



Monterey County

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Board Report

Legistar File Number: RES 17-184

December 05, 2017

Introduced: 11/13/2017

Current Status: Agenda Ready

Version: 1

Matter Type: BoS Resolution

Adopt Resolution to:

Approve the Amendment of Article XIII of the Master Fee Resolution, effective January 1, 2018, to set and authorize the adjusted fees contained in the attachment hereto for the Assessor-Clerk-Recorder's Office.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

Approve the Amendment of Article XIII of the Master Fee Resolution, effective January 1, 2018, to set and authorize the adjusted fees contained in the attachment hereto for the Assessor-Clerk-Recorder's Office.

SUMMARY:

Section 1.40.010 of Chapter 1.40 of the 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.

Government Code Section 54985 (a) and Revenue and Taxation Code sections 408-409 allow for the local collection of fees for Assessment Services providing that the amounts are reasonably necessary to recover and do not exceed the cost of providing said services. The Assessor's Office is requesting that the fees for these services be adjusted to recover part of the costs of providing these services from the recipients of the services and to more closely reflect the market rate for these services.

The Assessor's Office has conducted a Fee Schedule Study to determine a fully loaded Cost Per Minute Rate for the positions directly responsible for performing Assessment Services. Transactions including Property Characteristic Requests, Splits and Combinations, Lot Line Adjustments and the creation of Tax Clearance Estimate Letters were broken into tasks and subtasks with time estimates provided and evaluated to generate a sum total of time spent on an average transaction. This information was then used to establish the fees set forth in the recommended action.

Research was also conducted to compare the Fee Schedules of 11 other California counties in order to ensure comparable parity with the fees proposed by herein, while not exceeding the actual local cost of those services.

In addition to updating the types of services and more clearly setting forth and more closely recapturing fees associated with those services reflected in the fee structure for the Assessor's functions, the proposed amendment also reflects minor reorganization changes to the Fee Article. At

the same time, the Recorder section of the Article (Article XIII part III) is being amended to reflect the removal of fees that are no longer statutorily collectable and to clarify to the public the tracking of the fees generated.

OTHER AGENCY INVOLVEMENT:

County Counsel has reviewed and approves the requested action and resolution as to form.

FINANCING:

The collection of fees authorized under this Resolution is anticipated to increase the revenue for the County Assessor Budget, which is a County General Fund budget, but will still not reflect recovery of 100% of the costs associated with the related activities and reflect no more than the actual costs of the services provided. The recommended changes will result in less of a dependence on a General Fund subsidy and are being collected across the board from those who are actually receiving the services.

By definition, these charges are not a 'tax' and are exempt from voter approval pursuant to Article XIII C section 1(e)(1)-(2) of the California Constitution (Prop. 26: charge imposed for specific benefit conferred/privilege/service or product provided or granted to the payor).

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

To maintain emergency services in support of the community without interruption.

The related Board of Supervisors Strategic Initiatives:

Economic Development

The collection of fees authorized under this Resolution will increase the revenue for the County Assessor Budget, which is a County General Fund budget.

Administration

Health & Human Services

Infrastructure

Public Safety

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All attachments are on file with the Clerk of the Board:

Attachment A -Proposed Article XIII (strike out version)

Attachment B - Proposed Article XIII (clean version)

Attachment C - Proposed Resolution

Attachment D - Other Agency Study

Attachment E - Monterey County Study