



## Legislation Text

---

**File #:** 19-0681, **Version:** 1

---

Recorder-Clerk recommending the Board:

- 1) Provide conceptual approval, pursuant to Board Policy A-3, to establish a Schedule of Fees for the Recorder-Clerk's Office; and
- 2) Direct staff to return to the Board with first reading of the Ordinance and discussion of recommended fee changes as a result of a fee study performed in late 2018. (Est. Time: 5 Min.)

**FUNDING:** General Fund Revenue.

### **DISCUSSION / BACKGROUND**

With conceptual approval, the Recorder-Clerk will complete a draft ordinance for the Board's review and adoption. The ordinance will include a proposed increase in fees for the following: Fictitious Business Name Statement filings, Regular and Confidential Marriage Licenses, Notary Oath Filing; and amend the Official Map CD fee to be a subscription for service and lower the map CD fee from a quarterly fee based on the number of CD/DVD to a flat rate of \$120.00 a year.

In September 2015, the Board approved the increase of seven (7) Recorder-Clerk fees to be effective October 1, 2015. At the meeting, the Recorder-Clerk agreed to return to the Board with a further analysis and fee adjustments within three years (Legistar 15-0921, 9/1/15).

In May 2018, the County released Request for Proposal (RFP) 18-918-056 for a Multi-Department Fee and Nexus Study. After reviewing the awarded proposals, the Recorder-Clerk chose and entered into a contract with Clear Source Financial Consulting to conduct a Fee Study. The purpose of the study was to determine the County's cost for providing services including personnel, indirect and overhead costs, supervision, equipment and reasonable fees to recover the cost of providing said services.

Government Code Chapter 12.5 County Fees, section 54985 authorizes the Board of Supervisors to adopt new fees, fee levels and charges "in the amount *reasonably necessary* to recover the cost of providing any product or service..." (Attachment B). A majority of Recorder-Clerk fees are set by statute, under Government Codes 54985 (c)(6) and 54986, the Recorder-Clerk is required for any new fee, change or increase in an existing fee to be adopted by ordinance.

In December 2018, the Board received and filed the Fee Study completed by Clear Source Financial Consulting. The study (Attachment A) has identified and recommends the increasing of seven (7) Recorder-Clerk fees, three (3) of which have not been increased since 1993. These increases will assist in closing the gap between the cost of providing Recorder-Clerk services and the amount collected from the public for the service. The proposed increase will raise the fees to the median level of the counties in the geographic area studied, however will not recover full costs from the public for these services.

Currently, there are several customers receiving quarterly map updates. It is recommended that this change to a subscription service, which will allow users to log in with a user name and password to

access recently recorded maps and to view them with internet access.

If the Board determines the proposed fee increases are "reasonably necessary", the resulting revenue increase will be approximately \$57,000 annually and result in cost recovery ranging from 53% to 85% of budgeted cost. (Legistar 18-1872, 12/18/18).

### **ALTERNATIVES**

The Board could deny conceptual approval of an ordinance to establish a Schedule of Fees for the Recorder-Clerk's Office and this would result in no further cost recovery of providing Recorder-Clerk services to the public.

### **PRIOR BOARD ACTION**

18-1872, 12/18/2018 received and filed Fee Study.

15-0921, 9/1/2015 adopted Resolution 150-2015

8/3/1993 adopted Resolution 240-93

### **OTHER DEPARTMENT / AGENCY INVOLVEMENT**

Chief Administrative Office, Procurement and Contracts, County Counsel

### **CAO RECOMMENDATION / COMMENTS**

It is recommended that the Board approve this item.

### **FINANCIAL IMPACT**

The proposed increase in fees would result in an increase in revenue of approximately \$57,000 annually and cost recovery from 53% to 85% of budgeted cost, depending on the fee.

### **CLERK OF THE BOARD FOLLOW UP ACTIONS**

If conceptually approved, publish a Notice of Hearing

### **STRATEGIC PLAN COMPONENT**

Good Governance

### **CONTACT**

Janelle Horne, Recorder-Clerk

Catrina Christensen, ext. 5493