

EXHIBIT B

CLERK-RECORDER DIVISION

Fees For Services Report

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CLERK-RECORDER DIVISION SUMMARY

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

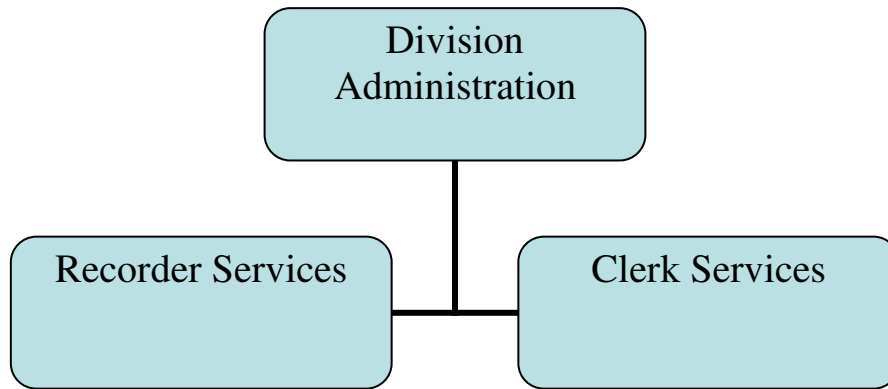
The Clerk-Recorder Division is one of three service areas of the Clerk-Recorder-Assessor Department. The Clerk-Recorder Division's primary responsibilities include recording and archiving official records; recording and issuing vital records; issuing and recording marriage licenses; and processing domestic partnership filings, fictitious business name filings, notary bond filings, and other miscellaneous filings. Clerk-Recorder services are offered in three office locations in south and north county.

Many of the fees for the services offered by the Clerk-Recorder Division are prescribed and limited by State law and may not be adjusted for full cost recovery. However, state statutes do allow full cost recovery through fees and charges for certain services. The objective of this fee study is to develop fees for those services for which full costs can be recovered for those services which the Board has authority to establish or increase. The cost methodology used in developing fees for the Clerk-Recorder Division services is presented in the report titled "Clerk-Recorder-Assessor Department Cost Recovery Method" (Exhibit A).

The division's last cost recovery study was conducted in-house in 2008 and your Board approved the updated fees for implementation in 2009. The department will strive to review its business processes and fees in each division annually, or as soon as feasible, in order to ensure fees are consistent with the current business environment and costs of providing services.

The proposed increase in Clerk-Recorder fees is estimated to generate roughly \$123,000 in additional revenue annually to cover costs of certain services performed by the Clerk-Recorder .

Clerk-Recorder Division Service Structure



Recorder Services:

The official duties of the County Recorder are prescribed in Government Code section 27201 through 27399. In part, the official duties of the Recorder are to accept for recordation documents related to real property transactions and any instrument, paper, or notice that is authorized or required by statute to be recorded. The Recorder maintains an index of recorded information, issues copies of official records, and maintains an archive of all recorded official records and documents. Pursuant to Health and Safety Code section 103525, the County Recorder is also charged with the duty of supplying applicants with certified copies of vital records (records of birth, death, and marriages registered).

Clerk Services:

Pursuant to Government Code section 26801 through 26861 and the Business and Professions Code commencing with section 17900, 6402, 22350 and 22450, the County Clerk performs services related to filing of fictitious business name statements, notary bonds registrations, and other miscellaneous filings. The County Clerk also issues and performs marriage services pursuant to Divisions 2.5, 3 and 4 (commencing with section 297) of the Family Code. Marriage services performed include issuing marriage licenses, performing marriage ceremonies, appointing marriage commissioners, and maintaining a domestic partnership registry.

Passport Services:

As of March 1, 2011, passport services were discontinued due to new federal requirements that disallowed Clerk-Recorder offices that issue birth certificates to also issue passports.

Legal & Statutory Background

Some fees for services in the Clerk-Recorder are limited to fees prescribed by provisions of law, however other fees are not limited or prohibited and may be increased in an amount necessary to recover the cost of providing the service. Where provisions of law do not prescribe or otherwise limit the amount of a fee that can be charged, 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. This section also lists specific sections of law for which the provisions of Government Code section 54985 do not apply, such as recording fees pursuant to Government Code section 27361 through 27361.8. The application of government code 54985 is applied to Clerk-Recorder service areas where fees are not limited or otherwise prohibited by law.

