



County of Monterey

Item No.

Board Report

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

Legistar File Number: RES 23-210**December 05, 2023****Introduced:** 11/14/2023**Current Status:** Agenda Ready**Version:** 1**Matter Type:** BoS Resolution

Adopt a resolution to:

Approve the Amendment of Article XIII of the Master Fee Resolution, effective January 1, 2024, to set and authorize the adjusted fees contained in the attachment hereto for the Assessor-County Clerk-Recorder's Office.

RECOMMENDATION:

It is recommended that the Board of Supervisors adopt a resolution to:

Approve the Amendment of Article XIII of the Master Fee Resolution, effective January 1, 2024, to set and authorize the adjusted fees contained in the attachment hereto for the Assessor-County Clerk-Recorder's Office.

SUMMARY/DISCUSSION:

Section 1.40.010 of Chapter 1.40 of the 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. Government Code 54985 specifies that amendments to this article require Board of Supervisor approval.

Government Code Section 54985 (a) and Revenue and Taxation Code sections 408-409 allow for the local collection of fees for Assessment Services providing that the amounts are reasonably necessary to recover and do not exceed the cost of providing said services. The Assessor's Office is requesting that the fees for these services be adjusted to recover part of the costs of providing these services from the recipients of the services and to more closely reflect the market rate for these services.

The Assessor's Office has conducted a Fee Schedule Study to determine a fully loaded Cost Per Minute Rate for the positions directly responsible for performing assessment services. Transactions were broken into tasks and subtasks with time estimates provided and evaluated to generate a sum total of time spent on an average transaction. This information was then used to establish the fees set forth in the recommended action.

Research was also conducted to compare the Fee Schedules of other California counties in order to ensure comparable parity with the fees proposed by herein, while not exceeding the actual local cost of those services.

In addition to updating the types of services and more clearly setting forth and more closely

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recapturing fees associated with those services reflected in the fee structure for the Assessor's functions, the proposed amendment also reflects changes to the Fee Article for the County Clerk section of the Article (Article XIII, Part II).

The County Clerk's Office is requesting that the fees for County Clerk services be adjusted to be comparable to counties that surround Monterey County, counties that are tourist destinations and counties that are similar in population, to reflect the market rate for these services and establish parity with comparable counties. A survey of surrounding counties was performed (see attached study by fee type) and the County Clerk is requesting that comparable Monterey County fees be set at amounts at or below the average for each fee type. The proposed adjustments to these fees will assist in recovering current costs, while still not exceeding the actual cost of the services, all while remaining in parity with the market rates for these services.

OTHER AGENCY INVOLVEMENT:

The Office of the County Counsel has reviewed and approved the agreement as to form and legality.

FINANCING:

The collection of fees authorized under this Resolution is anticipated to increase the revenue for the County Assessor and County Clerk-Recorder's Budgets, which are County General Fund budgets, but will still not reflect recovery of 100% of the costs associated with the related activities and reflect no more than the actual costs of the services provided. The recommended changes will result in less of a dependence on a General Fund subsidy and are being collected across the board from those who are actually receiving the services. By definition, these charges are not a 'tax' and are exempt from voter approval pursuant to Article XIII C section 1(e)(1)-(2) of the California Constitution (Prop. 26: charge imposed for specific benefit conferred/privilege/service or product provided or granted to the payor).

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

The collection of fees authorized under this Resolution promotes an organization that practices efficiency and effectiveness and will assist in achieving a balanced budget.

The related Board of Supervisors Strategic Initiatives:

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

Prepared by: Chihiro Marie Tabata, Management Analyst, ext x6607

DocuSigned by:

Chihiro Tabata

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Approved by: Xochitl Marina Camacho, Assessor County Clerk/Recorder, ext 5803

DocuSigned by:

Marina Camacho

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Attachments:

Attachment A - Proposed Article XIII (clean version)

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Attachment B - Proposed Article XIII (strike out version)

Attachment C - Proposed Resolution

Attachment D - Assessor Comparable Fees

Attachment E - Assessor Fee Study (Monterey County)

Attachment F - Information Technology Fee Study (Monterey County)

Attachment G - County Clerk Comparable Fees

Attachment H - County Clerk-Recorder Fee Study (Monterey County)