**RESOLUTION NO. 2017-152**

RESOLUTION OF THE NAPA COUNTY BOARD OF SUPERVISORS, STATE OF CALIFORNIA DECREASING AND ESTABLISHING MEDICAL MARIJUANA IDENTIFICATION CARD ISSUANCE FEES

**WHEREAS**, Chapter 12.5 of Part 1 of Division 2 of Title 5 of the California Government Code (commencing with Section 54985) and Chapter 8 of Division 1 of Title 7 of the California Government Code (commencing with section 66016) authorizes the County to establish fees to recover the reasonable cost of providing services; and

**WHEREAS**,there is a need to decrease and establish the fees charged by Napa County for the issuance of medical marijuana identification cards because on November 8, 2016, the State of California passed Proposition 64 to legalize recreational marijuana and amend Health and Safety Code section 11362.755, which establishes new maximum fees that may be charged for the issuance of medical marijuana identification cards; and

 **WHEREAS**, as set forth in Government Code section 66016, at least fourteen days prior to the date this resolution is to be considered, notice was mailed to those persons who had requested same; and

 **WHEREAS**, as set forth in Government Code section 66016 at least ten days prior to the date this resolution is to be considered, data was made available to the public indicating the amount of cost, or estimated cost, required to provide the service for which the fee or service charge is levied and the revenue sources anticipated to provide the service, including general fund revenues; and

 **WHEREAS**, notice of the hearing of the proposed fees was published twice in the manner set forth in section 6062a as required by section 66018, subdivision (a), of the Government Code; and

 **NOW, THEREFORE, BE IT RESOLVED** by the Napa County Board of Supervisors as follows:

1. The Board hereby decreases and establishes those fees shown on Exhibit “A”, attached hereto and incorporated by reference herein;

2. The Board hereby directs the Clerk of the Napa County Board of Supervisors to integrate the changes approved above into Section III of the Board Policy Manual, “Fees for Services Provided by County Departments and Agencies” in the manner set forth in Exhibit “B”, attached hereto and incorporated by reference herein,

1. The Board finds this Resolution is statutorily exempt from the California Environmental Quality Act pursuant to Title 14, California Code of Regulations, section 15273(a)(1) and (2).

4. The decrease and establishment of fees authorized by this Resolution shall become effective upon adoption.

**THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED** by the Board of Supervisors of the County of Napa, State of California, at a regular meeting of said Board held on the 12th day of September, 2017, by the following vote:

AYES: SUPERVISORS GREGORY, DILLON WAGENKNECHT,

 PEDROZA and RAMOS

NOES: SUPERVISORS NONE

ABSTAIN: SUPERVISORS NONE

ABSENT: SUPERVISORS NONE

 NAPA COUNTY, a political subdivision of

 the State of California

 By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 BELIA RAMOS, Chair of the

 Board of Supervisors

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| APPROVED AS TO FORMOffice of County CounselBy: Dylan Roy Deputy County CounselDate: August 28, 2017  | APPROVED BY THE NAPA COUNTYBOARD OF SUPERVISORSDate: September 12, 2017Processed By:  Deputy Clerk of the Board | ATTEST: GLADYS I. COILClerk of the Board of SupervisorsBy: |

**Exhibit A**

The fees adopted by the Board of Supervisors by this Resolution are those noted below in tracking format. Adoption of new fees or fee increases are noted by underline. Rescinded fees are noted by strike-through. Fees that are neither underlined or struck-through are not fees adopted by this Resolution, but are existing unaltered fees included herein for informational purposes only.

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| **Sec. 120.090. Medical Marijuana Identification Card Issuance Fees** |
|  |
| The following Napa County fees are established for application for issuance or renewal of Medical Marijuana Identification Cards: |
|  |  |  |
| (a) | For a Non-Medi-Cal Recipient | $100.00~~$124.00~~ |
|  |  |  |
| (b) | For a Medi-Cal Recipient | $50.00~~$62.00~~ |
|  |  |  |
| (c) | For County Medical Services Program Participants | $0.00 |

**Exhibit B**

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| **Sec. 120.090. Medical Marijuana Identification Card Issuance Fees** |
|  |
| The following Napa County fees are established for application for issuance or renewal of Medical Marijuana Identification Cards: |
|  |  |  |
| (a) | For a Non-Medi-Cal Recipient | $100.00 |
|  |  |  |
| (b) | For a Medi-Cal Recipient | $50.00 |
|  |  |  |
| (c) | For County Medical Services Program Participants | $0.00 |