To: Honorable Board of Supervisors

From: Steven M. Smith, Interim County Administrator

Department: County Administrator

Subject: Public Hearing to consider revise the Fee Schedules for the Assessor’s Office, Clerk-Recorder’s Office, District Attorney’s Office, Health & Human Services Department, Probation Department, and Sheriff’s Office; Introduction of an Ordinance Amending Section 32-011 of Chapter 32 relating to County Clerk-Recorder Fee update, and waive the full reading, directing the Board Clerk to read the title of the Ordinance only; Introduction of an Ordinance Amending Code 1636 relating County Health & Human Services Fee Update, and waive the full reading, directing the Board Clerk to read the title of the ordinance only

Recommendation:

It is recommended that the Board of Supervisors:

1. Introduce the attached ordinance amending the Sutter County Ordinance Code by amending Section 32-011 of Chapter 32 relating to County Clerk-Recorder Fee Schedule update to bring the fees to current Code and regulations, waive full reading, direct the Clerk to read the title only, open the public hearing, and continue the item to May 28, 2019 for adoption.

2. Introduce the attached ordinance amending the Sutter County Ordinance 1636 relating to the Targeted Case Management (TCM) Fee for Health and Human Services Department update to bring the fees to reflect the current TCM annual cost, waive full reading, direct the Clerk to read the title only, open the public hearing, and continue the item to May 28, 2019 for adoption.

3. Direct staff to prepare fee schedules as reflected in Exhibit 2, for the Assessor’s Office, Clerk-Recorder’s Office, District Attorney’s Office, Health & Human Services Department, Probation Department and Sheriff’s Office.

Background:

Based on California Government Code § 54985, the County Board of Supervisors shall have the authority to set, increase, or decrease a fee or charge in the amount reasonably necessary to recover the cost of providing any product or service or the cost of enforcing any regulation for which the fee or charge is
levied. The fee or charge may reflect the average cost of providing any product or service or enforcing any regulation.

The County periodically reviews departmental fees to ensure that the County’s fee structure is appropriate and up-to-date. These reviews help minimize potential for a situation leading to unnecessary service cuts and reductions in workforce. Additionally, if County fees do not reflect the most up-to-date cost information, the net result is that a single citizen or organization who uses a County service is potentially paying for more, or less, than the full cost of providing that service, and Sutter County residents as a whole are then potentially subsidizing the cost of such service that benefitted a single citizen or organization.

In short, County Departments depend on a variety of funding sources to recover operating expenses: taxes; funds from other agencies, including the State of California and the Federal Government; return on investments; and fees for services. Most County revenue is controlled by outside sources; however, County Department fees are set by the Board of Supervisors to cover the costs of providing selected services to individuals, groups, and business entities. Generally, all fees must be adopted by the Board at a public hearing by either resolution or ordinance.

In order to identify areas where fees might need to be updated, the County Administrative Office (CAO’s office), in coordination with individual Departments, has been developing a comprehensive review of Countywide fees. Development Services was the first department to take a fee update to the Board on November 13, 2018. Three more departments including the Agricultural Commissioner’s Office, Library, and Treasurer-Tax Collector’s Office took their fee updates to the Board on February 26, 2019. This report represents the third round of proposed fee updates for the Board’s consideration. This review incorporates fee adjustments for the Assessor’s Office, Clerk-Recorder’s Office, District Attorney’s Office, Health & Human Services Department, Probation Department and Sheriff’s Office.

Prior to these proposed fee adjustments, the last Countywide fee update and review was completed in May 2015.

**General Discussion**

For this fee review and update, County departments were asked to review their existing fees and to provide a summary recommendation reflecting fees that have no changes, fees that are recommended to increase or decrease, new fees that should be considered, or any existing fees that should be eliminated. The CAO’s office has reviewed the recommendations and consolidated these recommendations into this report. Once approved, departments will use these fees to make revenue assumptions for the upcoming budget year.

Attached to this staff report (Exhibit 2) are fee schedules for the departments mentioned above, indicating fees that the County is currently charging for services to the general public. This includes individuals, groups, and business entities. The attached schedules also reflect any recommended changes to existing fees and new fees that are recommended.

The fee updates reflect changes in staff costs, changes in time spent on each service, or changes in non-staff costs to the County. For fees determined by any Code or Regulation, the related Code is referenced.

