

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
BOARD ACTION SUMMARY

DEPT: Clerk-Recorder

BOARD AGENDA #: \*B-4

AGENDA DATE: April 18, 2017

**SUBJECT:**

Approval to Set a Public Hearing on May 2, 2017 at 9:05 a.m. to Consider the Introduction and Waive the First Reading of an Ordinance to Increase Existing Fees for Clerk-Recorder Services to Produce an Official Record

**BOARD ACTION AS FOLLOWS:**

No. 2017-183

On motion of Supervisor Withrow, Seconded by Supervisor Olsen  
and approved by the following vote,

Ayes: Supervisors: Olsen, Withrow, Monteith, DeMartini, and Chairman Chiesa

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1)  Approved as recommended

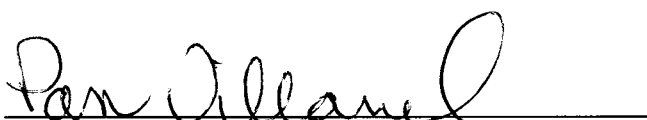
2)  Denied

3)  Approved as amended

4)  Other:

MOTION:

ATTEST:

  
PAM VILLARREAL, Assistant Clerk

File No. **ORD-55-Z-3**

**THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
AGENDA ITEM**

DEPT: Clerk Recorder BOARD AGENDA #: \*B-4  
Urgent  Routine  AGENDA DATE: April 18, 2017  
CEO CONCURRENCE: *pht* *[Signature]* 4/5 Vote Required: Yes  No

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**SUBJECT:**

Approval to Set a Public Hearing on May 2, 2017 at 9:05 a.m. to Consider the Introduction and Waive the First Reading of an Ordinance to Increase Existing Fees for Clerk-Recorder Services to Produce an Official Record

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**STAFF RECOMMENDATIONS:**

1. Set a Public Hearing on May 2, 2017 at 9:05 a.m. to introduce and waive the first reading of an ordinance to increase existing fees for Clerk-Recorder services to produce an official record.
2. Authorize the Clerk of the Board to publish the notice of hearing as required by law.

**DISCUSSION:**

This is a request to set a public hearing to consider the introduction and waive the first reading of an ordinance to increase existing fees for services in the Clerk-Recorder's office. Government Code section 27366 provides that the Board of Supervisors shall set the fees for production of official records in the Clerk-Recorder's office in an amount necessary to recover the direct and indirect costs of providing the copy. The fees for such production were last adopted in 2001 in the amount of \$3.00 for the first page and \$2.00 for each subsequent page. (See County Code Chapter 4.34)

This item will set the date and time for a hearing on the matter before the Board of Supervisors.

**POLICY ISSUE:**

Prior to amending similar existing fees, the County is required by Government Code Section 54985 et seq., to hold a scheduled public hearing as part of a regularly scheduled meeting of the Board of Supervisors. However, Sections 54985 et seq. do not apply to production fees for official records. For consistency and best practice this action aligns with County standard fee procedures which are addressed in a scheduled public hearing as part of a regularly scheduled meeting of the Board of Supervisors. At that time, the Board of Supervisors may introduce and waive the first reading of an ordinance to amend existing fees for Clerk-Recorder services to produce an official record.

Approval to Set a Public Hearing on May 2, 2017 at 9:05 a.m. to Consider the Introduction and Waive the First Reading of an Ordinance to Increase Existing Fees for Clerk-Recorder Services to Produce an Official Record

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**FISCAL IMPACT:**

There is a nominal fiscal impact associated with setting this public hearing for mandatory newspaper publishing which will be covered by the existing Clerk-Recorder's budget. If the proposed fee adjustments are approved, it is estimated that an increase in fee revenue will cover the direct and indirect costs of this public service.

**BOARD OF SUPERVISORS' PRIORITY:**

The recommended actions are consistent with the Board's priority of Efficient Delivery of Public Services by adopting necessary and reasonable fees to cover direct and indirect costs, consistent with State law, of Clerk-Recorder services to produce an official record.

**STAFFING IMPACT:**

Existing staff will support these recommended actions.

**CONTACT PERSON:**

Lee Lundrigan, County Clerk-Recorder (209) 525-5211

**ATTACHMENT(S):**

1. Notice of Public Hearing

STANISLAUS COUNTY  
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on May 2, 2017 at 9:05 a.m., or as soon thereafter as the matter may be heard, the Stanislaus County Board of Supervisors will meet in the Basement Chambers, 1010 10th St., Modesto, CA, to consider:

Approval to Introduce and Waive the First Reading of an Ordinance to Increase Existing Fees for Clerk Recorder Services to Produce an Official Record (for further information contact the Clerk-Recorder's Office as (209) 525-5211 or at 1021 I Street, Modesto, CA)

ADDITIONAL NOTICE IS GIVEN that the Proposed Ordinance and Fee will be available for review on April 21, 2017, in the Clerk of the Board Office, 1010 10th Street, Suite 6700, Modesto, CA.

NOTICE IS FURTHER GIVEN that at the said time and place, interested persons will be given the opportunity to be heard. Material submitted to the Board for consideration (i.e. photos, petitions, etc.) will be retained by the County. If a challenge to the above item is made in court, persons may be limited to raising only those issues they or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors. For further information, contact Lee Lundrigan at (209) 525-5211, 1021 "I" Street, Modesto, CA 95354.

BY ORDER OF THE BOARD OF SUPERVISORS

DATED: April 18, 2017

ATTEST: ELIZABETH A. KING, Clerk of  
the Board of Supervisors  
of the County of Stanislaus,  
State of California.

BY: \_\_\_\_\_  
Pam Villarreal, Assistant Clerk

**DECLARATION OF PUBLICATION  
(C.C.P. S2015.5)**

**COUNTY OF STANISLAUS  
STATE OF CALIFORNIA**

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 entitle matter. I am a printer and Principal clerk of the publisher of THE MODESTO BEE, printed in the City of MODESTO, County of STANISLAUS, State of California, daily, for which said newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of STANISLAUS, State of California, Under the date of February 25, 1951, Action No. 46453; that the notice of which the annexed is a printed copy, has been published in each issue there of on the following dates, to wit:

Apr 21, 2017, Apr 27, 2017

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I certify (or declare) under penalty of perjury That the foregoing is true and correct and that This declaration was executed at

MODESTO, California on

April 27th, 2017

(By Electronic Facsimile Signature)

Cynthia A. Williams

STANISLAUS COUNTY  
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For further information, contact Lee Lundrigan at (209) 525-5211, 1021 I Street, Modesto, CA 95354.

BY ORDER OF THE BOARD OF SUPERVISORS. DATED: April 18, 2017.

ATTEST: ELIZABETH A. KING, Clerk of the Board of Supervisors of the County of Stanislaus, State of California. BY: Pam Villarreal, Assistant Clerk.

Pub Dates Apr 21, 27, 2017