COUNTY OF LOS ANGELES
REGISTRAR-RECORDER/COUNTY CLERK
12400 Imperial Highway – P.O. Box 1024, Norwalk, California 90651-1024 – www.lavote.net

DEAN C. LOGAN
Registrar-Recorder/County Clerk

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

12 JUNE 23, 2009

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

June 23, 2009

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

REVISE/ESTABLISH REGISTRAR-RECORDER/COUNTY CLERK (RR/CC) FEES FOR REAL PROPERTY DATA ON CD, DVD, E-MAIL AND FTP FORMAT, DEPUTY COMMISSIONER OF CIVIL MARRIAGE AND MARRIAGE CEREMONY WITNESS FEES (ALL DISTRICTS) (3 VOTES)

SUBJECT:

The Registrar-Recorder/County Clerk (RR/CC) recently re-examined the fees charged for providing Departmental services and determined that the current fee relating to Real Property Data is no longer reflective of actual costs needed to realize full Departmental cost recovery. Additionally, the Department conducted analyses of the civil marriage ceremony process and Deputy Commissioner of Civil Marriage fee (DCOCM) and is recommending approval of a new Marriage Witness fee, should Departmental staff be requested to serve as a witness during a (public) civil marriage ceremony and establishment of new and revised DCOCM fees.

IT IS RECOMMENDED THAT YOUR BOARD, AFTER THE PUBLIC HEARING:

Approve the attached ordinance revising RR/CC fees related to Real Property Data on CD, DVD, e-mail attachment and File Transfer Protocol (FTP) format, establishing a Marriage Ceremony Witness fee, revising the DCOCM fee and establishing a DCOCM expedited/special appointment fee to become effective thirty days from the date of Board passage, in accordance with Government Code section 25123.

PURPOSE OF RECOMMENDED ACTION:

The RR/CC provides a variety of services related to elections, recorder and county clerk operations. It is common practice of the RR/CC to periodically re-examine fees to

ensure the Department receives full cost recovery for administering services as permitted by applicable law. During a recent review of the above-mentioned fees, it was concluded that the current fees no longer facilitate full Departmental cost recovery nor are they an accurate reflection of the Department's cost for the service provided. Cost studies to determine the appropriate fees consisted of research, interviews and work observations of technical and support staff performing their duties to provide these services. The studies included all applicable costs such as salaries and employee benefits, supplies, equipment and overhead. The proposed establishment of fees have been reviewed and approved by the Department of Auditor-Controller. The revised fees proposed in this request require ordinance changes that have been prepared by County Counsel.

Implementation of Strategic Plan Goals:

Goal No. 1: Service Excellence: Provide the public with effective delivery of services within the County by implementing strategies related to fiscal responsibility and service integration by consolidating services and adjusting fees to ensure that the Department receives full cost recovery.

Goal No. 4: Fiscal Responsibility: Ensure the County's fiscal responsibility by effectively managing and enhancing current fiscal strategies as well as pursuing existing revenue options.

JUSTIFICATION:

Deputy Commissioner of Civil Marriages and Marriage Ceremony Witness fees
Government Code section 26820 authorizes the county clerk to charge and collect fees for services performed by the clerk, when not otherwise provided by law.

Real Property Data fees
Government Code section 27366 authorizes 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.

The fees described below no longer reflect the Department's actual cost and therefore should be revised and established to include current costs for employee salaries and benefits, supplies and equipment usage.

County Code 2.32.152 Real Estate Electronic Copies

Electronic copies of Real Property Data requests were previously processed by the RR/CC's Election Information Section in magnetic tape/reel format. The approved fee for this service was a $30 rental fee along with a $40 deposit refunded upon return of the reel. Following a Departmental reconfiguration, the sale of Real Property Data was reassigned to the Real Estate Records Section. Concurrent with the reassignment, the RR/CC deemed the magnetic tape format

obsolete and introduced the sale of Real Property Data in CD, DVD, e-mail attachment and FTP formats at the previously established fee of $30. Currently, the RR/CC sells Real Property Data monthly to approximately twelve (12) customers in CD, DVD, e-mail attachment or FTP format. The information on disks and e-mail/FTP are used by customers for various purposes, including, but not limited to, real estate research and for use as reference material for media outlets providing services to customers wanting to publish legal notices.

