

*Before the Board of Supervisors
County of Monterey, State of California*

Resolution No. 22-175

Adopt a Resolution to Amend Article I.b.)
of the Monterey County Master Fee)
Resolution effective November 1, 2022,)
relating to the Public Health Bureau's fees.)

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 Health Bureau of the Monterey County Health Department is proposing fee adjustments to the Public Health Bureau's Master Fee schedule, Article I.b., to more closely reflect, while still not exceeding, the actual and reasonable costs of services and benefits provided to the public by Public Health.
- C. Pursuant to Penal Code Section 13823.95, the County will charge local Law Enforcement agencies in order to recover a portion of the cost associated with performing victim forensic examinations and testifying in court at their request; and Law Enforcement may seek reimbursement to offset the cost of conducting medical evidentiary examinations for victims of sexual assault.
- 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. Any discount applicable to these surcharges have a minimum impact on the departmental budget and implementation of that discount does not result in increased fees or costs for other patrons.
- E. By definition, these 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 payer).

THE MONTEREY COUNTY BOARD OF SUPERVISORS RESOLVES:

- 1. Article I.b. of the Monterey County Fee Resolution is amended, and the fees of the Public Health Bureau of the Monterey County Health Department set forth in the attachment hereto are hereby adopted.
- 2. To the extent, the Article 1.b fees hereby adopted differ from the previously adopted fees for the specified services, the newly adopted fees supersede the previously adopted fees.

3. The effective date of the fees approved in this Resolution is November 1, 2022.

PASSED AND ADOPTED on this 27th day of September 2022, by roll call vote

AYES: Supervisors Alejo, Phillips, Lopez. Askew, and Adams

NOES: None

ABSENT: None

(Government Code 54953)

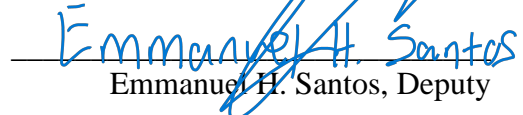
I, Valerie Ralph, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 82 for the meeting on September 27, 2022

Dated: October 5, 2022

File ID: RES 22-175

Agenda Item No. 29

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


Emmanuel H. Santos, Deputy