police" are and he noted that there are a lot of things that the RCD does that they are not compensated for, such as investigating grading complaints. Staff responded to the concerns.

Rita Kidd provided input relative to enforcement and the County's policy of "not enforcing excessively" and she questioned what in County law dictates what is excessive. She questioned whether the fee increase is enough and recommended that staff take another look at this and compare it with other counties. Staff responded to the concerns relative to processing complaints.

Eleanor Keuning stated she feels that the same criteria should be used for all inspections.

Jan Owen asked why the fee isn't based on an hourly rate for the actual services provided.

The public portion of the hearing was closed and the Board commenced with deliberations. Staff responded to a question from the Board and recommended that the fee be effective in thirty days.

(M)Turpin, (S)Fritz, Res. 07-468 was adopted approving the new fee schedule, effective November 1, 2007/Ayes: Turpin, Bibby, Fritz, Pickard; Excused: Aborn. The hearing was closed.

Cc: Chris Ebie, Auditor
Thomas P. Guarino, County Counsel
File

MARIPOSA COUNTY MASTER GRADING FEE RESOLUTION

RESOLUTION NO.07-468

WHEREAS, the Board of Supervisors has the authority to establish fees or service charges; and

WHEREAS, the Board of Supervisors wishes to exercise this authority by adopting this Master Grading Fee Schedule; and

WHEREAS, it is necessary for the continued operation of the Mariposa County Resource Conservation District (MCRCD) to recover, as nearly possible, the actual cost incurred in connection with the application requirements, procedures, processing and administration of the grading permitting process; and

WHEREAS, the Board of Supervisors finds that the methodologies employed by staff in determining fees are appropriate and are designed to ensure that the fees will not exceed the reasonable cost of providing the service; and

WHEREAS, the Board of Supervisors finds that the fees set by this resolution do not exceed the reasonable cost of providing the services for which the fees are charged; and

WHEREAS, Mariposa County Ordinance No. 1025, An Ordinance Amending Chapter 15.28 of the Mariposa County Code, entitled "Grading and Excavation" was adopted and approved; and states in Section 15.28.07 that grading fees shall be set by Resolution; and,

WHEREAS, the Clerk of the Board has caused notice of a public hearing to be duly given in accordance with the provisions of Government Code Section 66016; and

WHEREAS, for at least 10 days prior to the date for the said hearing, there has been on file with the Clerk of the Board, data indicating the amount of the cost, or estimated cost, required to provide the product or service of the cost of enforcing any regulations for which the new or revised fees or charges are proposed to be levied, and the revenue sources anticipated to provide the product or service or cost of enforcing any regulation.

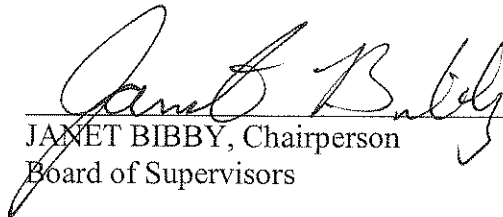
WHEREAS, said public hearing has been duly and timely conducted and all persons desiring to be heard in this matter have been duly heard and this Board has considered all of the testimony presented during the hearing and the recommendation aforementioned, and said public hearing having been conducted.

NOW, THEREFORE, IT IS RESOLVED by the Board of Supervisors of Mariposa County, State of California, as follows:

1. The Board finds all the facts mentioned to be true, and that it has jurisdiction to act on the subject of this Resolution.
2. This Board does hereby approve and adopt the recommended schedule of fees as shown on Exhibits A attached hereto and made a part hereof by this reference, for the respective items set forth herein.
3. The fees adopted by this Resolution shall become effective November 1, 2007.
4. The purpose of the fees is to meet operating expenses and, therefore pursuant to the Public Resources Code Section 21080(b) (8), it is proposed to dispense with the preparation or consideration of any documents otherwise required by the California Environmental Quality Act (CEQA).
5. The Clerk of this Board shall cause a Notice of Exemption to be filed with the County Clerk if requested.