The Department recently initiated fee re-evaluations which consisted of research, interviews and work observations of technical staff performing their duties for these services. The study concluded that the current $30 fee is no longer an accurate representation of current costs and should be updated to reflect actual cost recovery to achieve fiscal responsibility.

The purpose of this action is to update the fees for the CD, DVD, e-mail attachment and FTP format to more accurately reflect the Department's cost for providing this information. Upon review of this service, it has been determined that the appropriate fees, including all labor and materials costs, should be:

- **Real Property Data on DVD** – fifty eight dollars ($58) per DVD;
- **Real Property Data on CD** – forty nine dollars ($49) per CD;
- **Real Property Data via e-mail attachment** – Twenty seven dollars ($27) for each transmission by the RR/CC;
- **Real Property Data in FTP Format** – Thirty four dollars ($34) for each transmission by the RR/CC.

Customers will be provided the option of having the CD or DVD mailed to them through regular mail at no additional cost. In the event that a customer chooses expedited mailing via FedEx, UPS, etc., the customer will pay additional fees, as applicable. Hard copies will continue to be provided for individual viewing and printing, by either visiting RR/CC Headquarters or submitting the request through the mail. Individuals requesting certified real property information can request hard copies at the current fee of $5 for the first page, plus $3 for each additional page and a $1 certification fee for each document.

County Code 2.32.112 Marriage Ceremony Witness Fee

All RR/CC facilities, including Headquarters and district offices, perform in-house civil marriage ceremonies. Current law requires that individuals to be married, after having requested a public marriage license, have an individual present to witness and sign the marriage certificate. Customers often times arrive without a third party to participate in the ceremony as a witness. Consequently, the individual performing the ceremony requests the assistance of RR/CC staff by asking them to leave their workstation to participate in the ceremony as a witness. Although this may benefit customers by providing the convenience of a witness, removing staff from their workstation serves as a disruption to their assigned duties and an overall loss of productivity for the Department.

After careful analysis of the salaries, time and benefits for staff historically called upon to serve as a witness, it has been determined that an $18 fee is appropriate to ensure the Department receives full cost recovery for providing this service.

County Code 2.32.115 Deputy Commissioner of Civil Marriages Appointment

Currently, the RR/CC charges a $35 fee for appointing a Deputy Commissioner of Civil Marriages (DCOCM) for a period of one day. However, after careful analysis of current salaries, time and benefits for staff to provide this service, it has been determined that the fee for appointing a DCOCM should increase to $75; a fee that is reflective of full cost recovery for the Department.

The DCOCM application is located on the Department's website and must be submitted for processing two months prior to the ceremony. Appointments for individuals to be to be deputized are scheduled every Thursday of the month. Nevertheless, the Department has noticed an increase in "special circumstance" requests by the public in the form of special/expedited appointments. Due to the increased number of requests that vary from the established procedure, it has been determined that a $13 special and/or expedited fee, in addition to the revised DCOCM fee, is necessary to ensure the Department receives full cost recovery for providing these services.

FISCAL IMPACT/ FINANCING:

Approval of the fees listed below will increase Departmental revenue for the period August 1, 2009 through June 30, 2010 as follows:

FEE	REVENUE INCREASE
Real Property Data (DVD, CD, e-mail attachment/FTP)	$94,439
Marriage Ceremony Witness	$29,700
Deputy Commissioner of Civil Marriage	$52,581
Total	$176,720

FACTS AND PROVISIONS/LEGAL REQUIREMENTS:

The RR/CC is requesting approval for the proposed establishment of fees. Government Code section 26820 authorizes the county clerk to charge and collect fees for services performed by the clerk, when not otherwise provided by law. Government Code section 27366 authorizes 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. County Counsel has prepared the attached required ordinances that incorporate the proposed fees and revisions.

