

DEPARTMENT: Assessor-Recorder

BY: Becky Crafts  
PHONE: 966-2332

**RECOMMENDED ACTION AND JUSTIFICATION:**

Public hearing to approve increasing the fee for recording and indexing the first page of an Official Record from \$4.00 to \$10.00.  
Governor Schwarzenegger signed SB 676 which significantly changed section 27361(a) of the Government Code, "...to reimburse the county for the costs of services rendered..."

**BACKGROUND AND HISTORY OF BOARD ACTIONS:**

Prior to the passage of this recent bill, the fee of \$4.00 was established in 1985 and has remained the same for the past 24 years.

**ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:**

If not approved, Mariposa County will not be reimbursed for services rendered.

Financial Impact? ( ) Yes ( ) No	Current FY Cost:	Annual Recurring Cost:
Budgeted In Current FY? ( ) Yes ( ) No ( ) Partially Funded		
Amount in Budget: _____	-	List Attachments, number pages consecutively
Additional Funding Needed: _____		
Source:		memo with proposed Recording Fee increase
Internal Transfer _____		
Unanticipated Revenue _____	4/5's vote	
Transfer Between Funds _____	4/5's vote	
Contingency _____	4/5's vote	
( ) General ( ) Other		

**CLERK'S USE ONLY:**

Res. No.: 10-12 Ord. No. \_\_\_\_\_  
Vote - Ayes: 5 Noes: \_\_\_\_\_  
Absent: \_\_\_\_\_  
 Approved  
 Minute Order Attached ( ) No Action Necessary

The foregoing instrument is a correct copy of the original on file in this office.

Date: \_\_\_\_\_  
Attest: MARGIE WILLIAMS, Clerk of the Board  
County of Mariposa, State of California

By: \_\_\_\_\_  
Deputy

**COUNTY ADMINISTRATIVE OFFICER:**

Requested Action Recommended  
 No Opinion  
Comments:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CAO: 

Notice of Public Hearing  
Recording Fee Increase

The Mariposa County Board of Supervisors will hold a public hearing on January 5, 2010, at 9:30 a.m. or as soon thereafter as possible. The purpose of the public hearing is to allow comment on and consider amending the recording fee of the Recorder's Office.

All interested persons may appear and be heard during the hearing, which will be held in the Board Meeting room, Mariposa County Government Center, Mariposa, CA. Letters and written comments may be made and submitted at any time during the public review period up to, and including, the public portion of the public hearing time. Copies of the proposed fee increase may be obtained at the Mariposa County Assessor-Recorder's office or you can call 209-966-2332 for further information or mail comments to: Mariposa County Assessor-Recorder, PO Box 35, Mariposa, CA 95338.




## Assessor-Recorder

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Assessor (209) 966-2332  
Recorder (209) 966-5719

December 8, 2009

TO: Board of Supervisors  
FROM: Becky Crafts, Assessor-Recorder   
SUBJECT: Proposed Recording Fee Increase

Governor Schwarzenegger recently signed SB 676 which authorized increases in a variety of fees charged by local governments. One provision of this bill resulted in a significant change to section 27361 (a) of the Government Code. This section of code specifies the fee that can be charged for the recording of a document in the County Recorder's Office. Prior to the passage of this recent bill, the fee for recording the first page of a document was \$4.00. This fee was established in 1985 and has remained the same for the past 24 years.

SB 676 now allows for a maximum fee of \$10.00 for recording the first page "...to reimburse the county for the costs of services rendered..." The County Recorder's Association of California has interpreted this to mean that a fee study should be done to determine the actual costs incurred by the county to perform the recording process. I agree with that conclusion and therefore I have just completed a fee study to determine the actual cost of this service (see attached). From this study, I have determined that the actual cost of recording a document in Mariposa County is \$12.28. Therefore, I am recommending that the fee for recording and indexing the first page of an Official Record be set to \$10.00. A Public Notice of this fee increase, as required by law, will be published in the Mariposa Gazette, December 10<sup>th</sup> and December 17<sup>th</sup>. With the Board's approval, this increase in the recording fee would be effective February 5<sup>th</sup> 2010.

I am asking that the Board approve this request to enable these additional fees to be collected to reimburse for services rendered.

**Senate Bill No. 676**

**CHAPTER 606**

An act to amend Section 2103 of the Code of Civil Procedure, to amend Sections 27361 and 54985 of the Government Code, to amend Sections 987.5, 1203.1, 1203.1b, 1203.4, 1203.45, 1205, and 13300 of the Penal Code, and to amend Sections 903 and 903.3 of the Welfare and Institutions Code, relating to local fees.

[Approved by Governor October 11, 2009. Filed with  
Secretary of State October 11, 2009.]

**LEGISLATIVE COUNSEL'S DIGEST**

SB 676, Wolk. Local fees.

(1) Existing law, the Uniform Federal Lien Registration Act, governs the filing of notices of liens, certificates, and other notices affecting federal tax liens or other federal liens. The act requires a filing officer to issue, upon request, a certificate showing whether there is on file any notice of a federal lien or certificate or notice affecting any federal lien filed pursuant to the act or as specified. If the filing officer is a county recorder, the fee set by the filing officer may not exceed \$15 for a certificate for each name searched.

This bill would delete the limitation on the fee that may be charged by a county recorder acting as a filing officer for purposes of the act.

