



## Legislation Details (With Board Report)

**File #:** RES 21-008      **Name:** Adopt a Resolution amending Article V of the Monterey County Master Fee Resolution relating to Parks User Fees for park use, enforcement, and rentals, effective April 8, 2021

**Type:** BoS Resolution      **Status:** Scheduled AM

**File created:** 1/4/2021      **In control:** Board of Supervisors

**On agenda:** 3/9/2021      **Final action:** 3/9/2021

**Title:** a. Adopt a Resolution amending Article V of the Monterey County Master Fee Resolution relating to Parks User Fees for park use, enforcement, and rentals, effective April 8, 2021; and  
b. Authorize the Public Works, Facilities, & Parks Director, or his designee to make nonsubstantive modifications as to formatting only.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Board Report, 2. Attachment A-Summary of Proposed Changes, 3. Attachment B-Proposed Parks User Fees Redline, 4. Attachment C-Proposed Article V Parks User Fees, 5. Attachment D-Draft Resolution, 6. Completed Board Order and Resolution Item no. 11

Date	Ver.	Action By	Action	Result
3/9/2021	1	Board of Supervisors	adopted as amended	Pass

a. Adopt a Resolution amending Article V of the Monterey County Master Fee Resolution relating to Parks User Fees for park use, enforcement, and rentals, effective April 8, 2021; and  
b. Authorize the Public Works, Facilities, & Parks Director, or his designee to make nonsubstantive modifications as to formatting only.

**RECOMMENDATION:**

It is recommended that the Board of Supervisors:

a. Adopt a Resolution amending Article V of the Monterey County Master Fee Resolution relating to Parks User Fees for park use, enforcement, and rentals, effective April 8, 2021; and  
b. Authorize the Public Works, Facilities, & Parks Director, or his designee to make nonsubstantive modifications as to formatting only.

**SUMMARY/DISCUSSION:**

The Monterey County Master Fee Resolution-Article V-Parks User Fees (Article V) was last updated and became effective on January 10, 2019. The Department of Public Works, Facilities, & Parks (PWFP) staff evaluated current park operations and reviewed the fee article as it pertains to use of facilities and access to parks.

Operational issues identified since the adoption of the current fee Article V include:

- 1) Customer and staff concern with delays at the entry gate due to 2019 fee change from vehicles to walk-in/pedestrian. This delay is compounded during high-use periods - weekends, special events, and holidays.
- 2) Customer comments regarding lack of transparency of fees. The established fee for annual passes or reservable areas does not include the added processing fee, credit card fee (if applicable), and day-use entry

fee charged to enter a park.

- 3) A drop in Park Revenue was experienced. Revenues were compared for the 2018 and 2019 peak seasons (April-September). The comparison found a 14 percent (14%) overall average reduction in day-use revenue (\$234,467 [2018] vs. \$202,383 [2019]). This revenue loss was partially attributed to customer comments listed in items 1 and 2 above and that several large RV groups are no longer coming to the park. The RV groups expressed concern that the Portola Building at San Lorenzo Park is no longer free for their use, and that other parks not managed by the County offer more amenities.
- 4) Basecamp and Laguna Seca management have requested fee changes.

Staff collected and compared data for day-use entry fees, vehicle fees, and household pet fees across all 58 California counties. Camping fees and photography permit fees were compared with fees from local and state public agencies and private businesses in Monterey, Santa Cruz, San Benito, and San Luis Obispo counties. After analyzing this data, adjustments are recommended to the current fee schedule. Attachment A summarizes the recommended changes proposed in Attachment B, the redlined version of the current fee schedule delineating the new recommended fees and changes.

Parks fees are authorized by state law pursuant to Government Code, Section 50402. By definition, changes to these fees are not a “tax” and are exempt from voter approval pursuant to Article XIII C, section 1(e), subpars. (1)-(5) of the California Constitution (Proposition 26, excepting certain fees and charges from the definition of “tax”). As such, the fees reflect no more than the actual cost of the service/benefit received by the payor. Proposed changes are designed to align Article V fees with those of other like agencies, while still recovering and not exceeding, actual and reasonable costs of services and benefits provided to the public. COVID-19 impacts are not part of the current review. Recommended Article V-Park User Fees are provided in Attachment C.

Staff requests the Board of Supervisors adopt a resolution (Attachment D-Draft Resolution) to amend existing fees and establish new fees in Article V to align County park fees with those of like agencies. If approved, the amendment to Article V will become effective thirty (30) days following adoption; accordingly, the updated Article V-Parks User Fees will become effective April 8, 2021.

#### OTHER AGENCY INVOLVEMENT:

On December 3, 2020, the Parks Commission received a report on the proposed Article V updates and voted in support of staff’s recommendation. PWF staff collaborated with the Parks Commission, County Administrative Office, and Office of the County Counsel. The Office of the County Counsel reviewed the proposed amendment to Article V of the Monterey County Master Fee Resolution and approved it as to form.

#### FINANCING:

PWF-Parks consists of two operating units: 1) Park Operations, General Fund 001-Unit 8510, which includes the County Day-Use Park facilities (Toro Park, Manzanita Park, Royal Oaks Park, Jacks’ Peak Park, Travel Camp, San Lorenzo Park, and Lake San Antonio); and 2) Lake Operations, Enterprise Fund 452-Unit 8477 (Lake Nacimiento). WeatherTech® Raceway at Laguna Seca is managed by the County Administrative Office, including camping and the Rifle Range(s). The proposed amendment to Article V fees is anticipated to increase revenue for both operating units. In addition, the Processing Fee has been combined with all applicable fees and will not negatively affect revenue. Two new annual passes and a vehicle entry fee for day-use parks are anticipated to increase revenue for Park Operations. New building rental opportunities at both Lake San Antonio and Lake Nacimiento are expected to increase revenue in both operating funds. Additional amenities for campers are anticipated to increase revenue slightly. Lower lodging fees at Lake San Antonio are

anticipated to increase revenue by increasing rental reservations. Overall, revenue is anticipated to increase through additional park usage.

When necessary, PWFP will bring needed future updates to the fee schedule in accordance with the Board of Supervisors' General Financial Policy number 7.4, User Fees, directing that: "all fees be reviewed as necessary and adjusted (as necessary)." Full cost of providing a service is the basis for setting a charge or fee. Full cost incorporates direct and indirect costs, including operations and maintenance, overhead, charges for the use of capital facilities, and depreciation.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

The recommended action supports the Economic Development, Administration, Health & Human Services, Infrastructure, and Public Safety Strategic Initiatives. Parks provide a safe outdoor recreational environment for people to engage in activities that promote fitness and physical and mental health. The latter is attributed to reducing violent crimes and crimes in general, which enhance surrounding communities making them attractive areas in which residents thrive and businesses grow. Prudent management of County Park facilities, including the establishment of appropriate Parks User fees, ensures that PWFP can continue to offer opportunities for outdoor recreation and green spaces to serve its customers and best meet their preferences while still recovering costs essential to the financial stability and continued viability of Parks' infrastructure.

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

Prepared by: Dona Luna, Management Analyst II (831) 755-5455

Approved by: Shawne E. Ellerbee, Assistant Director of Public Works, Facilities, & Parks

Approved by: Randell Ishii, MS, PE, TE, PTOE, Director of Public Works, Facilities, & Parks

Attachments:

Attachment A-Summary of Proposed Changes/Additions to Article V-Parks User Fees

Attachment B-Proposed Parks User Fees Redline

Attachment C-Proposed Article V-Parks User Fees

Attachment D-Draft Resolution

(Attachments are on file with the Clerk of the Board)