Whereas the Clerk-Recorder Division provides various regulatory services, it also provides various non-mandated services to promote increased customer service and efficiencies. When no provisions of law exist that require a service be provided, the County Board of Supervisor has the authority to establish fees for these services in an amount necessary to recover the cost of the service.

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.

PROPOSED CLERK-RECORDER FEES:

	Service Description	FEE	Current Fee	Est Units	New Revenue	Old Revenue	Addtl Revenue
RECORDER FEES:							
1.	Document Recording Fees	Statutory Fees	Statutory Fees				
2.	Daily CD of Official Records Digital Images	28.00	24.00	480	13,440	11,520	1,920
	Priority & Express Mail Delivery				-	-	-
	Mail Handling	5.00	4.00		-	-	-
	Mail Courier Cost	Actual Cost	Actual Cost				
	First Class Mail Delivery (Postage & Handling)	2.00	2.00		-	-	-
3.	CD of Monthly Official Record Digital Images	77.00	65.00	77	5,929	5,005	924
	Priority & Express Mail Delivery				-	-	-
	Mail Handling	5.00	4.00		-	-	-
	Mail Courier Cost	Actual Cost	Actual Cost				
	First Class Mail Delivery (Postage & Handling)	2.00	2.00		-	-	-
4.	Customer Made OR Microfilm Copies- per page	0.50	0.50			-	-
5.	Official Record Copy, per document	10.00		6590 docs/22792 pgs	65,900	58,764	7,136
6.	Subscription Services:				-	-	-
	Annual Subscription Service:				-	-	-
	Annual Subscription Cost if paid annually	878.00	-	20	17,560	-	17,560
	Annual Subscription Cost if paid quarterly	920.00	-		-	-	-
	Annual Subscription Cost if paid monthly	1,031.00	-		-	-	-
	One-Day Subscription Service	16.00	-	2	32	-	32
	ACH Fee assessed by on-line collections provider	1.50	-	-	-	-	-
7.	Involuntary Lien Notice & Mailing	14.00	12.00	2,147	30,058	25,764	4,294
	First Class Mail Delivery (Postage & Handling)	2.00	2.00		-	-	-
8.	Involuntary Lien Notice & Mailing-Addtl Debtors	5.00	4.00	383	1,915	1,532	383
	First Class Mail Delivery (Postage & Handling)	2.00	2.00		-	-	-
9.	Recording/Filing/Indexing MAP-1st Page (Subdivision & Parcel Maps)	46.00	43.00	22	1,012	946	66
	Recording/Filing/Indexing MAP-Addtl Pages (All maps)	7.00	6.00	134	938	804	134
10.	Recording/Filing/Indexing MAP-1st Page (All other Maps)	32.00	31.00	45	1,440	1,395	45

	Recording/Filing/Indexing MAP-Addtl Pages (All maps)	7.00	6.00			-	-	-
11.	MAP Certification	9.00	8.00	6	54	48	6	
12.	Official Record Certification	2.00	2.00		1,655	3,310	3,310	-
13.	Official Record Conformed Copy	2.00	2.00		6,689	13,378	13,378	-
14.	Clerk Translation Verification	23.00	20.00	3	69	60	9	
15.	20-Day Preliminary Notice	42.00	36.00		21	882	756	126
CLERK FEES:								
16.	Vital Records Copy Fees	Per State	Per State					
17.	Vital Record Expedite Service - Automated Phone System Request	12.00	10.00		198	2,376	1,980	396
	Priority & Express Mail Delivery					-	-	-
	Mail Handling	5.00	4.00			-	-	-
	Mail Courier Cost	Actual Cost	Actual Cost					
18.	Vital Record Expedite Service - Fax Request	7.00	6.00		541	3,787	3,246	541
	Priority & Express Mail Delivery					-	-	-
	Mail Handling	5.00	4.00			-	-	-
	Mail Courier Cost	Actual Cost	Actual Cost					
19.	Vital Record Expedite Service - Website Requests					-	-	-
	Priority & Express Mail Delivery					-	-	-
	Mail Handling	5.00	4.00			-	-	-
	Mail Courier Cost	Actual Cost	Actual Cost					
20.	Filing/Indexing -Miscellaneous Filings	16.00	14.00			-	-	-
21.	Clerk Certification (signed official seal)	2.00	2.00		110	220	220	-
22.	Clerk File Copy - Set-up	5.00	4.00			-	-	-
	Clerk Record Search (per record)	7.00	6.00		493	3,451	2,958	493
	Clerk File Copy Fee - per page	0.50	0.49			-	-	-
23.	Clerk Filing Confirmation Certificate	7.00	6.00			-	-	-
	Clerk Record Search (per record)	7.00	6.00			-	-	-
24.	Surety-Financial Statement Filing	14.00	12.00			-	-	-
25.	Surety -Certificate of Surety Authority Filing	14.00	12.00			-	-	-
26.	Surety - Power of Attorney Filing/ Can/Revoc/WD	12.00	10.00			-	-	-
27.	Surety - Power of Attorney Filing each Addtl name	2.25	2.25			-	-	-
28.	Statement of Domestic Partnership (DMP) Filing	49.00	42.00		21	1,029	882	147
29.	DMP Statement of Amend/Term/Death	32.00	28.00	4	128		112	16
30.	DMP Certified Copy of Original Stmt Filed		10.00					

