



## Monterey County Board of Supervisors

168 West Alisal Street,  
1st Floor  
Salinas, CA 93901  
831.755.5066

### Board Order

#### Resolution No.: 19-271

A motion was made by Supervisor Mary L. Adams, seconded by Supervisor Chris Lopez to:

Adopted Resolution No. 19-271 amending Article I.E (Health Department), Article IX (Resource Management Agency - Planning), and Article XVII (Office of the County Counsel), and adding Article XXI (County Administrative Office - Cannabis Program) (Attachment A) to the Monterey County Master Fee Resolution to internally reallocate fees received associated with processing Commercial Cannabis Permits; and provide direction as appropriate.

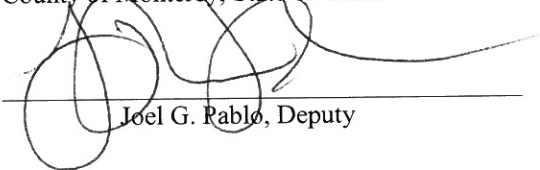
PASSED AND ADOPTED on this 23rd day of July 2019, by the following vote, to wit:

AYES: Supervisors Alejo, Phillips, Lopez, Parker and Adams  
NOES: None  
ABSENT: None

I, Valerie Ralph, 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 82 for the meeting July 23, 2019.

Dated: July 23, 2019  
File ID: 19-0589

Valerie Ralph, Clerk of the Board of Supervisors  
County of Monterey, State of California

  
Joel G. Pablo, Deputy

*Before the Board of Supervisors in and for the  
County of Monterey, State of California*

**Resolution No. 19-271**

Resolution of the Board of Supervisors to:

Adopted Resolution No. 19-271 to amend Articles I.E, IX and XVII and add Article XXI to the Monterey County Master Fee Resolution to internally reallocate fees received associated with processing Commercial Cannabis Permits.

**WHEREAS**, On July 19, 2016, the Monterey County Board of Supervisors adopted an ordinance adding Chapter 7.90 to the Monterey County Code;

**WHEREAS**, Chapter 7.90 requires commercial cannabis businesses to obtain an annual Commercial Cannabis Permit to conduct commercial cannabis activities, including cultivation, manufacturing, distribution, testing, and dispensaries in accordance with state and County law;

**WHEREAS**, On September 27, 2016, the Monterey County Board of Supervisors established new fees for Commercial Cannabis Permits;

**WHEREAS**, Section 1.40.010 of Chapter 1.40 of the Monterey County Code provides that all fees, penalties, refunds, reimbursements, and changes of any kind collected by the County may be specified in the Monterey County Fee Resolution;

**WHEREAS**, 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;

**WHEREAS**, By definition, these user fees are not a “tax” and are exempt from voter approval pursuant to Article XIIC, section 1(e)(3) of the California Constitution (charges imposed for the reasonable regulatory costs to a local government for issuing licenses and permits); and

**WHEREAS**, The purpose of this action is to internally reallocate disbursements for fees received associated with processing the Commercial Cannabis Permits as created by Chapter 7.90. Per the proposed amendments to the Monterey County Fee Resolution, the Commercial Cannabis Permit fee would be based on actual time spent by the CAO Cannabis Program, Resource Management Agency (RMA) – Building and Planning, Health Department – Environmental Health Bureau, and Office of the County Counsel in processing applications for these permits and would require an upfront deposit.

**NOW, THEREFORE, BE IT RESOLVED**, that the Monterey County Board of Supervisors does hereby find:

- a. The forgoing recitals are true and correct.
- b. Article I.E (Health Department), Article IX (RMA-Building and Planning), and Article XVII (Office of the County Counsel) of the Monterey County Master Fee Resolution are hereby amended as shown in Exhibits 1, 2, and 3 attached hereto and incorporated herein by reference.
- c. These amendments do not change the other fees set forth in Articles I.E, IX, XVII which remain in full force and effect.

- d. Article XXI (County Administrative Office – Cannabis Program) is hereby added to the Monterey County Master Fee Resolution as shown in Exhibit 4 attached hereto and incorporated herein by reference.
- e. Said amendments to the Articles I.E, IX, and XVII, and the addition of Article XXI shall take effect no sooner than 30 days following final action on the adoption of this Resolution.

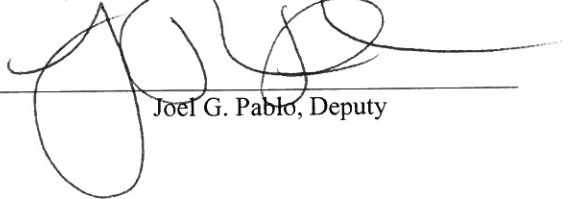
PASSED AND ADOPTED on this 23rd day of July 2019, by the following vote, to wit:

AYES: Supervisors Alejo, Phillips, Lopez, Parker and Adams  
NOES: None  
ABSENT: None

I, Valerie Ralph, 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 82 for the meeting July 23, 2019.

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Valerie Ralph, Clerk of the Board of Supervisors  
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Joel G. Pablo, Deputy