



Monterey County Board of Supervisors

Board Order

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

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

Adopted Resolution 18-028 Amending Article I.b. of the Monterey County Master Fee Resolution effective March 1, 2018, to adjust certain fees related to the Health Department's Public Health Bureau Medical Marijuana Identification Card Program (MMICP) pursuant to the attached Fee Schedule

PASSED AND ADOPTED on this 30th day of January 2018, by the following vote, to wit:

AYES: Supervisors Alejo, Salinas, Phillips, Parker and Adams

NOES: None

ABSENT: None

I, Nicholas E. Chiulos, Acting 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 80 for the meeting January 30, 2018.

Dated: February 2, 2018
File ID: RES 18-007

Nicholas E. Chiulos, Acting 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. 18-028

Resolution amending Article I.b. of the)
 Monterey County Master Fee Resolution)
 effective March 1, 2018, to adjust)
 administration and public health fees)
 relating to oversight and services provided)
 by the Health Department.)

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 Health Department has Medical Marijuana Identification Card Program user fees (H&S 11362.755) which are appropriate to specify in the Monterey County Master Fee Resolution effective March 1, 2018.
- C. This action to modify the Medical Marijuana Identification Card Program fees 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. 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:

- I. Article I.b. of the Monterey County Fee Resolution is amended, and the Public Health Bureau of the Health Department fees 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 March 1, 2018.

PASSED AND ADOPTED upon motion of Supervisor Salinas, seconded by Supervisor Phillips and carried this 30th day of January 2018, by the following vote, to wit:

AYES: Supervisors Alejo, Phillips, Salinas, Parker and Adams

NOES: None

ABSENT: None

I, Nicholas E. Chiulos, Acting 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 80 for the meeting on January 23, 2018.

Dated: February 12, 2018

File Number: RES 18-007

Nicholas E. Chiulos, Acting Clerk of the Board of Supervisors
County of Monterey, State of California

By Dennie Hancock
Deputy