



# County of Monterey

Item No.

## Board Report

Board of Supervisors  
Chambers  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901

Legistar File Number: 22-1056

November 22, 2022

Introduced: 11/9/2022

Current Status: Agenda Ready

Version: 1

Matter Type: General Agenda Item

Introduce, waive reading, and set December 6, 2022 at 10:30 a.m. as the date and time to adopt an ordinance amending Chapters 2.12, 2.27, 2.28, 2.29, 2.30, 2.31, 2.36, and 2.56 of the Monterey County Code relating to dissolution of the Resource Management Agency, creation of the Housing and Community Development Department and Public Works, Facilities and Parks Department, and update of the fee for examination of records of survey.

**Proposed CEQA action:** The ordinance is not a project pursuant to CEQA Guidelines section 15378(b)(4) and (5).

### RECOMMENDATION:

It is recommended that the Board of Supervisors:

Introduce, waive reading, and set December 6, 2022 at 10:30 a.m. as the date and time to adopt an ordinance amending Chapters 2.12, 2.27, 2.28, 2.29, 2.30, 2.31, 2.36, and 2.56 of the Monterey County Code relating to dissolution of the Resource Management Agency, creation of the Housing and Community Development Department and Public Works, Facilities and Parks Department, and update of the fee for examination of records of survey.

### SUMMARY:

In 2020, the Board of Supervisors adopted Ordinance Nos. 5342 and 5347 and took other actions to dissolve the Monterey County Resource Management Agency (RMA), replace the RMA with the Housing and Community Development Department and Public Works, Facilities and Parks Department, create new director positions for each of the new departments, and authorize corresponding changes to the County Code. This ordinance amends several chapters of Title 2 of the County Code to incorporate and reflect these changes and to make corresponding clarifications and minor revisions to reflect this organizational restructuring. This ordinance also updates the fee stated in the County Code for the County Surveyor's examination of records of survey.

### DISCUSSION:

Ordinances Nos. 5342 and 5347 dissolved the RMA, created the Housing and Community Development Department and Public Works, Facilities and Parks Department and their director positions, and authorized the CAO, County Counsel and other specified staff to implement the changes, including causing appropriate revisions to the County Code without further direction of the Board of Supervisors. County Counsel has prepared the attached ordinance for adoption by the Board of Supervisors to amend the County Code to reflect the organizational restructuring and to make additional minor revisions and clarifications.

Additionally, the ordinance updates the fee for the County Surveyor's examination of records of

survey. State law requires the County Surveyor to examine records of survey and authorizes the Board of Supervisors to adopt a fee exceeding \$100 when the cost for this examination is demonstrated to exceed \$100. Chapter 2.56 of the County Code currently specifies a fee of \$200, which is out of date. This ordinance increases the fee to \$450 for the first sheet and \$150 for each additional sheet, which corresponds to and does not exceed the average actual cost of the County Surveyor's examination of a record of survey. The fee covers an average three and one-half hours of staff time for an Engineering Technician and one hour for the Chief of Surveys (who serves as the County Surveyor) to examine the first sheet and an additional hour of staff time for an Engineering Technician and one-half hour for the Chief of Surveys to examine each additional sheet. The fully burdened labor rate is \$85/hour for an Engineering Technician and \$153/hour for the Chief of Surveys. Therefore, the average staff cost for examining the first sheet of a record of survey equals \$450, and the average staff cost for examining the additional sheets of a record of survey equals \$161. Accordingly, the fee proposed by the ordinance, \$450 for the first sheet and \$150 for each additional sheet, closely corresponds to and does not exceed the actual average staff cost for this service. The fee proposed by the ordinance is the same as the fee that the Board of Supervisors has adopted as part of the Monterey County Fee Resolution pursuant to Chapter 1.40 of the County Code and therefore is not an increase of the fee already being charged for examination of records of survey. Since the filing of records of survey provides substantial public benefit and the proposed fee corresponds to staff costs for providing this service, staff recommends adoption of the fee as stated in the proposed ordinance.

CEQA:

The adoption of this ordinance is not a project under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15378(b)(4) and (5) because it is an organizational and administrative activity of government that will not result in a direct or indirect physical impact on the environment, and it is a fiscal activity that does not involve any commitment to any specific project that may result in a potentially significant physical impact on the environment.

OTHER AGENCY INVOLVEMENT:

County Counsel prepared the ordinance in consultation with the Housing and Community Development Department, Public Works, Facilities and Parks Department, and the County Surveyor. County Counsel has approved the ordinance as to form.

FINANCING:

The ordinance has no financial impact.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

This action furthers the following Board of Supervisors Strategic Initiatives:

- Economic Development
- Administration
- Health & Human Services
- Infrastructure
- Public Safety

Prepared by:

  
Wendy Strimling, Deputy County Counsel/retired annuitant, Ext. 5430

Approved by:

  
Kelly Donlon, Assistant County Counsel, Ext. 5313

Attachments:

Board Report

Attachment A - Proposed Ordinance

Attachment B - Draft Ordinance showing changes from current County Code