

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

Resolution No. _____

Resolution of the Board of Supervisors to:
Adopt a Resolution to amend Article V of
the Monterey County Fee Master
Resolution effective September 1, 2018, to
adjust and establish new fees relating to
Parks user fees pursuant to the attached
Article V

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 Master Fee Resolution.
- B. The County of Monterey Resource Management Agency (RMA-Parks) is proposing fee adjustments and the establishment of new fees to Article V of the Monterey County Fee Resolution for park use, special events, and rentals which are appropriate to specify in the Monterey County Master Fee. The proposed fees more closely reflect, while still not exceeding, the actual and reasonable costs of services and benefits provided to the public by County parks. In addition to these adjustments, and to more accurately capture the fees associated with services provided, the Article V Master Fee Schedule has been reformatted to make Article V easier to navigate, consolidate the same fees associated with multiple parks, and provide flexibility for adding new park/open space lands.
- C. 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 arise from the use of County Park property. 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.
- D. By definition, these user fees are not a 'tax' and are exempt from voter approval pursuant to Article XIII C, section 1(e), subpars. 1, 2, 3, 4, and 5 of the California Constitution (charges arising from benefit received by payor, burden on government to provide services, administrative enforcement, use/admission costs to enter/use government property, and/or enforcement penalties).
- E. This action to modify fees and other charges to meet operational expenses is statutorily exempt from environmental review [Pub. Res. Code § 21080(b)(8)].
- F. Said amendments to Article V shall take effect no sooner than 30 days following final action on the adoption of the amendments.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors does hereby find:

- I. The foregoing recitals are true and correct.
- II. Article V of the Monterey County Master Fee Resolution is amended, and the fees of RMA-Parks set forth in the attached Article V hereto are hereby adopted.
- III. All prior resolutions regarding such fees are hereby repealed.
- IV. The effective date of the fees approved in this Resolution is September 1, 2018.

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

AYES:

NOES:

ABSENT:

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 _____ for the meeting on _____.

Dated:

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

By _____
, Deputy