file #31
CAO
C. Clerk-Recorder
G GRANVILLE
Auditor
4-7-95

RESOLUTION OF THE BOARD OF SUPERVISORS

ORANGE COUNTY, CALIFORNIA

March 14, 1995

On motion of Supervisor Bergeson, duly seconded and carried, the following Resolution was adopted:

NOW, THEREFORE, BE IT RESOLVED that this Board does hereby:

1. Conduct the public hearing.

2. Approve new cost recovery fees for Clerk-Recorder services as follows:

Service	Current Fee	Proposed Fee
Marriage License	$27.50*	$31.50*
Confidential Marriage License	$30.25*	$34.25*
Notary Bond Filing	$29.25	$33.00
Fictitious Business Name	$29.00	$31.00
FBN Withdrawal/Abandonment	$29.00	$31.00
FBN Second/Add. Names	$ 5.00	$ 7.00
Notary Signature Verification	$ 8.00	$13.00
Copy Cost	$ .80	$ 1.00
Marriage Ceremony	$38.00	$31.00
Involuntary Lien Notices	$ 3.00	$ 8.00
20-Day Prelim. Notice	$60.00	$63.00
E.I.R. Filing	$25.00	$38.00
FBN Name Search	$ 5.00	$ 6.00
Dissolution of Partnership	$ 2.25	$30.00
Official Duplicates/Rec. Docs.	$ 1.00	$ 3.00 (1st)
(subsequent pages)		$ 1.00
Copies of Maps	$ 1.50	$ 6.00 (1st)
(subsequent pages)		$ 1.00
Conformed Copies	-0-	$ 1.00
UCC Search	$10.00	$15.00
Issuance of Dup. Marr. License	$ 9.00	$25.00

*County portion of fee only

OFFICE OF COUNTY COUNSEL ORANGE COUNTY

F0192-210 (5/77)

RESOLUTION NO. 95-143

Public Hearing
Cost Recovery Fee Adjustments

Chairman of the Board of Supervisors

SIGNED AND CERTIFIED THAT A COPY
OF THIS DOCUMENT HAS BEEN DELIVERED
TO THE CHAIRMAN OF THE BOARD

Kathleen E. Goodno
Acting Clerk of the Board of Supervisors
County of Orange, California

AYES: SUPERVISORS MARIAN BERGESON, GADDI H. VASQUEZ, JAMES W. SILVA, WILLIAM G. STEINER

NOES: SUPERVISORS NONE

ABSENT: SUPERVISORS ROGER R. STANTON

STATE OF CALIFORNIA)
) ss.
COUNTY OF ORANGE)

I, KATHLEEN E. GOODNO, Acting Clerk of the Board of Supervisors of Orange County, California, hereby certify that the above and foregoing Resolution was duly and regularly adopted by the said Board at a regular meeting thereof held on the 14th day of March, 1995, and passed by a unanimous vote of said Board members present.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 14th day of March, 1995.

Kathleen E. Goodno
Acting Clerk of the Board of Supervisors
of Orange County, California

OFFICE OF
COUNTY COUNSEL
ORANGE COUNTY

F0192-210 (5/77)

15776

file # 31

CAO
Co Clerk-Recorder
G GRANVILLE

3-30-95

BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA
MINUTES

March 14, 1995

RESOLUTION NO. 95-143. PUBLIC HEARING -- COST RECOVERY FEE ADJUSTMENTS: County Clerk-Recorder requests a Public Hearing regarding fees to provide for full cost recovery for services rendered as determined by an independent audit and reviewed by the Auditor-Controller and County Counsel as appropriate. (Continued from meeting of March 7, 1995.)

MOTION: On motion by Supervisor Bergeson, seconded by Supervisor Vasquez, the Board moved to: 1. Conduct the public hearing. 2. Adopt Resolution No. 95-143 approving the new cost recovery fees for Clerk-Recorder services as follows:

Current Services		Proposed Fee	Fee
Marriage License		$27.50*	$31.50*
Confidential Marriage License		30.25*	34.25*
Notary Bond Filing		29.25	33.00
Fictitious Business Name (FBN)		29.00	31.00
FBN Withdrawal/Abandonment		29.00	31.00
FBN Second/Add. Names		5.00	7.00
Notary Signature Verification		8.00	13.00
Copy Cost		.80	1.00
Marriage Ceremony		38.00	31.00
Involuntary Lien Notices		3.00	8.00
20-Day Preliminary Notice		60.00	63.00
Environmental Impact Report (E.I.R.) Filing		25.00	38.00
FBN Name Search		5.00	6.00
Dissolution of Partnership		2.25	30.00
Official Duplicates/ Recorded Documents		1.00	3.00 (1st)
(subsequent pages)			1.00
Copies of Maps		1.50	6.00 (1st)
(subsequent pages)			1.00
Conformed Copies	-0-		1.00
Uniform Commercial Code (UCC) Search		10.00	15.00
Issuance of Duplicate Marriage License		9.00	25.00

*County portion of fee only

NOTE: The increase in annual revenue to the County's general fund would be $322,189.

Supervisor Stanton was absent. MOTION CARRIED.

3/
3-14-95

GOVERNMENT FINANCE RESEARCH
2023 "N" Street Sacramento, California 95814
Phone (916) 447-5520 fax (916) 447-5528

A STUDY OF ACTUAL COSTS RELATED TO FEES CHARGED BY THE ORANGE COUNTY CLERK-RECORDER

AND

ESTIMATES OF RECOMMENDED COST-RECOVERY AND PROPOSED FEE ADJUSTMENTS

PREPARED FOR:
GARY L. GRANVILLE, ORANGE COUNTY CLERK-RECORDER
FOR PRESENTATION TO THE
ORANGE COUNTY BOARD OF SUPERVISORS

MARCH, 1995

A STUDY OF ACTUAL COSTS RELATED TO FEES CHARGED BY THE ORANGE COUNTY CLERK-RECORDER

AND

ESTIMATES OF RECOMMENDED COST-RECOVERY AND PROPOSED FEE ADJUSTMENTS

PREPARED FOR:
GARY L. GRANVILLE, ORANGE COUNTY CLERK-RECORDER
FOR PRESENTATION TO THE
ORANGE COUNTY BOARD OF SUPERVISORS

MARCH, 1995

By
GOVERNMENT FINANCE RESEARCH, INC.
Peter Lauwerys
Principal Consultant

SUMMARY

This study concerns certain charges for selected services and fees within the Orange County Clerk-Recorder's Department, which are required in order to recover the costs incurred in providing selected services. During February and March 1995, Orange County commissioned a cost-recovery and fee study for many activities of the Orange County Clerk-Recorder's Office.

The results of the study of Orange County's costs, including personnel, indirect and overhead costs, supervision and equipment, indicate that the Clerk-Recorder's Office needs to adjust its fees in order to recover actual costs associated with servicing the public for some activities, such as filing of fictitious business name statements.

	Services/License Item	Current 1994 Charge/Fee	Fee Adjustment Proposed April 1995
1.	Regular Marriage License issuance	$62.50	+$ 4.00
2.	Confidential Marriage license issuance	$67.25	+$ 4.00
3.	Duplicate Marriage License	$ 9.00	+$16.00
4.	Marriage Ceremony	$38.00	<$ 7.00>
5.	Fictitious Bus. Name Filing	$29.00	+$ 2.00
6.	Abandonment, Withdrawal FBN	$29.00	+$ 2.00
7.	2nd/Add. Name Charge FBN	$ 5.00	+$ 2.00
8.	Fictitious Bus. Name Search	$ 5.00	+$ 1.00
9.	Dissolution of Partnership	$ 2.25	+$27.75
10.	Notary Bond Filing	$29.25	+$ 4.00
11.	Notary Sig. Authentication	$ 8.00	+$ 5.00
12.	Lien Notifications	$ 3.00	+$ 5.00
13.	20-Day Prelim. Notice	$60.00	+$ 3.00
14.	Environmental Impact Report	$25.00	+$13.00
15.	Copy Costs, Records, Papers	$ .80	+$ .20
16.	Copies of Maps (1st page)	$ 1.50	+$ 4.50
17.	Conformed Copies Surcharge	$ 0.00	+$ 1.00
18.	Official Recorded Doc. Duplicates (1st page charge)	$ 1.00	+$ 2.00
19.	UCC Search	$10.00	+$ 5.00

The fee adjustments listed above will result in an estimated *additional* $322,000 revenues to the Orange County Clerk-Recorder's Office next fiscal year, and will assist in the recovery of the actual costs incurred in providing key services to the public.

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I. INTRODUCTION

This study concerns the allowable full cost-recovery of selected services provided to the public by the Orange County Clerk-Recorder's Department. In early 1995 Government Finance Research was commissioned by Orange County to complete a cost-recovery and fee study for many service activities of the Orange County Clerk Recorder's Department.

Government Finance Research (GFR) completed two cost-recovery studies for Orange County in 1991 and 1992, studies which were accepted by both the Auditor-Controller and County Counsel. On January 1, 1995, the Clerk and Recorder Departments were merged into one unit. It was, therefore, decided to commission GFR again to review selected service charges and fees collected under the law by the Clerk-Recorder's Department, in particular those charges and service fees that are open to adjustment by the Orange County Board of Supervisors.

The services, charges and license fees studied are as follows:

- Marriage licenses, regular issuance
- Confidential marriage license issuance
- Notary bond filings
- Fictitious business name (FBN) filings
- FBN abandonments and withdrawals
- FBN second and additional name filings
- Notary signature verification (authentication)
- Copy costs
- Marriage ceremonies
- Involuntary lien notices and mailings
- Twenty-day preliminary notices
- Environmental Impact Report (EIR) filings
- Search of FBN availability - name search
- Dissolution of partnership filing
- Certification fees
- Official duplicates of recorded documents
- Copies of maps
- Conformed copy charge
- UCC Search
- Issuance of a duplicate marriage license

A. Legal and Statutory Background

The Orange County government provides various services and licensing and regulatory activities for which charges can be levied on the user of the service. For some of these the fee is set by State government (Gov. Code §54985). For others, local government can set the fee within certain guidelines. User fees are charged for certain services and activities that benefit or serve selected users rather than the general public. Examples of user fees include fees for the use of a publicly owned golf course, a restaurant health permit, a dog license or the filing of a notary bond. User fees pay for legitimate services that county government provides which should be paid for by the user rather than by the general public through taxes.

Government Code §54985-54987, which became law in 1983 as Assembly Bill 151 (Hannigan) states:

> ...a county board of supervisors shall have the authority to increase or decrease any fee or charge, which is otherwise authorized to be levied by another provision of law, in the amount reasonably necessary to recover 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* (Emphasis added.)

Additionally, Government Code §54986(a) requires:

> 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 make available to the public data indicating the amount of the 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 fund revenues.

B. Cost-Recovery Study for County Fee and License Services

Most fees charged by the Orange County Clerk-Recorder are established by state statutes, including the Government Code. The County Board of Supervisors may charge some of the fees if they can demonstrate to the public that the costs are in excess of the income derived for the particular service as allowed under Government Code §54985.

Therefore, Orange County commissioned Government Finance Research (GFR) to conduct a cost-recovery study on behalf of the County Clerk-Recorder's Department, examining those selected services for which fees may be adjusted by the County Board of Supervisors. Having successfully completed cost-recovery studies for 27 California counties, the consultants are well aware of all statutory and legislative requirements for cost-recovery studies, and the care and detail that is required of any such study.

