

843



**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

FROM: Clerk of the Board

SUBMITTAL DATE:
October 6, 2008

SUBJECT: Ordinance No. 882, an Ordinance of the County of Riverside Establishing Fees and Charges for Miscellaneous Clerk of the Board services

RECOMMENDED MOTION: That the Board introduce and on successive week adopt **Ordinance 882**, an Ordinance of the County of Riverside Establishing Fees and Charges for Miscellaneous Clerk of the Board services, and further that the Board by minute order approve the revised **Legal Publication Hourly Rate of \$58.72.**

FISCAL PROCEDURES APPROVED
ROBERT E. BYRD, AUDITOR-CONTROLLER
BY: *[Signature]*
JERRY D. WOOD

FORM APPROVED COUNTY COUNSEL
BY: *[Signature]* 10-08-08
DOROTHY L. HONN DATE
Departmental Concurrence

[Signature]
Nancy Romero, Clerk of the Board

FINANCIAL DATA	Current F.Y. Total Cost:	\$ NA	In Current Year Budget:	No
	Current F.Y. Net County Cost:	\$ NA	Budget Adjustment:	No
	Annual Net County Cost:	\$ NA	For Fiscal Year:	08-09

SOURCE OF FUNDS: NA	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	

C.E.O. RECOMMENDATION:

APPROVE *[Signature]*

BY: *[Signature]*
Christopher M. Hans

County Executive Office Signature

Dep't Recomm.: Consent Policy

Per Exec. Ofc.: Consent Policy

Prev. Agn. Ref.: | District: | Agenda Number: **3.10**

Background

The office of the Clerk of the Board is authorized to charge and recover the cost of services provided under the same State statutes (Exhibit 1) empowering the County Clerk to recover specified charges for like services.

The Clerk of the Board fees were established in 1993 as part of Ordinance 729 (**Attachment A**) and have not been increased since that time. Currently, the Assessor-Clerk-Recorder's office has an amendment to Ordinance 729, which includes the deletion of the Clerk of the Board fees. To that end, we are introducing **Ordinance 882**, an Ordinance of the County of Riverside, Establishing Fees and Charges for Miscellaneous Services of the Clerk of the Board Office.

Current Fees**Proposed Fees**

• Photocopies		
First Page	\$.50	\$.50
Each Additional Page	\$.10	\$.10
• Record Search	\$ 5.00	\$5.00 per G.C. 26854
• Copy Certification	\$ 1.75	\$1.75 per G.C.26833
• Compare with Original	\$.50 per page	\$.50 per page per G.C. 26837
• Statement of Economic Interest	\$.10 per page	\$.10 per page per G.C. 81008
• Retrieval of Statements which are 5 years or more old		\$5.00 per G.C. 81008
• Audio Tape Reproduction	\$12.50 per tape	\$12.50 per tape
• DVD Reproduction		\$12.50 per DVD
• Return Check Fee	\$10.00	\$25.00
• Board of Supervisors Agendas & Statement of Proceedings (mailed)	\$95.00 per year each	\$95.00 per year each
• Board Packet Service	\$600.00 per year	\$600.00 per year
• Legal Publication Hourly Rate	\$18.94	\$58.72

Media

A *new* charge to be established is for DVD reproduction. Currently, the Clerk of the Board office is providing these for \$12.50 per meeting; however, after polling various counties, we found that counties are charging between \$15-25 dollars per DVD. The fee of \$12.50 includes materials and equipment.

<u>COUNTY</u>	<u>TAPES</u>	<u>DVD</u>
San Diego	\$7.20 + TAX	\$25/HR
San Bernardino	\$10/per tape	\$15/per DVD
Orange	\$15/per tape	\$15/per DVD
Riverside	\$12.50 per tape	\$12.50 per meeting

Legal Publication Hourly Rate

We request that our current legal publication hourly rate of \$18.94 per hour be increased to \$58.72 per hour.

The proposed rate is based on FY 07/08 actual cost data and will ensure maximum reimbursement for the costs of services provided. This rate increase is necessary due to rising personnel costs in recent years and the fact that this rate has not been adjusted since 1993.

The proposed fee has been reviewed and approved by the County Auditor-Controller. The fee adjustments will result in revenue to the department of approximately \$14,000 annually.

ORDINANCE NO. 882

**AN ORDINANCE OF THE COUNTY OF RIVERSIDE,
ESTABLISHING FEES AND CHARGES FOR
MISCELLANEOUS CLERK OF THE BOARD SERVICES**

The Board of Supervisors of the County of Riverside, State of California, ordains as follows:

Section 1. PURPOSE AND SCOPE.

