

**COUNTY OF SAN DIEGO  
BOARD OF SUPERVISORS  
TUESDAY, JANUARY 10, 2023**

**MINUTE ORDER NO. 5**

**SUBJECT: ADMINISTRATIVE ITEM:  
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE: AN  
ORDINANCE TO AMEND SECTIONS 86.1, 86.2, 86.3, 86.5, 86.6, 86.9, AND 86.11  
OF THE SAN DIEGO COUNTY CODE OF ADMINISTRATIVE ORDINANCES  
RELATING TO FEES FOR SERVICES BY THE RECORDER AND COUNTY  
CLERK (DISTRICTS: ALL)**

**OVERVIEW**

On December 13, 2022 (35), the Board of Supervisors took action to further consider and adopt the Ordinance on January 10, 2023.

The Assessor/Recorder/County Clerk (ARCC) reviewed Recorder and County Clerk (Recorder/County Clerk) fees to determine whether the full cost of its services provided are recovered as required under Board of Supervisors Policy B-29 “Fees, Grants, Revenue Contracts - Department Responsibility for Cost Recovery” (Board Policy B-29) and as authorized under various State statutes. Submitted for your Board’s consideration is the adoption of a proposed ordinance amending sections of the San Diego County Code of Administrative Ordinances (Administrative Code) for fees for services provided by the Recorder/County Clerk. The proposed ordinance adjusts certain existing fees and standard time and material labor rates based on the cost of providing these services; revises the time and material labor rates to remove employment classifications and add new classifications, and; makes other non-substantive changes to existing Administrative Code provisions regarding Recorder/County Clerk fees. The proposed action will result in an increase in the rates for 23 fees.

The Auditor and Controller has reviewed and approved the supporting documentation and methodology for fees adjusted in this proposal.

If approved, the proposed changes will take effect on March 1, 2023.

**RECOMMENDATION(S)**

**ASSESSOR/RECORDER/COUNTY CLERK**

Consider and adopt the following Ordinance (second reading), read title, and waive further reading of the Ordinance:

**AN ORDINANCE TO AMEND SECTIONS 86.1, 86.2, 86.3, 86.5, 86.6, 86.9, AND 86.11 OF THE  
SAN DIEGO COUNTY CODE OF ADMINISTRATIVE ORDINANCES RELATING TO FEES FOR  
SERVICES BY THE RECORDER AND COUNTY CLERK.**

**EQUITY IMPACT STATEMENT**

The Recorder/County Clerk has and continues to identify ways to reduce departmental costs to provide its services to the public. The Recorder/County Clerk improved its business processes by making applications for marriage licenses and fictitious business name statement filings available online, thereby reducing transaction times between customers and staff. The Recorder/County Clerk has also

looked for ways to increase and expand the availability of its services to the public, such as extended business hours (including nights and weekends) to allow customers to buy vital record certificates, file fictitious business name statements, and get marriage services when they are unable to come to the office during normal business hours. Providing services equitably while reducing costs is a difficult balance as these new programs have driven a continued demand for services. However, the Recorder/County Clerk remains committed to ensuring all communities across the county have access to its services, including those that have been historically under-served.

The proposed actions would amend fees and charges for services that are provided to the public to cover the full cost of services and pass-through fees in alignment with current San Diego County Board of Supervisors' standards to reflect applicable laws and regulations. By recovering the full cost of services, the County ensures the services that benefit a single agency or individual do not reduce the available resources that could be available to the entire region for other services provided by County departments. To develop the cost recovery proposal, ARCC performed an analysis of Recorder/County Clerk services provided to the public to examine the tasks and functions performed, including the direct and indirect costs of performing those tasks in relation to the specific services. The calculations for the fee increases were reviewed so that the services are not cost prohibitive for customers.

#### **SUSTAINABILITY IMPACT STATEMENT**

The proposed amendment to the fees and charges for services that are provided to the public will cover the full cost of services for the Recorder/County Clerk's internal operations. The fee changes are a result of the cumulative increase of the cost drivers such as salaries and benefits, services and supplies, and associated indirect costs of the Recorder/County Clerk. The adjustments to the County Clerk fees are based on available expenditure and revenue data, live time studies, and service counts. The proposed actions are appropriate as they support the County of San Diego's Strategic Initiative of Sustainability to align the County's available resources with services to maintain fiscal stability and ensure long-term solvency. The proposed actions align with the County of San Diego Sustainability Goal of providing just and equitable access and the United Nations Sustainable Development Goals of decent work and economic growth.

#### **FISCAL IMPACT**

Funds for this request are not included in the Fiscal Year 2022-23 Operational Plan for the Assessor/Recorder/County Clerk. If approved, this request will result in additional estimated revenues of \$784,400. The funding source is fees paid by customers. There will be no change in net General Fund costs and no additional staff years.

#### **BUSINESS IMPACT STATEMENT**

In terms of impact to the local economy, the fee increases will impact the local business community that specifically: request marriage services from the County Clerk; file fictitious business name statement filings with the County Clerk (business owners renew once every five years); file notary public oaths and bonds with the County Clerk (notary publics renew every four years), and; file professional registrations and bonds with the County Clerk (registrants renew every two years). The proposed fee changes are considered reasonable and of minimal impact on the local business community.

**ACTION:**

ON MOTION of Supervisor Desmond, seconded by Supervisor Lawson-Remer, the Board of Supervisors took action as recommended, on Consent, adopting Ordinance No. 10824 (N.S.), entitled: AN ORDINANCE TO AMEND SECTIONS 86.1, 86.2, 86.3, 86.5, 86.6, 86.9, AND 86.11 OF THE SAN DIEGO COUNTY CODE OF ADMINISTRATIVE ORDINANCES RELATING TO FEES FOR SERVICES BY THE RECORDER AND COUNTY CLERK.

AYES: Vargas, Anderson, Lawson-Remer, Desmond

NOT PRESENT: Fletcher

State of California)  
County of San Diego) §

I hereby certify that the foregoing is a full, true and correct copy of the Original entered in the Minutes of the Board of Supervisors.

ANDREW POTTER  
Clerk of the Board of Supervisors



Signed  
by Andrew Potter