In developing the Orange County study methodology, GFR consulted with County staff, researched staff activities, reviewed State legislature relative to local government charges and fees. This study is similar to formats and methodologies used by the consultants in earlier years in Orange County, and in counties all over California for actions based on the results of the research.

Further details related to the study methodology and data recording instruments are available at the offices of the consultants in Sacramento.

C. Orange County Clerk-Recorder Department

In January, 1995, Orange County integrated two departments of County government -- the County Clerk and the County Recorder. State Government Codes refer to the Clerk-Recorder's duties which include maintaining files on fictitious business names and notary publics, issuing certified copies of records and handling environmental document filings. The Clerk-Recorder is commissioner of civil marriages and collects numerous fees as specified by law. This department is responsible for recording, filing and safekeeping documents pertaining to real property. These functions include indexing and reproduction of all documents, maps, papers and notices for which State law requires recording or filing. The department also registers and files marriage certificates, in addition to financial

statements and related papers required by the Uniform Commercial Code. Recorder also performs other services which were not included in this study. Most of the duties and responsibilities of the Clerk-Recorder are prescribed by State law. However, the statutes allow that for some functions, fees or charges may be adjusted by the County in order to recover the full estimated cost of providing that service for the user.

II. STUDY METHODOLOGY

The Orange County study began with a review of the cost-recovery studies prepared for the Orange County Clerk in 1991 and 1992. GFR's principal consultant then worked closely with the Clerk-Recorder Department staff to review all basic tasks and functions related to the items, licenses, fees and charges under investigation. Time tracking and estimating forms were developed to determine typical time requirements to the closest minute for various tasks and sub-tasks.

During the 1991 and 1992 studies, Orange County staff had been involved over several weeks in determining typical time requirements for various tasks and sub-tasks. The work completed in 1991 and 1992 help validate the 1995 study. All details were carefully researched to find out what staff tasks were required both at the time of any public request for a license, filing or service and after the individual had left the offices. All details were carefully researched to find out what tasks were required for both primary activities and for basic support services. For example, the issuance of a marriage license requires personal interviews and processing with the applicants for the license at the time the license is issued. Then this function also requires the Clerk-Recorder's Office to index, input data into computer files, periodically send reports to the State Department of Vital Statistics, and answer detailed questions by telephone.

Managers and supervisory staff then met with and discussed details regarding these time tracking sheets with the consultant. The consultant then tallied the calculated minutes based on the total time that staff expended on each task. Samples of those forms may be found in the Appendix of this report.

Staff salaries, employee fringe benefits, and the County's indirect and overhead costs were all computed precisely and reduced to a productive hourly rate or cost. The time expended for certain activities was averaged so that the actual minutes calculated are based on frequent repetitions of the specific task. The following section provides the results of the time study and basic calculation of the costs. The analysis is explained in some detail in order to provide the reader with the full logic of the cost formula.

III. COST ANALYSIS AND DETERMINATION

This section describes the steps that were used to determine costs associated with the specific activities of the County Clerk-Recorder's Office identified in Section II.

A. Time Calculations

All known costs incurred by the County in order to provide the services outlined in the Introduction were calculated and tallied. The number of minutes calculated for a specific service provides the analysis with a reasonable formula to determine the average cost per unit of providing a specific service (for example, the issuance of a marriage license). The calculation is as follows:

AVERAGE NUMBER OF MINUTES
TO PROVIDE SERVICE
(PRIMARY ACTIVITY)

PLUS

AN ALLOCATED NUMBER OF
GENERAL AND SUPPORT MINUTES

MULTIPLIED BY

COST PER MINUTE OF STAFF TIME
(PRODUCTIVE HOURS AND MINUTES)

IS EQUAL TO

AVERAGE COST PER SERVICE UNIT

The following subsections describe the method used to determine the costs per minute of staff time (productive hours and minutes) used in the formula above.

B. Analysis of Staff Costs: Calculation of Productive Hours

"Productive Hours" are those hours that a worker can be considered to actually be "on the job" in the work place. It is virtually impossible for any employee to work non-stop for eight hours a day, five days a week, fifty-two weeks a year. In reality, the law allows for employees to have holidays, vacation time and sick leave off from work, and break time every day at work. Productive hours are used for the calculations in this report.

GFR calculated the cumulative totals of average vacation taken by the County Clerk-Recorder's staff as being 80 hours per year. Additionally, employees are allowed legal holidays (estimated at 96 hours per year). The Consultant estimated the average amount of time that employees take for sick leave at 73 hours per year.

On the basis of these averages, an employee is away from his/her work 364 hours each year. The maximum potential of 2,080 working hours (full time) is therefore equivalent to 1,716 *actual productive hours* (ph) per person per year.

The calculation for determining productive hours in the Orange County Clerk-Recorder's Office is:

TABLE A

Maximum Possible Working Hours Per Year		2080
Less:		
1.	Vacation Time	80
2.	Sick Leave	73
3.	Legal Holidays	96
4.	Break Time for 46 Weeks at Work	115
TOTAL PRODUCTIVE TIME		1716

The "productive hours" concept is used as a base for other calculations of costs in this study. The total number of productive hours for all Orange County Clerk-Recorder's Office staff is 195,624.

C. Line Item Calculations, Billing Formula

Table B on page 12 identifies seven (7) line items that should be included in a calculation of the billing rate for the Orange County Clerk-Recorder's Office. These follow:

1. Individual Staff Salary Cost

This figure includes both the direct wages and salaries paid to the Clerk-Recorder regular staff and the Orange County's employee insurance and fringe benefit costs. Averaged for all appropriate staff (senior level, non-managerial staff) the annual cost including fringe benefit costs is $31,673.

2. County Indirect Costs

The cost to be considered for the Orange County Clerk-Recorder's services should include the County's overhead costs, which are calculated on an annual basis by the Orange County Auditor's Office. The process is generally referred to as the annual A-87 "cost allocation plan." The 1994-1995 calculated overhead cost of $1,201,979 is utilized for this study. (Reference Orange County Cost-Allocation Plan)

The total "allocated" amount is then divided by the total productive hours that the regular County Clerk-Recorder's staff spent during the year. 114 full time equivalent (FTE) positions x 1716 = $195,624.

$1,201,979/195,624 hours = $6.14 per productive hour (pph)

3. Services and Supplies Indirect Costs

The indirect cost calculation is based on budgeted costs estimated for 1994-1995 for services and supplies used by the Office of the County Clerk-Recorder. Services and supplies are those costs other than salary and employee benefits costs. These costs are established as $1,438,105 in the 1994-1995 Orange County Budget. The cost of services and supplies for a fiscal year was divided by the number of productive hours the County Clerk-Recorder's staff performed during the year.

$1,438,105/195,624 hours = $7.35

4. Management and Supervision Costs

The Orange County Clerk-Recorder's Office has twenty (20) individuals who provide on-going management support and supervision on a daily basis. There are thousands of complex tasks that require management review and decision-making in order to allow for the delivery of the services described earlier. Not all persons provide management and supervision on a full-time basis. Some provide approximately twenty percent of their time, while others are 100% supervisory, management persons.

GFR analyzed all supervisory positions and calculated a precise billing rate to be used for this line item. The Appendix of this report includes a Chart of Organization which details the major positions and functions of the Clerk-Recorder's Department. Annual salaries (including fringe benefits) are used to calculate hourly cost rates. These salaries are divided by the annual productive hours of those employees who report to the supervisory staff. Costs are calculated at $19.28 per productive hour.

5. Data Processing, Financial Services, Support Staff Costs

The Clerk-Recorder's Department incurs significant annual costs for the following basic units: the Financial Services Section, the Data Entry Section, and the Micrographics Section of the Department. All these sections are essential to enable the Department to deliver the services under study. The Orange County staff calculated these costs as being:

Financial Services	$223,746
Data Entry	503,946
Micrographics	318,820
	$1,046,512

The $1,046,512 total should be divided by the productive hours of all staff. The calculation is therefore:

$1,046,512/195,624 = $5.35 per productive hour

6. Clerk-Recorder Service Improvements

During the 1991 and 1992 cost-recovery studies, it was determined that a billing rate for the Clerk-Recorder's Office should include the costs of automation, services modernization, and improvements for the public service activities of the Clerk's Office, such as marriage license issuance and indexing, or the indexing and tracking of fictitious business names. The amount of $39,050 was included in the billing formula, an amount derived from the amortization of $390,050. GFR recommends reducing this figure by forty percent as a portion of the Clerk's Office has been transferred to the Superior Court of Orange County. The annual billing rate calculation is set at $23,403, as a reduced amortized calculated cost.

7. Inflation and Cost Increases Rate

To account for the anticipated rate of inflation and cost increases over the next year, a 3.0% factor is added to the preceding costs. This is calculated as a figure of $3,615.00

D. Table of Billing Formula for County Clerk-Recorder's Office, 1994-1995

The following table details the calculations that were used to determine the cost per productive hour (pph) in the Orange County Clerk-Recorder's Office for fiscal year 1994-1995.

TABLE B

1.	TOTAL ANNUAL INDIVIDUAL STAFF SALARY COST per Clerk-Recorder averaged position, including benefits	$31,673
2.	COUNTY INDIRECT COSTS (Cost Allocation A-87) ($6.14 x 1716)	$10,536
3.	SERVICES AND SUPPLIES COSTS (non-staff) ($7.35 x 1716)	$12,613
4.	MANAGEMENT CENTRAL SUPPORT (includes supervision costs) ($19.28 x 1716)	$33,084
5.	DATA PROCESSING, FINANCIAL SERVICES, SUPPORT COSTS ($5.35 x 1716)	$9,181
6.	CLERK-RECORDER SERVICES IMPROVEMENT COSTS	$23,403
7.	INFLATION AND COST INCREASES FACTOR (3.0% of above costs)	$3,615
	TOTAL ANNUAL COSTS	$124,105

FORMULA CALCULATIONS - RATE PER PRODUCTIVE HOUR
124,105 ÷ 1716 = $72.32 PER PRODUCTIVE HOUR OR
$1.21 PER PRODUCTIVE MINUTE

The regular cost for the activities of the County Clerk-Recorder's Office is, therefore, $72.32 per productive hour, or $1.21 per minute of productive billing time.

E. Analysis of Time Expenditures for Selected Services

The Consultants provided Orange County staff with various functional tracking sheets for each of the services and activities identified in Section I of this report. (A selection of the forms are included in the Appendix to this report.) These forms enabled the consultants to evaluate the typical time expenditures per service unit by Orange County Clerk-Recorder staff. These reported times became the basis for an allocation of minutes per service or activity being studied. Based on an evaluation of these tracking forms, the consultants recommend a certain allocation of minutes per activity.

As indicated earlier in this report, the average allocated minutes per service unit becomes the basis for the cost calculation per unit. These calculations are detailed in the next section of this report.

IV. COST RECOVERY ESTIMATION

The calculations below are based on data from the Consultants' cost recovery study completed in February and March 1995, and estimates the cost of providing specific services, filings and licenses. Each analysis contains the tabulation of time spent for each function as allocated by the Consultants.