The Staff Billing Rate study is performed to calculate hourly rates for staff costs. Rates are based on determining productive hours (total hours worked in a year less hours for vacation, sick leave, training, holidays, and administrative time) divided into total salary and benefit cost for each employee to determine the base hourly rate. Added to the base hourly rate is the hourly pro-rated cost of program overhead, department overhead, and County overhead to arrive at the productive hourly rate for each employee. This calculation is used in determining appropriate fee amounts and has been developed in consultation with the Auditor-Controller. This methodology can be seen in the back-up documents from the related departments.

In Exhibit 2, each of the six departmental fee schedules is presented in columnar form so that anyone reviewing the report will see the responsible department, the description of the fee, the current fee
amount, and the recommended fee amount. The fee schedules have been prepared on a department and division-within-department level.

Each County Department is responsible for both developing and administering the fees associated with that department. All departments that levy fees are responsible for:

- Charging all appropriate fees as approved by the Board
- Providing substantiation of the fees levied
- Keeping updated copies of the fee schedule
- Proposing new fees or revisions reflecting cost of service provided by the department
- Keeping abreast of laws as they pertain to fee increases, including proper notification and hearings

It should be emphasized that the fee schedules only address fees that are charged to the public, and, generally, do not include charges that the County may levy on other governmental agencies.

Discussions by Departments

ASSESSOR’S OFFICE

Sutter County Assessor’s Office performs a number of mandated duties including: preparing assessments of secured and unsecured property within the County for taxing purposes, maintaining maps, and delineating every parcel of land in the County for assessment purposes. The Assessor’s Office also responds to a variety of special requests for data extracted from the assessment rolls maintained by the office. State law allows the Assessor to recover the costs of providing many of those special requests for data.

Some fees charged by the Assessor’s Office are established by Government Code Section 54985. In addition, Revenue and Taxation Code Section 408.3(c) and 409(a), provide the Assessor the ability to not only charge direct costs associated with providing services related to the definition of property characteristics, but the department may, in addition, recover "developmental and indirect costs, such as overhead, personnel, supply, material, office, storage and computer costs."

The Assessor’s Office refers customers to free information available either on the County’s website or through Parcel Quest. There are several free services the Office provides to taxpayers including, but not limited to: copies of their assessment record, current valuation of their property, prior history of the property, and a copy of one’s parcel map. In addition, the Office offers no charge services to provide Copy of Parcel Map and Property Characteristics through email.

The Assessor’s Office performed another time and rate study this year to verify accuracy of fees based on updated information. From the last fee update in May 2015, the office staff level has been reduced from 21 in 2015 to 16 in 2019. However, costs for maintenance of data have increased. The rates have been increased, since 2015, due to general salaries and benefits increased, as well as indirect costs increased. Staff proposes utilizing current staff hourly rates to calculate the proposed fees. The proposed fee schedule includes ten fee increases.

- Proposed increase in Property Characteristics Printout Fee (from $3 to $5 per copy)
- Proposed increase in Document Certification Fee (from $5 to $10)
- Proposed increase in Fee for Reverse an appraisal Fee- Parent Child/Grandparent (from $150 to $175)
➢ Proposed **increase** in Fee for Parcel Map/Lot Line Adjustments (Base Fee from $140 to $150; Fee for each additional parcel from $70 to $80)

➢ Proposed **increase** in Fee for Subdivision Maps - Splits/Combo’s (Base Fee from $140 to $150; Fee for each additional parcel map from $70 to $80)

➢ Proposed **increase** in Fee for Tax Bill Segregation - Into 2 separate Tax Bills (from $20 to $50; Fee for each additional tax bill from $10 to $25)

➢ Proposed **increase** in Fee for Parcel Segregation/Combo for Tax Purposes (Base Fee from $140 to $150; Fee for each additional parcel from $70 to $80)

➢ Proposed **increase** in Fee for Full Set Parcel Map sent via email (from $42 to $65)

➢ Proposed **increase** in Fee for Identify Parcels within a Specific Radius of Address, Situs, or APN; includes owner and mailing address converted to Excel format and sent via email (from $50 to $65)

➢ Proposed **increase** in Specific Data Reports (from $105 to $125) - Including the following reports:
  - Secured Assessor Roll
  - Unsecured Assessment Roll (Lien Date)
  - Acreage of all parcels
  - Assessee Mailing Addresses (Add on Fee)
  - Situs
  - Special Assessment District Calculations
  - Special Reports by one of the following: Book No., TRA, Use Code, Exemption Code, Boats, Aircraft, Recording No. and date, Situs, etc.

