

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

DEPT: Clerk Recorder - Elections

BOARD AGENDA #: *B-2

AGENDA DATE: April 19, 2016

SUBJECT:

Approval to Set a Public Hearing on May 10, 2016 at 9:05 a.m. to Introduce and Waive the First Reading of an Ordinance to Amend Existing Fees for the County Clerk-Recorder – Elections Division

BOARD ACTION AS FOLLOWS:

No. 2016-180

On motion of Supervisor O'Brien, Seconded by Supervisor Withrow
and approved by the following vote.

Ayes: Supervisors: O'Brien, Chiesa, Withrow, DeMartini, and Chairman Monteith

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: Elizabeth A. King
ELIZABETH A. KING, Clerk of the Board of Supervisors

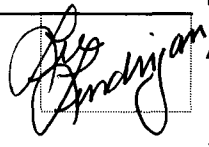
File No. ORD-55-X-3

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

DEPT: Clerk Recorder - Elections
 Urgent Routine

BOARD AGENDA #: *B-2

AGENDA DATE: April 19, 2016



CEO CONCURRENCE: *ph*

4/5 Vote Required: Yes No

SUBJECT:

Approval to Set a Public Hearing on May 10, 2016 at 9:05 a.m. to Introduce and Waive the First Reading of an Ordinance to Amend Existing Fees for the County Clerk-Recorder – Elections Division

STAFF RECOMMENDATIONS:

1. Set a Public Hearing on May 10, 2016 at 9:05 a.m. to introduce and waive the first reading of an ordinance to amend existing fees for the County Clerk-Recorder - Elections Division.

DISCUSSION:

The County Clerk-Recorder - Elections Division receives requests for information and services from candidates, political parties, officeholders, special districts, and the general public. The County Registrar of Voters is permitted by California law to charge a fee for the information and services provided. Fees currently being charged by the Elections Division have been adopted over time through Board Resolution. Elections fees were formally established by fee schedule in 1986 through Resolution #86-671. Amendments to the fee schedule were adopted in 1988 (Resolution #88-112), 1990 (Resolution #90-1555), and 1991 (Resolution #91-1699).

The Elections Division has chosen to compile the original schedule along with the separate amendments into one comprehensive Elections Division Fee Schedule (Attachment A). The County Clerk-Recorder - Elections Division also seeks to decrease two of those fees: (1) the "Printed Index/Walking List Charge per 1,000 Names" fee (previously identified under the "Printed Index" fee as a per name charge) to bring it into compliance with Elections Code Section 2184 (EC 2184) and (2) the "Voter Master File Export" fee to align more appropriately with costs realized through efficiencies attributed to computer technology advances. The proposed fee adjustments are detailed in the fee table below.

Current Fee Description	Proposed Fee Description	Current Fee		Proposed Fee
		Fee Amount	Year Adopted	Fee Amount
Printed Index to Register/Plus Per Name Charge on Index	Printed Index/Walking List Charge per 1,000 Names (EC 2184)	\$12.75 plus \$0.0015 per name	1990	\$12.75 plus \$0.50 per 1,000 names
Voter Master File	Master Voter File Export- with or without voter history	\$582.00	1986	\$153.00

Approval to Set a Public Hearing on May 10, 2016 at 9:05 a.m. to Introduce and Waive the First Reading of an Ordinance to Amend Existing Fees for the County Clerk-Recorder – Elections Division

Methodology

The Printed Index/Walking List Charge per 1,000 Names fee is established in California Elections Code. EC 2184 states that county elections officials are to supply copies of the index at a charge of fifty cents (\$0.50) per thousand names. The current fee assessed in the County Clerk-Recorder - Elections office is \$1.50 per thousand names (listed in previous schedules as a per name charge of \$.0015). A decrease in this fee will bring the charge into compliance with the statute.

The Master Voter File Export information is provided by the Information Technology (IT) unit within the Elections Division and has traditionally been a cost-driven service. This type of information was previously housed on reel-to-reel tape and the process of providing copies for customers was time-consuming and costly. The information is now provided as a computer export designed to be imported into a database program and is less labor intensive than the previous process. The cost to provide the Master Voter File Export information to customers has decreased due to automation and increased efficiencies.

To determine the appropriate cost to provide this service, the Elections Division analyzed staff costs and the time required to perform the service. According to Government Code 54985, the fee or charge may reflect “the amount reasonably necessary to recover the cost of providing any product or service” and may include indirect costs. The Division also adjusted salary costs, eliminating non-allocable time for vacation, sick leave, standard breaks, and holidays from the hour factor used to calculate a productive hourly rate. This calculation resulted in a fully burdened cost per productive hour of \$153. Staff performing this task estimate that the average time required to provide the service is one hour, bringing the standard charge to \$153.

As an additional measure to ensure the fee is both reasonable and appropriate, the Division performed a seven county comparison study. The counties of Fresno, Kern, Kings, Madera, Merced, San Joaquin, and Tulare were polled regarding their respective charges to provide master voter file information to customers. The results of this study are presented in the Master Voter File Export table below, revealing a fee range of \$33 to \$200 and an average charge of \$154. The Division determined that the \$153 charge is reasonable and appropriate based on the calculation method and fair comparison to these seven counties.

