



County of Monterey

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Board Report

File #: RES 22-160, **Version:** 1

Approve and adopt a Resolution amending Article VII of the Monterey County Master Fee Resolution effective October 1, 2022, to adjust fees relating to services provided by the Sheriff's Office.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

Approve and adopt a Resolution amending Article VII of the Monterey County Master Fee Resolution effective October 1, 2022, to adjust fees relating to services provided by the Sheriff's Office.

SUMMARY/DISCUSSION:

The Monterey County Sheriff's Office (MCSO) is requesting approval of a proposed across-the-board 3% increase in MCSO's fees, as set forth in Article VII of the Monterey County Master Fee Resolution. The fee increase is proposed to more closely reflect, while still not exceeding, the actual and reasonable costs of services and benefits provided to the public by the MCSO. Adoption of the proposed fees will contribute to the self-sufficiency of the programs within the Sheriff's Office; however, the fee increase will not fully cover cost of services and benefits and may still result in the need for additional future General Fund Contributions for those services to remain at FY 2021-22 staffing levels.

The MCSO requests approval for a 3% fee increase effective October 1, 2022, to contribute to meeting its Fiscal Year 2022-23 Adopted Budget.

Additional costs and expenses, including but not limited to cumulative across the board approved employee salary cost of living adjustments (8.5%), COWCAP/Cost Plan Charges (38.61%), and overall increase in Operating Costs of the Sheriff's Office by 8.5% corroborates this request for a 3% increase, as the current fee adjustment requested herein only continues to partially recapture the true current cost of services.

The Monterey County Code Section 1.40.010 of Chapter 1.40 provides that all fees, penalties, refunds, reimbursements, and charges of any kind by the County shall be specified in the Monterey County Fee Resolution. Article VII reflects the authorized fees of MCSO.

The calculations and documents in support of all fee adjustments recommended herein are on file with the Clerk of the Board and are attached to this report. In all cases, the proposed fees reflect no more than the actual, reasonable, fully loaded costs of the services provided.

By definition, the changes to these charges are not a 'tax' and are exempt from voter approval pursuant to Article XIII C section 1(e)(1)-(3) and (5) of the California Constitution (Prop. 26; charges imposed for specific benefit conferred/privilege/service or product, reasonable regulatory costs provided or granted to the payor, and/or fines and/or penalties). As such, they reflect no more than the actual cost of the service/benefit received by the payor.

The proposed fee adjustments are attached as follows: Attachment 1 - Proposed Article VII Master Fee Schedule for Fiscal Year 2022-23 (Exhibit A), Attachment 2 - Current Article VII Redlines, Attachment 3 - Board Resolution.

OTHER AGENCY INVOLVEMENT:

County Counsel has reviewed the report and the Auditor-Controller has been consulted regarding the calculation of the fees and has approved those calculations as to form.

FINANCING:

The recommended fee adjustments are intended to improve on the recapture of a portion of the costs associated with the provision of the indicated services, and do not exceed actual costs for providing these services. As such, the fees represent a charge imposed for the specific regulatory service provided directly to the payor that is not provided to those not charged, and which does not exceed the reasonable costs to the County for providing the regulatory service. Anticipated revenues resulting from the proposed fee adjustments are included in the Sheriff's Fiscal Year 2022-23 Adopted Budget.

The proposed fee adjustments will partially offset actual expenditures incurred associated with the proposed fees. This action will have no immediate impact on the General Fund Contributions for these services.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

Mark a check to the related Board of Supervisors Strategic Initiatives:

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

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Approved by: Steve Bernal, Sheriff-Coroner, X3750

Attachments:

Board Report

Attachment A - Proposed Article VII Master Fee Schedule for FY 2021-22

Attachment B - Current Article VII Master Fee Schedule Redlines

Attachment C - Board Resolution