RESOLUTION - ACTION REQUESTED 2012-191

MEETING: April 17, 2012

TO: The Board of Supervisors

FROM: Charles Mosher, Health Officer

RE: Appropriating Funds to Health Dept for Refund

RECOMMENDATION AND JUSTIFICATION:

Approve budget action reducing General contingency and increasing appropriations in the Health budget to refund the applicant of the Vallecito Project ($4,111). There has been no activity on the Vallecito Project for several years and as such the permitting process has expired. The applicant has now requested a refund of any unspent moneys not used for reimbursement on the permit process. The funds were deposited into the Health budget on August 16, 2000, and were never expended because the project did not reach the Health review portion of the permit process. Because the Health budget is in the General Fund, the revenue was absorbed into the fund balance.

Please see the attached email from the Planning Department for additional information.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The Board must approve all budget actions that affect Contingency.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Do not approve the budget action. The applicant will not receive their full refund or direction will need to given to identify another funding source for the refund.

FISCAL IMPACT:
Increase Medical and Laboratory line item 001-0401-621-0414 by $4,111 and decrease General Contingency line item 001-0104-414-1090 by $4,111.
04/17/12 001-0401-621-0414 · Medical/Laboratory $4,111.00
04/17/12 001-0104-414-1090 · General Contingency ($4,111.00)
Total: $0.00

ATTACHMENTS:
Budget Action Form (PDF)
E-mail from Planning Dept. (PDF)
CAO RECOMMENDATION
Requested Action Recommended

RESULT: ADOPTED [UNANIMOUS]
MOVER: Jim Allen, District V Supervisor
SECONDER: Lyle Turpin, District II Supervisor
AYES: Stetson, Turpin, Bibby, Cann, Allen
### BUDGET ACTION FORM

<table>
<thead>
<tr>
<th>FUND</th>
<th>DEPT/DIV</th>
<th>ACCOUNT</th>
<th>DESCRIPTION</th>
<th>PROJECT</th>
<th>INCREASE</th>
<th>DECREASE</th>
</tr>
</thead>
<tbody>
<tr>
<td>001</td>
<td>0401</td>
<td>621-04 14</td>
<td>MEDICAL &amp; LABORATORY</td>
<td></td>
<td>4,111</td>
<td></td>
</tr>
<tr>
<td>001</td>
<td>0104</td>
<td>414-10 90</td>
<td>GENERAL CONTINGENCY</td>
<td></td>
<td></td>
<td>4,111</td>
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**TOTAL**

<table>
<thead>
<tr>
<th>TRANSFER BETWEEN FUNDS</th>
<th>DEBIT</th>
<th>CREDIT</th>
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<tbody>
<tr>
<td></td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

**TOTALS**

|             | 0     | 0      |

**ACTION REQUESTED:** (Check all that apply)

- (XX) Budget appropriation by Board of Supervisors (4/5ths Vote Required): Amending the total amount available in the county budget, or in any one fund of the budget, or transferring appropriation from Contingencies;

- (XX) Transfer by Board of Supervisors (3/5ths Vote Required): Moving existing appropriations from one budget to another, or between categories within a budget unit;

**JUSTIFICATION**

Increase appropriation for refund of fees received for the Vallecito Specific Plan project.

**DEPT HEAD SIGNATURE**

[Signature]

**DATE**

4-5-12

**CHARLES B. MOSHER, M.D., HEALTH OFFICER, AIR POLLUTION CONTROL**

**APPROVED BY RES NO.**

[Number]

**CLERK**

[Name]

**DATE**

4-17-12

**AUDITOR'S USE ONLY**

**BA #**
Planning Department refund will be: $17,502.56
Fire Department refund will be: $150.00

There will be no refund from Public Works ($50) or Micro ($4) as those fees have been exhausted.

Applicant will need to work directly with the Health Department regarding the refund of all or partial $4,111.

Planning Refund Check will be made out to Eugene D. Fortner (we will need a current address please).

I would like to set this up for processing today so that we can get this over to the auditors office for a refund, however I feel that someone needs to contact the Fortner’s, address it with them, and get the correct address as to where we need to send this check. Please advise me as to how to proceed with processing this refund.

Here is the background:

On 1/12/00 the Mariposa County Planning Department took in $1,000 receipt # 65118 from Eugene D. Fortner 1526 Allen Avenue Glendale CA 91201
On 8/14/00 The Mariposa County Planning Department took in $18,475 receipt # 65220 from Eugene D. Fortner 1526 Allen Avenue Glendale CA 91201

The funds were broken down as follows:

<table>
<thead>
<tr>
<th>Service</th>
<th>Amount</th>
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<tbody>
<tr>
<td>Planning</td>
<td>$14,160.00 + $1,000 from receipt # 65118</td>
</tr>
<tr>
<td>Health</td>
<td>$4,111.00</td>
</tr>
<tr>
<td>Micro</td>
<td>$4.00</td>
</tr>
<tr>
<td>Public Works</td>
<td>$50.00</td>
</tr>
<tr>
<td>Fire</td>
<td>$150.00</td>
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<tr>
<td>Total</td>
<td>$19,475.00</td>
</tr>
</tbody>
</table>

There will be no refund issued from Public Works ($50) or from Micro Form ($4) as these fees have been exhausted.

Although work was done and correspondence was received from the Fire Department on this application, the Fire Department has agreed to release their $150 fee to the client as a refund.

The Planning Department held $1,000.00 + $14,160 in a separate account = $15,160.00
The Planning Department had fees deducted for $996.00 which was staff time from 2000 and $300.24 which was a legal bill from Abbott and Kindermann from February of 2003.

Refund of the Planning Department fees were attempted several years ago, but the applicant did not cash the check and returned the check to the County.

To date, the Planning account has a balance of $17,502.56 (which reflects the above deductions and interest earned).

The Planning Director has agreed to refund the $17,502.56 and not to pursue any additional reconciliation of staff hours on this project.

Carol Suggs
Office Technician
Planning Department
Mariposa County
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csuggs@mariposacounty.org