

EXHIBIT D

ELECTION DIVISION
Fees and Charges
Customer Counter Services
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TABLE OF CONTENTS

Topic	Page
Election Division Summary	4-5
Election Service Structure	6
Legal & Statutory Background	7-8
Revenue Impact from changes in Customer Service Fees	9-11
Benchmark Counties	12

ELECTION DIVISION SUMMARY

In complying with the County's policy of full cost recovery, where permissible by law, the Election Division of the Clerk, Recorder, and Assessor Department initiated a cost-recovery study to update existing fees and charges for services, and identify new fee opportunities where feasible and available.

The Election Division is one of three service areas of the Clerk-Recorder-Assessor Department. The Division's primary responsibilities include conducting federal, state, and local elections, conducting voter registration activities and outreach programs, managing candidate and campaign filings, processing petition verification requests, and providing election information in its possession to interested parties. Election services are offered in three office locations in south and north county.

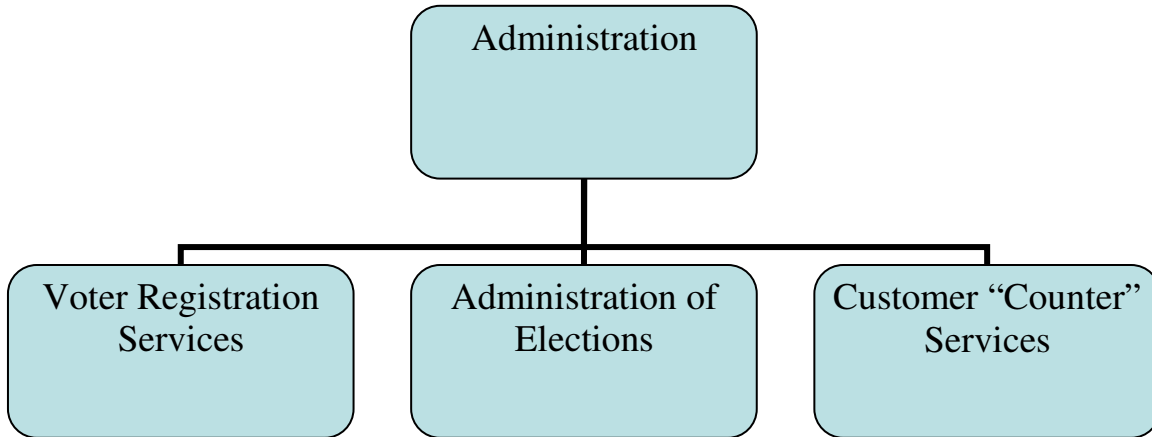
The division's last cost-recovery study was conducted in 2002 and the Board adopted the recommended fees. A review of the division fees is well overdue as the department has not adjusted these fees since 2002. This cost recovery study strives to review the process of providing certain services in order to develop a fee structure for cost recovery for those services which the Board has authority to establish or increase fees. Prospectively, the department plans to establish an annual review of its business processes and fees to ensure implemented fees are consistent with the current business environment and costs. Additionally, conducting an annual review will minimize the impact of large increases that may occur when fees are not consistently updated.

As discussed in the following section, the service structure of the Election Division is made up of three primary service functions; Voter Registration, Administration of Elections, and Customer Counter Services. The voter registration function is a function performed within the official duties of the Registrar of Voters pursuant to the Elections Code. Administration of Elections is also a function performed within the official duties of the Registrar of Voters, however, reimbursement for costs of administering elections can be partially recovered from local agencies that consolidate with the state or federal elections. Of the total reimbursement revenue received for administering elections and customer counter services, roughly 95 percent is from local agency reimbursements for administration of elections. The cost recovery formula for reimbursement of administering elections is made in accordance the billing methodology approved by the Board in 2006, therefore this cost recovery study does not focus on those charges.

Also discussed in the following section are customer "counter" services mandated by various sections of the Election and Government Code for which fees can be charged to allow for full cost recovery. The revenue generated from these types of services is less than 5 percent of the total reimbursements received for administering elections and customer counter services. The objective of this cost recovery study is to develop fees for customer counter services for which full costs can be recovered directly from customers requesting the service, as adopted by the Board. The cost methodology used in developing the fees for these services is presented in the report titled "Clerk-Recorder-Assessor Department Cost Recovery Method" (Exhibit A).

The proposed increase in election customer counter service fees is estimated to generate roughly \$3,000 in additional revenue annually.