		12.00		1	12	10	2
31.	DMP Re-Issuance of Certificate	30.00	26.00		-	-	-
32.	Notary Public Bond Filing/Canc/Revok/WD	37.00	32.00	393	14,541	12,576	1,965
33.	Notary Bond Certificate of Filing	7.00	6.00	309	2,163	1,854	309
	Clerk Record Search (per record)	7.00	6.00		-	-	-
34.	Notary Journal Return Receipt	2.00	2.00		-	-	-
35.	Notary Journal Page Copy - Setup	2.00	2.00		-	-	-
	Clerk Record Search (per record)	7.00	6.00		-	-	-
	Clerk File Copy Per page	0.50	0.49		-	-	-
36.	Certificate to Official Capacity of a Public Official	14.00	12.00		-	-	-
37.	Fictitious Business Name Filing/Renew	46.00	40.00	3,812	175,352	152,480	22,872
	FBN Notice of Expiration	1.00	1.00	3,812	3,812	3,812	-
	Fictitious Business Name Filing - Addtl Names/Partner	5.00	4.00	1,232	6,160	4,928	1,232
	Fictitious Business Name Websearch (for LLC or Corp.)	5.00	4.00		-	-	-
38.	FBN Aband/WD	30.00	26.00		-	-	-
39.	FBN Certified Copy	5.00	4.00		-	-	-
	Clerk Record Search (per record)	7.00	6.00		-	-	-
	Clerk Certification (signed seal)	2.00	2.00		-	-	-
40.	FBN Regular Copy	5.00	4.00		-	-	-
	Clerk Record Search (per record)	7.00	6.00		-	-	-
41.	FBN CD (non-refundable)	51.00	44.00		-	-	-
	Priority & Express Mail Delivery				-	-	-
	Mail Handling	5.00	4.00		-	-	-
	Mail Courier Cost	Actual	Actual Cost				
	First Class Mail Delivery (Postage & Handling)	2.00	2.00		-	-	-
42.	FBN List (Hard Copy List)	12.00	6.00		-	-	-
	FBN List, per page fee	0.05	-		-	-	-
	First Class Mail Delivery (Postage & Handling)	2.00	2.00		-	-	-
43.	Regular Marriage License	67.00	57.00	2,700	180,900	153,900	27,000
	60-day Notice	2.00	2.00	2,700	5,400	5,400	-
	Addtl State Fees	Per State	Per State				
44.	Confidential Marriage License	79.00	67.00	160	12,640	10,720	1,920
	Addtl State Fees	per State	Per State				
45.	Declaration of Marriage (SB County)	79.00	67.00		-	-	-