**CLERK-RECORDER’S OFFICE**

The Clerk-Recorder’s Office (also includes Elections) has performed an extensive time and rate study to verify accuracy of fees based on updated or current rates and time information. While some fees are set to recover the costs per Government Code, the majority of the fees for this department are set by statute. Based on the Staff Time and Billing Rate study, the proposed fee schedule includes nineteen fee increases, and six fee decreases.

**Clerk Fee Recommendations**

The County Clerk is responsible for issuing marriage licenses, processing passport applications, filing fictitious business name statements, registration of notaries, process servers and professional photocopieters, performing wedding ceremonies, and other related work. Fees are set per Government Code 54985(a) and the Cost Plan Handbook Section 1460.

➢ Propose **increase** in Clerk Department Hourly billing rate (from $101.83 to $103.96)

➢ Propose **increase** in Marriage License Fee (from $59.00 to $60.00)

➢ Propose **decrease** in Marriage License Fee – Confidential (from $50.50 to $31.00)

➢ Propose **increase** in Civil Marriage Ceremony Fee (from $31.00 to $35.00)

➢ Propose **increase** in Duplicate/Replacement Marriage License Fee (from $30.00 to $30.25)
Propose increase in Passport Photo Fee (from $11.75 to $13.50)

Propose decrease in Filing of Oath/Bond of Notary Public Fee (from $24.00 to $23.00)

Propose increase in Fictitious Business Name Statement Fee (from $24.00 to $27.25)

Propose increase in Abandonment of Fictitious Business Name Statement Fee (from $20.25 to $31.00)

Propose increase in Withdrawal from Partnership Fee (from $20.25 to $31.00)

Propose increase in Clerk’s Certification of Public Official or Notary Fee (from $15.25 to $30.25)

Propose increase in Clerk’s Research and Copy Fee (from $3.00 to $3.25)

Recorder Fee Recommendations

The official duties of Sutter County Recorder include responsibility to provide recording and indexing services of instruments, papers and notices as required by law.

Propose decrease in Recorder Department Hourly billing (from $108.42 to $95.13)

Propose increase in Copies and Document Reproduction Fees
  - Copy – Self Service (from $2.00 to $2.25 per page)
  - Copy – Full Service (from $3.00 to $3.25 per page)

Propose decrease in five CD Image Fees (from $108.42 to $95.13 per hour plus supplies)
  - CD of Official Records Index Only
  - CD of Parcel Maps Books 1-6
  - CD of Survey Maps Books 1-18
  - CD of Parcel Maps Updates Quarterly
  - CD of Survey Maps Updates Quarterly

Propose increase in Fee for CD Images of Official Records (from $0.15 to $0.20 Per Image plus Supplies)

Propose increase in Notification of Involuntary Lien Fees (Recording Fee) First Debtor (from $4.75 to $7.00)

Propose decrease in Certification Fee (from $6.50 to $5.75)

Elections Fee Recommendations

The Sutter County Elections Department provides services to the electorate and the citizens of Sutter County related to elections processing, records, and filings. Copies of voter registration and other elections-related filings are to be provided to the public, candidates, members of the Legislature and of Congress, for a fee.

Propose increase in Elections Department Hourly billing rate (from $129.83 to $148.60)

Propose increase in Voter File CD-ROM Fee (from $50.75 to $67.00)
Propose **decrease** in Electronic Transmission of Reports Fee (from $28.50 to $14.75)

Propose **increase** in Candidate Filing Administrative Cost Recovery for Uncontested Positions Fee (from $54.00 to $62.00 each filing)

Propose **increase** in Petition Set-up and Signature Checking Fee (from $129.83 to $148.60)

Propose **increase** in Research of Records Fee (from $129.83 to $148.60)

**Clerk of the Board Fee Recommendations**

The Clerk of the Board is responsible for the safekeeping of all books, papers, and records which are deposited with this office, in accordance with State law.

Propose **increase** in the Clerk of the Board Department Hourly billing rate (from $69.76 to $86.22)

**DISTRICT ATTORNEY’S OFFICE**

The District Attorney’s Office provides a number of collateral activities including assisting law enforcement agencies in the prosecution of criminal cases, providing assistance to those who have been victimized by crime, and providing the Victim/Witness Assistant Program.

The District Attorney’s Office fees were last updated in the FY 2014-15 County-wide comprehensive fee study. Since then, the District Attorney Discovery billing has become a consolidated process in which labor involvement is less and material cost of the 8GB flash drive is decreased.

The proposed fee schedule includes one fee decrease, and two fees that remain unchanged.