Prior to adopting an ordinance, resolution, or other legislative enactment adopting a new fee or approving an increase in an existing fee, Government Code section 66018 requires a local agency to hold a public hearing, at which oral or written presentations can be made. The Executive Office of the Board of Supervisors, in accordance with section 6062(a) of the Government Code, published an official notice of the time and place of said meeting, including a general explanation of the fees to be established or revised. All fees have been reviewed and approved by the Auditor-Controller's office.

IMPACT ON CURRENT SERVICES:

The proposed fees will not impact current services provided by the Department.

CONCLUSION

Upon approval by your Board, the Executive Officer is requested to return one (1) adopted copy of this letter to:

Department of Registrar-Recorder/County Clerk
Finance & Management Division
12400 Imperial Highway, Room 7211
Norwalk, CA 90650
Attention: Brandy Jakobsen, Fees and Studies Section

Respectfully submitted,

DEAN C. LOGAN
Registrar-Recorder/County Clerk

NU:as:bj:jw

Attachments

c: William T Fujioka, Chief Executive Officer
Acting County Counsel
Executive Officer, Board of Supervisors
Auditor-Controller

COUNTY OF LOS ANGELES
OFFICE OF THE COUNTY COUNSEL
648 KENNETH HAHN HALL OF ADMINISTRATION
500 WEST TEMPLE STREET
LOS ANGELES, CALIFORNIA 90012-2713

TELEPHONE
(213) 974-1895
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(213) 617-7182
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(213) 633-0901

ROBERT E. KALUNIAN
Acting County Counsel

L.A. CO. RR/CC
EXECUTIVE OFFICE
REC'D
2009 MAY 15 PM 2:52

May 12, 2009

Dean C. Logan
Registrar-Recorder/County Clerk
12400 Imperial Highway
Norwalk, California 90650

Re: Registrar-Recorder/County Clerk
Adding New Sections to Title 2

Dear Mr. Logan:

Pursuant to your request, enclosed is the ordinance which revises Chapter 2.32. Section 2.32.112 Marriage ceremony witness fee is added. In addition, section 2.32.115, Deputy commissioner of civil marriages is revised to increase fees and section 2.32.152 Real estate electronic copies is added.

This analysis and ordinance may be presented to the Board of Supervisors for its consideration.

Very truly yours,

ROBERT E. KALUNIAN
Acting County Counsel

By P. Salseda
PATRICE J. SALSEDA
Senior Deputy County Counsel
Government Services Division

APPROVED AND RELEASED:

Leela Kapur
LEELA A. KAPUR
Chief Deputy County Counsel

PJS:er
Enclosures

HOA.609930.1

ANALYSIS

This ordinance amends Title 2 – Administration, Chapter 2.32 of the Los Angeles County Code by adding section 2.32.112 Marriage ceremony witness fee, revising section 2.32.115, Deputy commissioner of civil marriages appointment, and adding section 2.32.152 Real estate record electronic copies.

Government Code section 26820 authorizes the county clerk to charge and collect fees for civil marriages and related services performed by the clerk, when not otherwise provided by law. Government Code section 27366 authorizes the Board of Supervisors to set a fee for a copy of any record on file with the recorder, when the copy is made by the recorder, 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.

ROBERT E. KALUNIAN
Acting County Counsel

By P. Salseda

PATRICE J. SALSEDA
Senior Deputy County Counsel
Government Services Division

PJS:er

4/29/09 (Requested)
5/7/09 (Revised)
5/11/09 (Revised)

ORDINANCE NO. _____

An ordinance amending and adding new sections to Title 2 - Administration of the Los Angeles County Code, related to marriage fees and real estate record copy fees charged to the public by the Registrar-Recorder/County Clerk.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Section 2.32.112 is hereby added to read as follows:

2.32.112 Marriage ceremony witness fee.

The registrar-recorder/county clerk shall charge a fee of $18.00 for a staff member who serves as a marriage ceremony witness.

