



Legislation Details (With Board Report)

File #: RES 17-175 **Name:** Authorization of Parks Refunds
Type: BoS Resolution **Status:** Passed
File created: 10/30/2017 **In control:** Board of Supervisors
On agenda: 11/14/2017 **Final action:** 11/14/2017

Title: Adopt a Resolution to:
 Authorize the RMA Director and RMA Deputy Directors to grant refunds for RMA-Parks fees as adopted in Article V of the Monterey County Master Fee Resolution, or as established by the Director of Parks per Section 14.12.180.B.7 of the Monterey County Code.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Board Report, 2. Attachment A - MC Code Chapter 14.12, 3. Attachment B - MC Mstr Fee Res Article V Paks Dept, 4. Attachment C - Resolution, 5. Completed Board Order and Resolution

Date	Ver.	Action By	Action	Result
11/14/2017	1	Board of Supervisors		

Adopt a Resolution to:
 Authorize the RMA Director and RMA Deputy Directors to grant refunds for RMA-Parks fees as adopted in Article V of the Monterey County Master Fee Resolution, or as established by the Director of Parks per Section 14.12.180.B.7 of the Monterey County Code.

RECOMMENDATION:

It is recommended that the Board of Supervisors adopt a Resolution to Authorize the RMA Director and RMA Deputy Directors to grant refunds for RMA-Parks fees as adopted in Article V of the Monterey County Master Fee Resolution, or as established by the Director of Parks per Section 14.12.180.B.7 of the Monterey County Code.

SUMMARY/DISCUSSION:

In July 2016, the Board of Supervisors appointed the Resource Management Agency (RMA) Director as Interim Director of Parks to evaluate strategies for stabilizing the department and improving operations. In December 2016, the Board of Supervisors approved and authorized the integration of the Parks Department (Parks) into the RMA. As an outcome of the integration, the portions of the Monterey County Code relevant to parks, the Master Fee Schedule, and Parks practices and procedures are under review for potential revision.

Monterey County Code Chapter 14.12 governs County Parks. (Attachment A). Section 14.12.030.B. states that: "No fee shall be refunded unless refunds have been authorized by resolution of County Board of Supervisors." Section 14.12.180.B.7 authorizes the Director of Parks (currently the RMA Director) to establish appropriate fees for new facilities pending the next revision of the schedule of fees by the Board of Supervisors.

The Parks Department has user fees for park use, enforcement, and rentals which are specified in Resolution No. 14-274 which amends Article V of the Monterey County Master Fee Resolution effective November 1, 2014. (Attachment B). Many fees include a reservation fee and security deposit. Article V allows refunds of security deposits, but it is unclear if other refunds are permitted without Board approval.

Prior to the integration with RMA, refunds for Parks fees were authorized the Parks Finance Manager. Certain refunds are currently being authorized by the RMA Director and Deputy Directors. It is ambiguous as to who has the authority to issue certain refunds when Chapter 14.12 and Article V are read together. As such, RMA seeks a resolution to explicitly authorize the RMA Director and Deputy Directors to approve refunds. (Attachment C).

For the Board's information, the most common requests for refunds are for cancellation of a group use area, pet fees, and camping fees.

Authorizing the RMA Director and Deputy Directors to approved Parks refunds will ensure compliance with Monterey County Code Chapter 14.12.

OTHER AGENCY INVOLVEMENT:

County Counsel has reviewed and approves this request and resolution as to form. The Refund Resolution has been discussed with the Parks Committee and the Parks Commission

FINANCING:

The County will not incur any additional costs because of request. Refunds would be minimal and would have no significant impact on revenues.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

Authorizing the RMA Director/Deputy Directors to approve Parks refunds will improve efficiency in the reservation process and strengthen RMA's customer orientation. Clear direction on the authority to issue refunds will increase transparency.

Check the related Board of Supervisors Strategic Initiatives:

- Economic Development
- Administration
- Health & Human Services
- Infrastructure
- Public Safety

Prepared by: Shawne Ellerbee, RMA Deputy Director of Administrative Services

Approved by: Carl P. Holm, AICP, RMA Director

Attachment A - Monterey County Code Chapter 14.12

Attachment B - Master Fee Schedule

Attachment C - Resolution

(Attachments on file with the Clerk of the Board)