(2) Existing law authorizes the county recorder of each county to charge a fee of \$4 for the first page and \$3 for each additional page for recording and indexing every instrument, paper, or notice required or permitted to be recorded, as specified.

This bill would increase the maximum fee for the first page to \$10, and would make other conforming changes.

(3) Under existing law, every defendant, when represented by appointed counsel, is required to be assessed a registration fee not to exceed \$25, but the fee is not required of any defendant that is financially unable to pay it. Under existing law, these provisions are operative in a county only upon the adoption of a resolution by the board of supervisors electing to establish the registration fee.

This bill would increase the maximum amount for that registration fee to \$50.

(4) Existing law limits the fees that a court, county, or city, as applicable, may charge for various costs related to the judgment and execution of criminal matters, including certain administrative costs, costs related to collecting restitution or to probation supervision, certain costs of conducting a criminal investigation, and costs related to providing specified court services, such as a petition for changing a plea or for an order sealing a record. Existing law also limits the fee that a local agency may charge for

Establish the four productive hourly cost rates associated with each staff member involved with the provisions of a particular service.

1. direct personnel cost;
2. supervision cost;
3. services and supply costs; and
4. A-87 county-wide overhead cost.

An individual's total number of productive work hours can be calculated by taking the total number of hours a person could possibly work in a year and subtracting from that vacation, holiday, sick and break time.

Total Hours 260 days	2080
Holidays 13 @8hrs/day	-104
Vacation 12 @10hrs/month	-120
Sickleave 12 @10hrs/month	-120
Breaks 260 days @ 30minutes/day	<u>-130</u>
Productive Work Hours	1606

The A-87 cost rate attempts to re-coup overhead costs not reflected in the regular budget. This amount of \$76,980 is a five year average which was obtained from Chris Ebie County Auditor.

Services and Supply cost is the budgeted amount of \$69,783 @ 60% = \$41,870 attributed to the Recording function.

**SERVICE PROCESS SUMMARY**

**DEPARTMENT:** ASSESSOR-RECORDER

**SERVICE:** Recording & Indexing

<u>ACTIVITY</u>	<u>STAFF INVOLVED</u>	<u>AVG. TIME</u>
1. Reviewing Document	Assessment Recording Clerk III	3 minutes
2. Cashiering	Assessment Recording Clerk II	1 minutes
3. Scanning	Assessment Recording Clerk II	1 minutes
4. Indexing	Assessment Recording Clerk II	1 minutes
5. Verifying	Assessment Recording Clerk III	3 minutes

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**ASSESSOR-RECORDER HOURLY RATE SCHEDULE**

2009/2010

Services & Supplies:

2009/2010	Services & Supplies			\$ 41,870
Productive Hours	1606 x	3 =		4,818
Services & Supplies Hourly Rate				\$ 8.69

Supervision:

Assessor-Recorder		- 25% Direct Supervision		
\$	126,365 x	25.00% =	\$	31,591
	1,606 x	2 =		3,212
\$	31,591 /	3,212 =	\$	9.84 /hour

Assistant Assessor		- 50% Direct Supervision		
\$	103,800 x	50.00% =	\$	51,900
	1,606 x	3 =		4,818
\$	51,900 /	4,818 =	\$	10.77 /hour

Assmt. Office Manager		- 50% Direct Supervision		
\$	73,329	50.00% =	\$	36,665
	1,606 x	2 =		3,212
\$	36,665 /	3,212 =	\$	11.41 /hour

A-87 Cost Rate:

				\$ 76,980
Productive Hours	1,606 x	12 =		19,272
				\$ 3.99 /hour

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**FEE WORKSHEET**

**DEPARTMENT:** ASSESSOR-RECORDER

**SERVICE:** Recording & Indexing

	Rec Clerk II	Rec Clerk III			TOTAL
Prod. Hr. Rate	\$36.23	\$37.62			
Hours (Avg.)	0.05	0.10			
Direct Pers. Cost	\$ 1.81	\$ 3.76			\$ 5.57
Supervision/Support Rate	\$ 32.01	\$ 32.01			
Hours (Avg.)	0.05	0.10			
Supervision/Support Cost	\$ 1.60	\$ 3.20			\$ 4.80
Services & Supply Rate	\$ 8.69	\$ 8.69			
Hours (Avg.)	0.05	0.10			
Services & Supply Cost	\$ 0.43	\$ 0.87			\$ 1.30
A-87 Overhead Rate	\$ 3.99	\$ 3.99			
Hours (Avg.)	0.05	0.10			
A-87 Overhead Cost	\$ 0.20	\$ 0.40			\$ 0.60
				Total Cost	\$ 12.28
				Current Fee	\$ 4.00
				Subsidy/Service Unit	\$ 8.28

(6)



RECORDING FEES

CURRENT		PROPOSED
\$3.00	Recording & Indexing - First Page	\$10.00
\$1.00	Micrographics - Each Instrument	\$1.00
\$1.00	Modernization - Each Instrument	\$1.00
\$1.00	Days of Operation - Each Instrument	\$1.00
\$1.00	Index Within 2 Days - Each Instrument	\$1.00
<u>\$1.00</u>	Social Security Truncation - Each Instrument	<u>\$1.00</u>
\$8.00		\$15.00
\$3.00	Each Additional Page	\$3.00

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