



**COUNTY OF SAN MATEO**  
**Inter-Departmental Correspondence**  
Agriculture/Weights and Measures



**Date:** June 7, 2012  
**Board Meeting Date:** June 26, 2012  
**Special Notice/Hearing:** None  
**Vote Required:** Majority

**TO:** Honorable Board of Supervisors

**FROM:** Fred W. Crowder, Agricultural Commissioner/Sealer

**SUBJECT:** Resolutions amending fee schedules for Weights and Measures inspections and for the Agricultural Commissioner

**RECOMMENDATION:**

Adopt a Resolution amending the:

- 1) Fee schedule for Weights and Measures repeat inspections and testing, rescheduling, stand-by charges and non-commercial device inspections; and,
- 2) Fee schedule for the Agricultural Commissioner

**BACKGROUND:**

The current fees for stand-by charges and non-commercial device inspections were approved in 2003 as separate resolutions. The stand-by charge inspection fee applies when a device is adjusted and the device owner requests that Department staff and equipment be available on site. Non-commercial device fees are charged when a business requests testing of devices that are not used for commercial transactions, such as medical office scales. Fees for plant shipment phytosanitary inspection and certification requested by agricultural businesses were last amended in 2009.

**DISCUSSION:**

The Weights and Measures resolution combines two revised existing fees with two new fees into a single resolution. The repeat inspection fee establishes a charge to businesses that require an inspection after a device fails its initial inspection. The cost to perform the initial inspections are recovered with payment of an annual device registration fee. The repeat inspection fee is designed to recover additional costs when repeat inspections are requested. The costs of repeat inspections should not be borne by businesses that have made it a priority to comply with weighing and measuring requirements. The rescheduling fees will target taxi companies that make appointments for inspection and cancel with or without notice or fail to appear. While most businesses are visited unannounced, taxi drivers must bring their vehicles to the Department's taxi testing location. Businesses that fail to appear cost the Department valuable inspection time that can be better spent providing greater consumer protection.

All fees will follow the most recent Uniform Schedule of Fees established in Business and Professions Code 12210.5 and are listed under Exhibit A in the amended Resolution. The Uniform Schedule of Fees has been updated since the last time stand-by fees were considered by the Board. The stand-by and non-commercial devices fees enacted in 2003 were in separate resolutions. These two fees and the new fees are now combined into a single resolution in which all fees follow the Uniform Schedule of Fees. The revised non-commercial device fees will follow the Uniform Schedule of Fees in place of the fee schedule enacted in 2003. For all inspections, the device type inspected or rescheduled will determine the fee charged. Taxis will be charged the Other Commercial Devices fee of \$70.00/hr when a no-show/rescheduling fee is applied.

Device repeat inspection fees are already in place in eight Bay Area Counties including Alameda, Contra Costa, San Francisco and Santa Clara Counties. Contra Costa and Santa Clara Counties have enacted a “no-show”/rescheduling fee to address the issue of taxis frequently missing appointments.

**Uniform Schedule of Fees Summary**

Device Description	Current Fee Adopted in 2003	Revised Fee
Small capacity scales	\$70.00/hour	\$100.00/hour
Large capacity scales	\$70.00/hour	\$100.00/hour
Large capacity scales greater than 3,000 lbs.	\$125.00/hour	\$130.00/hour
Retail gasoline dispensers	\$53.00/hour	\$70.00/hour
Wholesale petroleum meters	\$65.00/hour	\$90.00/hour
Liquefied petroleum gas meters	\$65.00/hour	\$90.00/hour
All other commercial devices (includes taximeters)	\$65.00/hour	\$70.00/hour

**Non-Commercial Device Fee Summary**

Service Provided Description	Current Fee Adopted in 2003	Revised Fee
Tuning Forks, Tape Measures, Liquid Measures*	\$15.00/device	\$70.00/hour (All other commercial devices from Uniform Fee Schedule)
Small capacity scales	\$75.00/location	\$100.00/hour
Large capacity scales (Weight Truck required)	\$150.00/location	\$130.00/hour
Other Devices	\$75.00/location	\$70.00/hour

\*Requests very rare

Phytosanitary inspections are performed at the request of County growers or shippers to certify that exported agricultural commodities meet the requirements of the destination state or country. The fees, which are based on the number of packages in shipments, will increase by \$6.00 per package category and will allow the Department to maintain the current level of service. Phytosanitary certification fee structures vary; however, the proposed fees are lower on average than Santa Clara and higher than San Francisco. The new fee amounts do not exceed cost recovery for the inspection program.

### **Agricultural Commissioner Fee Schedule**

Number of Packages	Current Phytosanitary Fee	Revised Phytosanitary Fee
1-75	\$32.00	\$38.00
76-200	\$36.00	\$42.00
Over 200	\$42.00	\$48.00

Inspection program costs were developed using direct personnel hours from last fiscal year and salaries and benefits, direct expenditures such as mileage and equipment, and associated indirect costs. The Department's salaries and benefits have increased since the current fee schedules were established. The resolutions have been reviewed and approved by County Counsel.

Approval of these Resolutions contribute to the Shared Vision 2025 outcome of Environmentally Conscious Community by providing revenue to maintain the device inspection program and phytosanitary certification at the current level of service.

#### **Performance Measure(s):**

Measure	FY 2011-12 Estimate	FY 2012-13 Target
Percent of businesses in compliance with Weights and Measures requirements	100%	92%

#### **FISCAL IMPACT:**

The proposed fee increases will contribute to the Department's ability to maintain customer service levels during FY 2012-13. The new fees will result in projected revenue increases of \$30,000 from phytosanitary inspections and \$7,500 from the new weights and measures fees. This revenue has been included in the Agricultural Commissioner/Sealer FY 2012-13 Recommended Budget and is part of the Department's plan to meet its Net County Cost target.