(1) Regular Marriage Licenses

Government Code §26840 requires that the County collect a fee for the issuance of a marriage license, and provides for distribution of that fee. Sections 24840.3 and 26840.7 provide for additional fees to be collected to support conciliation courts and domestic violence programs. Government Finance Research allocated an average of 29 minutes to the issuance of regular marriage licenses, including appropriate levels of general and support time. The cost to the County to issue a license is, therefore:

29 minutes @ $1.21 per minute = $35.09

(2) Confidential Marriage Certificate

Government Code §26840.8 authorizes County clerks to issue confidential marriage certificates and collect fees as with marriage licenses for conciliation courts and domestic violence programs. GFR's allocation of time requirements for the Confidential Marriage Certificate issuance is 29 minutes. The County cost calculation is, therefore:

29 minutes @ $1.21 per minute = $35.09

(3) Notary Bond Filings

Government Code §§8212-8214 require notaries public to file a bond with the County as a condition of their commission. Section 26849.1 provides that the County Clerk shall collect a fee for the filing of the bond and maintenance of data on notaries. GFR determined the time typically spent during the filing and processing of notary bonds; the average time spent on this process per unit is 23 minutes. The County cost is computed as follows:

23 minutes @ $1.21 per minute = $27.83

(4) **Fictitious Business Name Filings**

Business and Professions Code §17929 requires that the County maintain an index of individuals and associations conducting any business. During the study, the Orange County Clerk-Recorder's Office staff identified activities associated with filing of a fictitious business name (FBNs) and indexing activities. An average of 26 minutes (rounded to the nearest minute) is allocated per unit of service, including general and support time.

The cost to the County of filing a fictitious business name statement is:

26 minutes @ $1.21 per minute = $31.46

(5) **Fictitious Business Name Withdrawal and Abandonment**

During test periods, Orange County Clerk-Recorder's staff identified the activities associated with abandonment or withdrawal of fictitious business name and indexing activities. An average of 26 minutes is allocated per unit of service, which includes indexing and verification of the publication of legal notices. The cost to the County is therefore:

26 minutes @ $1.21 per minute = $31.46

(6) **Filing Second or Additional Parties Under an Existing Fictitious Business Name**

GFR notes that the filing fee for adding parties to an existing fictitious business name statement is presently set at $5.00 per party. The time allocation established by GFR is six minutes per additional name for FBN filings. The cost to the County is as follows:

6 minutes @ $1.21 per minute = $7.26

(7) **Clerk's Notary Certificates (Verification of Signature)**

Government Code §26836 allows County clerks to require a fee to issue certificates. There are numerous requests to certify and verify notary signatures. County Clerk staff required an average of 11 minutes per unit of service to perform this function. This computes to a County cost as follows:

11 minutes @ $1.21 per minute = $13.31

(8) Copy Costs

Government Code §26831 allows a County Clerk to charge "a reasonable fee" to cover the cost of preparing copies of "any record, proceeding, or paper on file in his office." GFR notes that a reasonable fee can be estimated as one minute for each page. This computes as:

1 minute @ $1.21 = $1.21

(9) Marriage Ceremonies

Government Code §26861 allows for the County Clerk to charge a fee for performing a marriage ceremony pursuant to Family Code §401. The 1995 cost recovery study allocated an average of 26 minutes for each marriage ceremony. The cost to the County is therefore:

26 minutes @ $1.21 per minute = $31.46

(10) Liens, Notices, Mailings

§27387 of the Government Code provides for a collection of a filing fee to defray the cost of complying with §3097 of the Civil Code pertaining to the recording of involuntary liens. GFR found that an average of seven (7) minutes per lien notice was required to receive, process, mail and index lien notices, and to notify the involved party. The County cost of providing this mandated service is therefore:

7 minutes @ $1.21 per minute = $8.47

(11) Twenty-Day Preliminary Notices

The Government Code requires the County Recorder's Office to provide 20-day preliminary notices for subcontractors of building and development projects whose general contractor's file completion of project notices. The average allocated time for this activity is 52 minutes per unit. The Orange County cost is therefore:

52 minutes @ $1.21 per minute = $62.92

(12) Environmental Impact Document Filings

The Clerk's Office is required to collect an Environmental Impact Document fee for transmittal to the California Department of Fish and Game, and is permitted to charge a documentary handling fee for this process. GFR allocated an average of 31 minutes per filing based on staff costs. The cost to the County of collecting and transmitting this fee to the State is:

31 minutes @ $1.21 per minute = $37.51

(13) Search of Fictitious Business Names

The Orange County Clerk-Recorder's Office provides the public with the service of searching the official records for the availability of fictitious business names (FBNs) or the date available relative to a specific FBN filed. Government Code §54985 allows the County Clerk-Recorder to charge an appropriate fee for this service.

The allocated time for the average FBN search-availability check is five (5) minutes for each name. The cost is therefore calculated as:

5 minutes @ $1.21 per requested name = $6.05

(14) Dissolution of Partnership

The Orange County Clerk-Recorder is frequently asked to assist individuals who wish to file (and have recorded) a dissolution of partnership. The present filing and tracking process used by the County staff is very detailed and time consuming. An average of fifty (50) minutes is estimated per filing and recording of each dissolution request. Costs therefore are calculated as:

50 minutes @ $1.21 = $60.50

(15) Official Records, Duplication (Recorder's Office Function)

In late 1993, the State Legislature passed Assembly Bill 130 which amended Government Code §27366. This now allows County Recorder's Offices to modify fees for the duplication of official records in order "to recover the direct and indirect costs of providing the product or service..."

The Consultants' study indicated that Orange County is spending close to 3 minutes for duplication of a page of official records, 9 minutes per average request or unit of service. The costs are therefore:

3 minutes @ $1.21 per minute = $3.63

(16) Copies of Maps

Government Code §27366 allows the County Clerk-Recorder to charge for copies of maps and documents exceeding 11 x 8½ inches in size. The estimated average time taken for map page copy is five (5) minutes. The cost per map page is therefore:

5 minutes @ $1.21 = $6.05

(17) Conformed Copy Charge

The Orange County Clerk-Recorder's Office has been providing the public with a "conformed copy" service for documents submitted by individuals who request a "conformed stamp" by the Clerk-Recorder's Office on the copies submitted. There has been no fee to date for this service. GFR estimates the cost at one minute per conformed copy request. Costs:

1 minute @ $1.21 = $1.21

(18) UCC Search

The Clerk-Recorder's Office is required to provide Uniform Commercial Code Financing Statement searches as requested by the public under UCC Code §9407. The UCC Code allows Orange County to charge $15.00 per name searched.

(19) Issuance of Duplicate Marriage License

The Clerk-Recorder's Office has to provide duplicate marriage licenses when the original marriage license is lost, not completed, mutilated or changed with corrections on the original copy. Government Code §54985 allows the Clerk-Recorder to charge for this service. GFR allocated an average of 29 minutes for this activity by the Clerk-Recorder Department. Costs are therefore:

29 minutes @ $1.21 per minute = $35.09

V. OPTIONS AND ALTERNATIVES

Based on the findings detailed in Section IV of this report, Government Finance Research (GFR) offers options and alternatives to present charges and fees of the Orange County Clerk-Recorder Department. The amounts suggested below are the maximum additional amounts in dollars for fees and services indicated as allowed under Government Code §§54985-54987. The figures added (or subtracted) from present fees allow for the recovery of the ACTUAL, REASONABLE costs incurred in providing the following services.

(1) Regular Marriage Licenses

Consultants suggest the County Clerk-Recorder adjust the *County portion* of the fee to issue a regular marriage license by an additional $4.00. The total cost to the public for a regular marriage license, including the state-mandated add-on charges, would, therefore, be $66.50.

(2) Confidential Marriage Certificate

GFR proposes that the *County portion* of the fee to issue a confidential marriage certificate be adjusted by up to an additional $4.00. The total cost to the public for a confidential marriage certificate, including state-mandated add-on charges, would, therefore, be $71.25.

(3) Notary Bond Filing

GFR offers the alternative that the Clerk-Recorder adjust the fee for filing a notary bond by up to an additional $4.00 a filing. The cost to the public user would, therefore, be $33.25, which includes the recording fee.

(4) Fictitious Business Name (FBN) Filings

The consultants suggest an alternative charge for the filing of a fictitious business name, which could be increased by up to an additional $2.00 per filing. The cost to the user will, therefore, be $31.00 a filing.

(5) Abandonment or Withdrawal of Fictitious Business Name

GFR offers the alternative additional charge for each abandonment and/or withdrawal of an FBN by up to $2.00 per filing. The user public would, thereby, pay $31.00 per filing.

(6) Filing Second or Additional Parties Under an Existing FBN

The consultants suggest an additional fee for the second or additional party to an FBN filing of up to $2.00 per party. The user would then be charged $7.00 for each additional name on the same request.

(7) Clerk's Notary Certificates (Authentication of Signatures)

GFR offers an additional charge option for the notary authentication certificates of up to $5.00 per certificate for each name. The user would be charged $13.00 for each name certificate.

(8) Copy Costs

GFR suggests the Clerk-Recorder's Department adjust the copy charge for official papers and documents by up to 20¢ per page. The user would pay $1.00 for each copy.

(9) Marriage Ceremony

The consultants propose a reduction in the marriage ceremony charge by $7.00 a ceremony. The study indicated a reduced charge to the public would be set at $31.00 a ceremony.

(10) Lien notices, mailings

GFR suggests an alternative for the lien notice fee of a maximum increase of $5.00 for each debtor.

The user public would, therefore, pay $8.00 per notification for each request per name.

(11) 20-Day Preliminary Notice

The consultants suggest an increase in charge for the filing of a request for the 20-day preliminary notices by up to $3.00 a request. The user public would, therefore, pay $63.00 a request.

(12) Environmental Impact Report Filings

GFR suggests an adjustment for the Clerk's filing fee charge on EIR documents submission by up to $13.00 a filing. Users would, therefore, pay $38.00 per filing.

(13) Fictitious Business Name Searches

The Consultants propose an adjustment for this service by up to $1.00 a request. The public would then be charged $6.00 an FBN search.

(14) Dissolution of Partnership

Based on a careful review of comparable charges and the concern for "reasonable-level fees," GFR offers an option for the charge made for each dissolution of partnership filing by an increase of $27.75 a request. The public would, therefore, pay $30.00 each dissolution of partnership.

(15) Official Records Duplication (Recorded Documents)

Consultants suggest that the Clerk-Recorder increase the charge for any duplicate copy of official recorded documents by up to $2.00 per page. The user public would then pay $3.00 for the first page and $1.00 for subsequent pages on the same request.

(16) Maps

Consultants propose that the charge for each copy of a map be increased by up to $4.50 a request for the first page of a map. The user public would, thereby, pay $6.00 for the first page, and $1.00 for every subsequent page per map.

(17) Surcharge for Conformed Copies

Consultants suggests that Orange County institute a new charge of $1.00 for each conformed copy per request. There is no charge made for this service at the present time.

(18) UCC Search

As authorized by the State UCC Code §9407, Orange County should consider adjusting the UCC Search fee by an additional $5.00 per search. The user would then pay $15.00 per request.

(19) Duplicate Marriage License

GFR offers an alternative to the present charge for a duplicate marriage license with

an increase per license of $16.00. The user public would then pay $25.00 per request.

