



COUNTY OF SAN DIEGO

AGENDA ITEM

BOARD OF SUPERVISORS

PALOMA AGUIRRE
First District

JOEL ANDERSON
Second District

TERRA LAWSON-REMER
Third District

MONICA MONTGOMERY STEPPE
Fourth District

JIM DESMOND
Fifth District

DATE: May 5, 2026 and May 19, 2026

20

TO: Board of Supervisors

SUBJECT

NOTICED PUBLIC HEARING: REVISIONS TO FINANCE AND GENERAL GOVERNMENT GROUP FEES AND RATES RELATING TO REGISTRAR OF VOTERS, CLERK OF THE BOARD OF SUPERVISORS, AND OFFICE OF COUNTY COUNSEL BY ORDINANCE AND RESOLUTION (5/5/2026– First Reading; 5/19/2026– Second Reading, unless the ordinance is modified on second reading) (DISTRICTS: ALL)

OVERVIEW

Today's actions request that the Board of Supervisors (Board) review and approve the introduction of two ordinances for amendments to the San Diego County Administrative Code Section 439.2 and San Diego County Administrative Code Article X-A. In addition, the Board is requested to adopt a resolution relating to the hourly billing rates for the Office of County Counsel.

The recommended ordinances and resolution represent a comprehensive package that supports the Finance and General Government Group's services in alignment with Board Policy B-29, *Fees, Grants, Revenue Contracts–Department Responsibility for Cost Recovery*, which requires that departments recover the full cost of all services provided for which fees may be charged. The proposed changes are the result of an analysis of services provided to the public, processing times, and associated costs to provide those services.

The Auditor & Controller has reviewed and approved the supporting documentation and methodology for establishing the fees and rates in this proposal for Fiscal Year 2026-27, as appropriate.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

On May 5, 2026:

1. Pursuant to Article IX, Section 143, of the San Diego County Administrative Code, adopt a resolution entitled:

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO RELATING TO COUNTY COUNSEL HOURLY BILLING RATES FOR ATTORNEY AND PARALEGAL SERVICES

SUBJECT: NOTICED PUBLIC HEARING: REVISIONS TO FINANCE AND GENERAL GOVERNMENT GROUP FEES AND RATES RELATING TO REGISTRAR OF VOTERS, CLERK OF THE BOARD OF SUPERVISORS, AND OFFICE OF COUNTY COUNSEL BY ORDINANCE AND RESOLUTION (5/5/2026– First Reading; 5/19/2026– Second Reading, unless the ordinance is modified on second reading) (DISTRICTS: ALL)

2. Approve the introduction of the following ordinances (First Reading):

AN ORDINANCE AMENDING SECTION 439.2 OF THE COUNTY OF SAN DIEGO ADMINISTRATIVE CODE RELATING TO FEES FOR THE REGISTRAR OF VOTERS RECORDS AND SERVICES

AN ORDINANCE AMENDING ARTICLE X-A OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE RELATING TO FEES CHARGED BY THE CLERK OF THE BOARD OF SUPERVISORS

If on May 5, 2026, the Board of Supervisors takes action as recommended on Item 2 above, then on May 19, 2026:

1. Submit ordinances for further Board consideration and adoption (Second Reading):

AN ORDINANCE AMENDING SECTION 439.2 OF THE COUNTY OF SAN DIEGO ADMINISTRATIVE CODE RELATING TO FEES FOR THE REGISTRAR OF VOTERS RECORDS AND SERVICES

AN ORDINANCE AMENDING ARTICLE X-A OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE RELATING TO FEES CHARGED BY THE CLERK OF THE BOARD OF SUPERVISORS

EQUITY IMPACT STATEMENT

The proposed actions would amend fees and charges for services that are provided to agencies or individuals outside of the County of San Diego (County) organization. The fees and rates that are included in this fee package are intended to cover the full cost of services that will be provided to such agencies or individuals. By collecting the full cost of services, the County ensures that services that benefit a single agency or individual do not reduce the available resources that could be available to the entire region for other vital services that are provided by County departments.

SUSTAINABILITY IMPACT STATEMENT

The proposed fee package supports the recovery of the full cost of providing services to individuals and agencies outside of the County. This helps the County achieve economic sustainability and long-term fiscal stability by aligning resources with services, while continuing to provide critical services to the public.

