



Monterey County Board of Supervisors

Board Order

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A motion was made by Supervisor John M. Phillips, seconded by Supervisor Mary L. Adams to:

- a. Receive an update on recent state legislation related to fees for probation services;
- b. Approve termination of fees for sealing juvenile records;
- c. **Adopt Resolution No.: 21-206** rescinding Article XVIII of the Monterey County Fee Resolution related to fees collected by the Probation Department; and
- d. Introduce, waive reading, and set July 27, 2021, as the date to consider adoption of an ordinance repealing Chapter 2.93 of the Monterey County Code to rescind authority to collect fees for probation services.


PASSED AND ADOPTED on this 13th day of July 2021, by roll call vote:

AYES: Supervisors Alejo, Phillips, Lopez, Askew and Adams
NOES: None
ABSENT: None
(Government Code 54953)

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 July 13, 2021.

Dated: July 15, 2021
Revised Date: July 19, 2021
File ID: ORD 21-012
Agenda Item No.: 41

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


Julian Lorenzana, Deputy

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

Resolution No.: 21-206

Adopt a resolution deleting Article XVIII of)
the Monterey County Fee Resolution)
terminating fees collected by the Probation)
Department pursuant to legislative changes)

This resolution is made with respect to the following facts and circumstances:

- 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. Pursuant to prior state law, Chapter 2.93 of the Monterey County Code authorizes the Board of Supervisors to establish fees for the recovery of reasonable costs of probation services and incorporate such fees into the Monterey County Fee Resolution.
- C. The Board of Supervisors previously adopted Article XVIII of the Monterey County Fee Resolution, establishing fees to recover the reasonable costs of probation services subject to a determination of financial ability to pay.
- D. Recent state legislation has repealed the authority to collect fees from juvenile and adult offenders for probation services, except for juvenile record sealing fees which may still be collected.
- E. In accordance with state legislative mandates, the Board desires to repeal Article XVIII of the Monterey County Fee Resolution.
- F. In accordance with the spirit of the law, the Board also desires to terminate the only remaining authorized fee, which is the fee for the sealing of juvenile records.
- G. Concurrent herewith, the Board of Supervisors is also introducing an ordinance to repeal Chapter 2.93 of the Monterey County Code to rescind authority to establish fees for probation services.

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

- I. Article XVIII of the Monterey County Fee Resolution, including all fees and charges contained in Article XVIII, is hereby rescinded effective immediately.

PASSED AND ADOPTED on this 13th day of July 2021, by roll call vote:

AYES: Supervisors Alejo, Phillips, Lopez, Askew and Adams
NOES: None
ABSENT: None
(Government Code 54953)

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 July 13, 2021.

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