ELECTION DIVISION Basic Service Structure



The three core functions of the Election Division are summarized below. Voter registration services and customer services are performed year round, while the Administration of Elections fluctuates annually based on the cycle of scheduled and non-scheduled elections.

Voter Registration Services:

Division 2 of the Election Code establishes the official duty of the registrar of voters (ROV) to perform voter registration services. Pursuant to Election Code section 2121, no fees may be charged for voter registration. The cost of voter registration is excluded from any charges or fees developed.

Administration of Elections:

The ROV administers all federal, state, and county elections, including consolidation of cities, schools, and special districts pursuant to Division 10 of the Elections Code and Article 8, Part 4 of the Education Code. In consolidated elections, each participating agency pays a prorated share of the election costs in accordance with the county’s billing methodology approved by the Board in 2006.

Customer “Counter” Services:

In addition to the core services of voter registration and elections administration, the County Election Division provides interested parties with various voter and election related information. While most records are public records and are generally available for public inspection and use, some records are restricted. Where records and files are not restricted, the division provides information, such as voter files and reports, precinct maps, statement of votes cast, copies of registration affidavits, fair political practices commission reports, and copies of other miscellaneous filings in the possession of the election office. The fees established in the proposed schedule of fees and charges are to recover the reasonable cost incurred by the County in providing these customer counter services.

Legal & Statutory Background

As identified in the proposed election fee ordinance, fees and charges for elections costs and services are allowed pursuant to various areas of the Elections Code, Education Code and Government Code. Where provisions of law do not prescribe or otherwise limit the amount of a fee that can be charged for services performed by the ROV, Government Code section 54985 and section 54986 allows the county's board of supervisors to increase or prescribe a fee in an amount reasonably necessary to recover the cost of providing the service, including indirect costs.

Government Code Section 54985 States:

54985. (a) Notwithstanding any other provision of law that prescribes an amount or otherwise limits the amount of a fee or charge that may be levied by a county, a county service area, or a county waterworks district governed by a county board of supervisors, a county board of supervisors shall have the authority to increase or decrease the fee or charge, that is otherwise authorized to be levied by another provision of law, in the amount reasonably necessary to recover the cost of providing any product or service or the cost of enforcing any regulation for which the fee or charge is levied. The fee or charge may reflect the average cost of providing any product or service or enforcing any regulation. Indirect costs that may be reflected in the cost of providing any product or service or the cost of enforcing any regulation shall be limited to those items that are included in the federal Office of Management and Budget Circular A-87 on January 1, 1984.

(b) If any person disputes whether a fee or charge levied pursuant to subdivision (a) is reasonable, the board of supervisors may request the county auditor to conduct a study and to determine whether the fee or charge is reasonable.

Nothing in this subdivision shall be construed to mean that the county shall not continue to be subject to fee review procedures required by Article XIII B of the California Constitution.

(c) This chapter shall not apply to any of the following:

(1) Any fee charged or collected by a court clerk pursuant to Chapter 5.5 (commencing with Section 116.110) of Title 1 of Part 1 of the Code of Civil Procedure, Title 8 (commencing with Section 68070) of the Government Code, or Section 103470 of the Health and Safety Code, or any other fee or charge that may be assessed, charged, collected, or levied pursuant to law for filing judicial documents or for other judicial functions.

(2) Any fees charged or collected pursuant to Chapter 2 (commencing with Section 6100) of Division 7 of Title 1.

(3) Any standby or availability assessment or charge.

(4) Any fee charged or collected by a county agricultural commissioner.

(5) Any fee charged or collected pursuant to Article 2.1 (commencing with Section 12240) of Chapter 2 of Division 5 of the Business and Professions Code.

(6) Any fee charged or collected by a county recorder or local registrar for filing, recording, or indexing any document, performing any service, issuing any certificate, or providing a copy of any document pursuant to Section 2103 of the Code of Civil Procedure, Section 27361, 27361.1, 27361.2, 27361.3, 27361.4, 27361.8, 27364,

27365, or 27366 of the Government Code, Section 103625 of the Health and Safety Code, or Section 9525 of the Commercial Code.

(7) Any fee charged or collected pursuant to Article 7 (commencing with Section 26720) of Chapter 2 of Part 3 of Division 2 of Title 3 of the Government Code.