FISCAL IMPACT

Funds for this proposal will be included in the Fiscal Year 2026-27 CAO Recommended Operational Plan for the Office of County Counsel, Registrar of Voters, and Clerk of the Board of

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Supervisors. If approved, the proposed rates and fees will ensure full cost recovery for the services provided beginning in Fiscal Year 2026-27.

The proposed hourly rates for the Office of County Counsel are projected to result in an estimated decrease of \$34,118 in annual revenue generated from the hourly billable services provided to clients.

The proposed fee package for the Registrar of Voters will result in an estimated increase of \$75,000 in annual revenue.

The proposed fee package for the Clerk of the Board of Supervisors is projected to result in an estimated increase of \$40,556 in annual revenue.

These rates and fees are estimated in amounts sufficient to recover full cost as required by Board Policy B-29, *Fees, Grants, Revenue Contracts—Department Responsibility for Cost Recovery*. Accordingly, there is no projected unrecovered cost, and a waiver of Board Policy B-29 is not needed. The funding source is fees paid by customers of the identified services. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

The proposed fee changes are considered reasonable and are not anticipated to have a measurable impact on the local business community.

ADVISORY BOARD STATEMENT

N/A

BACKGROUND

The Office of County Counsel, Registrar of Voters, and the Clerk of the Board of Supervisors have recently conducted a review of their fees and rates. Board Policy B-29, *Fees, Grants, and Revenue Contracts—Department Responsibility for Cost Recovery* requires departments to ensure costs are fully recovered for services provided to agencies or individuals. To ensure compliance with this policy, the departments performed a comprehensive analysis of services provided to customers to examine the tasks and functions performed and their direct and indirect costs in relation to the specific services. The Auditor & Controller has reviewed and approved the fees and rates below, affirming that the methodologies used are consistent with Board Policy B-29 and in conformance with existing cost policies and procedures. If approved, all fee changes will go into effect on July 1, 2026. The following provides an overview of the fee and rate adjustments, by department.

Office of County Counsel

SUBJECT: NOTICED PUBLIC HEARING: REVISIONS TO FINANCE AND GENERAL GOVERNMENT GROUP FEES AND RATES RELATING TO REGISTRAR OF VOTERS, CLERK OF THE BOARD OF SUPERVISORS, AND OFFICE OF COUNTY COUNSEL BY ORDINANCE AND RESOLUTION (5/5/2026– First Reading; 5/19/2026– Second Reading, unless the ordinance is modified on second reading) (DISTRICTS: ALL)

The Office of County Counsel provides legal services to billable clients, including County departments, special districts, and enterprise funds. County Counsel’s current legal services billing rates for Fiscal Year 2025-26 are \$282.00 per attorney hour and \$149.00 per paralegal hour. County Counsel conducted a review of its attorney and paralegal hourly billing rates by performing a full cost recovery study. The study was based on projected Fiscal Year 2026-27 costs for salaries and benefits and services and supplies, as well as an average of five years’ productive hours for billable attorneys and paralegals. The full cost recovery study concluded that the County Counsel billing rates for attorney and paralegal services for Fiscal Year 2026-27 should be established as follows:

| | Attorney Hourly Billing Rate | Paralegal Hourly Billing Rate |
|--------------|-------------------------------------|--------------------------------------|
| Current Fee | \$282 | \$149 |
| Proposed Fee | \$282 | \$127 |

The decrease in the paralegal rate is primarily due to a decrease in paralegal costs, with non-senior paralegals now supporting some billable work areas due to reassignments and staff departures. The Auditor & Controller has reviewed and approved the rates above, affirming that the methodology used is consistent with Board Policy B-29, and is in conformance with existing cost policies and procedures.

Registrar of Voters

As part of its mission, the Registrar of Voters (ROV) charges and collects fees for providing various election and voter registration related products and services to candidates and campaigns, government agencies, the media and members of the public. To continue to meet department mandates, as well as provide a level of service expected by the citizens and stakeholders of San Diego County, the Registrar of Voters is proposing to adjust its product and service fees.

