

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

Resolution No.: _____

Approve the Amendment of Article XIII of the)
Master Fee Resolution, effective August 1, 2015,)
to set and authorize:)
a. An increase in the County Clerk Marriage)
License by \$9.00 pursuant to Government Code)
54985 (a) resulting in a Marriage License Fee of)
\$85.00;)
b. An increase in the County Clerk Confidential)
Marriage License Fee by \$10.00 pursuant to)
Government Code 54985 (a) resulting in a)
Confidential Marriage License Fee of \$90.00;)
c. The addition of a service fee of \$85.00 for)
Deputy Commissioner of Civil Marriage for a Day)
pursuant to Family Code 401 a & b ; and)
d. Acceptance of the reorganization of Article XIII)
to include the previously Board approved fees and)
statutorily authorized fees not otherwise set forth in)
the Article.)

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 Public Marriage License Fee increase to \$85, the Confidential Marriage License Fee increase to \$90, and the addition of a new service fee of \$85 for Deputy Commissioner of Civil Marriage for a Day are appropriate to specify in the Monterey County Master Fee Resolution, Article XIII Section III effective August 1, 2015.
- C. This action to modify charges to meet operational expenses is statutorily exempt from environmental review [Pub Res. Code sec. 21080 subd. (b) (8)].
- 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 burdened on the County and reflect no more than the market rate for these services and establish parity with comparable counties. Any discount applicable to these surcharges have a de minimus impact on the departmental budget and implementation of that discount does not result in increased fees or costs for other patrons.

- E. Any and all adjustments to charges for these investigations and services reflect no more than the actual cost of the service or benefit received by the payor.
- F. 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; charges imposed for specific benefit conferred/privilege/service or product, provided or granted to the payor).

THE MONTEREY COUNTY BOARD OF SUPERVISORS RESOLVES:

- I. Article XIII of the Monterey County Fee Resolution is amended, and the County Clerk and Recorder set forth in the attachment hereto are hereby adopted.
- II. Unless otherwise specifically amended, all prior resolutions regarding such fees remain as previously approved and are unaffected by this action.
- III. The effective date of the fees approved in this Resolution is August 1, 2015.

PASSED AND ADOPTED on this ____ day of _____, 2015, 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 T. Borkowski, Clerk of the Board of Supervisors
 County of Monterey, State of California

By _____
 , Deputy