

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
ACTION AGENDA SUMMARY

DEPT: CEO / OES-Fire Warden *G. Hunsdon*

BOARD AGENDA # 9:20 a.m.

Urgent

Routine

AGENDA DATE May 8, 2007

CEO Concurs with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Conduct a Public Hearing on May 8, 2007 at 9:20 a.m. to Introduce and Waive the First Reading of an Ordinance to Adopt the Stanislaus County Fire Prevention Bureau Amended Fee Schedule

STAFF RECOMMENDATIONS:

Conduct a Public Hearing on May 8, 2007 at 9:20 a.m. to introduce and waive the first reading of an ordinance to adopt the Stanislaus County Fire Prevention Bureau amended fee schedule.

FISCAL IMPACT:

Existing fire prevention service fees, set in 1992, generate approximately \$100,000 per year. The cost of providing fire prevention services at the current level is \$525,000 annually. The program is funded through a combination of fees, an annual County General Fund contribution of \$300,000 and Less Than Countywide Fire Taxes. Currently, the fees recovered for new development activities such as plan checks and inspections are only about 20% of the cost of providing the service. The proposed fee increase is

Continued on Page 2

BOARD ACTION AS FOLLOWS:

No. 2007-358

On motion of Supervisor Grover, Seconded by Supervisor DeMartini

and approved by the following vote,

Ayes: Supervisors: Mayfield, Grover, Monteith, DeMartini, and Chairman O'Brien

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) Approved as recommended

2) Denied

3) Approved as amended

4) Other:

MOTION: INTRODUCED AND WAIVED THE FIRST READING OF ORDINANCE NO. C.S. 995

Christine Ferraro
CHRISTINE FERRARO TALLMAN, Clerk

ATTEST:

FISCAL IMPACT (Continued):

estimated to generate an additional \$150,000 in fees. The additional fee revenue will provide the resources necessary for the Fire Prevention Bureau to begin addressing the program deficiencies with respect to new development. Additional service needs that have not been met in the past, such as state mandated inspections, and the weed abatement program, may then be addressed through the existing General Fund contribution.

DISCUSSION:

The Board of Supervisors established the Stanislaus County Fire Authority on October 11, 2005 to oversee the regional fire services provided using the Less than Countywide Fire Tax. On June 11, 2006, the Stanislaus County Fire Authority recommended to the Board of Supervisors that fire prevention services be provided by Stanislaus County through the Fire Warden's Office. On June 13, 2006, the Board of Supervisors adopted that recommendation and on July 1, 2006 the Chief Executive Office – Office of Emergency Services/Fire Warden assumed responsibility for providing specified fire prevention services to the districts and cities that contribute to the Less than Countywide Fire Tax.

The \$525,000 budget for FY2006 – 2007 is derived from three sources. The Less than Countywide Fire Tax contributes \$125,000, Stanislaus County contributes \$300,000 of General Funds, and existing fees are expected to contribute \$100,000. The fee schedule has not been updated since 1992 and the Fire Authority, recognizing that fees were not covering the cost of services, provided an additional \$20,000 to fund a fee study.

Maximus Inc., a private consultant specializing in establishing the true costs for providing government services, was hired to conduct a cost of service study and recommend an appropriate fee schedule. The Final Report of this User Fee Study is the foundation and primary source for the fee schedule that is being proposed. Most of the fees being recommended are directly from the Maximus report; however, there are several differences between the Maximus report and the fee schedule that is being recommended. The modifications presented herein make the fee schedule easier to understand and implement. In addition, there were some cases where Maximus recommended a higher fee for certain uses that staff was unable to justify or explain. In these cases a reduction was made from the fee recommended in the study to the "standard" fee for that occupancy class. The modifications have a negligible impact on the revenue projections made by Maximus.

The fee schedule proposed by Maximus includes modifications to existing fees and an array of new fees primarily related to fire code permits and fire safety inspections for

Conduct a Public Hearing on May 8, 2007 at 9:20 a.m. to Introduce and Waive the First Reading of an Ordinance to Adopt the Stanislaus County Fire Prevention Bureau Amended Fee Schedule
Page 3

existing businesses. Staff recommends updating only existing fees and those directly related to new construction. Included in this recommendation is an increase in the fee for weed abatement, which was not considered as part of the Maximus Study. Staff applied the study's methodology to complete a time on task analysis and applied that to the fully weighted hourly rate for a Fire Prevention Specialist to determine the administration and collection fee that should be added to properties that require forced abatement. Based on staff analysis, it is recommended that the weed abatement fee be increased to \$214, from the existing charge of \$114.