	Addtl State Fees	Per State	Per State				
46.	Declaration of Marriage (Other County)	90.00	77.00		-	-	-
	Addtl State Fees	Per State	Per State				
47.	Non-Clergy Marriage License	74.00	63.00		-	-	-
	Addtl State Fees	Per State	Per State				
48.	Expedite Marriage License Recording	12.00	10.00	333	3,996	3,330	666
49.	Marriage Lic Duplicate	56.00	48.00	84	4,704	4,032	672
50.	Confidential Marriage Lic Duplicate	56.00	48.00	9	504	432	72
51.	Confidential Marriage License Amendment	35.00	30.00	4	140	120	20
52.	Marriage Commissioner Appointment	51.00	44.00	199	10,149	8,756	1,393
53.	Marriage Officiants Training	70.00	59.00			-	-
54.	Marriage Ceremony Reservation Fee (Non-Refundable)	23.00	New Fee	500	11,500	-	11,500
55.	Marriage Ceremony- In Hall of Records	104.00	83.00	489	50,856	40,587	10,269
56.	Marriage Ceremony- Courthouse Grounds	116.00	New Fee	10	1,160	-	1,160
57.	Marriage Ceremony Witness	51.00	44.00	55	2,805	2,420	385
58.	Process Server Registration	100.00	100.00			-	-
	Proc Svr-Perm ID Cards	14.00	12.00			-	-
	Proc Svr-Perm ID Cards Laminated (optional)	19.00	16.00			-	-
	Proc Svr Bond Filing/Can/Revok/WD	21.00	18.00			-	-
59.	Professional Photocopier Registration	175.00	175.00			-	-
	Prof Photocopier Addtl ID Cards	14.00	12.00			-	-
	Prof Photocopier Addtl ID Cards Laminated (Optional)	19.00	16.00			-	-
	Prof Photocopier Filing/Canc/Revok/WD	21.00	18.00			-	-
60.	Unlawful Detainer Asst & Legal Doc Asst Registration	175.00	175.00			-	-
	UD &LA Addtl ID Cards	14.00	12.00			-	-
	UD &LA Addtl ID Cards Laminated (optional)	19.00	16.00			-	-
	UD &LA Filing/Can/Revok/WD	21.00	18.00			-	-
OTHER FEES:							
61.	First Class Mail Delivery (Postage & Handling)	2.00	2.00	5,036	10,072	10,072	-
62.	Priority/Express Mail Delivery -Mail Handling	5.00	4.00	2,826	14,130	11,304	2,826
63.	Priority/Express Mail Delivery - Courier Cost	Actual Cost	Actual Cost				
64.	Misc File Copy per Page (OR or Clerk File)	0.50	0.49			-	-
65.	NSF Fee	49.00	70.00			-	-

66.	Credit Card Convenience Fee (Debit/Credit)	1.50	1.00	9,471	14,207	9,471	4,736
67.	Special Request Hourly Service Rate (Office Professional)	139.00	-		-	-	-
68.	Special Request Hourly Service Rate (EDP/Computer Analyst)	202.00	-		-	-	-
69.	Special Request Hourly Service Rate (Management)	238.00	-		-	-	-
					692,111	568,884	123,227

Summary of Selected Clerk-Recorder Fees Charged by Other Counties

County	Sonoma	Tulare	Monterey	Ventura	San Luis Obispo	Solano	Sacramento	Placer	SB Proposed
Official Record Copy Fees:	-	-	-	-	-	-	-	-	-
Copy Fee - 1st Page		3.00	-	2.00	3.00	5.00	12.00	2.00	\$10 per document
Copy Fee - addtl pages		1.00	-	1.00	0.50	1.00	2.00	1.00	
Copy Fee - Per Page	1.75	-	2.00	-	-	-	-		
Clerk Fees:									
Fictitious Business Name Statement	40.00	45.00	30.00	53.00	45.00	33.00	n/a	30.00	46.00
FBN Stmt of Abandonment/WD	31.00	30.00	27.00	39.00	45.00	33.00	n/a	30.00	30.00
Notary Public Filing	43.00	n/a	n/a	58.00	45.00	35.00	22.00	25.00	37.00
Marriage License Fee	83.00	92.00	75.00	97.00	95.00	75.00	82.00	56.00	97.00
Confidential Marriage License	100.00	95.00	75.00	109.00	95.00	95.00	94.00	60.00	107.00
Marriage Commissioner	133.00	64.00	n/a	n/a	40.00	n/a	43.00	n/a	51.00
Marriage Ceremony	56.00	n/a	n/a	45.00	40.00	50.00	35.00	40.00	104.00