

MINUTES OF THE FLOOD CONTROL AND WATER
CONSERVATION DISTRICT BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



3.8

On motion of Supervisor Jeffries, seconded by Supervisor Spiegel and duly carried by unanimous vote, IT WAS ORDERED that the recommendation from the Assessor-County-Clerk-Recorder regarding the Introduction of Ordinance No. 729.10, an Ordinance of the County of Riverside Amending Ordinance No. 729 Establishing Fees, Charges and Rates for Assessor, County Clerk and Recorder Services, All Districts, is continued off calendar.

Roll Call:

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt
Nays: None
Absent: None

I hereby certify that the foregoing is a full true, and correct copy of an order made and entered on January 11, 2022 of Supervisors Minutes.

WITNESS my hand and the seal of the Board of Supervisors
Dated: January 11, 2022
Kecia R. Harper, Clerk of the Board of Supervisors, in
and for the County of Riverside, State of California.

(seal)

By: *[Signature]* Deputy

AGENDA NO.
3.8

xc: ACR, COB

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



ITEM: 3.8
(ID # 18024)

MEETING DATE:
Tuesday, January 11, 2022

FROM : ASSESSOR-COUNTY-CLERK-RECORDER:

SUBJECT: ASSESSOR-COUNTY CLERK-RECORDER: Introduction of Ordinance No. 729.10, an Ordinance of the County of Riverside Amending Ordinance No. 729 Establishing Fees, Charges and Rates for Assessor, County Clerk and Recorder Services, All Districts. [\$489,000] (Clerk to set Public Hearing on February 1, 2022)

RECOMMENDED MOTION: That the Board of Supervisors:

1. Introduce and waive further reading of proposed Ordinance No. 729.10, an ordinance of the County of Riverside amending Ordinance No. 729 establishing fees, charges and rates for Assessor, County Clerk and Recorder Services; and
2. Direct the Clerk of the Board to set a public hearing for the proposed ordinance to be heard on February 1, 2022; and
3. Direct the Clerk of the Board to provide notice of the public hearing in accordance with Section 54986 of the Government Code; and
4. Upon adoption, direct the Auditor-Controller to establish a subfund for the Restrictive Covenant Modification Program to account for all related revenue and expenditures; and
5. Upon adoption, direct the Auditor-Controller to establish the budget adjustments as presented on the attached Schedule A.

ACTION: Set for Hearing

MINUTES OF THE BOARD OF SUPERVISORS

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

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 489,000	\$ 0	\$ 489,000	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS: Restrictive Covenant Modification Program Fund			Budget Adjustment: Yes	
			For Fiscal Year: 21/22	

C.E.O. RECOMMENDATION: Approve.

BACKGROUND:

Summary

California Environmental Quality Act and Environmental Document Filing Fees

These statutory pass-through fees pertain to the California Environmental Quality Act and Environmental Document Filings and are adjusted annually by the California Department of Fish and Wildlife in accordance with Fish and Game Code Sections 711.4 and 713 and are uniform throughout the State of California and our fee schedule will be updated to reflect the current fee.

The fees effective 1/1/2022 are as follows:	<u>Current Fee</u>	<u>New Fee</u>	<u>Increase</u>
Environmental Impact Report (pass-through revenue)	\$3,445.25	\$ 3,539.25	\$94.00
Negative Declaration (pass-through revenue)	\$2,480.25	\$ 2,548.00	\$67.75

Copy and Certification of Vital Records Fees

In 2021, the State Assembly passed Assembly Bill 128, which authorized an increase to the vital fees for certified copies of birth, death, and public marriage licenses referenced in Health and Safety Code sections 100425, 103525.5, 103625, 103625(b)(2), and 103650. The fees are established by the California Department of Public Health and our fee schedule will be updated to reflect the current fee.

The fees effective 1/1/2022 are as follows:	<u>Current Fee</u>	<u>New Fee</u>	<u>Increase</u>
Birth Certificate, copy or search	\$28.00	\$32.00	\$4.00
Birth Certificate, Government Agency fee for copy or search	\$19.00	\$22.00	\$3.00
Death Certificate, copy or search	\$21.00	\$24.00	\$3.00
Death Certificate, Government Agency fee for copy or search	\$21.00	\$24.00	\$3.00
Marriage Certificate, copy or search	\$15.00	\$17.00	\$2.00
Marriage Certificate, Government Agency fee for copy or search	\$11.00	\$12.00	\$1.00

Restrictive Covenants Modification Program Fee

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

With the passing of AB 1466 and the subsequent creation of Government Code 27388.2, the County Recorder may impose a \$2.00 fee on each real estate instrument, paper, or notice. The funds generated by this fee shall be used only by the county recorder collecting the fee for the purpose of implementing a Restrictive Covenants Modification (RCM) Program. Creation of a subfund is necessary to segregate applicable revenue and expenditures.

The Restricted Covenant Modification Program seeks to hasten the removal of the offensive covenants in three ways:

1. The bill requires all county recorders throughout the state to establish an RCM program to identify and redact unlawfully restrictive covenants and make regular reports on its progress to the Legislature.
2. This bill allows any person, not just an owner, to file an RCM with the county recorder's office if they have knowledge of the unlawful restriction.
3. The bill enables a person with an ownership interest to record an RCM by waiving fees and requires title companies, realtors, and specified others who know of such restriction to notify an owner or prospective owner of the existence of the restriction, and to inform them of their right to use the RCM process.