The increases proposed herein are to cover the increased cost of providing services that has occurred since 1992. No new fees are being proposed. Staff intends to obtain input from the general public and the cities served by the Fire Prevention Bureau before finalizing the recommendation for any new fees. Those fees are for annual business permitting and inspections. Staff will return to the Board to present the new fee at such time as business practices and technology are in place to implement the new fees.

As stated earlier, the County has not updated fire prevention service fees since 1992, nor did the Stanislaus Consolidated Fire District update fees for the County while providing fire prevention services for the County. As a result, some of the increases are quite substantial. The following table is a side-by-side comparison for the current and proposed fees:

Permit or Inspection Description	Current Fee	Proposed Fee	Increase
Spray Booth	\$48	\$147	\$99
Hood and Duct Extinguishing System	\$72	\$147	\$75
Other Fire Suppression System	\$72	\$147	\$75
Explosives or Blasting Agent Permit	\$66	\$293	\$227
Dance Permit	\$36	\$195	\$159
Fireworks Sales Booth	\$66	\$73	\$7
Fireworks Public Display	\$173	\$660	\$447
Lumber Yard Permit	\$90	\$232	\$142
Carnival or Circus	\$48	\$195	\$147
Hydrant Flow Test	\$96	\$110	\$14
Inspection, 24-hour Care Home	\$35	\$195	\$160
Inspection, drinking & dining with > 50 occupants	\$35	\$122	\$87
Weed Abatement (Admin/Collections)	\$114	\$214	\$100

For most new construction projects the methodology used to establish fees now is different than was used in 1992. For example, many new construction fees today are determined using a combination of factors including square footage and construction type, instead of using the facility valuation or simply setting a flat rate. As a result, it is difficult to compare current and proposed rates on a fee-by-fee basis. Instead, staff has

Conduct a Public Hearing on May 8, 2007 at 9:20 a.m. to Introduce and Waive the First Reading of an Ordinance to Adopt the Stanislaus County Fire Prevention Bureau Amended Fee Schedule
Page 4

projected the total fees for several hypothetical projects and compared the total fees for each project. Most of these projects, as in real life, involve multiple plan submittals, plan checks, and field inspections.

Project Description	Current Fees	Proposed Fees	Increase
Warehouse, 300,000 sq/ft with fire sprinklers and a fire alarm system	\$768	\$2,723	\$1,955
Restaurant, 10,000sq/ft with fire sprinklers, a fire alarm system, and a fire suppression system in the exhaust hood	\$708	\$1,820	\$1,112
Agricultural use building, 5,000 sq/ft	\$132	\$242	\$110
Factory, 500,000 sq/ft including multiple sprinkler and fire alarm systems	\$1,464	\$4,436	\$2,972
House, 6,000 sq/ft with fire sprinklers	\$120	\$373	\$253
Retail store, 50,000 sq/ft with fire sprinklers and a fire alarm system	\$768	\$2,314	\$1,546
Assisted Living Facility, 50,000 sq/ft with fire sprinklers and a fire alarm system	\$966	\$2,605	\$1,639
Tenant Improvement for 3,000 sq/ft retail use	\$66	\$203	\$137
Tenant improvement for a 2,500 sq/ft restaurant including a fire suppression system in the exhaust hood	\$204.00	\$606	\$402

In total, the recommended fees are expected to generate nearly \$250,000 on an annual basis, an increase of nearly \$150,000 over the current projected revenue.

As part of the fee update/development process, a comparison was done on fees charged for similar projects in both a neighboring county and local city. In every case, the fees being proposed are substantially lower than those charged elsewhere. The methodology used by Maximus for calculating fees is based on construction type and square footage as opposed to valuation, as used in other jurisdictions. According to the study, this method more closely ties fees to a reasonable estimate of cost.

The 2006-2007 Business Plan adopted by the Stanislaus County Fire Authority on May 25, 2006 identified completing all state mandated fire safety inspections and weed abatement as two additional services beginning in Fiscal Year 2007-2008. Together,

Conduct a Public Hearing on May 8, 2007 at 9:20 a.m. to Introduce and Waive the First Reading of an Ordinance to Adopt the Stanislaus County Fire Prevention Bureau Amended Fee Schedule
Page 5

these two new services were estimated to cost \$125,000 annually. Staff recommends that any resulting revenue increases be used to initiate these programs and develop the systems needed to implement Fire Code Permitting and Fire Inspection programs.

