

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



FROM: Agricultural Commissioner's Office

SUBMITTAL DATE:
April 25, 2008

SUBJECT: Amendment to Resolution No. 2008-219 Regarding Fees for Agricultural Commissioner Services.

RECOMMENDED MOTION: That the Board:

1. Set for public hearing (with clerk to advertise) Resolution No. 2008-219 on June 10, 2008.
2. At the end of the public hearing, that the Board adopt Resolution 2008-219.

BACKGROUND: The current Resolution regarding the fee schedule for services provided by the Agricultural Commissioner's Office is being updated and amended in accordance with the Board of Supervisor's Policy B-4, "Rates Charged for Current Services".

A detailed, departmental cost analysis was recently completed based on current salary, benefit and operating expenses. This analysis determined the current fees associated with the base hourly rate per job classification, as well as for the service of certifying plant and plant product shipments. The Resolution was approved as to legal form by County Counsel.


**John Snyder, Agricultural Commissioner/
Sealer of Weights and Measures**

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 0	In Current Year Budget:	No
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2008/09

SOURCE OF FUNDS:	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION: APPROVE
 BY: 
 Michael R. Shetler

County Executive Office Signature

FISCAL PROCEDURES APPROVED
 ROBERT E. BYRD, AUDITOR-CONTROLLER
 BY: 
 JERRY D. WOOD
 Departmental Concurrence
 DATE: 4/25/08
 NEAL R. KIPNIS
 FORM APPROVED COUNTY COUNSEL
 BY: 

Dept's Recomm.: Consent Policy Policy
 Per Exec. Ofc.: Consent Policy

3 RESOLUTION NO. 2008-219

4
5 ESTABLISHING A FEE SCHEDULE FOR AGRICULTURE
6 SERVICE WITHIN THE COUNTY OF RIVERSIDE

7
8 WHEREAS, various resolutions and ordinances have been adopted by
9 the Board of Supervisors of the County of Riverside establishing and
10 amending fees for services and activities of the County Agricultural
11 Department;

12 WHEREAS, it has been determined to be both practical and
13 appropriate to amend and consolidate those various regulatory
14 provisions into a single resolution; now, therefore,

15 BE IT RESOLVED by the Board of Supervisors of the County of
16 Riverside, State of California, in regular session assembled on
17 _____, 2008 that a revised schedule of the Agricultural
18 Commissioner's service fee is established as follows:

19 1. When a certificate, as defined in Sections 5201, 47020,
20 42791, and 42792 of the California Food and Agricultural Code, or
21 permit, as defined in Sections 1430 and 3160 of the California Code of
22 Regulations, Title 3, requires field inspections, on-site inspections,
23 laboratory analyses, observation of mandatory pesticide treatments,
24 mandatory fumigations, or any other requirement that must be met prior
25 to the issuance of a permit or certificate, or there is any other
26 agricultural-related service requested by industry or the public, the
27 Agricultural Commissioner may charge a per hour fee (plus costs) based
28 on an assessment of man-hour costs to local government.

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- A. Per hour fee for one (1)
Agricultural & Standards Investigator:
 - 1) For the first hour or fraction thereof\$65.76
 - 2) For each thirty (30) minute period or
fraction thereof in excess of the first hour..\$32.88

- B. Per hour fee for one (1)
Weights & Measures Inspector:
 - 1) For the first hour or fraction thereof\$53.47
 - 2) For each thirty (30) minute period or
fraction thereof in excess of the first hour..\$26.74

- C. Per hour fee for one (1)
Senior Weights & Measures Inspector:
 - 1) For the first hour or fraction thereof\$60.18
 - 2) For each thirty (30) minute period or
fraction thereof in excess of the first hour..\$30.09

- D. Per hour fee for one (1)
Supervising Agricultural & Standards Investigator:
 - 1) For the first hour or fraction thereof\$70.99
 - 2) For each thirty (30) minute period or
fraction thereof in excess of the first hour..\$35.50

- E. Per hour fee for one (1)
Deputy Agricultural Commissioner:
 - 1) For the first hour or fraction thereof\$82.14
 - 2) For each thirty (30) minute period or
fraction thereof in excess of the first hour..\$41.07

- F. Per hour fee for one (1)
Office Assistant III:

- 1 1) For the first hour or fraction thereof\$49.00
2 2) For each thirty (30) minute period or
3 fraction thereof in excess of the first hour..\$24.50
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5 G. The fees stated in this Section apply between the hours
6 of 7:00 a.m. and 4:30 p.m. Monday through Friday. The fees shall
7 be increased to an amount equal to 1 and 1/4 times the stated
8 fees during other times.
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12 2. For citrus permits as defined in Section 1430, of the
13 California Code of Regulations, Title 3:
14 Per hour fee in Section 1.

