

MEMORANDUM

PLACER COUNTY AGRICULTURE DEPARTMENT

TO: Honorable Board of Supervisors

FROM: Joshua P. Huntsinger, Agricultural Commissioner/Sealer

DATE: August 4, 2015

SUBJECT: Amendment to Placer County Code Sections 2.116.167 and 2.116.173 and Adoption of Agricultural Commissioner/Sealer of Weights & Measures Fee Schedule Update for Inspections and Related Services

ACTION REQUESTED

Conduct a public hearing to:

1. Adopt an ordinance amending Placer County Code Chapter 2, Article 2.116, Sections 2.116.167 and 2.116.173 regarding Agricultural Commissioner/ Sealer of Weights and Measures' fees for inspections and related services and annual adjustments.
2. Adopt a resolution to update the fee schedule for inspections and related services provided by the Agricultural Commissioner/ Sealer of Weights and Measures from \$50.00 per hour to \$83.00 per hour.

BACKGROUND

The County Agricultural Commissioner/Sealer of Weights and Measures is responsible for testing all commercial weighing and measuring devices and performing a variety of agricultural inspections including quarantine and plant shipment inspections. Periodically, such inspections are conducted outside of normal business hours, require stand-by time, or are requested for non-commercial weighing and measuring devices. The hourly inspection fee rates identified in sections 2.116.167 and 2.116.173 have not been adjusted since at least 2004, and no longer accurately reflect the department's productive hourly rate.

The ordinance proposes to amend sections 2.116.167 and 2.116.173 to remove reference to specific fee amounts in order to allow these to be adopted through the accompanying proposed resolution. The ordinance also proposes that changes in fees based on the CPI increase will be measured based on the difference between the most currently available CPI and the CPI amount for the same month of the previous year and based on the State of California, Department of Industrial Relations, Consumer Price Index-California, San Francisco-Oakland-San Jose, All Urban Consumers. This

approach more accurately reflects inflationary cost increases to the programs listed in the fee schedule.

As previously noted, the hourly inspection and related services fees have not been updated since at least 2004. To ensure cost recovery consistent with the Board's direction the requested resolution would increase the department's hourly inspection rate from \$50.00 to \$83.00. Staff performed a fee study to ascertain the increase amount. This study was based on the current "productive hourly rate" ("PHR") for each of the Agricultural Commissioner's seven inspectors, combined and averaged. A copy of the study is attached as Attachment 3. All fees are rounded to the nearest dollar.

FISCAL IMPACT

The department conducts 75 - 100 inspections annually that are charged at the \$50.00 hourly rate resulting in \$3,750 - \$5,000 in revenue. Increasing the hourly rate to \$83.00 will result in total annual cost recovery of for these inspections of \$6,375 - \$8,500.

ATTACHMENT 1 – ORDINANCE

ATTACHMENT 2 – RESOLUTION and Exhibit A - Agricultural Commissioner/ Weights and Measures Fee Schedule

ATTACHMENT 3 – FEE STUDY

Before the Board of Supervisors County of Placer, State of California

Ordinance No.: _____

In the matter of:

Amendments to Placer County Code Chapter
2, Article 2.116, Sections 2.116.167 and 2.116.173
pertaining to Fees for Inspection and Related Services
of the Placer County Agricultural Commissioner/Sealer
of Weights and Measures

The following ORDINANCE was duly passed by the Board of Supervisors of
the

County of Placer at a regular meeting held _____, by
the

following vote on roll call:

Ayes:

Noes:

Absent:

Signed and approved by me after its passage.

Chair, Board of Supervisors

Attest:

Clerk of said Board

THE BOARD OF SUPERVISORS OF THE COUNTY OF PLACER, STATE OF
CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Placer County Code Chapter 2, Article 2.116, Section 2.116.167 is hereby
amended as follows:

2.116.167 Weights and measures hourly fee.

A. The Placer County agricultural commissioner/sealer of weights and measures
shall charge and collect ~~the following~~ fees for inspections and other related services as
required by law. These fees shall be reflected in a resolution of the board of
supervisors and shall be subject to annual adjustments. The rate of the annual

adjustment of fees shall be based on the State of California, Department of Industrial Relations, Consumer Price Index-California, San Francisco-Oakland-San Jose, All Urban Consumers ("CPI").

