



COUNTY OF SONOMA

575 ADMINISTRATION
DRIVE, ROOM 102A
SANTA ROSA, CA 95403

SUMMARY REPORT

Agenda Date: 3/25/2025

To: Board of Supervisors

Department or Agency Name(s): Department of Agriculture/Weights & Measures

Staff Name and Phone Number: Andrew F. Smith, (707) 565-2371

Vote Requirement: Majority

Supervisory District(s): Countywide

Title:

Consolidated Fee Hearing - FY 2025-26 Fees for the Department of Agriculture/Weights & Measures (First Reading)

Recommended Action:

Adopt a Resolution introducing, reading the title, and waiving further reading of the proposed ordinance establishing and amending fees for services provided by the Department of Agriculture/Weights and Measures. If adopted on April 15th, the new fees will become effective on July 1, 2025.

Executive Summary:

The County of Sonoma engaged with a consultant, NBS (Consultant) to perform a User Fee Study (Fee Study) in FY 2019-20. The goal of the Study was to present findings regarding maximum allowable cost recovery amounts from the various fee analyses performed as part of the Study, and to provide the County with the information needed to update and establish user and regulatory fees for services. During the FY 2022-23 consolidated fee hearings, the Board directed staff to implement a 3-year phased approach to reaching full cost recovery. The Consolidated Fee Hearings for FY 2024-25 was the third and final year of that phased approach. The Department is requesting a three percent increase for fiscal year 2025-26 for most fees to cover increased salaries and benefits costs, with a few fees changing by other amounts as discussed below.

Discussion:

California cities, counties, and special districts may impose user and regulatory fees for services and activities they provide through provisions set forth in the State Constitution, Article XIII C §1(e)(1)-(3). Under this legal framework, a fee may not exceed the reasonable cost of providing the service or performing the activity. For a fee to qualify as such, it must relate to a service or activity performed at the request of an individual or entity, or their actions specifically cause the local government agency to perform additional activities.

The FY 2025-26 proposed rate increases above current fees are as follows:

Operational Division	FY 2025-26 Proposed Rate Increase (average %)
Agriculture	3%
Land Stewardship	3%

Agriculture Division

The Agriculture Division acts under the jurisdiction and direction of the California Department of Food and Agriculture (CDFA), and the California Department of Pesticide Regulation (DPR), and works in cooperation with various federal, state, regional, and local agencies. The Agricultural Commissioner enforces the laws and regulations of the California Food and Agricultural Code, the California Code of Regulations, and local ordinances while serving at the discretion of the County Board of Supervisors and the CDFA Secretary of Agriculture.

Historically, fees in the Agriculture Division have remained below full cost recovery to help support the local agricultural community, and as a result, the General Fund is used to supplement division costs. In turn, the amount of General Fund contributed to the CDFA program activity costs within the Agriculture Division supports the County's Maintenance of Effort (MOE) for unclaimed gas tax revenue and helps leverage additional funding from the CDFA. Fee revenues for Agriculture services (excluding Cannabis) comprise approximately 5% of the division's total revenues.

Additionally, the Agriculture Division is requesting a \$2 increase to the technical fees paid for the Digital Health Department (DHD) software used for recording hazardous materials projects, from \$11 to \$13, an increase of 18%. The DHD program serves as an inventory for hazardous materials stored on agricultural properties. Current costs associated with the DHD program are \$4,700.50 for 350 facilities, equating to \$13.43 per facility. This increase will bring the cost recovery for the DHD program to near 97%.

Land Stewardship Division

The Land Stewardship Division administers the Sonoma County Vineyard and Orchard Site Development Ordinance, also known as VESCO, as well as agricultural grading and drainage. Growers planting new vineyards, orchards, or replanting existing vineyards or orchards are required to meet standards within the Sonoma County Code and comply with requirements including best management practices (BMP) as established in the Agricultural Commissioner's BMP Guidelines.

Weights & Measures Division

The Weights & Measures Division is committed to protecting the economic health of the community by preserving and maintaining confidence in the accuracy of weighing and measuring instruments, product standards, and business practices used in commerce. Through this balanced commitment and timely response to citizen requests, consumers and businesses are assured the means of accurate value comparison and fair competition.

The Automated Point of Sale Fees are for costs for point-of-sale scanner compliance, including inspections and testing for accuracy. This ensures correct charges when a store scans the bar code on a package and the price

rings up at the checkout counter. Division staff inspects to ensure the products sold at the correct listed price. Noncompliance with these regulations tend to effect underrepresented communities where small overcharges can have greater effect. In this way, these fees support the County's Strategic Plan pillar of Racial Equity and Social Justice.

Device Registration fees in the Weights & Measures Division are set by Business & Professions Code §12240. This code sets out the authority for Weights & Measures staff to test a variety of weighing and measuring devices used in commerce to ensure equity in the marketplace. This includes everything from scales used at a deli counter to taxi meters measuring the distance traveled.

Estimated Revenues and Future Review

The FY 2025-26 estimated revenue projections based on the proposed 3% fee increase is approximately \$173,804. The Department is approximately 70% self-funded through state grant revenue and costs for services (fees) and receives approximately \$2.5 million in General Fund support. While the overarching goal is to implement fees for services that cover departmental costs, significant consideration has been given to community impacts. Fees that have a great community benefit, in particular Agriculture Division fees and require additional funding support through maintenance of effort by the County General Fund. □

The Department plans to conduct an internal evaluation of its fees and cost recovery in FY 2025-26 to ensure the fees equate to the estimated cost of providing the service. Efforts are currently underway to examine efficiencies to keep costs for services flat or reduce the costs where warranted.

Strategic Plan:

N/A

Racial Equity:

Was this item identified as an opportunity to apply the Racial Equity Toolkit?

No

Prior Board Actions:

03/26/2024 - Adoption of Agriculture/Weights & Measures Fees and Staff Hourly Rates

03/21/2023 - Adoption of Agriculture/Weights & Measures Fees and Staff Hourly Rates

03/22/2022 - Adoption of Agriculture/Weights & Measures Fees and Staff Hourly Rates

05/15/2019 - Adoption of Agriculture/Weights & Measures Fees and Staff Hourly Rates

04/18/2017 - Adoption of Agriculture/Weights & Measures Fees and Staff Hourly Rates

04/26/2016 - Adoption of Agriculture/Weights & Measures Fees and Staff Hourly Rates

FISCAL SUMMARY

Expenditures	FY24-25 Adopted	FY25-26 Projected	FY26-27 Projected
Budgeted Expenses		\$173,804	
Additional Appropriation Requested			

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Total Expenditures		\$173,804	
Funding Sources			
General Fund/WA GF			
State/Federal			
Fees/Other		\$173,804	
Use of Fund Balance			
General Fund Contingencies			
Total Sources		\$173,804	

Narrative Explanation of Fiscal Impacts:

The Department anticipates an additional \$173,804 in revenue as a result of the proposed fee increases in FY 2025-26.

Staffing Impacts:			
Position Title (Payroll Classification)	Monthly Salary Range (A-I Step)	Additions (Number)	Deletions (Number)

Narrative Explanation of Staffing Impacts (If Required):

N/A

Attachments:

Attachment 1: Resolution introducing and waiving further reading of Ordinance
Attachment 2: Ordinance
Attachment 3: Exhibit to Ordinance
Attachment 4: FY 2025-26 Fee Summary

Related Items "On File" with the Clerk of the Board:

None