Pursuant to Government Code Section 54985, the County is required to hold a scheduled public hearing prior to levying a new fee or increasing an existing fee.

POLICY ISSUES:

An ordinance of the Board of Supervisors is required to increase or establish fees. The Board must decide the potential impacts on the community and whether the request will assist the Stanislaus County Fire Prevention Bureau in meeting the Board's priorities of a safe community and efficient delivery of public services.

STAFFING IMPACT:

There is no staffing impact associated with this item.

ORDINANCE NO. C.S. _____

**AN ORDINANCE TO ADOPT A REVISED FEE SCHEDULE FOR SERVICES BY THE
FIRE WARDEN’S OFFICE, FIRE PREVENTION BUREAU**

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS, STATE OF CALIFORNIA, ORDAINS AS FOLLOWS:

Section 1: The Board of Supervisors hereby adopts the Stanislaus County Fire Warden’s Office, Fire Prevention Bureau 2007-2008 Fee Schedule, attached as Exhibit A and incorporated by reference, a copy of which is on file with the Clerk of the Board of Supervisors and is available for public inspection and copying in that office in accordance with the California Public Records Act.

Section 2. This ordinance shall take effect thirty (30) days from and after the date of its passage and before the expiration of fifteen (15) days after its passage it shall be published once, with the names of the members voting for and against the same, in the Modesto Bee, a newspaper published in the County of Stanislaus, State of California.

Upon motion of Supervisor _____, seconded by Supervisor _____, the foregoing resolution was passed and adopted at a regular meeting of the Board of Supervisors of the County of Stanislaus, State of California, the _____ day of _____, 2007, by the following called vote:

AYES: Supervisors:

NOES: Supervisors:

ABSENT: Supervisors:

William O’Brien, Chairman of the Board
of Supervisors of the County of
Stanislaus, State of California

ATTEST:

CHRISTINE FERRARO TALLMAN
CLERK OF THE BOARD OF SUPERVISORS OF THE
COUNTY OF STANISLAUS, STATE OF CALIFORNIA

By _____
Deputy

APPROVED AS TO FORM:
MICHAEL H. KRAUSNICK
COUNTY COUNSEL

By 
John P. Doering
Assistant County Counsel

V:\CO\jpd\Documents\ORDINANCE\PLANNING\Fees\Fire Prevention 2007.wpd

Stanislaus County Fire Prevention

2007-2008 Fee Schedule - Plan Checks, Special Systems, Inspections and Permits

Plan Check Fees	Hourly Rate	Inspection/Permit Fee
Plot Plan Review	\$110.00	
Fire/Life Safety Plan Checks	\$110.00	
Underground Fire Lines	\$110.00	
Fire Sprinkler Systems (Commercial)	\$110.00	
Fire Sprinkler Systems (Residential)	\$110.00	
Other Fire Suppression System	\$110.00	
Spray Booths	\$110.00	
Underground Storage Tanks	\$110.00	
Above Ground Storage Tank	\$110.00	
Special Inspection or Permit Fees		
Spray Booth		\$147.00
Hood and Duct Extinguishing Systems		\$147.00
Other Fire Suppression Systems		\$147.00
Explosives or Blasting Agent Permit		\$293.00
Dance Permit		\$195.00
Fireworks Sales Booth		\$73.00
Fireworks Public Display		\$660.00
Lumber Yard Permit		\$232.00
Carnival or Circus		\$195.00
Flow Test		\$110.00
Inspection, 24-hour Care Home		\$232.00
Inspection, Building with Occupant Load > 50		\$195.00
Inspection, Concerts, Festivals, Street Fairs, etc.		\$122.00
Weed Abatement (Admin/Collections Fee)		\$214.00

Stanislaus County Fire Prevention
2007-2008 Fee Schedule - New Construction Inspections