County Recorders will be required to perform the duties assigned under this measure even if the Board of Supervisors do not authorize the fee.

A pro forma version of the proposed amendment to Ordinance 729 has been attached as Exhibit A. The Office of County Counsel has approved the ordinance amendments as to form.

Impact on Residents and Businesses

Upon Board approval of the proposed amendments to the related County fee ordinance, the updates will be reflected on the ACR's fee schedule and made available to the public.

Additional Fiscal Information

The budget adjustments for \$489,000 are outlined in the attached Schedule A.


Attachments

Exhibit A: Ordinance No. 729.10 Pro Forma

Exhibit B: Ordinance No. 729.10 AATF

Schedule A: Budget Adjustment

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



Gregory V. Priamos, Director County Counsel 1/4/2022

1 ORDINANCE NO. 729.10

2 AN ORDINANCE OF THE COUNTY OF RIVERSIDE

3 AMENDING ORDINANCE NO. 729

4 ESTABLISHING FEES, CHARGES AND RATES FOR ASSESSOR, COUNTY CLERK AND
5 RECORDER SERVICES

6
7 The Board of Supervisors of the County of Riverside ordains as follows:

8 Section 1. Subsection B.1.f of Section 4 of Ordinance No. 729 is amended to read as
9 follows:

10 “f. Certified Copy of a Marriage License: A fee as determined by the California
11 Department of Public Health published in an all-county letter pursuant to
12 Health and Safety Code sections 103625, 100425, 103525.5, and 103650,
13 and Family Code sections 509 and 1852 for each certified copy of a
14 marriage record to the general public.”

15 Section 2. Subsection B.14. of Section 4 of Ordinance No. 729 is amended to read as
16 follows:

17 “14. Environmental Impact Report (pass-through revenue): A fee set annually by
18 the Department of Fish and Wildlife published on their website annually
19 prior to November 1 for filing an environmental impact report pursuant to
20 Fish and Game Code sections 711.4 and 713.”

21 Section 3. Subsection B.15. of Section 4 of Ordinance No. 729 is amended to read as
22 follows:

23 “15. Negative Declaration (pass-through revenue): A fee set annually by the
24 Department of Fish and Wildlife published on their website annually prior
25 to November 1 for filing a negative declaration or mitigated negative
26 declaration pursuant to Fish and Game Code sections 711.4 and 713”

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Section 4. Subsection C.14. of Section 4 of Ordinance No. 729 is amended to read as

follows:

“14. Death Certificate, copy or search: A fee as determined by the California Department of Public Health published in an all-county letter pursuant to Health and Safety Code sections 103625, 100425, 103525.5, and 103650, and Penal Code section 14251 for each certified copy of a death record.”

Section 5. Subsection C.15. of Section 4 of Ordinance No. 729 is amended to read as

follows:

“15. Death Certificate, copy or search (Government Agency): A fee as determined by the California Department of Public Health published in an all-county letter pursuant to Health and Safety Code sections 103625, 100425, 103525.5, and 103650, and Penal Code section 14251 for each certified copy of a death record.”

Section 6. Subsection C.16. of Section 4 of Ordinance No. 729 is amended to read as

follows:

“16. Birth Certificate, copy or search: A fee as determined by the California Department of Public Health published in an all-county letter pursuant to Health and Safety Code sections 103625, 100425, 103525.5, 103625(b)(2), and 103650, Welfare and Institutions Code section 18966, and County Ordinance 734 for each certified copy of a birth record to the general public.”

Section 7. Subsection C.17. of Section 4 of Ordinance No. 729 is amended to read as

follows:

“17. Birth Certificate, copy or search (Government Agency): A fee as determined by the California Department of Public Health published in an all-county letter pursuant to Health and Safety Code sections 103625,

1 100425, 103525.5, and 103650 for each certified copy of a birth record to a
2 government agency.”

3 Section 8. Subsection C.18. of Section 4 of Ordinance No. 729 is amended to read as

4 follows:

5 “18. Marriage Certificate, copy or search: A fee as determined by the California
6 Department of Public Health published in an all-county letter pursuant to
7 Health and Safety Code sections 103625, 100425, 103525.5, and 103650,
8 and Family Code sections 509 and 1852 for each certified copy of a
9 marriage record to the general public.”

10 Section 9. Subsection C.19. of Section 4 of Ordinance No. 729 is amended to read as

11 follows:

12 “19. Marriage Certificate, copy or search (Government Agency): A fee as
13 determined by the California Department of Public Health published in an
14 all-county letter pursuant to Health and Safety Code sections 103625,
15 100425, 103525.5, and 103650 for each certified copy of a marriage record
16 to a government agency.”

17 Section 10. A new subsection C.29. is added to Section 4 of Ordinance No. 729 to read

18 as follows:

19 “29. Restrictive Covenant Modification (RCM) Fund \$2.00”
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Section 11. This ordinance shall take effect thirty (30) days after its adoption.

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


By: _____
Chair

ATTEST:
Kecia Harper-Ihem
CLERK OF THE BOARD

By: _____
Deputy

(SEAL)

APPROVED AS TO FORM
January 4th, 2022

By: 

Aaron C. Gettis
Deputy County Counsel