



## Monterey County Board of Supervisors

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Salinas, CA 93901  
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### Board Order

#### Resolution No. 17-525

Upon motion of Supervisor Alejo, seconded by Supervisor Salinas and carried by those members present, the Board of Supervisors hereby:

Adopted Resolution No. 17-525 to authorize the RMA Director and RMA Deputy Directors to grant refunds for RMA-Parks fees as adopted in Article V of the Monterey County Master Fee Resolution, or as established by the Director of Parks per Section 14.12.180.B.7 of the Monterey County Code.

PASSED AND ADOPTED this 14<sup>th</sup> day of November 2017, by the following vote, to wit:

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

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 80 for the meeting November 14, 2017.

Dated: December 20, 2017  
File ID: RES 17-175

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

By

Deputy

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

**Resolution No. 17-525**

Adopted Resolution No. 17-525 to:

- Authorize the RMA Director and RMA Deputy Directors )
- to grant refunds for RMA-Parks fees as adopted in )
- Article V of the Monterey County Master Fee Resolution, )
- or as established by the Director of Parks per Section )
- 14.12.180.B.7 of the Monterey County Code..... )

**WHEREAS**, in July 2016, the Board of Supervisors appointed the Resource Management Agency (RMA) Director as Interim Director of Parks to evaluate strategies for stabilizing the department and improving operations; and

**WHEREAS**, in December 2016, the Board of Supervisors approved and authorized the integration of the Parks Department (Parks) into the RMA; and

**WHEREAS**, Monterey County Code (MCC) Chapter 14.12 governs Parks; and

**WHEREAS**, MCC Section 14.12.020 requires Parks fees to be in accordance with schedules adopted, from time to time, by resolution of the County Board of Supervisors; and

**WHEREAS**, MCC Section 14.12.180.B.7 authorizes the Director of Parks (currently the RMA Director) to establish appropriate fees for new facilities pending the next revision of the schedule of fees by the Board of Supervisors; and

**WHEREAS**, MCC Section 14.12.030.B. states that: "No fee shall be refunded unless refunds have been authorized by resolution of County Board of Supervisors."; and

**WHEREAS**, the Parks Department has user fees for park use, enforcement, and rentals which are specified in Article V of the Monterey County Master Fee Resolution effective November 1, 2014; and

**WHEREAS**, prior to the integration with RMA, refunds for Parks fees were authorized by the Parks Finance Manager, and certain refunds are currently being authorized by the RMA Director and Deputy Directors; and

**WHEREAS**, it is ambiguous as to who has the authority to issue certain refunds when MCC Chapter 14.12 and Article V are read together. As such, RMA seeks a resolution to explicitly authorize the RMA Director and Deputy Directors to approve Park fee refunds; and

**WHEREAS**, authorizing the RMA Director and Deputy Directors to approve Parks refunds for park use fees will ensure compliance with MCC Chapter 14.12.

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

Authorize the RMA Director and Deputy Directors to grant refunds for RMA-Parks fees as adopted in Article V of the Monterey County Master Fee Resolution, or as established by the Director of Parks (RMA Director) per Section 14.12.180.B.7 of the Monterey County Code.

**PASSED AND ADOPTED** upon motion of Supervisor Alejo, seconded by Supervisor Salinas and carried this 14<sup>th</sup> day of November 2017, by the following vote, to wit:

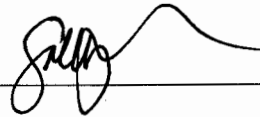
AYES: Supervisors Alejo, Phillips, Salinas, Parker and Adams  
NOES: None  
ABSENT: None

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 80 for the meeting on November 14, 2014.

Dated: December 20, 2017  
File Number: RES 17-175

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

By



Deputy