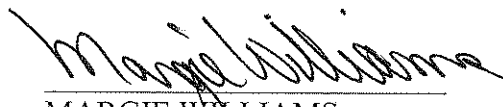
PASSED and ADOPTED by the Board of Supervisors of the County of Mariposa, State of California, this 2nd day of October, 2007 by the following vote:

AYES: TURPIN, BIBBY, FRITZ, PICKARD
NOES: NONE
ABSENT: ABORN
ABSTAIN: NONE



JANET BIBBY, Chairperson
Board of Supervisors

ATTEST:



MARGIE WILLIAMS
Clerk of the Board

APPROVED AS TO FORM:



THOMAS P. GUARINO
County Counsel

EXHIBIT A

MARIPOSA COUNTY MASTER GRADING PERMIT FEE SCHEDULE

Grading Permit Plan Check fee:

Plan Check	50.00
Processing	20.00
<u>Planning Dept</u>	<u>8.00</u>

TOTAL: \$78.00

Grading Permit fee:

Inspections (3)	\$150.00
<u>Processing:</u>	<u>\$ 50.00</u>

TOTAL: \$200.00

Other Inspections and Fees:

1. Inspections outside of normal business hours (min. charge 2 hrs.).....47.00 per hour
2. Reinspection fees assessed under provisions of Section 305.8.....47.00 per hour
3. Inspections for which no fee is specifically indicated (min. charge ½ hr.).....47.00 per hour
4. Additional plan review required by changes, additions or revisions to plans.....47.00 per hour
(min. charge – ½ hours)
5. For use of outside consultants for plan checking and inspections, or both.....Actual Costs

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COMPARISON OF GRADING FEES

It is difficult to accurately compare the costs of grading fees between Mariposa County and surrounding counties because of the different processes used to determine the fees. Most counties calculate their grading fees upon the amount of cubic yards involved. Mariposa County uses a flat fee regardless of the size of the project.

		<u>Fee</u>	<u>Inspection fee</u>
TUOLUMNE COUNTY Grading plan review and permit not subject to CEQA	0-50 cubic yards-	\$0.00	
	51-200 cu. yds-	\$623.00	\$250
	201-300 cu. yds-	\$743.75	\$250
	301-400 cu. yds-	\$859.00	\$250
	Over 400 cu. yds-	\$976.50	\$250
YUBA COUNTY	51-100 cu. yds-	\$134.00	\$96
	101-1000 cu. yds-	\$268.00	\$96
	1000-10,000 cu. yds-	\$313.00	\$96
MONO COUNTY	Development fees are deposits toward actual costs incurred	\$270.00	
SHASTA COUNTY	250 cu. yds or less-	\$ 88.29	\$44.77/hour
	251-500 cu. yds-	\$146.74	\$44.77/hour
	501-1000 cu. yds-	\$257.39	\$44.77/hour
	1,001-5000 cu. yds-	\$293.45 for first 1000 cu. yds- \$51.34 each additional	
MARIPOSA COUNTY	Grading Permit Determination fee-	\$78.00	
	Grading Permit-	\$150.00	

(4)

OVERVIEW

In February, 2006, Mariposa County Ordinance No. 1025, An Ordinance Amending Chapter 15.28 of the Mariposa County Code, entitled "Grading and Excavation" was adopted and approved. Section 15.28.07 of Ordinance No 1025 states: "A fee for each grading permit shall be paid to the Mariposa County Building Department or permitting agency as set by Mariposa County Resolution." Resolution 06-54 increased the grading permit fee from \$150.00 to \$200.00.

Essentially, the resolution provided for one additional grading inspection at an increased cost of \$50.00. The cost of obtaining a grading permit went from \$178.00 to \$228.00. What did not change in this resolution were the processing costs. The processing cost was, and remains, \$28.00. Of this, the Planning Department receives \$8.00 to review the parcel legality, existence of easements, setbacks, rights-of-way and any other encumbrances that may affect the development of a parcel of land.

The Resource Conservation District (RCD) receives \$20.00 to process the typical grading permit. ATTACHMENT #1 identifies the various tasks and times involved in the process from the beginning application through the final sign-off. The time analysis shows that this entire process typically requires two hours and 15 minutes.

In addition to the two hours and 15 minutes of clerical time by a support staff member, RCD must also cover the cost of rent, payroll taxes, postage, office supplies, workers comp. insurance, liability and E/O insurance, and bank fees and audits as shown in ATTACHMENT #2.

Prior to Ordinance 15.28, which reaffirmed Resource Conservation District as the designated permitting agency, RCD was contracting with the Building Department to provide grading services for the County, and overhead was being covered. Since that time, RCD has taken over all of the responsibilities of providing grading services, and has been unable to cover actual expenses.

We are; therefore, requesting an increase in grading permit fees in order to cover the additional processing costs. This increase is necessary in order to obtain financial stability while continuing to provide the current level of support to the people of Mariposa County.