Government Code Section 54986 States:

54986. (a) Prior to either approving an increase in an existing fee or charge or initially imposing a new fee or charge pursuant to Section 54985, the board of supervisors shall hold at least one public meeting, at which oral or written presentations may be made, as part of a regularly scheduled meeting. Notice of the time and place of the meeting, including a general explanation of the matter to be considered, and a statement that the data required by this section is available, shall be mailed at least 14 days prior to the meeting to any interested party who files a written request with the clerk of the board of supervisors for mailed notice of the meeting on new or increased fees or charges. Any written request for such mailed notices shall be valid for one year from the date on which it is filed unless a renewal request is filed. Renewal requests for such mailed notices shall be filed on or before April 1st of each year. The board of supervisors may establish a reasonable annual charge for sending those notices based on the estimated cost of providing that service. At least 10 days prior to the meeting, the board of supervisors shall make available to the public data indicating the amount of cost, or estimated cost, required to provide the product or service or the cost of enforcing any regulation for which the fee or charge is levied and the revenue sources anticipated to provide the product or service or the cost of enforcing any regulation, including general fund revenues.

(b) Any action by a board of supervisors to levy a new fee or charge or to approve an increase in an existing fee or charge pursuant to Section 54985 shall be taken only by ordinance.

(c) Any costs incurred by a county, a county service area, or county waterworks district governed by a county board of supervisors in conducting the meeting or meetings required pursuant to subdivision (a) may be recovered from fees charged for the product or service or the cost of enforcing any regulation which were the subject of the meeting.

**Revenue Impact from proposed changes in Customer Services Fees
Customer Counter Services**

VOTER INFORMATION FILES AND DATA EXTRACTS	<u>Proposed Fee</u>	<u>Current Fee</u>	<u>Increase</u>	<u>Est Units</u>	<u>New Revenue</u>	<u>Old Revenue</u>	<u>Revenue Increase</u>
Voter Data Extracts/Reports (add media fee)							
Set-Up (per Order)	\$26.00	20.00	6.00	76	1,976	1,580	396
Per Report	\$19.00	\$0.14/1000 records		56	1,064	998	66
Vote-by Mail Voter Info File Updates (per subsequent update)	\$23.00	\$0.14/1000 records		15	345	145	200
Precinct Index (PDF)		\$0.50/1000 records					
Set-Up (per Order)	\$26.00			5	130	218	(88)
Per Report	\$19.00			5	95	-	95
Media Charges:							-
CD Rom	\$8.00	2.00	6.00	27	216	58	158
Email Transmission	\$6.00	NEW	NEW				-
FTP Transmission-New Customer Set-up	\$7.00	NEW	NEW				-
FTP Transmission	\$3.00	NEW	NEW				-
Fax Transmission	\$6.00	NEW	NEW				-
Printed Digital File (per page)	\$0.05	0.10	(0.05)				-
STATEMENT OF VOTES CAST	<u>Proposed Fee</u>	<u>Current Fee</u>	<u>Increase</u>	<u>Est Units</u>	<u>New Revenue</u>	<u>Old Revenue</u>	<u>Revenue Increase</u>
Statement of Votes Cast-PDF File (available on-line)	FREE						-
Statement of Votes Cast-PDF File on CD Only (if retrieval requested from Election Office)	\$35.00	12.00	23.00				-
Statement of Votes Cast-Text File (add media charges)	\$59.00	12.00	47.00				-
Media Charges:							-
CD Rom	\$8.00	2.00	6.00				-
Email Transmission	\$6.00	NEW	NEW				-
FTP Transmission-New Customer Set-up	\$7.00	NEW	NEW				-
FTP Transmission	\$3.00	NEW	NEW				-
Fax Transmission	\$6.00	NEW	NEW				-
Printed File (per page)	\$0.05	0.10	(0.05)				-
ELECTION INFORMATION SEARCH AND COPY SERVICES	<u>Proposed Fee</u>	<u>Current Fee</u>	<u>Increase</u>	<u>Est Units</u>	<u>New Revenue</u>	<u>Old Revenue</u>	<u>Revenue Increase</u>
File Copies (paper, record, proceeding on file)							-
Copy Order Set-Up Fee (per order)	\$10.00	2.00	8.00	7	70	15	55
File Copy (per page)	\$0.15	0.10	0.05	35	5		5
Research Fee					-		-