A. PURPOSE. The purpose of this section is to establish fees in reasonable amounts to cover the costs of rendering miscellaneous services by the Clerk of the Board.

B. AUTHORITY. The authority for the fees herein is found in Government Code Sections 6157, 26831, 26833, 26837, 26854, 54985, 54986, 65092 and 81008.

Section 2. SEVERABILITY. Should any fee herein established be held to be invalid or otherwise unenforceable, such determination shall not affect the validity of all remaining fee provisions.

Section 3. LISTING NOT COMPREHENSIVE. This Ordinance is not intended to contain all fees that are or may be charged for services and supplies by the Clerk of the Board and to the extent that other fees are customarily charged or are established elsewhere and are not listed below, all such fees, charges, and rates shall remain in full force and effect.

Section 4. FEES AND CHARGES. The Clerk of the Board shall hereafter collect the following fees for the services or product rendered.

- 1. Duplicating documents and records 8-1/2" x 14" or less in size
 - First Page (In accordance with the Public Record Act.) \$.50
 - Additional Pages, per page \$.10
- 2. Record Search/Retrieval \$ 5.00
- 3. Copy Certification \$ 1.75
- 4. Compare with Original (per page) \$.50
- 5. Statement of Economic Interest (per page) \$.10
- 6. Retrieval of Statement of Economic Interest (5 or more years old) \$ 5.00
- 7. Audio Tape/DVD Reproduction (each) \$12.50
- 8. Return Check Charge \$25.00

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9. Board of Supervisors Agendas &
Statement of Proceedings (mailed) \$95.00

10. Board Packet Service (yearly rate) \$600.00

Section 5. EFFECTIVE DATE. This Ordinance shall take effect thirty (30) days after the date of adoption.

BOARD OF SUPERVISORS OF THE COUNTY
OF RIVERSIDE, STATE OF CALIFORNIA

By: _____
Chairman

ATTEST:

Nancy Romero
CLERK OF THE BOARD:

By: _____
Deputy

(SEAL)

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Exhibit 1

Government Code Section 6157(b)

(b) If any personal check offered in payment pursuant to this section is returned without payment, for any reason, a reasonable charge for the returned check, not to exceed the actual costs incurred by the public agency, may be imposed to recover the public agency's processing and collection costs. This charge may be added to, and become part of, any underlying obligation other than an obligation which constitutes a lien on real property, and a different method of payment for that payment and future payments by this person may be prescribed.

Government Code Section 26831

The county clerk may charge a reasonable fee to cover the cost of preparing copies of any record, proceeding, or paper on file in his or her office.

Government Code Section 26833

The fee for certifying to a copy of any paper, record, or proceeding on file in the office of the county clerk is one dollar and seventy-five cents (\$1.75).

Government Code Section 26837

For comparing with the original on file in the office of the county clerk, the copy of any paper, record, or proceeding prepared by another and presented for his or her certificate, the fee is fifty cents (\$0.50) a page, in addition to the fee for the certificate.

Government Code Section 26854

The fee for searching records or files is five dollars (\$5) for each file.

Government Code Section 81008

(a) Every report and statement filed pursuant to this title is a public record open for public inspection and reproduction during regular business hours, commencing as soon as practicable, but in any event not later than the second business day following the day on which it was received. No conditions whatsoever shall be imposed upon persons desiring to inspect or reproduce reports and statements filed under this title, nor shall any information or identification be required from these persons. Copies shall be provided at a charge not to exceed ten cents (\$0.10) per page. In addition, the filing officer may charge a retrieval fee not to exceed five dollars (\$5) per request for copies of reports and statements which are five or more years old. A request for more than one report or statement or report and statement at the same time shall be considered a single request.

ATTACHMENT A

**ORDINANCE NO. 729
(AS AMENDED THROUGH 729.4)
AN ORDINANCE OF THE COUNTY OF RIVERSIDE AMENDING
ORDINANCE NO. 729 ESTABLISHING FEES, CHARGES AND RATES FOR
MISCELLANEOUS CLERK SERVICES**

The Board of Supervisors of the County of Riverside, State of California, Ordains that Ordinance No. 729 is amended in the following manner:

Section 1. PURPOSE AND SCOPE

The purpose of this section is to establish fees in reasonable amounts to cover the costs of rendering certain enumerated services and supplies furnished by the Clerk of the County as authorized by Gov. Code Sec. 65092, 26831, 54985, 26840, 26840.1, 26840.2, 26840.3, 26840.7, 26840.8, 26861, 8213, 27361, 26849.1, 26855.1, 26855.2, 26855.3, 26836, 26850, & 268581, & Business & Professions Code Sections 17926, 17929, 22352, 22353, 6405, 6404, 22453, & 22457.