MASTER VOTER FILE EXPORT

Seven County Comparison	Fee Charged
Fresno	\$33.00
Kern	\$45.50
King	\$162.00
Madera	\$94.00
Merced	\$200.00
San Joaquin	\$125.00
Tulare	\$420.00
Average	\$154.00

Approval to Set a Public Hearing on May 10, 2016 at 9:05 a.m. to Introduce and Waive the First Reading of an Ordinance to Amend Existing Fees for the County Clerk-Recorder – Elections Division

Conclusion

County Clerk-Recorder - Elections Division management staff seeks to combine previously approved elections fees into one Elections Division Fee Schedule and to amend two fees in an effort to ensure reasonable and appropriate charges are applied to specific services. The Division reviewed current Elections Code and Government Code requirements to ensure compliance with the law and used a seven county comparison study to support in-house calculated costs. The results revealed that two fees should be decreased, as detailed above.

POLICY ISSUE:

Prior to levying a new fee or amending an existing fee, 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. At that time, the Board may introduce and waive the first reading of an ordinance to amend existing fees of the County Clerk-Recorder – Elections Division. If approved, these fee changes will become effective on June 24, 2016.

FISCAL IMPACT:

If the elections fees are amended as requested, it is estimated that the Fiscal Year 2016-2017 revenue related to the changes would decrease by approximately \$1,000 and will have a negligible impact on the budget. This adjustment to elections fee revenue will be included in the Clerk-Recorder – Elections Division Fiscal Year 2016-2017 Proposed Budget.

Cost of recommended action:		\$ (1,000)
Source(s) of Funding:		
Elections Fees	(1,000)	
Funding Total:		\$ (1,000)
Net Cost to County General Fund		\$ -

Fiscal Year:	2016-2017
Budget Adjustment/Appropriations needed:	No

Fund Balance as of N/A

BOARD OF SUPERVISORS' PRIORITY:

The recommended actions support the Board of Supervisors' priority of Efficient Delivery of Public Services by ensuring reasonable and appropriate fees are assessed to customers while allowing the Department to continue to operate efficiently and effectively.

STAFFING IMPACT:

Existing staff will support these recommended actions.

Approval to Set a Public Hearing on May 10, 2016 at 9:05 a.m. to Introduce and Waive the First Reading of an Ordinance to Amend Existing Fees for the County Clerk-Recorder – Elections Division

CONTACT PERSON:

Lee Lundrigan, County Clerk / Recorder / Registrar of Voters Telephone: (209) 525-5211

ATTACHMENT(S):

Attachment A – Elections Division Fee Schedule

Attachment B – Notice of Public Hearing

ORDINANCE NO. C.S. _____

**AN ORDINANCE AMENDING EXISTING FEES
COLLECTED BY THE COUNTY
CLERK-RECORDER - ELECTIONS DIVISION**

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS, STATE OF CALIFORNIA, ORDAINS AS FOLLOWS:

Section 1. Fees to be collected by the County Clerk-Recorder, Elections Division are amended as set forth in the County Clerk-Recorder – Elections Fee Schedule attached hereto as Attachment A and incorporated by reference, a copy of which is on file with the Clerk of the Board of Supervisors and is available for public inspection and copying in that office in accordance with the California Public Records Act.

Section 2. Pursuant to Government Code 25123 this ordinance shall take effect 30 days from and after the date of its passage, and before the expiration of 15 days after its passage, it shall be published once, with the names of the members voting for and against the same, in the Modesto Bee, a newspaper published in the County of Stanislaus, State of California.

Upon motion of Supervisor _____, seconded by Supervisor _____, the foregoing ordinance was passed and adopted at a meeting of the Board of Supervisors of the County of Stanislaus, State of California, the _____ day of _____ 2016, by the following called vote:

AYES:

NOES:

ABSENT:


Dick Monteith, Chairman of the Board of
Supervisors of the County of Stanislaus,
State of California

ATTEST:
Elizabeth A. King
Clerk of the Board of Supervisors of the
County of Stanislaus, State of California

BY _____
Deputy

APPROVED AS TO FORM:

John P. Doering
County Counsel

By 
Deirdre McGrath
Deputy County Counsel

Attachment A— Elections Division Fee Schedule



ELECTIONS DIVISION FEE SCHEDULE

Current Fee Description	Proposed Fee Description	Current Fee		Proposed Fee
		Fee Amount	Year Adopted	Fee Amount
COMPUTER TAPES				
Voter Master File, Secretary of State Format Master File		All Tapes: \$100.00 + 1 reel of tape	1986	No Change
Other Tapes (if available)				No Change
COMPUTER PRINTOUTS				
Voter Master File	Master Voter File Export- with or without voter history	\$582.00	1986	\$153.00
Master Street Guide				
By street name		\$251.00	1986	No Change
By precinct		\$251.00	1986	No Change
District-Precinct Report		\$283.00	1986	No Change
Precinct Data File		\$23.50	1986	No Change
Partial Reports		\$6.50 for first page plus .50 for addtl pages	1988	No Change
Candidate's Statements		Actual Costs	1986	No Change
Candidate's Filing Fees		Set by Statute	1986	No Change
COPY CHARGES				
Political Reform Documents (GC 81008)		.10 each	1986	No Change
Copying charge		\$3.00 first page/ \$2.00 each additional page	2001	No Change
Election Administration		Actual Costs	1986	No Change
OTHER CHARGES				
Abstract of Registration		\$8.00	1988	No Change
Certification of any document		\$17.00 (\$9.00 plus search / copy fee)	1990	No Change
Other printed reports		\$1.00/first page .25/addtl pages	1986	No Change
Printed Index	Printed Index / Walking List Charge per 1,000 Names (EC 2184)	\$12.75 plus \$.0015 per name	1990	\$12.75 plus \$0.50 per 1,000 names