SECTION 2. Section 2.32.115 is hereby amended to read as follows:

2.32.115 Deputy commissioner of civil marriages appointment.

The registrar-recorder/county clerk shall charge a fee of ~~$35.00~~ 75.00 for appointing a deputy commissioner of civil marriages for a period of one day. An additional fee of $13.00 shall be charged to expedite deputizing. An additional fee of $13.00 shall be charged to deputize by special appointment.

SECTION 3. Section 2.32.152 is hereby added to read as follows:

2.32.152 Real estate record electronic copies.

The registrar-recorder/county clerk shall charge a fee of $58.00 per DVD, $49.00 per CD, $27.00 per e-mail, and $34.00 per File Transfer Protocol (FTP) site for electronic copies of real estate records.

[232115PSCC]

NOTICE OF PUBLIC HEARING
ON PROPOSED AMENDMENT TO COUNTY CODE, TITLE 2 – ADMINISTRATION TO ESTABLISH OR ADJUST MARRIAGE CEREMONY WITNESS, DEPUTY COMMISSIONER OF CIVIL MARRIAGE AND REAL ESTATE RECORD ELECTRONIC COPY FEES

Marriage Ceremony Witness: The proposed ordinance will amend Los Angeles County Code, Title 2 – Administration, Section 2.32 relating to the fee charged to the public by the Registrar-Recorder/County Clerk (RR/CC). The ordinance will add Section 2.32.112 to impose an $18.00 fee.

Deputy Commissioner of Civil Marriage: The proposed ordinance will amend Los Angeles County Code, Title 2 – Administration, Section 2.32 relating to the fee charged to the public by the Registrar-Recorder/County Clerk (RR/CC). The ordinance will revise Section 2.32.115 to charge a $75.00 fee in order to appoint a deputy commissioner of civil marriage for a period of one day, an additional fee of $13.00 in order to expedite deputizing and an additional fee of $13.00 in order to deputize by special appointment.

Real Estate Record Electronic Copy: The proposed ordinance will amend the Los Angeles County Code, Title 2 – Administration, Section 2.32 relating to the fee charged to the public by the Registrar-Recorder/County Clerk (RR/CC). The ordinance will add Section 2.32.152 to impose a $58.00 fee per DVD, $49.00 per CD, $27.00 per email and $34.00 per File Transfer Protocol (FTP) site fee for electronic copies of real estate records.

Notice is hereby given that a public hearing will be held by the County of Los Angeles Board of Supervisors in connection with the above mentioned fees. Said hearing will be held on June 23, 2009 at 9:30 a.m., in the hearing room of the Board of Supervisors, Room 381B, Kenneth Hahn Hall of Administration, 500 West Temple Street (corner of Temple Street and Grand Avenue), Los Angeles, CA 90012. The Board of Supervisors will consider and may adopt the proposed fees. Further notice is given that the Board of Supervisors may continue this hearing from time to time.

Documentation on the proposed fee will be available at the Executive Office of the Board of Supervisors, Kenneth Hahn Hall of Administration, 500 West Temple Street, Room 383, Los Angeles, CA 90012.

Written comments may be sent to the Executive Office of the Board of Supervisors at the above address. If you do not understand this notice or need more information, please contact Brandy Jakobsen of the RR/CC at (562) 462-3186, Monday through Friday, 8:00 a.m. to 5:00 p.m. or email at bjakobsen@rrcc.lacounty.gov.

The County can also provide program information and publications in alternative formats or make other accommodations for persons with disabilities 72 hours in advance by calling (562) 462-3186.

Si no entiende este anuncio o necesita mas informacion, por favor de llamar (562) 462-2666, de Lunes a Viernes de 8:00 a.m. - 5:00 p.m.

SACHI A. HAMAI
Executive Officer-Clerk of
the Board of Supervisors