

**ORDINANCE NO. 10282 (New Series)**

**AN ORDINANCE ADDING SECTION 365 TO THE ADMINISTRATIVE CODE RELATING TO DEPOSITS FOR THE DEPARTMENT OF GENERAL SERVICES**

The Board of Supervisors of the County of San Diego ordains as follows:

**Section 1.** The Board of Supervisors finds and determines that it is necessary to add Section 365 pertaining to the Department of General Services’ ability to establish and accept deposits for the processing of vacations, easements, irrevocable offers of dedication, Board approval, and requests pursuant to Board Policy J-33. The additions made by this ordinance are intended to establish deposits charged for these services to ensure full cost recovery.

**Section 2.** Section 365 is hereby added to the Administrative Code to read as follows:

**SEC. 365 - MISCELLANEOUS DEPOSITS FOR THE DEPARTMENT OF GENERAL SERVICES**

**(a) DEPOSITS**

1. PRE-INTAKE DEPOSITS. An applicant may request review of a project to identify any significant issues or concerns that the applicant may want to consider before filing a formal application. The deposit collected is intended to cover County costs to conduct the initial project analysis and application processing. Application consultation shall be mandatory for all privately initiated projects unless waived by the Department of General Services. The Pre-Intake Deposit shall be the deposit amount set by the Board for the particular type of application. Upon the filing of an application, the applicant shall deposit the funds necessary to replenish the account to the amount set by the Board for the type of application filed.
2. DEPOSITS DUE WITH APPLICATION. Deposits shall be calculated and paid to the Department of General Services in accordance with the following schedule:

<u>CASE TYPE</u>	<u>AUTHORITY</u>	<u>AMOUNT</u>	<u>F/D</u>
VACATION REQUEST	398.5 CAC	\$2,085	D
MANDATORY DEDICATION	398.5 CAC	\$685/ First Document	D
BOARD POLICY J-33 PROCESSING	398.5 CAC	\$14,935	D
CAC = County Administrative Code      D = Deposit      F = Fee			

3. POST-APPLICATION DEPOSIT ADJUSTMENTS. Upon completion of initial project analysis, the applicant and project manager will discuss the scope of the project and calculate an estimated deposit(s). The estimated deposit(s) shall be calculated based on factors identified during the initial project analysis, established processing time standards, standard hourly rates and key milestones.

Estimated deposits shall be paid in advance of services performed. Estimated deposits are collected to recover actual project processing costs by key milestones and shall be paid prior to the completion of said milestones. The County may discontinue processing the requested project

and/or recommend denial of the project based on the applicant's refusal to pay the estimated deposit and all actual processing costs that may not have been included in the estimate.

(b) MISCELLANEOUS PROVISIONS GENERALLY APPLICABLE TO DEPOSITS.

1. STANDARD HOURLY RATES. Any County employee may bill against an account at the hourly rates specified in subsection (c), Schedule of Standard Hourly Rates.
2. SUBSEQUENT DEPOSITS. Unanticipated factors arising during project processing, such as, but not limited to, complexity, controversy or environmental issues which require additional project review will be conveyed to the applicant as soon as they are known. If it is determined that the deposit is insufficient to recover actual costs, the project manager will scope the work remaining on the project and calculate an additional subsequent deposit. The County may discontinue processing the requested project and/or recommend denial of the project based on the applicant's refusal to pay the estimated deposit and all actual processing costs that may not have been included in the estimate. Final documents and approvals shall not be issued until all deposits are paid in full.
3. REFUNDS. At the completion of all tasks associated with an application for which a deposit is required and after all final documents and review are completed, the difference between the deposited amount and the actual cost shall be refunded within 180 days. A refund shall not be authorized if the total refundable amount after deduction of County administrative cost is less than \$10. An applicant who has paid the applicable deposit (s) may withdraw the application by submitting a written request to the County. The County shall discontinue work on such application within one working day from the receipt of said request. Any unused deposit(s) remaining upon the withdrawal of the application shall be refunded in accordance with this section.
4. Notwithstanding any other provision of this section, when an applicant is owed a refund but is in deficit on a separate deposit account(s) at any County department, the refund may be applied by the County to the deposit account(s) in deficit as an offset, unless a different disposition of the refund is required by law.

(c) SCHEDULE OF STANDARD HOURLY RATES

Unless otherwise specified, all deposits and time and material charges shall be calculated and will be charged using the following standard hourly billing rates:

<u>POSITION</u>	<u>HOURLY RATE</u>
<u>Land Surveyor/Senior Land Surveyor</u>	<u>\$121.98</u>
<u>Associate/Senior Real Property Agent/Project Manager</u>	<u>\$121.44</u>
<u>Project Manager Valuation</u>	<u>\$128.52</u>
<u><b>OTHER COUNTY DEPARTMENTS</b></u>	
<u>County Counsel – Attorney</u>	<u>Charged at hourly rate approved by the Board of Supervisors</u>
<u>County Counsel – Paralegal</u>	<u>Charged at hourly rate approved by the Board of Supervisors</u>
<u>Department of Planning and Development Services Personnel</u>	<u>Charged at hourly rate approved by the Board of Supervisors</u>

09/10/2013 (15)

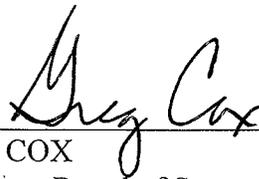
Department of Public Works Personnel

Charged at hourly rate approved by the  
Board of Supervisors

**Section 4.** This Ordinance shall take effect and be in force sixty (60) days after the date of its passage, and before the expiration of fifteen (15) days after its passage, a summary shall be published once with the names of the members voting for and against the same in San Diego Commerce, a newspaper of general circulation published in the County of San Diego.

Approved as to Form and Legality  
THOMAS E. MONTGOMERY, County Counsel  
By Shiri Hoffman, Senior Deputy

PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County of San Diego this 10<sup>th</sup> day of September, 2013.



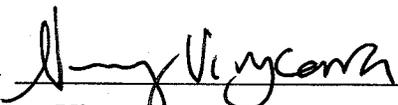
GREG COX  
Chairman, Board of Supervisors  
County of San Diego, State of California

The above Ordinance was adopted by the following vote:

AYES: Cox, Jacob, D. Roberts, R. Roberts, Horn

ATTEST my hand and the seal of the Board of Supervisors this 10<sup>th</sup> day September, 2013.

THOMAS J. PASTUSZKA  
Clerk of the Board of Supervisors

By   
Nancy Vizcarra, Deputy

Ordinance No. 10282 (N.S.)

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