15 3. For fruit or vegetable certificates, as defined in Sections
16 42791, 42792 and 42793 of the California Food and Agricultural Code:

- 17 A. 1-100 units or packages certified\$48.00
18 101-200 units or packages certified\$52.00
19 201-400 units or packages certified\$56.00
20 401-600 units or packages certified\$60.00
21 601-1008 units or packages certified\$64.00

22 This fee schedule shall apply to each additional 1008 units or
23 packages, or fraction thereof.

24 The total weight of bulk fruit or vegetables shall be divided by
25 the average container weight as set forth in the Riverside County
26 Annual Agricultural Production Report (published by the County
27 Agricultural Commissioner), in order to be considered a unit or
28

1 package for purposes of this fee schedule, (e.g. green corn averages
2 45 pounds per unit).

3 Or

4 B. Per hour fee in Section 1.

5 4. For the issuance of Direct Marketing Certificates, as defined in
6 Sections 1392.7 and 1392.8 of the California Code of Regulations,
7 Title 3:

8 A. Producer per calendar year or portions thereof
9 (includes amendments) Per hour fee in Section 1.

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11 B. Operator of Farmer's Market for each calendar
12 year or portion thereof for each
13 locationPer hour fee in Section 1.

14 5. For the inspection of certain vegetables and fruits, as
15 defined in Riverside County Ordinance No. 610 and Section 42792.1 of
16 the California Food and Agricultural Code:

- 17 A. Head lettuce-per standard container .. 2.0 cents
18 B. Cantaloupe melons-per stand. Container 1.5 cents
19 C. Other melons-per carton 1.5 cents
20 D. Watermelon-per ton 80.0 cents
21 E. Cantaloupe, honeydews, other melons
22 (experimental containers) 50.0 cents per bin
23 F. Head lettuce (for shredding).. 50.0 cents per bin

24 6. For the inspection of green corn, as defined in
25 Riverside County Ordinance No. 566, and Section 42792.1 of the
26 California Food and Agricultural Code:

27 A. Green corn in containers weighing 50 pounds
28 or less, per container 2.5 cents

1 B. Green corn in bulk Per fee in 3.A. or 3.B

2 7. For the service of certifying plant and plant
3 product shipments, as requested by industry, and as defined in
4 Sections 5201 and 5202 of the California Food and Agricultural Code:

- 5 A. 1-100 units or packages certified \$48.00
6 101-200 units or packages certified \$52.00
7 201-400 units or packages certified \$56.00
8 401-600 units or packages certified \$60.00
9 601-1008 units or packages certified \$64.00

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11 There shall be a minimum fee of \$13.50 for commodity
12 fumigation under an authorized "Compliance Agreement".

13
14 There shall be a minimum fee of \$60.00 for commodity
15 inspection under an authorized "Compliance Agreement".

16
17 This fee schedule shall apply to each additional 1,008
18 units or packages, or fraction thereof.

19 The total weight of bulk plant or plant product shipments
20 shall be divided by the average container weight as set
21 forth in the Riverside County Annual Agricultural
22 Production Report (published by the County Agricultural
23 Commissioner) in order to be considered a unit or package
24 for purposes of this fee schedule (e.g. citrus average, 40
25 pounds per unit). A \$12.00 fee shall be charged for each
26 duplicate of a certified certificate.

27 Or

28 B. Per hour fee in Section 1.

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8. Services related to apiaries:

A. For bee colony strength inspection and certification, as defined in Sections 29272 and 29195 of the California Food and Agricultural Code:

Per hour fee in Section 1.

B. For apiary American Foulbrood Disease inspections, as defined in Section 29201 of the California Food and Agricultural Code:

Per hour fee in Section 1.

C. For abatement of American Foulbrood Disease, as defined in Sections 29207 and 29209 of the California Food and Agricultural Code:

Per hour fee in Section 1.

D. For apiary pest inspection, as defined in Section 29201 of the California Food and Agricultural Code:

Per hour fee in Section 1.

E. For apiary pest abatement, as defined in Section 29209 of the California Food and Agricultural Code:

Per hour fee in Section 1.

F. For apiary registration, as defined in Section 29044 of the California Food and Agricultural Code, each calendar year or fraction thereof \$10.00

9. For registration with the Agricultural Commissioner's Office by a licensed Branch 1 Structural Pest Control Business, as

1 defined in Section 15204.5 (a) (b) (c) (d), Division 7 of the
2 California Food and Agricultural Code, each calendar year or fraction
3 thereof \$25.00

4 10. For registration with the Agricultural Commissioner's
5 Office by a licensed Branch 2 and 3 Structural Pest Control Business,
6 as defined in Section 15204 (a) (b) (c), Division 7 of the California
7 Food and Agricultural Code, each calendar year or fraction thereof
8 \$10.00

9 11. For amendment(s) to registration with the Agricultural
10 Commissioner's Office by a licensed Branch 2 and 3 Structural Pest
11 Control Business, as defined in Section 15204 (a) (b) (c), Division 7
12 of the California Food and Agricultural Code, each calendar year or
13 fraction thereof \$10.00