The proposed ordinance includes amendments to Article XXIV-A, Section 439.2 of the San Diego County Administrative Code (“Administrative Code”) to add one fee and revise 17 fees to reflect actual labor and material costs. The last ROV fee increase was adopted on May 23, 2023, through Ordinance No. 10846. The Auditor & Controller has reviewed and approved the methodology for establishing the fees in this proposal.

The following provides an overview of the fee adjustments to cover the department’s operational costs.

Administrative Code Section 439.2 (b): Searching records or files

Two fees will be adjusted due to increased staff labor costs. One fee is for staff to research specific voter records. The proposed fee would increase the hourly rate of ROV staff from \$98 per hour to \$112 per hour based on the cost of providing this service. The other fee is for Information (IT)

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staff to develop customized reports using the Election Management System (voter registration system). The proposed fee would increase the hourly rate of IT staff from \$173 per hour to \$186 per hour based on the cost of providing this service to customers.

Administrative Code Section 439.2 (c): Reports

The fees are for six reports that the ROV provides using voter information data. Information Technology (IT) staff prepare these reports using the Election Management System (voter registration system).

Electronic transfer of vote by mail voter information via FTP: The proposed ordinance would increase the fee from \$285 to \$336 due to increased labor costs. This is a subscription to receive daily/weekly reports until the election is certified.

Electronic transfer of specialized absentee vote by mail voter information via FTP: The proposed ordinance would increase the fee from \$216 to \$252 due to increased labor costs. This is a subscription to receive daily/weekly reports until the election is certified.

Voter File: IT labor costs have increased since the last update in 2023. The annual maintenance cost of the Election Management System has also increased since 2023. Fees are based on how long it takes to run the data due to the number of registered voters in the file.

| # of Registered Voters | Current Fee | Proposed Fee |
|---|-------------|--------------|
| up to 350,000 registered voters | \$38 | \$45 |
| 350,001 - 800,000 registered voters | \$46 | \$53 |
| 800,001 and above registered voters | \$54 | \$62 |
| Countywide (1.9+ million registered voters) | \$75 | \$87 |

Administrative Code Section 439.2 (d): Candidate statements pursuant to Elections Code 13307

This fee allows the Registrar of Voters to recover all costs to prepare, translate and print candidate statements in the voter information guide. Costs also include the translation and printing of the candidate statements into the federal mandated languages (Spanish, Filipino, Vietnamese and Chinese). The fee is uniformly assessed with a set-up fee plus a print fee. The print fee is determined by a set amount per 1,000 registered voters in the district. There are no changes to the print fee. The set-up fee includes composition, translation, audio recording, proof reading, labor and overhead costs. Four set-up fees have been adjusted due to the increased staff labor costs based on the number of words in the candidate statement and the time it takes to proofread them in five languages (English + four federal mandated languages).

| Set-up Fee | Current Fee | Proposed Fee |
|------------|-------------|--------------|
|------------|-------------|--------------|

SUBJECT: NOTICED PUBLIC HEARING: REVISIONS TO FINANCE AND GENERAL GOVERNMENT GROUP FEES AND RATES RELATING TO REGISTRAR OF VOTERS, CLERK OF THE BOARD OF SUPERVISORS, AND OFFICE OF COUNTY COUNSEL BY ORDINANCE AND RESOLUTION (5/5/2026– First Reading; 5/19/2026– Second Reading, unless the ordinance is modified on second reading) (DISTRICTS: ALL)

| | | |
|----------------------|---------|---------|
| 200 words | \$518 | \$706 |
| 250 words | \$561 | \$752 |
| 200 words with photo | \$728 | \$892 |
| 400 words | \$1,036 | \$1,261 |

Administrative Code Section 439.2 (e): Appointment in Lieu (New Fee)

In the case of governing board members or directors of a district to be elected, if the number of person(s) who have filed a declaration of candidacy does not exceed the number of governing board members or directors up for election, each person filing a declaration of candidacy will be appointed in lieu of election. These contests do not appear on the ballot. The jurisdiction will be charged a fee for each candidate that is appointed in lieu of election. The \$149 fee is to recover labor costs incurred by staff who assist candidates with their filing documentation.