- | | |
|---|--------------------|
| 1. Inspection, Re-inspection and Stand-by Fee | \$50.00 per hour |
| 2. Mileage Fee (determined by reference to the I.R.S. guidelines) | (Portal to Portal) |

~~—B. 1. Annual Adjustment. All hourly fees hereunder shall be adjusted each July 1st in accordance with the United States Bureau of Labor Statistics Consumer Price Index, for Urban Wage Earners and Clerical Workers, San Francisco-Oakland. all items, said adjustment to be made by adjusting the amounts according to the following formula:~~

~~—2. Multiply the fee by the quotient obtained by dividing the consumer price index figure as of the preceding April 1st in the initial year of this chapter. The resulting figure to be rounded downward to the nearest dollar (\$1.00).~~

The adjustment in each fee will be calculated based on the difference between the most currently available CPI and the CPI amount for the same month of the previous year. The percentage change in each fee shall be the same as the percentage change in the CPI. Fees shall be rounded to the nearest dollar. The Board adopted resolution reflecting the current fee schedule and definitions of categories shall be conclusive as to the amount of any annual adjustment and shall be on file with the agricultural commissioner/sealer of weights and measures. The annual billing and fee adjustment date is subject to change by the agricultural commissioner/sealer of weights and measures with prior public notice.

SECTION 2: Placer County Code Chapter 2, Article 2.116, Section 2.116.173 is hereby amended as follows:

2.116.173 Agriculture hourly fees.

A. Other than those registrants and certificants listed in 2.116.172, the Placer County Agricultural Commissioner/Sealer of Weights and Measures shall charge and collect the following fees for registrations, certifications, inspections, and other related services as authorized by California State Law: **These fees shall be reflected in a resolution of the board of supervisors and shall be subject to annual adjustments. The rate of the annual adjustment of fees shall be based on the State of California, Department of Industrial Relations, Consumer Price Index-California, San Francisco-Oakland-San Jose, All Urban Consumers ("CPI").**

- | | |
|---|--------------------|
| 1. Inspection, Certification and Stand-by Fee | \$50.00 per hour |
| 2. Mileage Fee (determined by reference to the I.R.S. guidelines) | (Portal to Portal) |

~~B.1. Annual Adjustment. All hourly fees hereunder shall be adjusted each July 1st in accordance with the United States Bureau of Labor Statistics Consumer Price Index, for Urban Wage Earners and Clerical Workers, San Francisco-Oakland, all items, said adjustment to be made by adjusting the amounts according to the following formula:~~

2. Multiply the fee by the quotient obtained by dividing the consumer price index figure as of the preceding April 1st in the initial year of this chapter. The resulting figure to be rounded downward to the nearest dollar (\$1.00).

The adjustment in each fee will be calculated based on the difference between the most currently available CPI and the CPI amount for the same month of the previous year. The percentage change in each fee shall be the same as the percentage change in the CPI. Fees shall be rounded to the nearest dollar. The Board adopted resolution reflecting the current fee schedule and definitions of categories shall be conclusive as to the amount of any annual adjustment and shall be on file with the agricultural commissioner/sealer of weights and measures. The annual billing and fee adjustment date is subject to change by the agricultural commissioner/sealer of weights and measures with prior public notice.

SECTION 3: This ordinance shall take effect and be in full force thirty (30) days after the date of its passage. The Clerk is directed to publish this ordinance, or a summary thereof, within fifteen (15) days in accordance with government code section 25124.

Before the Board of Supervisors County of Placer, State of California

Resolution No.: _____

In the matter of:

Adoption of Fee Schedule for Inspections and Related
Services Provided By the Placer County Agricultural
Commissioner/Sealer of Weights and Measures

The following RESOLUTION was duly passed by the Board of Supervisors
of the

County of Placer at a regular meeting held _____, by
the

following vote on roll call:

Ayes:

Noes:

Absent:

Signed and approved by me after its passage.