Propose **decrease** in Fee for each Flash Drive 8GB (from $40 to $20)

**HEALTH & HUMAN SERVICES DEPARTMENT**

The Health and Human Services Department provides Public Health, Behavioral Health, and Social Services to the public and citizens of the County of Sutter. It is necessary and appropriate to recover some costs associated with providing those services to ensure ongoing provision of services. The fees for Public Health have either been set by the Department of Health Care Services - California Children’s Services program, the State Office of Vital Records or calculated using current costs. The fees for Behavioral Health are based on actual costs as determined in the most recently completed annual Short-Doyle Medi-Cal Cost Report. Social Services fee reflect actual cost up to a maximum allowed by law.

The proposed fee schedule includes six fee increases and the remaining twenty-six fees are unchanged.

Propose **increase** in the Targeted Case Management Encounter Rate as determined by the prior year TCM Cost Report and approved by the Department of Health Care Services (from $626.53 to $1,025.46)

Propose **increase** in the Mental Health Case Management (per Minute) Rate as determined by the annual Short-Doyle Medi-Cal Cost Report and approved by the Department of Health Care Services (from $2.94 to $3.90 per minute)
Propose increase in the Mental Health Services (per minute) Rate as determined by the annual Short-Doyle Medi-Cal Cost Report and approved by the Department of Health Care Services (from $3.80 to $5.04 per minute)

Propose increase in the Mental Health Medication Services (per minute) Rate as determined by the annual Short-Doyle Medi-Cal Cost Report and approved by the Department of Health Care Services (from $7.02 to $9.38 per minute)

Propose increase in the Mental Health Crisis Intervention (per minute) Rate as determined by the annual Short-Doyle Medi-Cal Cost Report and approved by the Department of Health Care Services (from $5.65 to $7.50 per minute)

Propose increase in the Inpatient (per day) Rate as determined by the annual Short-Doyle Medi-Cal Cost Report and approved by the Department of Health Care Services (from $933.68 to $1,212.35 per day)

PROBATION DEPARTMENT

Fees for the Probation Department and Juvenile Hall are authorized by California Penal Code and the Welfare and Institutions Code (‘Fee Study’ or ‘Fee Schedule’). Based on the Department’s fee study, FY2018-19, actual costs to provide services listed on the Fee Schedule, are higher than the fee charges. However, the Probation Department’s fees are based on what is believed to be collectable by the Probation Department, taking into account the Court’s requirement to consider a defendant’s ability to pay.

Senate Bill 190, passed in October 2017, repealed all county authority to assess juvenile fees charged to parents/guardians for minors in the delinquency system beginning January 1, 2018. The affected fees relate to detention, legal representation, electronic monitoring, probation supervision and/or drug testing. As a result of passage of this law, the County eliminated Juvenile Hall and Probation Camp Fees, beginning January 1, 2018. Since then, the County has been losing approximately $10,000 in annual revenue which has historically been applied towards the county’s share of costs for the Juvenile Rehabilitation Facility and Camp Singer.

In a related effort, Senate Bill 144 (Adult Criminal Fees), currently set for hearing on April 23rd in the Committee of Public Safety, proposes to eliminate the range of administrative fees that agencies and courts are authorized to impose on adult offenders and, to eliminate all outstanding debt incurred as a result of the imposition of administrative fees.

With all the reasons mentioned above, Probation Department recommends that none of their fees be increased at this time.

SHERIFF’S OFFICE

Fees for the Sheriff’s Office are authorized by California Government Codes, California Penal Codes and, Sutter County Ordinances and Approved Resolutions. In the Civil and Records Division, the public is charged a wide variety of fees for issuance of various permits, live scans, and civil matters which are mainly driven by California Government Codes/Penal Codes. In addition, the Sheriff’s Office has diverse fees in the County Jail which are also driven by California Penal Codes, and are to be paid by each person according to his/her ability.

Based on the Office’s fee study FY 2018-19, actual costs to provide services listed on the Fee Schedule are higher than the fee charges. However, the Sheriff’s Office’s fees are based on allowable charges as per set by the various Government Codes, Penal Codes and, also, what is believed to be collectable (even though fees are lower than the actual cost) by the Sheriff’s Office. There are a few fees whose
charges are bound by contracts, such as rental of the firing range at the Sheriff’s Training Center or Inmate Institutional Care at the County Jail. At this time, increasing any of these fees during contract negotiations would decrease the prospects of the facilities being utilized.