Administrative Code Section 439.2 (h): Maps

The ArcGIS environment provides staff with the capability to provide customized map products to customers. The proposed ordinance would increase the hourly rate of Geographic Information System staff to develop customized maps based on customer needs and requirements (i.e., district boundaries, communities, roads, etc.) from \$104 per hour to \$151 per hour due to an increase in labor costs. Four other fees have been adjusted to reflect actual costs of materials.

| Item | Current Fee | Proposed Fee |
|--------------------------------|--------------------|---------------------|
| Customer-ready map (36" x 48") | \$11 | \$19 |
| Custom map paper (24" x 36") | \$2 | \$4 |
| Custom map paper (36" x 48") | \$4 | \$9 |
| Transparency | \$14 | \$23 |

Clerk of the Board of Supervisors

The Clerk of the Board of Supervisors conducted a full review of its fees. The department has identified four fees that require action by the Board of Supervisors.

1. *Money Order Fee:* Since 2003, the Clerk of the Board of Supervisors has provided money order services to compliment the provision of passport application acceptance services (Administrative Code Section 160.7). The U.S. Department of State requires payments for passport applications to be in the form of checks or money orders. The issuance of money orders provides a convenient service to the public in completing their passport application process.

The department conducted a cost study and determined the fee to issue a money order should be increased from \$2.00 to \$3.10, primarily due to increases in staff costs and an adjustment

SUBJECT: NOTICED PUBLIC HEARING: REVISIONS TO FINANCE AND GENERAL GOVERNMENT GROUP FEES AND RATES RELATING TO REGISTRAR OF VOTERS, CLERK OF THE BOARD OF SUPERVISORS, AND OFFICE OF COUNTY COUNSEL BY ORDINANCE AND RESOLUTION (5/5/2026– First Reading; 5/19/2026– Second Reading, unless the ordinance is modified on second reading) (DISTRICTS: ALL)

in methodology to more accurately capture the true cost of providing the service by accounting for productive hours and indirect costs. The fee was last adjusted in 2022.

2. *Passport Photo Fee:* Since 2009, the Clerk of the Board of Supervisors has provided passport photo services to compliment the provision of passport application acceptance services (Administrative Code Section 160.3). Nearly 70% of passport applicants utilize the department’s passport photo services, which along with money order services, creates a “one stop” facility for passport application acceptance.

The department conducted a cost study and determined the fee for passport photos should be increased from \$11.00 to \$17.10, primarily due to increases in staff costs and an adjustment in methodology to more accurately capture the true cost of providing the service by accounting for productive hours and indirect costs, equipment, and supply costs. The fee was last adjusted in 2022. The proposed fee aligns with what retail businesses charge, which averages \$15.98.

3. *Copies of Audio Recordings.* This fee is charged when a member of the public requests a copy of the audio recording from a Board of Supervisor’s meeting, Property Tax Assessment Appeal Hearing, County Hearing Officer Hearing, or other public meeting (Administrative Code Section 160.2). The department conducted a study and determined the fee for an audio recording on compact disc (CD) should be increased from \$7.60 to \$11.20, primarily due to increases in staff costs and an adjustment in methodology to more accurately capture the true cost of providing the service by accounting for productive hours and indirect costs. The Clerk of the Board receives an average of three requests for copies of audio recordings per year since most requests for recordings are able to be fulfilled by email or other file sharing service. The fee was last adjusted in 2024.
4. *Written Assessment Appeals Board Findings and Conclusions.* Property Owners may request a written summary of the facts and evidence used by the Property Tax Assessment Appeals Board in reaching its decision on a Property Tax Assessment Appeal. These “findings of fact” are necessary if the Assessment Appeals Board’s decision is not in the applicant’s favor and they intend to appeal in Superior Court. Findings may be requested at any time prior to the beginning of a hearing. However, if an applicant withdraws the request for findings of fact by the end of the hearing, any fees paid are refunded by the Clerk of the Board. Written findings are most typically requested by commercial property owners.

Revenue and Taxation Code Section 1611.5 allows for a reasonable fee to be imposed by the County to cover the expense of preparing findings and conclusions. Rule 308 of the California Board of Equalization Property Tax Rules also states, “The county may impose a reasonable fee, as determined by the Board of Supervisors, to cover the expense of preparing the findings and conclusions and may require a deposit to be paid prior to the end of the hearing.”

