

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

Resolution No.: _____

Adopt a Resolution 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 on this ____ day of November 2017, upon motion of Supervisor _____, seconded by Supervisor _____, 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