UBC Classification or System Type	Use	Project Size Threshold	Base Fee	Each Additional 100 sq/ft
A-1	All Uses	1,000	\$281.00	\$1.71
		5,000	\$349.00	\$1.44
		10,000	\$421.00	\$1.05
		20,000	\$526.00	\$0.35
		50,000	\$630.00	\$0.42
		100,000	\$840.00	\$0.42
A-2	All Uses	1,000	\$263.00	\$1.61
		5,000	\$328.00	\$1.33
		10,000	\$394.00	\$1.00
		20,000	\$494.00	\$0.32
		50,000	\$590.00	\$0.40
		100,000	\$790.00	\$0.40
A-2.1	Drinking and Dining Resturant	1,000	\$423.00	\$2.59
		5,000	\$526.00	\$2.16
	Bowling Alley	10,000	\$634.00	\$1.58
		20,000	\$792.00	\$0.53
		50,000	\$950.00	\$0.64
		100,000	\$1,270.00	\$0.64
A-2.1	All Other Uses	1,000	\$263.00	\$1.34
		5,000	\$328.00	\$1.12
		10,000	\$394.00	\$0.83
		20,000	\$494.00	\$0.28
		50,000	\$590.00	\$0.33
		100,000	\$790.00	\$0.33
A-3	Drinking and Dining Resturants	1,000	\$423.00	\$2.59
		5,000	\$526.00	\$2.16
	Bowling Alley	10,000	\$634.00	\$1.58
		20,000	\$792.00	\$0.53
		50,000	\$950.00	\$0.64
		100,000	\$1,270.00	\$0.64
A-3	All Other Uses	1,000	\$263.00	\$1.61
		5,000	\$328.00	\$1.33
		10,000	\$394.00	\$1.00
		20,000	\$494.00	\$0.32
		50,000	\$590.00	\$0.40
		100,000	\$790.00	\$0.40
B	Banks	1,000	\$423.00	\$2.59
		5,000	\$526.00	\$2.16
	Medical Offices Drinking and Dining	10,000	\$634.00	\$1.58
		20,000	\$792.00	\$0.53
		50,000	\$950.00	\$0.64
		100,000	\$1,270.00	\$0.64

Stanislaus County Fire Prevention
2007-2008 Fee Schedule - New Construction Inspections

UBC Classification or System Type	Use	Project Size Threshold	Base Fee	Each Additional 100 sq/ft
B	All Other Uses	1,000	\$351.00	\$2.14
		5,000	\$437.00	\$1.79
		10,000	\$526.00	\$1.32
		20,000	\$658.00	\$0.44
		50,000	\$790.00	\$0.52
		100,000	\$1,050.00	\$0.52
E-3	Daycare	100	\$88.00	\$5.35
		500	\$109.00	\$4.48
		1,000	\$132.00	\$3.29
		2,000	\$164.00	\$1.09
		5,000	\$197.00	\$1.32
		10,000	\$263.00	\$1.32
E	All Applicable Uses	500	\$175.00	\$2.14
		2,500	\$218.00	\$1.79
		5,000	\$263.00	\$1.32
		10,000	\$329.00	\$0.44
		25,000	\$395.00	\$0.52
		50,000	\$525.00	\$0.52
F	All Uses	1,000	\$175.00	\$1.07
		5,000	\$218.00	\$0.90
		10,000	\$263.00	\$0.65
		20,000	\$328.00	\$0.22
		40,000	\$395.00	\$0.27
		100,000	\$530.00	\$0.27
		200,000	\$640.00	\$0.16
H-4	Repair Garages	1,000	\$211.00	\$1.29
		5,000	\$263.00	\$1.08
		10,000	\$317.00	\$0.79
		20,000	\$396.00	\$0.26
		50,000	\$475.00	\$0.31
		100,000	\$630.00	\$0.31
H	All Other Uses	200	\$211.00	\$6.45
		1,000	\$263.00	\$5.39
		2,000	\$317.00	\$3.96
		4,000	\$396.00	\$1.32
		10,000	\$475.00	\$1.59
		20,000	\$634.00	\$1.59
I	All Applicable Uses	1,000	\$175.00	\$1.07
		5,000	\$218.00	\$0.90
		10,000	\$263.00	\$0.65
		20,000	\$395.00	\$0.22
		50,000	\$530.00	\$0.27
		100,000	\$440.00	\$0.27

Stanislaus County Fire Prevention
2007-2008 Fee Schedule - New Construction Inspections