14 12. For amendment(s) to registration with the Agricultural
15 Commissioner's Office by a licensed Branch 1 Structural Pest Control
16 Business, as defined in Section 15204.5 (a) (b) (c) (d), Division 7 of
17 the California Food and Agricultural Code, each calendar year or
18 fraction thereof \$10.00

19 13. For registration of a licensed pest control operator, as
20 defined in Section 11701, 11732 and 11734 of the California Food and
21 Agricultural Code, each calendar year or fraction thereof
22 \$60.00

23 14. For registration of a maintenance gardener to do licensed
24 pest control work, as defined in section 11704 and 11734 of the
25 California Food and Agricultural Code, each calendar or fraction
26 thereof \$25.00

27 15. For registration of an agricultural pest control advisor,
28 as defined in Sections 11410, 12002, 12031, 12034 of the California

1 Food and Agricultural Code, each calendar year or fraction thereof
2 \$10.00

3 For registering in Riverside County when already registered in
4 another county, as defined in Sections 11410, 12002, 12031, 12034 of
5 the California Food and Agricultural Code, each calendar year or
6 fraction thereof \$5.00

7 16. For registration of an agricultural pest control aircraft
8 pilot, as defined in Section 11901, 11921, 11923 of the California
9 Food and Agricultural Code, each calendar year or fraction thereof
10 \$10.00

11 For registering in Riverside County when already registered in
12 another county, as defined in Sections 11901, 11921, 11923 of the
13 California Food and Agricultural Code, each calendar year or fraction
14 thereof \$5.00

15 17. For registering a licensed farm labor contractor, as
16 defined in Section 1695 of the California Labor Code, who contracts
17 with growers in Riverside County for farm labor each calendar year or
18 fraction thereof \$40.00

19 18. For the issuance of a permit to control blowing sand as
20 defined in County Ordinance No. 484
21 Per hour fee in Section 1.

22 19. For performing a seed sample as a service, as defined
23 in the California Code of Regulations, Title 3, Section 3871 (d) and
24 (e) and 3902 (c) Per hour fee in Section 1.

25 20. For permit or wood receipt for desert native plants, as
26 defined in Sections 80063, 80064, and 80101 of the California Food and
27 Agricultural Code:

28 A. Minimum Fee \$10.00

- 1 B. Per cord of live or dead mesquite, palos verde, or
- 2 ironwood species of trees cut or removed or wood
- 3 \$1.00
- 4 C. Per native plant except Yucca brevifolia
- 5 (Joshua Tree) \$1.00
- 6 D. Per Yucca brevifolia (Joshua Tree) \$2.00

7 21. As defined in Section 12829 (a) of the California Food and
8 Agricultural Code, if a person holds a research authorization for an
9 economic poison issued pursuant to Section 6260 of Title 3 of the
10 California Code of Regulations for the purpose of testing the product,
11 and the produce on which the product was tested must be destroyed, any
12 actual costs incurred by the Commissioner to investigate and confirm
13 the destruction of the produce shall be paid for by the person holding
14 the research authorization. Costs charged by the Commissioner shall
15 not exceed one hundred twenty-five dollars (\$125.00) per test site.

16 22. For requested inspections/consultations, training sessions,
17 records research (crop information or otherwise) not supported by fees
18 otherwise provided for in this resolution:
19 Per hour fee in Section 1, two hour minimum.

20 23. For requested photocopying services.....\$0.50 per page

21 BE IT FURTHER RESOLVED, FOUND AND DETERMINED that the
22 foregoing fees are established in each case at not more than the
23 actual cost of the services rendered.

24 BE IT FURTHER RESOLVED that the authority and guidelines for the
25 above schedule comes from the following:

26 California Food and Agricultural Code, Sections 5201, 5202, 6303
27 (d), 11410, 11701, 11704, 11732, 11734, 11901, 11921, 11932, 12002,
28 12031, 12034, 12829(a), 15204, 15204.5, 29044, 29195, 29201, 29203,

1 29204, 29207, 29209, 29272, 42791, 42792, 42792.1, 42793, 47020,
2 80063, 80064, 80101;

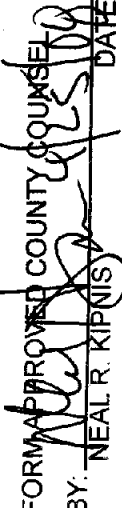
3 California Business and Professions Code, Division 7, Section
4 15204 (a), (b), (c), (d);

5 California Government Code, Sections 54985, 54986;

6 California Code of Regulations, Title 3, Sections 1392.7, 1392.8,
7 1430, 3160, 3871 (d), (e), 3902 (c), 6260;

8 California Labor Code, Section 1695; and Riverside County
9 Ordinance Numbers 484, 566, 610.

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FORM APPROVED COUNTY COUNSEL
BY:  DATE