Level I Search (Max 2 min), per Record	\$4.00	5.00	(1.00)		-		-
Level II Search (max 5 min)-per records	\$11.00	5.00	6.00	7	77		77
Level III Search (per 10 min increments), per Record	\$21.00	5.00	16.00		-		-
Certifying to any copy, papers, proceedings on file (official seal)	\$1.75	1.75	0.00		-		-
CERTIFICATE/ABSTRACT OF REGISTRATION	<u>Proposed Fee</u>	<u>Current Fee</u>	<u>Increase</u>	<u>Est Units</u>	<u>New Revenue</u>	<u>Old Revenue</u>	<u>Revenue Increase</u>
Certificate of Registration	\$1.50	1.50	0.00	131	197	197	-
Copy of Scanned Voter Registration Image	\$10.00	1.50	8.50		-		-
Certifying to any copy, papers, proceedings on file (official seal)	\$1.75	1.75	0.00	4	7	7	-
PRECINCT MAPS	<u>Proposed Fee</u>	<u>Current Fee</u>	<u>Increase</u>	<u>Est Units</u>	<u>New Revenue</u>	<u>Old Revenue</u>	<u>Revenue Increase</u>
Maps - PDF and Shape Files on Election Website	Free						-
11 x 17 Precinct Maps (B Map)	\$27.00	3.00	24.00	21	567	336	231
34 x 44 Precinct Maps (E Maps)	\$92.00	16.00	76.00	21	1,932	432	1,500
Special Maps	Variable, per Assessor Map Fees						-
FAIR POLITICAL PRACTICES COMMISSION (FPPC) STATEMENTS	<u>Proposed Fee</u>	<u>Current Fee</u>	<u>Increase</u>	<u>Est Units</u>	<u>New Revenue</u>	<u>Old Revenue</u>	<u>Revenue Increase</u>
FPPC Copies, per page	\$0.10	0.10	0.00	0	-		-
FPPC Retrieval Fee for Stmtns, 5 Years or older (per request)	\$5.00	5.00	0.00	44	220	220	-
OTHER ELECTION SERVICES	<u>Proposed Fee</u>	<u>Current Fee</u>	<u>Increase</u>	<u>Est Units</u>	<u>New Revenue</u>	<u>Old Revenue</u>	<u>Revenue Increase</u>
Computer Specialist Special Service Request							-
Set-Up	\$21.00	NEW	NEW				-
Half Hour Rate (minimum 1/2 increments)	\$86.00	NEW	NEW				-
Office Professional Special Research/Service Requests							
Set-Up	\$21.00						-
Half Hour Rate (minimum 1/2 increments)	\$64.00	NEW	NEW				-
First Class Return Mail Postage & Handling - Letter/Envelope	\$2.00	0.00	2.00	10	20		20
Priority & Express Mail Delivery		0.00	0.00				-
Priority & Express Mail Handling	\$4.00						-

EXHIBIT D – Election Fees

Priority & Express Mail Courier Costs	Actual Courier Costs						-
Priority & Express Mail Courier Costs - Customer Provided Account	No Courier Charge						-
Credit/Debit Card Convenience Fee	\$1.50	NEW	NEW	300	450	-	450
NSF (Assessor & Elections)	\$21.00	NEW	NEW				
TOTAL ESTIMATED ADDITIONAL REVENUE:					7,371	4,206	3,165

**SELECTED FEES
BENCHMARK COUNTIES**

Service Description	Ventura	Marin	Santa Cruz	Hace	San Luis Obispo	Solano	Monterey	Sacramento	Tulare	SB Proposed
Voter Files on CD	\$37	\$72	\$75-\$250	\$100		\$172 per hour, \$.10 per page	\$125-\$185	\$420		\$53
Email Transmission Fee										\$6
Fax Transmission Fee			\$0.50 per page			\$2.00 1st page, \$.75 addtl pages		\$3 1st 5 pgs, \$.10 each addtl		\$6
Statement of Votes Cast File on CD		\$72	\$45		\$30					\$35
File Copy-Set Up										\$10
File Copy Search Fee			\$50 per hour			\$172/hour, plus copy costs		\$95 per hour		\$126 per hour
File Copy, per page		.15 per page	.50 1st 5 pages, .10 each addtl page			\$1 1st page, \$.10 addtl pages				\$.15 perpage
11 x 17 Printed Precinct Map			\$5		\$15	\$25-\$77		\$61 set up + \$6.00 per page	\$7	\$27
34x44- Printed Precinct Map								\$61 set up + \$6.00 per page	\$30	\$92