UBC Classification or System Type	Use	Project Size Threshold	Base Fee	Each Additional 100 sq/ft
M	All Uses	1,000	\$263.00	\$1.61
		5,000	\$328.00	\$1.33
		10,000	\$394.00	\$1.00
		20,000	\$494.00	\$0.32
		50,000	\$590.00	\$0.40
		100,000	\$790.00	\$0.40
R-1	All Applicable Uses	1,000	\$175.00	\$1.07
		5,000	\$218.00	\$0.90
		10,000	\$263.00	\$0.65
		20,000	\$328.00	\$0.22
		50,000	\$395.00	\$0.27
		100,000	\$530.00	\$0.27
R	Other Applicable Uses	250	\$88.00	\$2.14
		1,250	\$109.00	\$1.79
		2,500	\$132.00	\$1.32
		5,000	\$165.00	\$0.44
		12,500	\$198.00	\$0.52
		25,000	\$263.00	\$0.52
S	All Uses	200	\$88.00	\$2.68
		1,000	\$175.00	\$1.07
		5,000	\$218.00	\$0.90
		10,000	\$263.00	\$0.65
		20,000	\$328.00	\$0.22
		50,000	\$395.00	\$0.27
U-1	All Applicable Uses	1,000	\$106.00	\$0.65
		5,000	\$132.00	\$0.53
		10,000	\$158.00	\$0.40
		20,000	\$198.00	\$0.14
		50,000	\$240.00	\$0.16
		100,000	\$320.00	\$0.16
Shell Buildings	All Uses	1,000	\$175.00	\$1.07
		5,000	\$218.00	\$0.90
		10,000	\$263.00	\$0.65
		20,000	\$328.00	\$0.22
		50,000	\$395.00	\$0.27
		100,000	\$530.00	\$0.27
Tenant Improvements	All Uses	60% of full construction fee		
Alarm Systems	Sprinkler System Monitoring Only	each system	\$132.00	

Stanislaus County Fire Prevention
 2007-2008 Fee Schedule - New Construction Inspections

UBC Classification or System Type	Use	Project Size Threshold	Base Fee	Each Additional 100 sq/ft
	All Other Types	1,000	\$132.00	\$0.53
		5,000	\$164.00	\$1.10
		10,000	\$197.00	\$0.32
		20,000	\$246.00	\$0.11
		50,000	\$370.00	\$0.07
		100,000	\$740.00	\$0.07
Sprinkler Systems	13D	each system	\$263.00	
Sprinkler Systems	13 and 13R	1,000	\$219.00	\$0.89
		5,000	\$273.00	\$0.84
		10,000	\$329.00	\$0.54
		20,000	\$410.00	\$0.18
		50,000	\$495.00	\$0.11
		100,000	\$660.00	\$0.11

ORDINANCE C.S. 995

Ordinance C.S. 995 is an ordinance amending existing fees of the Stanislaus County Fire Prevention Bureau. This ordinance will be considered for adoption by the Stanislaus County Board of Supervisors on May 22, 2007. A full copy of the proposed ordinance is available in the Clerk of the Board's Office, 1010 10th Street, Suite 6700, Modesto, CA. For further information, contact the Stanislaus County Fire Prevention Bureau at (209) 552-3700.

BY ORDER OF THE BOARD OF SUPERVISORS

DATED: May 8, 2007

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk
of the Board of Supervisors
of the County of Stanislaus,
State of California

BY:


Elizabeth A. King, Assistant Clerk of the Board

**DECLARATION OF PUBLICATION
(C.C.P. S2015.5)**

**COUNTY OF STANISLAUS
STATE OF CALIFORNIA**

I am a citizen of the United States and a resident
Of the County aforesaid; I am over the age of
Eighteen years, and not a party to or interested
In the above entitle matter. I am a printer and
Principal clerk of the publisher
of **THE MODESTO BEE**, printed in the City
of **MODESTO**, County of **STANISLAUS**,
State of California, daily, for which said
newspaper has been adjudged a newspaper of
general circulation by the Superior Court of the
County of **STANISLAUS**, State of California,
Under the date of **February 25, 1951, Action
No. 46453**; that the notice of which the annexed is
a printed copy, has been published in each issue
there of on the following dates, to wit:

MAY 15, 2007

I certify (or declare) under penalty of perjury
That the foregoing is true and correct and that
This declaration was executed at
MODESTO, California on

MAY 15, 2007


(Signature)

ORDINANCE C.S. 995
Ordinance C.S. 995 is an ordinance amending exist-
ing fees of the Stanislaus County Fire Prevention
Bureau. This ordinance will be considered for adop-
tion by the Stanislaus County Board of Supervisors
on May 22, 2007. A full copy of the proposed ordi-
nance is available in the Clerk of the Board's Of-
fice, 1010 10th Street, Suite 4700, Modesto, CA. For
further information, contact the Stanislaus County
Fire Prevention Bureau at (209) 552-3700.
BY ORDER OF THE BOARD OF SUPERVISORS
DATED: May 8, 2007
ATTEST: CHRISTINE FERRARO TALLMAN,
Clerk of the Board of Supervisors of the County of
Stanislaus, State of California
BY: Elizabeth A. King,
Assistant Clerk of the Board
MAY 15, 2007

ORD-55-B-11