Section 2. SEVERABILITY

Should any fee herein established be held to be invalid or otherwise unenforceable, such determination shall not affect the validity of all remaining fee provisions.

Section 3. LISTING NOT COMPREHENSIVE

This Ordinance is not intended to contain all fees that are or may be charged for services and supplies furnished by the County Clerk, including the Clerk of the Board of Supervisors, for services and supplies and to the extent that other fees are customarily charged or are established elsewhere and are not listed below, all such fees, charges, and rates shall remain in full force and effect.

Section 4. FEES AND CHARGES

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|----|--|---|
| 1. | Annual Custom Service Subscriptions: | |
| | Board's Long Range Agenda | \$95.00 Per Year |
| | Board Agenda | \$95.00 Per Year |
| | Statement of Proceedings | \$95.00 Per Year |
| | Board Packet Service | \$600.00 Per Year |
| 2. | Fax Facts Service "900 line": | |
| | Agenda Fax Service: | \$2.98 1st Minute & \$1.00 Per Add'l Minute |
| 3. | Duplicating Records. | |
| | a) Duplicating documents and records 8-1/2 x 14" or less in size shall be at the rate of 50 cents for the first page of a document and 10 cents for each page thereafter of the same document. | |
| 4. | County Clerk Documentary Handling Fee | \$78.00 |
| | Ref: Fish & Game Code Section 711.4(e) | |
| | Public Resources Code Section 21089 | |

5	Fictitious Business Name Statement Renewal Notice	\$5.00
6.	Micrographic Public Services	
	a. Microfiche COM duplicate.....	\$ 1.25
	b. Microfiche Map duplicate	\$ 1.25
7.	Processing Non-sufficient Fund Checks	\$31.00
8.	Regular (Public) License.....	68.00
9.	Confidential Marriage License	76.00
10.	Duplicate Marriage License	25.00
11.	Duplicate Confidential Marriage License	25.00
12.	Marriage Ceremony	
	Performing Marriage Ceremony.....	\$40.00
	Performing Saturday Marriage Ceremony.....	\$76.00
	Disposable Camera	\$5.00
	Video Tape.....	\$10.00
13.	License & Certificate of Declaration of Marriage	45.00
14.	License & Certificate of Declaration w/o Clergy	68.00
15.	Fictitious Business Name Statement.....	35.00
16.	Each additional name at same address (FBNS).....	7.00
17.	Statement of Withdrawal and Abandonment of Fictitious Business Name	27.00
18.	Certified Copy of any FBNS.....	3.00
19.	FBNS Search (see below)	12.00
20.	Certificate of Registration of Process Server (Includes \$6 recording, \$7 filing of bond)	123.00*
21.	Cancellation, Withdrawal or Revocation of Process Servers Bond/ Unlawful Detainer/Legal Document. Assistant	20.00*
22.	Certificate of Registration of Legal Document Assistant/Unlawful Detainer Assistant (Includes \$6 recording, \$7 filing of bond).....	\$188.00*
23.	Certificate of Registration of Professional Photocopier (includes \$6 recording, \$7 filing of bond).....	\$188.00*
24.	Cancellation, Withdrawal or Revocation of Photocopier Bond.....	20.00*
25.	Card for Employee Photocopier.....	10.00

26. Card for Employee of Unlawful Detainer/Legal Doc. Assistant.....	10.00
27. Notary Public Qualification (includes \$6 recording, \$7 filing).....	35.00*
28. Revocation, Withdrawal or Cancellation of Notary Bond (includes \$6 recording, \$7 filing).....	20.00*
29. Power of Attorney for Admitted Surety Insurer-One Name	14.00
30. Power of Attorney for Admitted Surety Insurer - Each Additional Name	14.00
31. Financial Statement Admitted Surety Insurer	3.00
32. Revocation of Power of Attorney	5.00
33. Documentary Handling Fee	64.00

**An additional \$1.00 will be charged for recordable documents that are indexed within 2 days.*

This Ordinance shall take effect 30 days after the date of adoption.

- Adopted:** 729 Item 11.1 of 05/04/1993 (Eff: 06/03/1993)
- Amended:** 729.1 Item 3.4 of 07/06/1993 (Eff: 08/05/1993)
- 729.2 Item 11.3 of 07/27/1993 (Eff: 08/26/1993)
- 729.3 Item 7.1 of 09/11/2001 (Eff: 10/11/2001)
- 729.4 Item 9.1 of 04/27/2004 (Eff: 05/27/2004)