SUBJECT: NOTICED PUBLIC HEARING: REVISIONS TO FINANCE AND GENERAL GOVERNMENT GROUP FEES AND RATES RELATING TO REGISTRAR OF VOTERS, CLERK OF THE BOARD OF SUPERVISORS, AND OFFICE OF COUNTY COUNSEL BY ORDINANCE AND RESOLUTION (5/5/2026– First Reading; 5/19/2026– Second Reading, unless the ordinance is modified on second reading) (DISTRICTS: ALL)

The department conducted a cost study and determined the fee for the issuance of written Assessment Appeals Board findings and conclusions should be decreased from \$490 to \$413 due to an adjustment in methodology to more accurately capture the true cost of providing the service by accounting for the costs of the Appeals Board Members’ stipends, productive hours, and indirect costs. The Written Findings Fee is currently set in the Assessment Appeals Board Rules of Procedure at \$490. To ensure consistency, it is proposed that this fee be moved into the Administrative Code along with all other Clerk of the Board of Supervisors fees and be set at a reduced amount of \$413. The Assessment Appeals Board Rules of Procedure will be updated later this year to reference the fee is set in the County Administrative Code.

The fee is consistent with the Written Findings and Conclusions fee charged by other counties in the state. A comparison of fees charged by other California counties is provided below.

| County | Fee |
|-----------------------|--|
| Los Angeles County | Minimum of \$492 per parcel |
| Orange County | \$492.52 plus \$246.26/hour for each hour over two hours. For any property assessed at over \$500,000, a deposit of \$1,231.30 is required. |
| Riverside County | \$1,008.40 per parcel not to exceed \$3,025.20 |
| San Bernardino County | \$500 deposit plus actual costs for transcription and attorney preparation |
| Santa Clara County | \$400 per appeal plus balance of costs incurred by attorney |

LINKAGE TO THE COUNTY OF SAN DIEGO STRATEGIC PLAN

Today’s proposed action to approve amendments to the fees and rates charged by the Registrar of Voters, Clerk of the Board of Supervisors, and Office of County Council supports the Sustainability and Empower Strategic Initiatives in the County of San Diego’s 2026-2031 Strategic Plan by aligning the County’s available resources with services to maintain fiscal stability and fiscal integrity.

Respectfully submitted,



EBONY N. SHELTON
Chief Administrative Officer

SUBJECT: NOTICED PUBLIC HEARING: REVISIONS TO FINANCE AND GENERAL GOVERNMENT GROUP FEES AND RATES RELATING TO REGISTRAR OF VOTERS, CLERK OF THE BOARD OF SUPERVISORS, AND OFFICE OF COUNTY COUNSEL BY ORDINANCE AND RESOLUTION (5/5/2026– First Reading; 5/19/2026– Second Reading, unless the ordinance is modified on second reading) (DISTRICTS: ALL)

ATTACHMENT(S)

ATTACHMENT A: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO RELATING TO COUNTY COUNSEL HOURLY BILLING RATES FOR ATTORNEY AND PARALEGAL SERVICES

ATTACHMENT B: AN ORDINANCE AMENDING SECTION 439.2 OF THE COUNTY OF SAN DIEGO ADMINISTRATIVE CODE RELATING TO FEES FOR THE REGISTRAR OF VOTERS RECORDS AND SERVICES (Clean copy)

ATTACHMENT C: AN ORDINANCE AMENDING SECTION 439.2 OF THE COUNTY OF SAN DIEGO ADMINISTRATIVE CODE RELATING TO FEES FOR THE REGISTRAR OF VOTERS RECORDS AND SERVICES (Strikeout copy)

ATTACHMENT D: AN ORDINANCE AMENDING ARTICLE X-A OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE RELATING TO FEES CHARGED BY THE CLERK OF THE BOARD OF SUPERVISORS (Clean copy)

ATTACHMENT E: AN ORDINANCE AMENDING ARTICLE X-A OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE RELATING TO FEES CHARGED BY THE CLERK OF THE BOARD OF SUPERVISORS (Strikeout copy)

ATTACHMENT F: SUMMARY OF FINANCE & GENERAL GOVERNMENT GROUP FEE AND RATE UPDATES