VI. REVENUE ESTIMATES

Orange County Clerk-Recorder Projection of Annual Cost Recovery From Fee Charges
With Increases at Maximum Per Item Cost-Recovery as Proposed

ITEM	CURRENT ESTIMATES # Units	Fee	Revenue	PROJECTED Fee at max. rate Prop.	Revenue	Gain
Marriage license	8,340	$27.50*	$ 229,350	$31.50	$ 262,710	+$ 33,360
Confidential Marriage Certificate	11,160	$30.25*	$ 337,590	$34.25	$ 385,020	+$ 47,430
Notary Bond Filing	3,520	$29.25	$ 102,960	$33.00	$ 116,160	+$ 13,200
Fictitious Business Name	36,140	$29.00	$1,048,060	$31.00	$1,120,340	+$ 72,280
FBN Withdrawal/Abandonment	3,600	$29.00	$ 104,400	$31.00	$ 111,600	+$ 7,200
FBN Second/Add. Names	14,000	$ 5.00	$ 70,000	$ 7.00	$ 98,000	+$ 28,000
Notary Sig. Verification	2,300	$ 8.00	$ 18,400	$13.00	$ 29,900	+$ 11,500
Copy Cost		$ .80	$ 4,294	$ 1.00	$ 6,039	+$ 1,745
Marriage Ceremony	4,100	$38.00	$ 155,800	$31.00	$ 127,100	<$ 28,700>
Involuntary Lien Notices	4,000	$ 3.00	$ 12,000	$ 8.00	$ 32,000	+$ 20,000
20-Day Prelim. Notice	150	$60.00	$ 9,000	$63.00	$ 9,450	+$ 450
E.I.R. Filing	1,300	$25.00	$ 32,500	$38.00	$ 49,400	+$ 16,900
FBN Name Search	1,350	$ 5.00	$ 6,750	$ 6.00	$ 8,100	+$ 1,350
Dissolution of Partnership	345	$ 2.25	$ 776	$30.00	$ 10,350	+$ 9,574
Official Duplicates of Rec. Docs.	16,000	$ 1.00	$ 16,000	$ 3.00 first page $ 1.00 subsequent	$ 48,000	+$ 32,000
Copies of Maps	2,600	$ 1.50	$ 3,900	$ 6.00 first page $ 1.00 subsequent	$ 15,600	+$ 11,700
Conformed Copies	5,000	-0-	-0-	$ 1.00	$ 5,000	+$ 5,000
UCC Search	320	$10.00	$ 3,200	$15.00	$ 4,800	+$ 1,600
Issuance of Dup. Marr. License	2,350	$ 9.00	$ 21,150	$25.00	$ 58,750	+$ 37,600
Totals *County portion of fee only	*	*	$2,176,130	*	$2,498,319	+$322,189

APPENDIX

APPENDIX A	Government Code §54985 Government Code (Selected Provisions)
APPENDIX B	Chart of Organization, Orange County Clerk-Recorder's Office
APPENDIX C	Sample Tracking Forms Used for Fee Study
APPENDIX D	Comparison Table of County Clerk-Recorder Fees from a Sample of California Counties
APPENDIX E	Distribution of Fee Income for Marriage Licenses

Appendix A

Government Code Sections 54985-54995.

CHAPTER 12.5. COUNTY FEES

Section
54985. Authority to increase or decrease fees or charges; basis; disputes; application of chapter.
54986. Public meetings; notice; public data; action of board by ordinance; costs.
54987. Construction of chapter.

Chapter 12.5 was added by Stats. 1983, c. 295, § 1.

Cross References

Processing fee for payment of delinquent taxes in installments, see Revenue and Taxation Code § 4217.

Processing of an application for separate valuation of any parcel for redemption, see Revenue and Taxation Code § 4151.

Processing of an application for separate valuation of parcel on current roll, see Revenue and Taxation Code § 2821.

§ 54985. Authority to increase or decrease fees or charges; basis; disputes; application of chapter

(a) Notwithstanding any other provision of law which prescribes an amount or otherwise limits the amount of a fee or charge which 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 any such fee or charge, which 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 which 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 such 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 Section 26820.4, 26823, 26824, 26826, 26827, 26827.4, 26830, 72054, 72055, 72056, 72059, 72060, or 72061 of the Government Code or Section 10554 of the Health and Safety Code, and 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 10605 of the Health and Safety Code, or Section 9407 of the Uniform 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.

(Added by Stats. 1983, c. 295, § 1. Amended by Stats.1984, c. 133, § 1, eff. May 25, 1984; Stats.1988, c. 618, § 1, eff. Aug. 29, 1988.)

Library References
Counties ⇐193.
C.J.S. Counties § 284.

§ 54986. Public meetings; notice; public data; action of board by ordinance; costs

(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.

(Added by Stats. 1983, c. 295, § 1. Amended by Stats.1984, c. 133, § 2, eff. May 25, 1984.)

§ 54987. Construction of chapter

(a) This chapter shall not be construed as granting any additional authority to levy any fee or charge which is not otherwise authorized by another provision of law nor shall its provisions be construed as granting authority to levy a new fee or charge when other provisions of law specifically prohibit the levy of a fee or charge.

(b) This chapter shall not be construed as requiring counties, county service areas, or county waterworks districts governed by a county board of supervisors to review or revise any fee or charge which is in effect January 1, 1984.

(Added by Stats. 1983, c. 295, § 1.)

CHAPTER 12.6. AERIAL TRAMWAY FEES

§ 54989. Levy of fee or charge; disputes regarding amount; study

Library References
Urban Railroads ⇐1 et seq.
C.J.S. Street Railroads §§ 1 to 7, 19, 20, 154 to 159.

§ 54992. New or increased levies; meetings; notice; ordinance or resolution; costs

Notes of Decisions

1. In general

This section does not provide authority for public entity already bound by statutory (see Health and Safety Code § 5471 and Government Code § 61621.5) requirements to adopt fee increases by ordinance, to ignore such limitations and adopt increases by resolution. Cavalier Acres, Inc. v. San Simeon Acres Community Services Dist. (App. 2 Dist. 1984) 199 Cal.Rptr. 4, 151 C.A.3d 798.

§ 54993. Application of chapter

This chapter shall apply only to fees and charges as described in Sections 35103, 35104, 54776.3, 54990, 54991, 56132, 56133, 56291.5, 65250, 65551, 65863.7, 65909.5, and 66451.2 of this code, and in Sections 17951, 19132.3, and 19852 of the Health and Safety Code.

(Amended by Stats. 1983, c. 251, § 2; Stats. 1983, c. 470, § 6.5; Stats.1986, c. 190, § 1, eff. June 25, 1986.)

Historical Note

1983 Legislation.

Amendment of this section by § 2.5 of Stats. 1983, c. 251, failed to become operative under the provisions of § 5 of that Act.

Amendment of this section by § 6 of Stats. 1983, c. 470, failed to become operative under the provisions of § 10 of that Act.

CHAPTER 13.1. FEES NOT GOVERNED BY SPECIFIC NOTICE REQUIREMENTS

Section

54994.1. Adoption of ordinance, resolution or other legislative enactment; public hearing; notice; recovery of costs.
54994.2. Application of chapter.
54994.2. Fees and local agency defined.
54994.3. Fees and local agency defined.

Chapter 13.1 was added by Stats.1987, c. 696, § 1.

§ 54994.1. Adoption of ordinance, resolution or other legislative enactment; public hearing; notice; recovery of costs

(a) Prior to adopting an ordinance, resolution, or other legislative enactment adopting a new fee or approving an increase in an existing fee to which this chapter applies, a local agency shall hold a public hearing, at which oral or written presentations can 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, shall be published in accordance with Section 6062a.

(b) Any costs incurred by a local agency in conducting the hearing required pursuant to subdivision (a) may be recovered as part of the fees which were the subject of the hearing.

(Added by Stats.1987, c. 696, § 1.)

§ 54994.2. Application of chapter

This chapter applies only to the adopting or increasing of fees to which a specific statutory notice requirement, other than Section 54954.2, does not apply.

(Added by Stats.1987, c. 696, § 1.)

CHAPTER 18. LOCAL AGENCY SERVICE FEES AND CHARGES

Cross References

Commission proceedings for changes of organization or reorganization, schedule of processing fees, see § 56654.

Commission proceedings for changes of organization or reorganization, schedule or filing fees, sufficiency of petition, see § 56655.

Local agency formation commission, fee schedule, see § 56383.

Local agency formation commission, fees for filing and processing applications to be imposed pursuant to this chapter, see § 56383.

Municipal organization petitions, filing and processing fees to be imposed pursuant to this chapter, see §§ 56654, 56655.

§ 54990. Zoning; use permits; building permits; municipal organization and reorganization; local agency formation; district reorganization; maps and plats; limitations

Notwithstanding any other provision of law, when a local agency charges fees for zoning variances; zoning changes; use permits; building inspections; building permits; filing and processing applications and petitions filed with the local agency formation commission or conducting preliminary proceedings or proceedings under the Cortese-Knox Local Government Reorganization Act of 1985, Division 3 (commencing with Section 56000) of Title 5; the processing of maps under the provisions of the Subdivision Map Act, Division 2 (commencing with Section 66410) of Title 7; or planning services under the authority of Chapter 3 (commencing with Section 65100) of Division 1 of Title 7 or under any other authority; those fees shall not exceed the estimated reasonable cost of providing the service for which the fee is charged, unless a question regarding the amount of the fee charged in excess of the estimated reasonable cost of providing the services or materials is submitted to, and approved by, a popular vote of two-thirds of those electors voting on the issue.

(Amended by Stats. 1983, c. 251, § 1; Stats. 1983, c. 470, § 5.5; Stats.1986, c. 1019, § 15.)

Historical Note

1983 Legislation.

Amendment of this section by § 1.5 of Stats. 1983, c. 251, failed to become operative under the provisions of § 4 of that Act.

Amendment of this section by § 5 of Stats. 1983, c. 470, failed to become operative under the provisions of § 9 of that Act.

§ 54991. Water or sewer connection fees; limitations

(a) Notwithstanding any other provision of law, when a local agency imposes fees for water connections or sewer connections, or imposes capacity charges, those fees or charges shall not exceed the estimated reasonable cost of providing the service for which the fee or charge is imposed, unless a question regarding the amount of the fee or charge imposed in excess of the estimated reasonable cost of providing the services or materials is submitted to, and approved by, a popular vote of two-thirds of those electors voting on the issue.

(b) As used in this section, the following terms mean:

(1) "Sewer connection" means the connection of a building to a public sewer system.

(2) "Water connection" means the connection of a building to a public water system, as defined in subdivision (e) of Section 4010.1 of the Health and Safety Code.

(3) "Capacity charges" means charges for facilities in existence at the time the charge is imposed or charges for new facilities to be constructed in the future which are of benefit to the person or property being charged.

(Amended by Stats.1986, c. 1203, § 1.)

Historical Note

1988 Legislation

Another § 54994.2, also added by Stats.1987, c. 696, § 1, was renumbered § 54994.3 and amended by Stats.1988, c. 160, § 68.

§ 54994.3. Fees and local agency defined

As used in this chapter:

(a) "Fees" do not include rates or charges for water, sewer, or electrical service.

(b) "Local agency" has the same meaning as provided in Section 54994.

(Formerly § 54994.2, added by Stats.1987, c. 696, § 1. Renumbered § 54994.3 and amended by Stats.1988, c. 160, § 68.)

CHAPTER 13.5. LIMITATION OF ACTIONS TO REVIEW LOCAL AGENCY FEES AND CHARGES

§ 54995. Ordinances, resolutions or motions relating to fees or service charges; judicial actions or proceedings to attack, review, etc.

Any judicial action or proceeding to attack, review, set aside, void, or annul an ordinance, resolution, or motion levying a new fee or service charge, or modifying or amending an existing fee or service charge, duly enacted by a local agency, as defined in Section 54994, shall be commenced within 120 days of the effective date of the ordinance, resolution, or motion * * *.

If an ordinance, resolution, or motion provides for an automatic adjustment in a fee or service charge, and the automatic adjustment results in an increase in the amount of a fee or service charge, any action or proceeding to attack, review, set aside, void, or annul the increase shall be commenced within 120 days of the effective date of the increase.