Chair, Board of Supervisors

Attest:

Clerk of said Board

THE BOARD OF SUPERVISORS OF THE COUNTY OF PLACER, STATE OF CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

WHEREAS, the Placer County Agricultural Commissioner/Sealer of Weights and Measures allocates staff time and other costs for providing inspections and other related services as required by law; and

WHEREAS, the Board previously determined that the costs associated with such services are to be supported, in part, by consumers of those services; and

WHEREAS, the Board adopted Placer County Code sections 2.116.167 and 2.116.173 specifying annual cost adjustment mechanisms to be used by Placer County Agricultural Commissioner/Sealer of Weights and Measures to ensure cost recovery consistent with the Board's direction.

NOW THEREFORE, it is hereby resolved that the Board of Supervisors of Placer County adopts the Placer County Agricultural Commissioner/Sealer of Weights and Measures Fee Schedule for Inspections and Related Services as set out in the attached Exhibit A. The Fee Schedule shall become effective on August 1, 2015.

BE IT FURTHER RESOLVED, this resolution shall become effective immediately.

EXHIBIT A

**Placer County Agricultural Commissioner/Sealer of Weights and Measures
Hourly Inspection and Service Fee Schedule**

	Current Fees	New Proposed Fees
Apiary Certificate Inspection	\$ 50.00	\$ 83.00
Inspection and Certification of Plant Shipments	\$ 50.00	\$ 83.00
Quarantine Shipment Inspection	\$ 50.00	\$ 83.00
Pest Detection Inspection	\$ 50.00	\$ 83.00
Non-Commercial Weights and Measures Inspection	\$ 50.00	\$ 83.00
Weight and Measures Re-Inspection or Stand-By	\$ 50.00	\$ 83.00
Vehicle Mileage Rate	Current IRS Rate	

ATTACHMENT 3

Placer County Agricultural Commissioner/ Sealer of Weights and Measures

Fee Study

The proposed revisions to the department's hourly charge rate were calculated in accordance with the Placer County Charge-Out Rate Policy and reviewed by the Auditor-Controller. The department has seven licensed Agricultural and Standards Inspectors that conduct inspections resulting in hourly charges to regulated industries. The proposed hourly charged rate was determined by calculating the average productive hourly rate for each inspector and averaged to arrive at the new proposed rate.

Productive Hours Formula

Total Annual Hours	2,080
Vacation (3 weeks)	(120)
Sick Leave (12 days)	(96)
Holidays (12 days)	(96)
Training	(10)
Other (breaks)	(120)
Total Annual Productive Hours	1,646

Agricultural and Standards Inspectors Productive Hourly Rate Calculations

	Supervising Inspector	Senior Inspector	Senior Inspector	Inspector II	Inspector I	Inspector I	Inspector I
Total Hourly Pay	\$76,253.00	\$69,160.00	\$69,160.00	\$59,738.00	\$50,315.00	\$50,315.00	\$50,315.00
Annual Productive Hours	1,646	1,646	1,646	1,646	1,646	1,646	1,646
Productive Hourly Rate (Total Pay/Productive Hours)	\$46.33	\$42.02	\$42.02	\$36.29	\$30.57	\$30.57	\$30.57
Benefit Rate (70%)	\$32.43	\$29.41	\$29.41	\$25.40	\$21.40	\$21.40	\$21.40
Total Pay & Benefits	\$78.75	\$71.43	\$71.43	\$61.70	\$51.97	\$51.97	\$51.97
Overhead Rate (32%)	\$25.20	\$22.86	\$22.86	\$19.74	\$16.63	\$16.63	\$16.63
Total Productive Hourly Rate	\$103.96	\$94.29	\$94.29	\$81.44	\$68.59	\$68.59	\$68.59
Average Productive Hourly Rate							
\$83.00							

**Agricultural Commissioner/
Sealer of Weights and Measures**

Current and Proposed Hourly Inspection Charge Rates

	Current Fees	New Proposed Fees
Apiary Certificate Inspection	\$ 50.00	\$ 83.00
Inspection and Certification of Plant Shipments	\$ 50.00	\$ 83.00
Quarantine Shipment Inspection	\$ 50.00	\$ 83.00
Pest Detection Inspection	\$ 50.00	\$ 83.00
Non-Commercial Weights and Measures Inspection	\$ 50.00	\$ 83.00
Weight and Measures Re-Inspection or Stand-By	\$ 50.00	\$ 83.00

