

*Before The Board of Supervisors  
County of Monterey, State of California*

**Resolution No. 23-152**

Adopt a Resolution amending Section 6 of )  
Article I.E. of the Monterey County Master )  
Fee Resolution effective July 1, 2023, to )  
adjust fees relating to Drinking Water and )  
Well oversight and services provided by )  
the Health Department’s Environmental )  
Health Bureau.

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 Environmental Health Bureau of the Health Department has user fees which are appropriate to specify in the Monterey County Master Fee Resolution effective July 1, 2023.
- 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); CEQA Guidelines section 15378(b)(4).).
- 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 burden on the County. Any discount applicable to these fees does not result in increased fees or costs for other patrons.
- E. By definition, these charges are not a “tax” and are exempt from voter approval pursuant to Article XIII C section 1(e)(1)-(3) and (5) of the California Constitution (Prop. 26; charges imposed for specific benefit conferred/privilege/service or product, reasonable regulatory costs provided or granted to the payor, and/or fines and/or penalties).

NOW, THEREFORE, THE MONTEREY COUNTY BOARD OF SUPERVISORS  
RESOLVES:

- 1. Section 6 of Article I.E. of the Monterey County Fee Resolution is amended, and the Environmental Health Bureau of the Health Department fees set forth in the attachment hereto are hereby adopted.
- 2. Unless otherwise specifically amended, all prior resolutions regarding such fees remain as previously approved and are unaffected by this action.

3. The effective date of the fees approved in this Resolution is July 1, 2023.

**PASSED AND ADOPTED** on this 2<sup>nd</sup> day of May 2023, by roll call vote:

AYES: Supervisors Alejo, Church, Lopez, Askew, and Adams

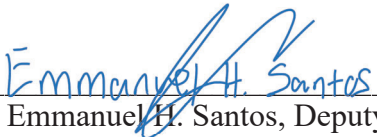
NOES: None

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 on May 2, 2023.

Dated: May 5, 2023  
File ID: RES 23-068  
Agenda Item No. 20

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

  
Emmanuel H. Santos, Deputy