(Amended by Stats.1988, c. 926, § 2.)

Historical Note

1988 Legislation

The 1988 amendment deleted "or January 1, 1983, whichever date is later" following "or motion" at the end of the first paragraph.

Library References

Municipal Corporations ⇐495 et seq.
C.J.S. Municipal Corporations § 1483.

Notes of Decisions

1. Capacity fees

Limitations period of 120 days, set forth in this section, applied to bar school district's action seeking refund of "capacity fees" paid to water district between 4 and 12 years before school district made its refund claim. San Marcos Water Dist. v. San Marcos Unified School Dist. (App. 4 Dist.1987) 235 Cal.Rptr. 827, 190 C.A.3d 1083.

Government Code [Selected Provisions]

Fees—Recorder

§ 27361.4 Additional fee for filing every instrument, paper,or notice for record

(a) The board of supervisors of any county may provide for an additional fee of one dollar ($1) for filing every instrument, paper, or notice for record, in order to defray the cost of converting the county recorder's document storage system to micrographics. Upon completion of the conversion and payment of the costs therefor, *this* [such] additional fee shall no longer be imposed.

(b) The board of supervisors of any county may provide for an additional fee, other than the fees authorized in subdivisions (a) and (c), of one dollar ($1) for filing every instrument, paper, or notice for record provided that the resolution providing for the additional fee establishes the days of operation of the county recorder's offices as every business day except for legal holidays and those holidays designated as judicial holidays pursuant to Section 135 of the Code of Civil Procedure.

(c) The board of supervisors of any county may provide for an additional fee, other than the fees authorized in subdivisions (a) and (b) of one dollar ($1) for filing every instrument, paper, or notice for record provided that the resolution providing for the additional fee requires that the instrument, paper, or notice be indexed within two business days after the date of recordation.

History: Enacted by Stats 1980 Ch 1002, effective September 21, 1980; amended by Stats 1993 Ch 710 § 1.

§ 27366 Fee for copy of other record or paper on file in recorder's office

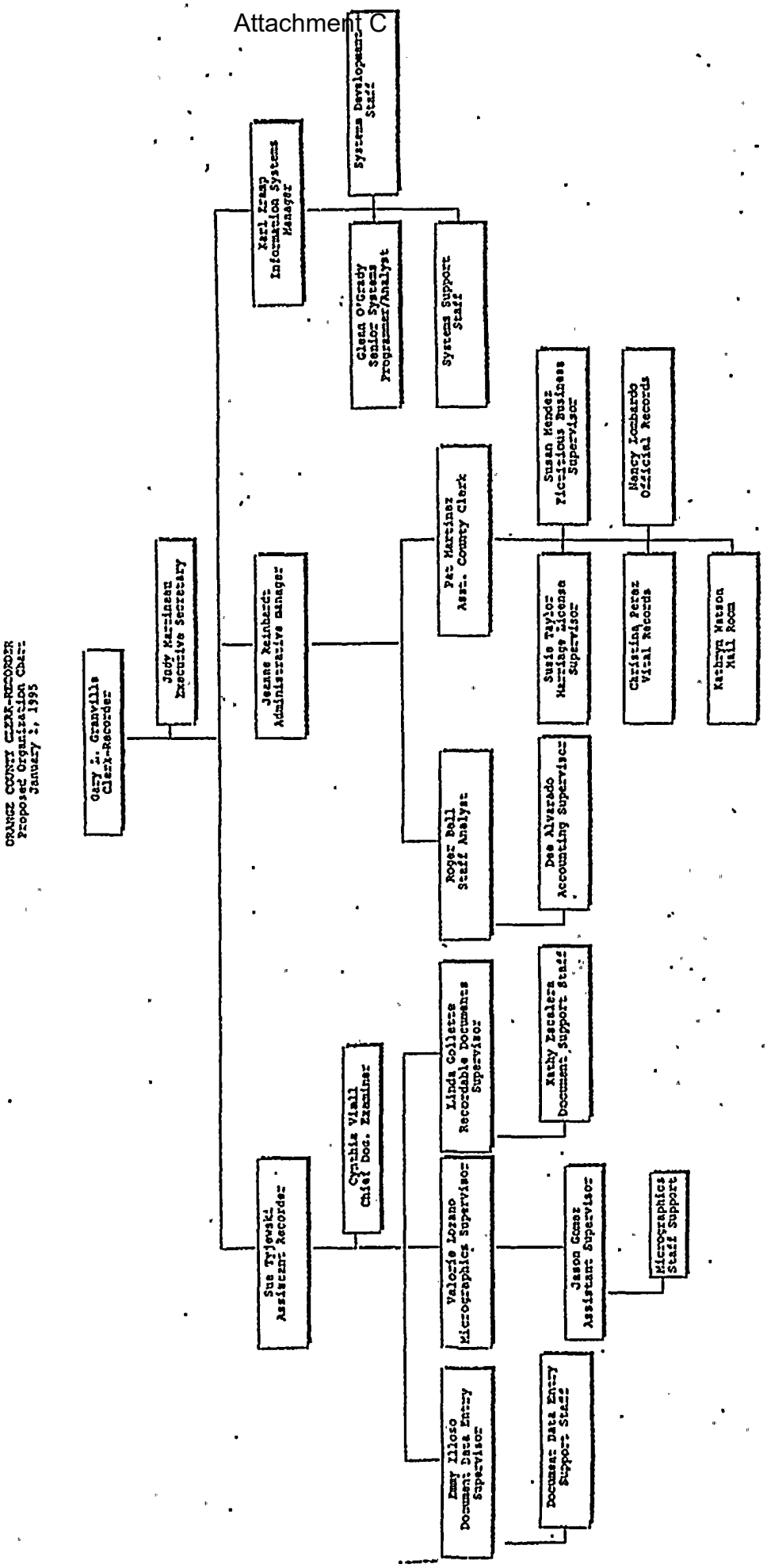
The fee for any copy of any other record or paper on file in the office of the recorder, when the copy is made by the recorder, ***shall be set by the board of supervisors in an amount necessary to recover the direct and indirect costs of providing the product or service or the cost of enforcing any regulation for which the fee or charge is levied*** [~~is one dollar ($1) for the first page and fifty cents ($0.50) for each additional page or portion thereof, provided, that page does not exceed 11 by 18 inches. The fee for photographic copies of pages exceeding 11 by 18 inches shall be one dollar and fifty cents ($1.50) for the first page and 80 cents ($0.80) for each additional page or portion thereof~~].

History: Amended by Stats 1984 Ch 1397 § 6; amended by Stats 1993 Ch 710 § 3.

§ 27387 Collection by county recorder of additional fee from lienor

In addition to any other fee, the county recorder shall collect a fee from any lienor, other than a governmental entity, for the recordation of an abstract of judgment or other document creating an involuntary lien within the meaning of Section 27297.5 affecting title to real property. The fee shall not exceed the actual cost to the recorder of providing the notice required by Section 27297.5.

History: Amended by Stats 1984 Ch 144 § 146.


ORANGE COUNTY CLERK-RECORDER
Proposed Organization Chart
January 1, 1995
Gary J. Granville
Clerk-Recorder
Judy Marciano
Executive Secretary
Jeanne Reinhardt
Administrative Manager
Karl Krapp
Information Systems
Manager
Systems Developers
Staff
Glenn O'Grady
Senior Systems
Programmer/Analyst
Systems Support
Staff
Pat Martinez
Asst. County Clerk
Susan Mendez
Fictitious Business
Supervisor
Nancy Lombardo
Official Records
Susie Taylor
Marriage License
Supervisor
Christina Perez
Vital Records
Kathryn Mason
Mail Room
Roger Bell
Staff Analyst
Dee Alvarado
Accounting Supervisor
Sue Trjeski
Assistant Recorder
Cynthia Viall
Chief Doc. Examiner
Linda Colleton
Recordable Documents
Supervisor
Kathy Escalera
Document Support Staff
Valerie Lozano
Micrographics Supervisor
Jason Gomez
Assistant Supervisor
Micrographics
Staff Support
Amy Alioto
Document Data Entry
Supervisor
Document Data Entry
Support Staff

ORANGE COUNTY CLERK-RECORDER'S OFFICE FEE STUDY form # 2
(Government Finance Research/February 1995)

DUPLICATE MARRIAGE LICENSES

BY_____ DATE_____

TASKS/ACTIONS		*Estimated Time (in minutes)*
1.	Receive unrecordable license by mail or in person.	
2.	When received by mail, make copy of original license and attach to letter stating where mistake is, fee for duplicate and a blank affidavit for duplicate license.	
3.	Stamp the blank affidavit for duplicate with the "correspondence log stamp" and insert the date mailed to clergyperson. Mail the information to th clergyperson.	
4.	Place the original license in the folder marked "waiting for affidavit and fees" (in alphabetical order).	
5.	When completed affidavit is returned (or walked in) with fee, send fee to cashier. Insert the date the affidavit was received with the fee on the "Correspondence log".	
6.	Input information re: ceremony onto computer. Print duplicate license.	
7.	Insert into typewriter and type "/s/" for groom, bride and witnesses. Place "Duplicate" stamp in upper left hand corner of license.	
8.	Mail duplicate with letter explaining where to sign for clergyperson.	
9.	Stamp the date mailed to clergyperson for signature on the "Correspondence Log". Place original and completed affidavit in the file marked "Waiting for signature".	
10.	When signed duplicate is returned, have the issuing clerk on the original sign the duplicate. Forward the license to the appropriate office for recording.	
11.	Insert the date sent for recording on the " Correspondence log". Place the original in the file marked "Completed Duplicates".	
12.	Send 2nd or 3rd request for information to clergyperson.	
13.	Other (specify) :	
TOTAL ESTIMATED TIMES (IN MINUTES)		

ORANGE COUNTY CLERK-RECORDER'S OFFICE
COST-RECOVERY STUDY FORM

form # 9

Tasks and Subtasks Worksheet

Date:_____

By:_____
(Name of person/legal/clerk completing this form)

VERIFICATION OF NOTARY
(Notary Authentication)

(initials)	Item No.	Tasks/Actions	Est. Time (in min.)
	(1)	Receive request at counter or by mail. Review request.	
	(2)	Compare signatures on document with the signature card on record. Review information on stamp/date etc.	
	(3)	Collect fee, fill out service request voucher for payment and send customer to the cashier. (Collecting fee includes requesting ID for customers paying by check and endorsing check).	
	(4)	Type notary name, date and Deputy Clerk-Recorder's name onto verification slip. Deputy then signs the verification slip. The verification slip is then stapled and embossed to the notarized document.	
	(5)	Ask customer for service request voucher and compare amount with the customer's receipt. Write the transaction number from the receipt onto the top left corner of the service request voucher.	
	(6)	Return notarized-verification document to customer or mail back documents.	
	(7)	Log transaction type and transaction number onto the daily transaction log.	
	(8)	Other: (specify)	

ORANGE COUNTY CLERK-RECORDER'S OFFICE
COST-RECOVERY STUDY FORM

form # 3

Tasks and Subtasks Worksheet

Date:_____

By:_____
(Name of person/legal/clerk completing this form)

