



# Monterey County

## Board Order

168 West Alisal Street,  
1st Floor  
Salinas, CA 93901  
831.755.5066

Upon motion of Supervisor Parker, seconded by Supervisor Potter, and carried by those members present, the Board of Supervisors hereby:

Adopted Resolution No. 13-126 to:

Approve the amendment of Article II of the Monterey County Master Fee Resolution to adjust fees for phytosanitary inspection, crop sampling, crop inspection, Certified Farmers Markets, Certified Producers and organic certification activities pursuant to the attached Fee Schedule, effective July 1, 2013.

PASSED AND ADOPTED on this 9th day of April 2013, by the following vote, to wit:

AYES: Supervisors Armenta, Calcagno, Salinas, Parker, and Potter

NOES: None

ABSENT: None

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 76 for the meeting on April 9, 2013.

Dated: April 17, 2013  
File Number: RES 13-028

Gail T. Borkowski, Clerk of the Board of Supervisors  
County of Monterey, State of California

By Denise Hancock  
Deputy

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

**Resolution No.: 13-126**

Approve a resolution amending Article II of the )  
Monterey County Master Fee Resolution effective )  
July 1, 2013, to adjust certain fees relating to )  
inspection and related services provided by the )  
Agricultural Commissioner’s Office pursuant to the )  
attached Fee Schedule..... )

WHEREAS, the Board of Supervisors finds 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;

WHEREAS, the Agricultural Commissioner’s Office has inspection and service fees which are appropriate to specify in the Monterey County Master Fee Resolution, Article II effective Fiscal Year 2013-143;

WHEREAS, this action to modify charges to meet operational expenses is statutorily exempt from environmental review [Pub Res. Code sec. 21080 subd. (b)(8)];

WHEREAS, any and all adjustments to charges for inspections and services reflect no more than the actual cost of the service or benefit received by the payor. Any nominal discount offered has a de minimus impact on the departmental budget and implementation of that discount does not result in increased charges to other patrons; and

WHEREAS, by definition, these inspection and service charges are not a ‘tax’ and are exempt from voter approval pursuant to Article XIII C section 1(e)(1)-(3) of the California Constitution (Prop. 26; charges imposed for specific benefit conferred/privilege/service or product, and/or reasonable regulatory costs provided or granted to the payor).

NOW, THEREFORE, BE IT RESOLVED THAT the Monterey County Board of Supervisors: Article II of the Monterey County Fee Resolution is amended effective July 1, 2013 for Fiscal Year 2013-14 and thereafter with all schedules, tables, fees, taxes, penalties, and charges contained therein are hereby adopted as described in the attachment to this resolution.

All prior resolutions regarding such fees are hereby repealed.

**PASSED AND ADOPTED** upon motion of Supervisor Parker seconded by Supervisor Potter and carried this 9th day of April 2013, by the following vote, to wit:

AYES: Supervisors Armenta, Calcagno, Salinas, Parker and Potter  
NOES: None  
ABSENT: None

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 76 for the meeting on April 9, 2013.

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