Attachment 1

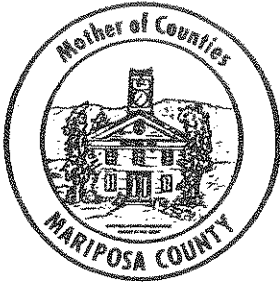
TASK	OFFICE STAFF	GRADING INSPECTOR	TOTAL TIME
Generate grading permit application packet, brochure and basic grading information	5 min		
Hand out apps and answer questions regarding application process	10		
Review apps, site plan and determination worksheet and collect fees	10		
Process permit, inform Public Works Dept., input info, file copy and deliver apps to Development Services	25		
Pick-up approved apps from Development Services, prepare apps for inspection, and input info	15		
Grading permit determination inspection		45mins.	
Input encroachment sign-offs as received	2		
Process inspected apps, notify client, issue permit, input info, file, prepare grading permit information packet including CDF requirements, and mail to client	20		
Answer phone calls re: grading issues, complaints and renewals, and add inspection requests to the call-in sheet	10		
Schedule Pre-construction approval inspection and prepare apps for inspection	2		
Pre-construction approval inspection		45	
Process inspected apps, notify client, issue pre-construction approval, input info including compaction tests, file , and deliver to Building Dept.	10		
Schedule final inspections, prepare apps for inspection	2		
Final inspection		45	
Process inspected apps, notify client, issue final, input info, file, and deliver to Building Dept.	5		
Prepare finalized permit packet, verify all needed agency sign-offs and deliver to Building Dept. to be scanned	2		
Additional inspections as needed		45	
Schedule Sub-division erosion control (E.C.) inspection, process request, input info and file	2		
Sub-division E.C. inspection		45	
Process inspected Sub-division E.C requests, issue final, input info, file, prepare invoice, mail to client, fax final to Public Works. Collect fees, input, file.	10		
TOTAL in HOURS	2 hrs. 10 min.	3 hours	

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ATTACHMENT #2
FISCAL YEAR 07 BUDGET REPORT

		Jun-07			
			FY07 Budget	Current Total	Grading Total
2000	REVENUE:				
2001	Fund Balance Carryover		\$ 28,904		
2010	CARCD Central Sierra Meeting (Hosted)		800	760	
2011	Grading Fees		62,000	40956	40,956
2020	Interest		750	1184	
2030	Misc. Income		50	518	
2032	NRCS Cooperative Agrmt.	Overhead	2,800	1990	
2032.1	NRCS Cooperative Agrmt.	Pass through	32,000	21411	
2033	Y/SRC&D Spring Meeting (Hosted)		-	244	
2035	Refunds		50	1728	
2040	Watershed Grants Admin.	Overhead	10,000	11228	
2040.1	Watershed Grants	Pass through	184,000	154182	
2061	Sales		17,800	5185	
TOTAL REVENUE & CARRYOVER			\$ 339,154	\$239,386	\$40,956
1000	DISBURSEMENTS				
1001	Contingency Fund		\$ 42,745		\$ 158
1005	Bank Charge & Audit		400	316	
1010	CARCD Central Sierra Meeting (Hosted)		800	722	
1011	Contract Labor - Grading		24,000	24000	24,000
1012	Contract Labor - Office		4,500	3038	
1017	Expense - Grading		50	122	122
1018	Equip/Software/Furniture		500	304	152
1019	Insurance - Liability & E/O		2,600	2588	1,941
1020	Insurance - Worker's Comp.		600	549	412
1021	Memberships		1,200	580	
1023	Miscellaneous		250	0	
1024	NRCS Coop.Agmt Empl Payroll		28,000	21930	
1024.1	NRCS Coop.Agmt Empl Taxes		2,520	1872	
1025	Office Expense/Postage		500	718	539
1026	Internet		240	240	120
1028	Payroll - Office		19,000	22463	16,847
1028.1	Payroll Emplr taxes		1,710	1966	1,475
1030	Promo/Eductn/Assistance		1,500	0	
1031	Planning Dept. fees	Pass through	2,000	2256	2,256
1032	Rent		5,760	5778	2,889
1033	Y/SRC&D Spring Meeting (Hosted)		-	257	
1035	Workshops & Conferences		2,000	1517	
1040.1	Watershed Grants	Pass through	184,000	154182	
1061	Sales Expense		12,900	4624	
1061.1	Sales Tax		1,379	391	
	Irreconcilable Difference		-	-2	
TOTAL DISBURSEMENTS & CONTINGENCY			\$ 339,154	\$250,411	\$ 50,911

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Mariposa County Building Department

John E. Davis, Director

October 11, 2007

TO: Board of Supervisors

FROM: John E. Davis, Building Director 

SUBJECT: Board Resolution 07-468

Resolution 07-468 states in number 5 that the Clerk of the Board shall cause a Notice of Exemption to be filed with the County Clerk if requested. I am formally not requesting this to be done.