MARRIAGE CEREMONIES

(initials)	Item No.	Tasks/Actions	Est. Time (in min.)
	(1)	Call customer in from waiting room. Receive request for ceremony from couple.	
	(2)	Discuss particulars. How many witnesses, rings to be exchanged, language.	
	(3)	Type ceremony information (and witness information, if public) in computer and/or on license. Print souvenir certificate (if public). Sign license and have witnesses sign (and souvenir certificate, if public.)	
	(4)	Receive payment from customer. (Receiving payment includes requesting ID for customers paying by check and endorsing check). Fill out ceremony slip and take ceremony slip and fee to cashier for ring up.	
	(5)	If needed, explain procedure for requesting certified copies of marriage certificate after the ceremony.	
	(6)	Call customer and their guests (if any) into the ceremony room.	
	(7)	Perform marriage ceremony.	
	(8)	Give the couple the receipt and: for confidential licenses - carbon copy; or, for public licenses - souvenir certificate	
	(9)	Other: (specify)	

GOVERNMENT FINANCE RESEARCH
2023 "N" Street Sacramento, California 95814
Phone (916) 447-5520

2/21/95

APPENDIX D: Comparison Table of County Clerk-Recorder Fees from a Sample of California Counties

Comparison of Clerk-Recorder Fees and Charges from a Sample of California Counties
Government Finance Research (March 1995)

County	Fictitious Bus. Name	FBN Second Name	Marriage License Reg.	Confidential Marriage Cert	Notary Bond	EIR Reports	Marriage Ceremonies	Lien Notice	Duplicate Record Docs.
Orange (current)	$29.00	$5.00	$62.50	$67.25	$29.25	$25.00	$38.00	$3.00	$1.00
Orange (max. proposed cost-recovery rate)	$31.00	$7.00	$66.50	$71.25	$33.25	$38.00	$31.00	$8.00	$3.00
Riverside	$24.00	$7.00	$59.00	$72.00	$30.00	$75.00	$30.00	$11.00	$2.00
San Francisco	$35.00	$9.00	$69.00	$74.00	$32.00	$25.00	$30.00	$6.00	$3.00
Alameda	$29.00	$7.00	$67.00	$78.00	$26.00	$35.00	$50.00	$7.00	$1.75
San Diego	$13.00	$2.00	$46.00	$52.00	$19.00	$25.00	$25.00	$7.00	$2.00
Marin	$27.00	$7.00	$70.00	$82.00	$28.00	$25.00	$25.00	$8.00	$2.00
Kern	$26.00	$5.00	$66.00	$72.00	$27.00	$40.00	$20.00	$8.00	$3.00
Santa Barbara	$16.00	$3.00	$60.00	$66.00	$14.00	pg .50	N/A	$7.00	$2.00
Santa Clara	$30.00	$6.00	$73.00	$78.00	$29.00	$25.00	N/A	$7.00	$1.00
Shasta	$28.00	$5.00	$75.00	$79.00	$28.00	$25.00	$40.00	$3.00	$1.00
Sonoma	$26.00	$7.00	$64.00	$73.00	$26.00	$35.00	$25.00	$7.00	$1.75

APPENDIX E

DISBURSEMENT OF REGULAR MARRIAGE LICENSE FEE AND CONFIDENTIAL MARRIAGE CERTIFICATE FEES DUE TO STATE MANDATED TRUST FUNDS AND ORANGE COUNTY VICTIM/ WITNESS FUND REQUIREMENT

Type of License		Family Conciliation Court	Domestic Violence Fund	Orange County Victim Witness Fund	State Vital Statistics Charge	Orange County Clerk-Recorder	Price to Public Total
Regular Public Marriage License	Reg. 1994	$ 5.00	$23.00	$ 5.00	$ 2.00	$27.50	$62.50
	Maximum Proposed 1995	$ 5.00	$23.00	$ 5.00	$ 2.00	$31.50	$66.50
Confidential Marriage License	Reg. 1994	$ 5.00	$23.00	$ 5.00	$ 4.00	$30.25	$67.25
	Maximum Proposed 1995	$ 5.00	$23.00	$ 5.00	$ 4.00	$34.25	$71.25

* 2.25 is charged for oath to regular public user.

COUNTY OF ORANGE

RECEIVED
95 MAR 10 PM 3:13
CLERK OF THE BOARD
COUNTY
BOARD OF SUPERVISORS

OFFICE OF THE COUNTY CLERK-RECORDER

GARY L. GRANVILLE
COUNTY CLERK-RECORDER

TELEPHONE: (714) 834-2248

630 N. BROADWAY
P.O. BOX 238
SANTA ANA, CA 92702

March 10, 1995

TO: Kathy Goodno, Acting Clerk of the Board

FROM: Gary L. Granville, County Clerk-Recorder

SUBJECT: Addendum, Agenda Item #31, March 14, 1995

Please revise the recommended action for Agenda Item #31, March 14, 1995 to read as follows:

Approve the new cost recovery fees for Clerk-Recorder services as follows:

Service	Current Fee	Proposed Fee
Marriage License	$27.50*	$31.50*
Confidential Marriage License	$30.25*	$34.25*
Notary Bond Filing	$29.25	$33.00
Fictitious Business Name	$29.00	$31.00
FBN Withdrawal/Abandonment	$29.00	$31.00
FBN Second/Add. Names	$ 5.00	$ 7.00
Notary Signature Verification	$ 8.00	$13.00
Copy Cost	$ .80	$ 1.00
Marriage Ceremony	$38.00	$31.00
Involuntary Lien Notices	$ 3.00	$ 8.00
20-Day Prelim. Notice	$60.00	$63.00
E.I.R. Filing	$25.00	$38.00
FBN Name Search	$ 5.00	$ 6.00
Dissolution of Partnership	$ 2.25	$30.00
Official Duplicates/Rec. Docs.	$ 1.00	$ 3.00 (1st)
(subsequent pages)		$ 1.00
Copies of Maps	$ 1.50	$ 6.00 (1st)
(subsequent pages)		$ 1.00
Conformed Copies	-0-	$ 1.00
UCC Search	$10.00	$15.00
Issuance of Dup. Marr. License	$ 9.00	$25.00

*County portion of fee only

NOTE: The increase in annual revenue to the County's general fund would be $322,189.

cc: CAO
CoCo
KEG
NKS
LS
RA
Agendizer
Board Clerks

F0182-133

file 68

BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA
MINUTES

March 7, 1995

PUBLIC HEARING -- COST RECOVERY FEE ADJUSTMENTS: County Clerk-Recorder requests a Public Hearing regarding fees to provide for full cost recovery for services rendered as determined by an independent audit and reviewed by the Auditor-Controller and County Counsel as appropriate.

MOTION: On motion by Supervisor Vasquez, seconded by Supervisor Bergeson, the Board continued the Public Hearing to March 14, 1995 at 9:30 a.m. to approve new cost recovery fees for Clerk-Recorder services. Supervisor Silva was absent. MOTION CARRIED.

5/23/95 SA
CAO
Clerk Recorder

Attachment C

PHYLLIS A. HENDERSON
CLERK OF THE BOARD OF SUPERVISORS

HALL OF ADMINISTRATION
10 CIVIC CENTER PLAZA
P.O. BOX 687
SANTA ANA, CALIFORNIA 92702-0687

TELEPHONE: 714 834-2206
714 834-4439 (FAX)

ESTABLISHED 1889

County of Orange

CLERK OF THE BOARD OF SUPERVISORS

STATE OF CALIFORNIA)
) SS
COUNTY OF ORANGE)

AFFIDAVIT OF POSTING AND NOTICE OF PUBLIC HEARING

I Kathleen E. Goodno declare as follows:

That I am the Acting Clerk of the Board of Supervisors, of Orange County, California, and that on March 7, 1995, the below noted public hearing was continued to March 14, 1995, 9:30 A.M.:

COST RECOVERY FEE ADJUSTMENTS -- COUNTY CLERK-RECORDER

and that on March 8, 1995, at the hour of 4:30 P.M., a copy of this notice was posted at a conspicuous place near the door at which said meeting was held.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 8, 1995, at Orange County, California.

Kathleen E. Goodno

KATHLEEN E. GOODNO ACTING
CLERK OF THE BOARD OF SUPERVISORS

Attachment C

AGENDA ITEM TRANSMITTAL

AGENCY/DEPT

PROCESSED BY: CLERK USE ONLY

CAO REVIEW
- [X] Concur
- [ ] Do Not Concur
- [ ] Exempt

CONSENT [ ] YES
[X] NO

RECEIVED
95 FEB 24 AM 10:25
CLERK OF THE BOARD
ORANGE COUNTY
BOARD OF SUPERVISORS

68
31

TO: BOARD OF SUPERVISORS COUNTY OF ORANGE

FROM: County Clerk-Recorder

CONTACT FOR INFORMATION
Gary L. Granville (NAME) 834-2222 (PHONE)

MEETING DATE	SUBJECT	SUPV. DIST.
March 14, 1995	Cost Recovery Fee Adjustments	All

SUMMARY OF REQUEST (Description for agenda)

Increase the Clerk-Recorder fees in order to provide for full cost recovery for services rendered as determined by an independent audit and reviewed by the Auditor-Controller and County Counsel as appropriate.

ADDITIONAL DATA:

See attached.

PREVIOUS RELEVANT BOARD ACTIONS ON THIS SPECIFIC ITEM:
Board item #41 of February 7, 1995

FUNDING SOURCE(S)	CURRENT YEAR COST	ANNUAL COST	BUDGETED?
N/A	N/A	N/A	[ ] YES [X] NO

WILL PROPOSAL REQUIRE ADDITIONAL PERSONNEL?
[X] NO IF YES, STATE NUMBER ____ PERMANENT ____ LIMITED TERM

CONSISTENT WITH BOARD POLICY?
[X] YES [ ] NEW ITEM OR EXCEPTION

RECOMMENDED ACTION
Continue Public Hearing to March 14, 1995 at 9:30 a.m. to approve new cost recovery fees for Clerk-Recorder services.

CONCURRENCES (If applicable)	ATTACHMENTS

2-23-94
DATE

Gary L Granville
AGENCY OR DEPARTMENT AUTHORIZED REPRESENTATIVE

(0140) F850-169.5 (R4/86)

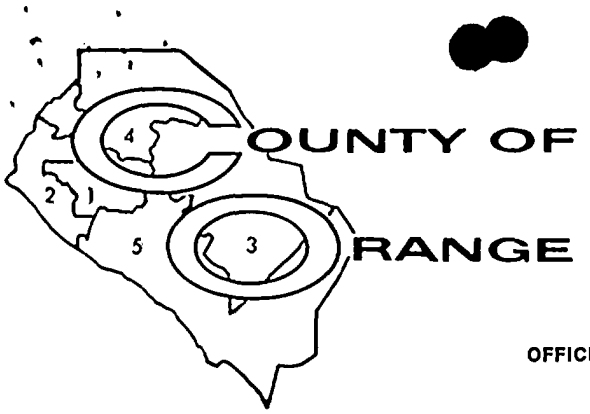
Agenda Item Transmittal
March 7, 1995

ADDITIONAL DATA:

On February 7, 1995 the Board of Supervisors approved a review of cost recovery charges for all County Clerk-Recorder functions as provided by government statutes. Accordingly, the Clerk-Recorder's Office contracted with Government Finance Research, a Sacramento-based firm specializing in Clerk-Recorder fee studies, to track and assess procedures and staff time used for filing various documents, processing records, and issuing licenses. Data was tabulated and calculations made to determine actual county costs, both direct and indirect, for rendering Clerk-Recorder services to the public.

