



RESOLUTION NO.
OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

WHEREAS, the County of El Dorado Board of Supervisors is authorized to adopt new fees, fee levels, and charges, pursuant to Government Code Section 54985; and

WHEREAS, in 2016, the County completed a fee for Public Guardian analysis by reviewing the Public Guardian operations (personnel, indirect and overhead, supervision, and equipment costs), and a full cost recovery analysis as well as comparison against fees charged in surrounding counties; and

WHEREAS, in 2016 the County adopted fees calculated by taking the hourly rates of staff providing the service, the time spent to provide the service, and number of clients, thereby calculating both a per-unit and total annual basis, as well as an average cost for specific activities; and

WHEREAS, over the past year the County has recognized that while using an average fee we had the advantage of certainty and ease of use, the proposed averaged flat rate fee resulted in possible inequities due to charging persons receiving fewer services the same amount as persons requiring more hours of services; and

WHEREAS, therefore, the County of El Dorado's Health and Human Services Agency has reviewed and analyzed the current fee structure of the Public Guardian; and

WHEREAS, the proposed new fee schedule utilizes the same cost analysis to determine the hourly rate for services, however more equitably allocates costs by charging each conservatee for the hours actually worked; and

WHEREAS, in accordance with California Probate Code 2942 and California Rules of Court 7.756, the fees may be reduced based on factors including, but not limited to, the size and nature of the conservatee's or ward's estate, or the current and potential wealth of the conservatee or ward. In addition, the Court may, in its full discretion, waive or defer payment until the demise of the conservatee or ward.

NOW, THEREFORE, BE IT RESOLVED that effective sixty (60) days from the execution of this Resolution, the fees, fee levels, and charges attached hereto as Exhibit A, "Public Guardian Fees" shall be implemented and shall supersede any and all prior Public Guardian fees of the types governed by this Resolution, and Exhibit A;

NOW, BE IT FURTHER RESOLVED that County Counsel is hereby granted authority to reduce or waive the Public Guardian fees, as negotiated with the Public Defender, or as ordered

by the Court. That authority is granted for fees imposed under prior Resolution 146-2016, or under this Resolution _____ ; and

NOW, BE IT FURTHER RESOLVED that other than as expressly set forth herein, Resolution 146-2016 is rescinded in its entirety.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held the 12th day of September, 2017, by the following vote of said Board:

Attest:
James M. Mitrisin
Clerk of the Board of Supervisors

Ayes:
Noes:
Absent:

Deputy Clerk

Shiva Frenzen, Chair
Board of Supervisors

**EXHIBIT A to RESOLUTION XX-2017
PUBLIC GUARDIAN FEE SCHEDULE**

1. All services, including but not limited to Estate or Trust management, and new cases shall be charged an hourly rate of \$110.00.
2. Storage of belongings at a private facility shall be charged at actual cost.

This Public Guardian Fee Schedule, passed and adopted by the Board of Supervisors of the County of El Dorado as Exhibit A to Resolution xx-2017.