The Sheriff’s Office proposed fee schedule includes addition of various fees which are not new fees, but fees which are currently being charged pursuant to government code but were not included in the previous fee update. The proposed fee schedule also includes three fee increases and one new fee. Apart from these adjustments, the Sheriff’s Office recommends that none of the other current fees be increased at this time.

➢ Proposed increase of photocopy Fee for Civil Reports per Government Code 26727 (from $0.50 to $1 per page)

➢ Proposed New Fee of photocopy Fee for Records Reports per Government Code 6253 ($0.10 per page)

➢ Proposed increase of Notary Service Fee per Government Code 8211 (from $10 to $15)

➢ Proposed increase of Return Check Fee to $40 to reflect the current charge by the County Treasurer-Tax Collector's Office

Prior Board Action:

The Board approved similar fee adjustments for Development Services in November 2018 and January 2019, and for the Agricultural Commissioner’s Office, Library, and Treasury Tax-Collector’s Office in February 2019.

Board Alternatives:

The Board could choose not to approve the proposed fee schedule updates or could direct staff to revise all, or any portion, of the proposed fee schedule updates. Staff does not recommend either of these options as the fee schedule has not been updated since 2015, and not all fees were increased at that time. In fact, some fees have remained status quo in excess of eight years and do not fully cover the cost of providing services.

Other Department and/or Agency Involvement:

This staff report and the proposed fee schedules provided by the Assessor’s Office, Clerk-Recorder’s Office, District Attorney’s Office, Health & Human Services Department, Probation Department and Sheriff’s Office have been reviewed by County Counsel.

Action Following Approval:

Staff will update the fee schedule and work on public outreach to notify customers of fee updates and changes prior to the effective date. Staff will also work with IT to update the fee schedules on the County website.

Fiscal Impact:

Adopted fees will be used to estimate revenues for FY 2019-20 budget requests and recommendations. Increased fee amounts will result in an increase in cost recovery for the respective departments. The majority of County fees are cost-based, meaning that the fee charged does not exceed the cost of providing the service.
There is no direct cost to the County associated with this proposal other than the staff time to review the recommended new and revised fees. Due to uncertainty related to the number of units of service which may be provided for the various services, and based on the fact that a limited number of fees are being changed or newly implemented, the increase in total revenues generated by these recommendations has not been estimated.

**Countywide Goals and/or Top Priorities Compliance:**

Approval of this item will address the following:

- Countywide Goal B: Operate County government in a fiscally and managerially responsible manner to ensure Sutter County remains a viable and sustainable community to live, work, recreate, and raise a family.

**Standing Committee Review:**

This item was reviewed at the May 3, 2019 Health and Welfare Committee meeting.

**ATTACHMENTS**

**Exhibit 1**
- Fee Schedule Resolution: Assessor’s Office
- Fee Schedule Resolution: Clerk-Recorder-Elections-Clerk of the Board
- Fee Schedule Resolution: District Attorney’s Office
- Fee Schedule Resolution: Health & Human Services Department
- Fee Schedule Resolution: Probation Department
- Fee Schedule Resolution: Sheriff’s Office

**Exhibit 2**
- Schedule of Current Fees and Recommended Fees: Assessor’s Office
- Schedule of Current Fees and Recommended Fees: Clerk-Recorder-Elections-Clerk of the Board
- Schedule of Current Fees and Recommended Fees: District Attorney’s Office
- Schedule of Current Fees and Recommended Fees: Health & Human Services Department
- Schedule of Current Fees and Recommended Fees: Probation Department
- Schedule of Current Fees and Recommended Fees: Sheriff’s Office

**Exhibit 3**
- Existing and Proposed Ordinance Code Chapter 32-011
- Existing and Proposed Ordinance Code 1626

**Exhibit 4**
- Back up documentation

Respectfully Submitted,

S/ Steven M. Smith
Interim County Administrator

Attachments:
1. Exhibit 1 - Fee Schedule Resolutions
2. Exhibit 2 - Schedule of Current Fees and Recommended Fees
3. Exhibit 3-1 Existing and Proposed Ordinance Code 32-011
4. Exhibit 3-2 Existing and Proposed Ordinance Code 1636
5. Exhibit 4-1 - Backup Assessor
6. Exhibit 4-2 - Backup Clerk-Recorder
7. Exhibit 4-3 - Backup DA
8. Exhibit 4-4 - Backup HHS
9. Exhibit 4-5 - Backup Probation
10. Exhibit 4-6 - Backup Sheriff