The study was conducted on all Clerk-Recorder services where the Board of Supervisors has authority to set the fee. These include issuance of both public and confidential marriage licenses, performing marriage ceremonies, researching fictitious business name availability, filing fictitious business names (FBN), abandonments/withdrawal of FBN, dissolution of partnerships, notary bond filings and authentication/verifications, file searches, official copies of documents, including conformed or certified copies, lien notices, twenty-day preliminary notices.

Fee study method and findings have been reviewed by the Auditor-Controller and County Counsel, as appropriate.



RECEIVED
95 FEB 24 AM 10: 25
CLERK OF THE BOARD
ORANGE COUNTY
BOARD OF SUPERVISORS

GARY L. GRANVILLE
COUNTY CLERK-RECORDER

TELEPHONE: (714) 834-2248

630 N. BROADWAY
P.O. BOX 238
SANTA ANA, CA 92702

OFFICE OF THE COUNTY CLERK-RECORDER

February 23, 1995

TO: Kathy Goodno, Acting Clerk of the Board

FROM: Gary L. Granville, County Clerk-Recorder

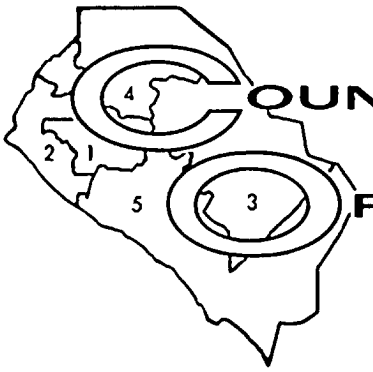
SUBJECT: Notice of Public Hearing on Cost Recovery Fee Adjustments

Please publish the attached Notice of Public Hearing regarding the cost recovery fee adjustments. An AIT on this matter are being filed with the Board scheduling Public Hearing for March 7, 1995. The new fees are scheduled to become effective 30 days after Board approval. Details are outlined in the proposed notice attached.

It is recommended that this notice be published in the Orange County Register in accordance with the requirements specified by County Counsel.

Please code all publishing expenses related to this notice to Orange County Clerk-Recorder AGENCY CODE 059, OBJECT 2000, ORG CODE 900.

I appreciate your assistance in this matter. Please contact me at 834-2222 if you require additional information.



RECEIVED
95 MAR 10 AM 10:40
CLERK OF THE BOARD
ORANGE COUNTY

OFFICE OF THE COUNTY CLERK-RECORDER

GARY L. GRANVILLE
COUNTY CLERK-RECORDER

TELEPHONE: (714) 834-2248

630 N. BROADWAY
P.O. BOX 238
SANTA ANA, CA 92702

March 8, 1995

TO: Honorable Gaddi Vasquez, Chairman, Board of Supervisors
Honorable Roger Stanton, Vice-Chair, First District
Honorable Jim Silva, Second District
Honorable Bill Steiner, Fourth District
Honorable Marion Bergeson, Fifth District
William Popejoy, County Executive Officer
Terry Andrus, County Counsel

FROM: Gary L. Granville, County Clerk-Recorder

SUBJECT: Additional Data, Agenda Item #31, March 14, 1995

Attached is a copy of the consultant's cost recovery study of Clerk-Recorder items for which the Board of Supervisors set the appropriate fees.

If the Board approves increasing the 17 fees as suggested, less one fee that would be lowered, the increase in annual revenue to the County's general fund would be $322,189 as indicated on page 23 of the report.

Appendix D shows the proposed rate compared with the same fees charged in other counties. In only one instance, the filing of notary bonds would Orange County be the highest among the counties surveyed and then only by $1.25.

Additional Data
Agenda Item #31, 3/14/95
Page Two

The compilation of the proposed fee changes is as follows:

	Current	Proposed
Marriage License	$27.50*	$31.50*
Confidential Marriage License	$30.25*	$34.25*
Notary Bond Filing	$29.25	$33.00
Fictitious Business Name	$29.00	$31.00
FBN Withdrawal/Abandonment	$29.00	$31.00
FBN Second/Add. Names	$ 5.00	$ 7.00
Notary Signature Verification	$ 8.00	$13.00
Copy Cost	$ .80	$ 1.00
Marriage Ceremony	$38.00	$31.00
Involuntary Lien Notices	$ 3.00	$ 8.00
20-Day Prelim. Notice	$60.00	$63.00
E.I.R. Filing	$25.00	$38.00
FBN Name Search	$ 5.00	$ 6.00
Dissolution of Partnership	$ 2.25	$30.00
Official Duplicates/Rec. Docs.	$ 1.00	$ 3.00 (1st)
(subsequent pages)		$ 1.00
Copies of Maps	$ 1.50	$ 6.00 (1st)
(subsequent pages)		$ 1.00
Conformed Copies	-0-	$ 1.00
UCC Search	$10.00	$15.00
Issuance of Dup. Marr. License	$ 9.00	$25.00

*County portion of fee only

Thank you.

Gary L. Granville
County Clerk-Recorder

Attachment

NOTICE OF PUBLIC HEARING

COST RECOVERY FEE ADJUSTMENTS

NOTICE IS HEREBY GIVEN that the Orange County Board of Supervisors will hold a public hearing to consider revising Recordable Document fees.

DATE OF HEARING: March 7, 1995

TIME OF HEARING: 9:30 A.M. or as soon thereafter as possible

LOCATION OF HEARING: Board of Supervisors Hearing Room
Hall of Administration
10 Civic Center Plaza
(NW corner of Broadway/Santa Ana Blvd.)
Santa Ana, CA

PROPOSAL: In accordance with section 21080(B)(8) of the California Public Resource Code, the proposed charges are only for the purpose of meeting operating expenses and are therefore exempt from compliance with the California Environmental Quality Act.

The County Clerk-Recorder proposes to increase Clerk-Recorder fees in order to provide for full cost recovery for services rendered as determined by an independent audit and reviewed by the Auditor-Controller and County Counsel as appropriate.

INVITATION TO BE HEARD:

All persons either in favor of or opposing this proposal are invited to present their views before the Board of Supervisors.

Any written materials to be submitted to the Board of Supervisors must be submitted to the Clerk of the Board at least 24 hours prior to the hearing (six copies required).

For further information, call Gary Granville at (714) 834-2222.

Date: February 23, 1995

KATHY GOODNO
Acting Clerk of the Board of Supervisors
of Orange County, California

Attachment C

Sent Copy in mail 2-24
Fax 224.95
2:43 P.M.
MKE

LEGAL / DISPLAY / CLASSIFIED ADVERTISING REQUEST

To: California Newspaper Service Bureau, Inc. (714) 972-3875
817 N. Broadway # A
Santa Ana California 92702

From: : Clerk of the Board of Supervisors
(714) 834-2206

Date February 24, 1995

1. Publication Title Notice of Public Hearing - Cost Recovery Fee Adjustments

2. Federal/State/County Code Sections _____

3. Special Instructions _____

4. Billing Codes County Clerk - Recorder

Fund Budget	Object	Sub-Object	Resp. Center	Project No

5. Contact Person
Name Gary L. Granville
Title County Clerk - Recorder
Agency/Dept. Count-Clerk - Recorder
Phone number 834-2222

6. Dept/Agency Authorized Signature _____

Title _____ Date _____

See the back of this form for instructions

Publish In: Register
DO NOT WRITE IN SHADED SPACE
(Clerk of the Board use only)

Publication Dates Feb 26, 95 & Mar 3, 95

Two Affidavits Required after Publication Date of Mar 3

Agenda Date _____ **Bid Opening Date** _____

Item No. _____ **Hearing Date** _____

Resolution No. _____ **Log Book Date** _____

INSTRUCTIONS ON HOW TO COMPLETE LEGAL/DISPLAY/CLASSIFIED ADVERTISING REQUEST FORM

Please **do not** type in the shaded areas. These areas will be completed by the Clerk of the Board staff.

1. Publication Title:

Enter the heading of the notice, resolution, etc. as it will appear in the final publication.

2. Federal/State/County Code Section

Enter the codes refering to the legal requirements for the publication.

3. Special Instructions:

Enter any special instructions for the newspaper and/or Clerk of the Board,

4. Billing Codes:

These are the Auditor-Controller budget codes particular to your Agency or Department. If you do not know how to complete these section, talk to the budget specialist at your work location.

5. Contact Person:

Please enter the complete name, job title, Agency/Dept, and seven-digit phone number of the person who should be contacted in case some point needs clarification.

6. Dept/Agency Authorized Signature

This should be the signature of the person who is authorized to approve the request. Please fill out also the job title and date.

THE ORANGE COUNTY Register

625 N. Grand Ave. Santa Ana, CA 92701

PROOF OF PUBLICATION

(2015.5 C.C.P.)

STATE OF CALIFORNIA,] SS.
County of Orange,]

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of the printer of The Orange County Register, a newspaper of general circulation, published in the City of Santa Ana, County of Orange, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Orange, State of California under the date of November 29, 1905, Case Number A21046 that the notice of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

February 26, March 3, 1995

I certify (or declare) under penality of perjury that the foregoing is true and correct.
Executed at Santa Ana, California.

Date March 3, 1995

Signature

Attachment C

This space is for the County Clerk's filing Stamps

3/7
#68

RECEIVED
95 MAR -3 PM 2:03
CLERK OF THE BOARD
ORANGE COUNTY
BOARD OF SUPERVISORS

Proof of Publication of

PUBLIC NOTICE

NOTICE OF PUBLIC HEARING FOR COST RECOVERY FEE ADJUSTMENTS

NOTICE IS HEREBY GIVEN, that the Orange County Board of Supervisors will hold a Public Hearing to consider revising Recordable Document fees.
DATE OF HEARING: March 7, 1995
TIME OF HEARING: 9:30 a.m. or as soon thereafter as possible
LOCATION OF HEARING: Board of Supervisors Hearing Room
Hall of Administration
10 Civic Center Plaza
Northwest corner of Broadway & Santa Ana Blvd., Santa Ana
PROPOSAL: In accordance with section 21080 (B) (8) of the California Public Resource Code, the proposed charges are only for the purpose of meeting operating expenses and are therefore exempt from compliance with the California Environmental Quality Act.
The County Clerk-Recorder proposes to increase Clerk-Recorder fees in order to provide for full cost recovery for services rendered as determined by an independent audit and reviewed by the Auditor-Controller and County Counsel as appropriate.
INVITATION TO BE HEARD: All persons either favoring or opposing this proposal are invited to present their views before the Board of Supervisors.
Any written material to be submitted to the Board of Supervisors must be submitted to the Clerk of the Board at least 24 hours prior to the hearing (six copies required).
For further information you may call Gary Granville at (714) 834-2222.
Date: February 23, 1995
/s/ Kathy Goodno
Acting Clerk of the Board of Supervisors, Orange County, California
Publish: Feb. 26, Mar. 3, 1995

PROOF OF PUBLICATION

FACSIMILE COVER SHEET

CLERK OF THE BOARD OF SUPERVISORS

COUNTY OF ORANGE
10 CIVIC CENTER PLAZA, RM 465
SANTA ANA, CALIFORNIA 92701
(714) 834-2206

Facsimile Number: (714) 834-4439

TO: Beth Lewis

FACSIMILE NUMBER: (213) 625-2641

FROM: Mary Ellen / COB

MESSAGE: This is my first time doing this. Let me know if you need anymore info.
Mary Ellen

TOTAL NUMBER OF PAGES (INCLUDING THIS PAGE) = 3

TRANSMISSION REPORT

THIS DOCUMENT WAS CONFIRMED
(REDUCED SAMPLE ABOVE - SEE DETAILS BELOW)

** COUNT **
TOTAL PAGES SCANNED : 3
TOTAL PAGES CONFIRMED : 3

*** SEND ***

No.	REMOTE STATION	START TIME	DURATION	#PAGES	MODE	RESULTS
1	12136267183	2-24-95 15:34	2'29"	3/ 3		COMPLETED 9600
		TOTAL	0:02'29"	3		

NOTE:
No. : OPERATION NUMBER 48 : 4800BPS SELECTED EC : ERROR CORRECT G2 : G2 COMMUNICATION
PD : POLLED BY REMOTE SF : STORE & FORWARD RI : RELAY INITIATE RS : RELAY STATION
MB : SEND TO MAILBOX PG : POLLING A REMOTE MP : MULTI-POLLING RM : RECEIVE TO MEMORY

15976

file #41

CAO
Co Clerk-Recorder
Gary Granville
Auditor

2-17-95
CHER

BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA
MINUTES

February 7, 1995

COST RECOVERY STUDY: County Clerk-Recorder requests approval of a cost study to review costs recovery charges of all Clerk-Recorder functions as provided in government codes.

