

**Before The Board of Supervisors In and For The
County of Monterey, State of California**

Resolution No. _____

Adopt Resolution amending Article V of the)
Monterey County Master Fee Resolution)
relating to the Parks Department User Fees)
for park use, enforcement, and rentals,)
effective November 1, 2014, pursuant to the)
attached Article V.)

THE MONTEREY COUNTY BOARD OF SUPERVISORS FINDS:

- A. Section 1.40.010 of Chapter 1.40 of Monterey County Code provides that all fees, penalties, refunds, reimbursements and charges of any kind by the County may be specified in the Monterey County Fee Resolution.
- B. The Parks Department has user fees for park use, enforcement, and rentals which are appropriate to specify in the Monterey County Master Fee Resolution beginning effective November 1, 2014.
- C. This action to modify fees and other charges to meet operational expenses is statutorily exempt from environmental review [Pub. Res. Code sec. 21080 subd. (b)(8)].
- D. Any and all adjustments to fees for services reflect no more than the actual and reasonable cost of the service or benefit received by the payor and burdened on the County, and arise from the use of County Park property. Any discount applicable to these surcharges have a de minimus impact on the departmental budget and implementation of that discount does not result in increased fees or costs for other patrons.
- E. By definition, these user fees are not a 'tax' and are exempt from voter approval pursuant to Article XIII C, section 1(e), subpars. 1, 2, 3, 4, and 5 of the California Constitution (charges arising from benefit received by payor, burden on government to provide services, administrative enforcement, use/admission costs to enter/use government property, and/or enforcement penalties).

THE MONTEREY COUNTY BOARD OF SUPERVISORS RESOLVES:

- I. Article V of the Monterey County Fee Resolution is amended, as set forth in the attached Article, and the Parks Department fees set forth in the attachment hereto are hereby adopted.
- II. Unless otherwise specifically amended, all prior resolutions regarding such fees remain as previously approved and are unaffected by this action.

III. The effective date of this Resolution is November 1, 2014.

PASSED AND ADOPTED on this _____ day of _____ 2014 by the following vote, to wit:

AYES:

NOES:

ABSENT:

I, Gail T. Borkowski, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book___ for the meeting on _____.

Dated:

Gail Borkowski, Clerk of the Board of Supervisors
County of Monterey, State of California

By _____
, Deputy