Current Fee Description	Proposed Fee Description	Current Fee		Proposed Fee
		Fee Amount	Year Adopted	Fee Amount
Research of Records / Warehouse		\$65.00	1990	No Change
Returned Checks GC 6157		\$20.00	2001	No Change
Search of Record on File		\$7.00 per name, per year	1991	No Change
Statement of Vote				
Entire report		\$1.00 per page	1986	No Change
Partial report		\$.51 per page	1986	No Change
Vote Recount				
Manual		\$625.00 per Board, per day	1991	No Change
Computer		\$300.00 hour	1990	No Change
Filing Fee: Initiative Petitions		\$200 new law effective 1/1/88	1988	No Change
Minimum Set-up fee for election services		\$200.00	1988	No Change
Absentee Lists		\$10.00 plus .35 per addtl page	1991	No Change
Postage, Packaging and Handling				
Computer Tapes Handling & Packaging (per tape)		\$6.00	1990	No Change
Postage (per tape)				
Within California		\$6.00	1991	No Change
Outside California		\$8.00	1991	No Change
Other than computer tapes				
Handling and packaging		\$5.00	1990	No Change
Postage				
Within California		\$6.00	1991	No Change
Outside California		\$8.00	1991	No Change
Certification of Affidavit		\$9.00	1990	No Change

Attachment B— Notice of Public Hearing

NOTICE OF PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that on May 10, 2016, 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 the introduction and waiving of the first reading of the following proposed ordinances:

- A. An ordinance to establish new fees and amend existing fees for the Department of Parks and Recreation. The proposed fee adjustments would consist of:
 - New fee for a deposit for large exclusive use events
 - New day use discount for Stanislaus County residents
 - Increased fees for day use vehicle/vessel, camping, 2nd vehicle at campsite, designated group campsite; annual passes; annual pass discounts; late exit fee; fireworks show, picnic shelter, and, dog field trial competition commercial and private (for further information, contact Jami Aggers, Director of Parks and Recreation, at (209) 525-6768, jaggers@envres.org, or at 3800 Cornucopia Way, Suite C, Modesto, CA).
- B. An ordinance to establish new fees, amend existing fees, and eliminate fees for the Department of Environmental Resources. The proposed fee adjustments would consist of:
 - New fees for implementation and maintenance of the Hazardous Materials California Environmental Reporting System (CERS) database, Hazardous Materials change of ownership/transfer fee, Hazardous Materials monitoring wells and soil borings, Environmental Health water well permit transfer, extension, and amendment fees, and Milk and Dairy plan review, rescoring, compliance inspections, sampling, and applying for Grade A fees.
 - Fee changes for Hazardous Materials Aboveground Storage Tanks and the Farm Disclosure Program, Milk and Dairy Grade A and Grade B quarterly fees including Other Hooved Mammals, and changes of ownership, tipping fees for waste-to-energy ash disposal, Landfill Hard-to-Handle bulk materials and mattresses, and various Hazardous Materials Programs (for further information, contact Jami Aggers, Director of Environmental Services, at (209) 525-6770, jaggers@envres.org or at 3800 Cornucopia Way, Suite C, Modesto, CA).
- C. An ordinance to establish new fares and amend or eliminate existing transit fares for the Department of Public Works Transit Division related to transit operations provided in the County's service area, (for further information, contact Matt Machado, Director of Public Works, at (209) 525-4153, or Eunice Lovi, Transit Manager at (209) 525-7560 or visit the office at 1010 10th Street, Suite 4204, Modesto, CA).
- D. An ordinance to decrease two existing fees for the County Clerk-Recorder-Elections Division (for further information, contact Marnie Ardis, Clerk Recorder-Elections Division at (209) 525-5211 ardism@stancounty.com or at 1021 I Street, Modesto, CA).

ADDITIONAL NOTICE IS GIVEN that the proposed Ordinances and Fee Schedules will be available for review on April 29, 2016, 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 one or more of the above items 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.

BY ORDER OF THE BOARD OF SUPERVISORS

DATED: April 19, 2016

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)**

STANISLAUS COUNTY

Pub Dates Apr 29, May 5, 2016

NOTICE OF PUBLIC HEARINGS

**COUNTY OF STANISLAUS
STATE OF CALIFORNIA**

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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 29, 2016, May 05, 2016

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

May 5th, 2016

(By Electronic Facsimile Signature)