MOTION: On motion by Supervisor Stanton, seconded by Supervisor Vasquez, the Board approved a cost recovery study to review cost recovery charges of all Clerk-Recorder functions as provided in government codes. Supervisor Steiner was absent. MOTION CARRIED.

Attachment C

AGENDA ITEM TRANSMITTAL

CONSENT ☐ YES ☐ NO

AGENCY/DEPT. USE

CAO REVIEW

☒ Concur

☐ Do Not Concur

☐ Exempt

CLERK USE ONLY

TO: BOARD OF SUPERVISORS COUNTY OF ORANGE

FROM: County Clerk-Recorder

CONTACT FOR INFORMATION

Gary L. Granville (NAME) 834-2222 (PHONE)

MEETING DATE	SUBJECT	SUPV. DIST.
March 7, 1995	Cost Recovery Fee Adjustments	All

SUMMARY OF REQUEST (Description for agenda)

Increase the Clerk-Recorder fees in order to provide for full cost recovery for services rendered as determined by an independent audit and reviewed by the Auditor-Controller and County Counsel as appropriate.

ADDITIONAL DATA:

See attached.

PREVIOUS RELEVANT BOARD ACTIONS ON THIS SPECIFIC ITEM:

Board item #41 of February 7, 1995

FUNDING SOURCE(S)	CURRENT YEAR COST	ANNUAL COST	BUDGETED? ☐ YES ☒ NO
N/A	N/A	N/A	

WILL PROPOSAL REQUIRE ADDITIONAL PERSONNEL?

☒ NO IF YES, STATE NUMBER ____ PERMANENT ____ LIMITED TERM

CONSISTENT WITH BOARD POLICY?

☒ YES ☐ NEW ITEM OR EXCEPTION

RECOMMENDED ACTION

Continue Public Hearing to March 14, 1995 at 9:30 a.m. to approve new cost recovery fees for Clerk-Recorder services.

CONCURRENCES (If applicable)	ATTACHMENTS

2-23-94 (DATE)

Gary L Granville (AGENCY OR DEPARTMENT AUTHORIZED REPRESENTATIVE)

(0140) F850-169.5 (R4/86)

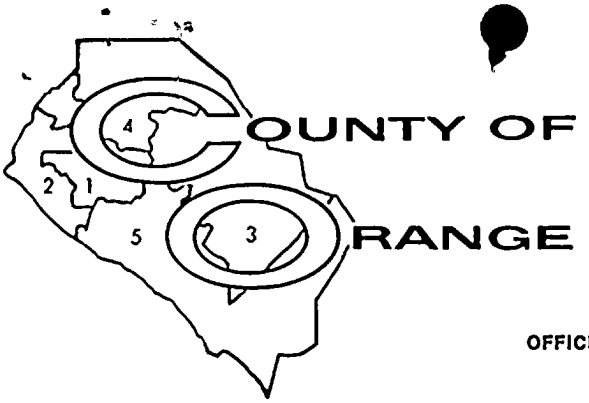
Agenda Item Transmittal
March 7, 1995

ADDITIONAL DATA:

On February 7, 1995 the Board of Supervisors approved a review of cost recovery charges for all County Clerk-Recorder functions as provided by government statutes. Accordingly, the Clerk-Recorder's Office contracted with Government Finance Research, a Sacramento-based firm specializing in Clerk-Recorder fee studies, to track and assess procedures and staff time used for filing various documents, processing records, and issuing licenses. Data was tabulated and calculations made to determine actual county costs, both direct and indirect, for rendering Clerk-Recorder services to the public.

The study was conducted on all Clerk-Recorder services where the Board of Supervisors has authority to set the fee. These include issuance of both public and confidential marriage licenses, performing marriage ceremonies, researching fictitious business name availability, filing fictitious business names (FBN), abandonments/withdrawal of FBN, dissolution of partnerships, notary bond filings and authentication/verifications, file searches, official copies of documents, including conformed or certified copies, lien notices, twenty-day preliminary notices.

Fee study method and findings have been reviewed by the Auditor-Controller and County Counsel, as appropriate.



RECEIVED
95 FEB -2 PM 4:43

GARY L. GRANVILLE
COUNTY CLERK-RECORDER

TELEPHONE: (714) 834-2248

630 N. BROADWAY
P.O. BOX 238
SANTA ANA, CA 92702

OFFICE OF THE COUNTY CLERK-RECORDER

February 1, 1995

TO: Kathy Goodno, Clerk of the Board

FROM: Gary L. Granville, County Clerk-Recorder

SUBJECT: Agenda Item #41 -- Cost Recovery Study

Agenda Item #41 regarding a cost recovery study in the Clerk-Recorder's Office needs to be amended in the CURRENT YEAR COST. The $10,800 needs to be amended to read "not to exceed $10,000".

Thank you.

cc: Supervisor Gaddi Vasquez, Chairman, Board of Supervisors
Supervisor Roger Stanton, Vice-Chairman, Board of Supervisors
Supervisor Jim Silva, Second District
Supervisor Bill Steiner, Fourth District
Supervisor Marion Bergeson, Fifth District
County Administrative Office
County Counsel

cc: NS
KG
LS
RA
Agendizer
Board Clerks

AGENDA ITEM TRANSMITTAL

Attachment

CONSENT ☐ YES

☒ NO

RECEIVED
95 JAN 31 AM 8:32
CLERK OF THE BOARD
ORANGE COUNTY
BOARD OF SUPERVISORS

AGENCY/DEPT

CAO REVIEW

☑ Concur

☐ Do Not Concur

☐ Exempt

CLERK USE ONLY

41

PROCESSED BY:

TO: BOARD OF SUPERVISORS COUNTY OF ORANGE

FROM: County Clerk-Recorder

CONTACT FOR INFORMATION

Gary L. Granville (NAME) 834-2222 (PHONE)

MEETING DATE	SUBJECT	SUPV. DIST.
February 7, 1995	Cost Recovery Study	All

SUMMARY OF REQUEST (Description for agenda)

Approve a cost recovery study to review costs recovery charges of all Clerk-Recorder functions as provided in government codes.

ADDITIONAL DATA:

The County Clerk's Department has twice before had cost recovery practices reviewed and found cost recovery understated. The Recorder's Office has never been surveyed.

Because of the merger of the two offices affecting costs involved in the recovery process, the Clerk-Recorder recommends a new study to be undertaken to ensure proper recovery of costs.

PREVIOUS RELEVANT BOARD ACTIONS ON THIS SPECIFIC ITEM:

Only as pertaining to the County Clerk

FUNDING SOURCE(S)	CURRENT YEAR COST	ANNUAL COST	BUDGETED? ☐ YES ☒ NO
General Fund	$10,800	-0-	

WILL PROPOSAL REQUIRE ADDITIONAL PERSONNEL?

☒ NO IF YES, STATE NUMBER ____ PERMANENT ____ LIMITED TERM

CONSISTENT WITH BOARD POLICY?

☒ YES ☐ NEW ITEM OR EXCEPTION

RECOMMENDED ACTION

Approve a cost recovery study to review cost recovery charges of all Clerk-Recorder functions as provided in government codes.

CONCURRENCES (If applicable)	ATTACHMENTS

1-30-95
DATE

Gary L Granville
AGENCY OR DEPARTMENT AUTHORIZED REPRESENTATIVE

(0140) F850-169.5 (R4/86)

Attachment C

3-14 #31

PROOF OF PUBLICATION
The Orange County Register

RECEIVED
95 MAR -9 PM 2:16
15976

STATE OF CALIFORNIA
County of Orange

I am a citizen of the United States; I am over the age of eighteen years; I am not a party to or interested in the notice published. I am a Legal Advertising Clerk of the Publisher of the ORANGE COUNTY REGISTER, a newspaper of general circulation, printed and published daily in the City of Santa Ana, County of Orange. The ORANGE COUNTY REGISTER has been adjudged a newspaper of general circulation by the Superior Court of the County of ORANGE, State of California, under the date of November 29, 1905, Case Number A21046. The notice, of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

February 26 & March 3

all in the year 19 95

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated, this

6th day of Mrch, 19 95

Signature

PUBLIC NOTICE
NOTICE OF PUBLIC HEARING FOR COST RECOVERY FEE ADJUSTMENTS
NOTICE IS HEREBY GIVEN, that the Orange County Board of Supervisors will hold a Public Hearing to consider revising Recordable Document fees.
DATE OF HEARING: March 7, 1995
TIME OF HEARING: 9:30 a.m. or as soon thereafter as possible
LOCATION OF HEARING: Board of Supervisors Hearing Room
Hall of Administration
10 Civic Center Plaza
Northwest corner of Broadway & Santa Ana Blvd., Santa Ana.
PROPOSAL: In accordance with section 21080 (B) (8) of the California Public Resource Code, the proposed charges are only for the purpose of meeting operating expenses and are therefore exempt from compliance with the California Environmental Quality Act. The County Clerk-Recorder proposes to increase Clerk-Recorder fees in order to provide for full cost recovery for services rendered as determined by an independent audit and reviewed by the Auditor-Controller and County Counsel as appropriate.
INVITATION TO BE HEARD: All persons either favoring or opposing this proposal are invited to present their views before the Board of Supervisors.
Any written material to be submitted to the Board of Supervisors must be submitted to the Clerk of the Board at least 24 hours prior to the hearing (six copies required).
For further information you may call Gary Granville at (714) 834-2222.
Date: February 23, 1995
/s/ Kathy Goodno
Acting Clerk of the Board of Supervisors, Orange County, California
Publish: Feb. 26, Mar. 3, 1995

Order Number CNS 1250923

California Newspaper Service Bureau
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THE ORANGE COUNTY Register

625 N. Grand Ave. Santa Ana, CA 92701

Attachment C

PROOF OF PUBLICATION

(2015.5 C.C.P.)

STATE OF CALIFORNIA,] SS.
County of Orange,]

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of the printer of The Orange County Register, a newspaper of general circulation, published in the City of Santa Ana, County of Orange, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Orange, State of California under the date of November 29, 1905, Case Number A21046 that the notice of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

February 24, March 3, 1995

I certify (or declare) under penalty of perjury that the foregoing is true and correct.
Executed at Santa Ana, California.

Date March 3, 1995

Signature

This space is for the County Clerk's filing Stamps

3/7
#16

RECEIVED
95 MAR -3 PM 2:03
CLERK OF THE BOARD
ORANGE COUNTY
BOARD OF SUPERVISORS

Proof of Publication of

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