



## Legislation Text

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**File #:** 2019-0432, **Version:** 1

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**To:** Sonoma County Board of Supervisors  
**Department or Agency Name(s):** Clerk-Recorder-Assessor  
**Staff Name and Phone Number:** Kim Barrett (707) 565-3471  
**Vote Requirement:** Majority  
**Supervisory District(s):** County wide

**Title:**

Proposed adjustments to the County Clerk fees and Recorder fees

**Recommended Actions:**

Adopt an ordinance to adjust, delete and establish new fees for products and services to reflect the reasonable cost of services provided by the County Clerk and Recorder as authorized by state law, effective July 1, 2019.

**Executive Summary:**

The Clerk and Recorder divisions have conducted a time study to determine the actual costs of providing products and services to the public. Based on the study, the Clerk-Recorder-Assessor has determined that the cost to provide and certify copies of official public records, file fictitious business name statements and file notary oaths, exceeds the current fees and that the cost of providing duplicate marriage licenses is less than the current fee. In addition, the Recorder will begin offering the option to purchase and download copies of certain official public records (OPR) and wishes to establish a fee for this service. The Recorder is recommending the addition of an OPR Electronic Download fee to reflect the anticipated cost of providing that new service. The Department recommends the fee adjustments for the County Clerk fees and the Recorder fees to ensure fees are in line with the reasonable costs of providing products and services.

**Discussion:**

Government Code section 27366 authorizes the Recorder to recover direct and indirect costs of providing a product or service. In addition, Government Code section 26831 and Government Code section 54985 allow the County Clerk to charge fees in an amount reasonably necessary to recover costs of providing any product or service.

The Department has conducted a fee study to determine the reasonable costs of providing products and services to the public. The study took place over a three week period. Staff were given paper forms to track the number of minutes, and pages where applicable, it took to complete all tasks related to providing copies of official public records and performing various clerk functions. The productive hourly rate for providing services was calculated based on direct and indirect costs for staff, supervision, administration, supplies, and county-wide overhead costs. The average number of minutes it took to provide a service was then multiplied by the productive hourly rate to determine the average cost.

Results from the studies show that the average cost of providing and certifying copies of official public records, filing fictitious business name statements, filing notary oaths and preparing a duplicate marriage license, exceeds the current fees.

Current fees for fictitious business name statements (FBNs), notary oaths, and duplicate marriage licenses are based on a fee study conducted in 2017. Since then, salary and benefit costs have increased.

Marriage Ceremonies (applicants provide witnesses) and Marriage Ceremonies (Clerk provides witnesses) are based on a fee study conducted in 2009. Since then, salary and benefit costs have increased.

Current fees for Official Public Records (OPR) copies were based on a fee study conducted in 2017. Cost of licensing for the recording software has been increasing 5% year over year as well as cost of staff time due to anticipated labor cost increases. Technology has changed, increasing our ability to offer copies through different mediums - paper, fax, email, or download. A further time study of email OPR copies, conducted over a four week period, determined there was a measurable difference between providing OPR copies from the Digital Reel system, which contains records prior to 1964, and the Tyler Eagle system, which contains records from 1964 to present. Documents recorded prior to 1964 and stored in the Digital Reel system take longer for staff to access and compile.

Based on these fee study results, the Department recommends adding, deleting and adjusting fees as follows:

#### Recorder Fees

- Increase Official Public Record (OPR) Print Copy from \$3 per page to \$5 per page
- OPR Email Copy pre-1964 fee from \$3 per page to \$6 per page
- Increase Fax copy from \$2 to \$4
- Map Copy fee from \$3 per map to \$5 per map
- Increase Certification of OPR copies from \$3 per document to \$4 per document

#### Clerk Fees

- Increase Duplicate Marriage License fee from \$50 to \$56
- Marriage Ceremony (applicants provide witnesses) from \$56 to \$60
- Marriage Ceremony (Clerk provides witnesses) from \$78 to \$82
- Increase Notary Oath fee from \$40 to \$50
- Increase Fictitious Business Name Statement (mailed and walk in) fee from \$45 to \$55

#### **Prior Board Actions:**

6-15-2018, Ordinance 6232, establishing fees for products and services provided by the Recorder and County

Clerk, effective July 11, 2018.

4-21-15, Ordinance 6100, establishing fees for products and services provided by the Recorder and County Clerk, effective July 1, 2015.

4-29-09, Ordinance 5833 establishing fees for services provided by the County Clerk's office, effective July 1, 2009.

**FISCAL SUMMARY**

<b>Expenditures</b>	<b>FY 18-19 Adopted</b>	<b>FY19-20 Projected</b>	<b>FY 20-21 Projected</b>
Budgeted Expenses			
Additional Appropriation Requested			
<b>Total Expenditures</b>			
<b>Funding Sources</b>			
General Fund/WA GF			
State/Federal			
Fees/Other		\$90,890	\$90,890
Use of Fund Balance			
Contingencies			
<b>Total Sources</b>		<b>\$90,890</b>	<b>\$90,890</b>

**Narrative Explanation of Fiscal Impacts:**

Proposed fee increases will generate approximately \$90,890 in additional revenue.

<b>Staffing Impacts:</b>			
<b>Position Title (Payroll)</b>	<b>Monthly Salary Range (A - I Step)</b>	<b>Additions (number)</b>	<b>Deletions (number)</b>

**Narrative Explanation of Staffing Impacts (If Required):**

N/A

**Attachments:**

Attachment 1 - Ordinance establishing fee changes effective July 1, 2019

Attachment 2 - Fee Cover Sheet

Attachment 3 - Cost Analysis of Clerk and Recorder Fees

**Related Items "On File" with the Clerk of the Board:**

N/A

