



COUNTY OF LOS ANGELES

REGISTRAR-RECORDER/COUNTY CLERK

12400 IMPERIAL HWY. – P.O. BOX 1024, NORWALK, CALIFORNIA 90651-1024

CONNOR B. McCORMACK
REGISTRAR-RECORDER/COUNTY CLERK

June 22, 2004

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

**HEARING ON THE ESTABLISHMENT OF
REGISTRAR-RECORDER/COUNTY CLERK
DEPUTY COMMISSIONER OF CIVIL MARRIAGES FEE
(ALL DISTRICTS) (3 VOTES)**

Dear Supervisors:

IT IS RECOMMENDED THAT YOUR BOARD, AFTER THE PUBLIC HEARING:

Approve the attached ordinance establishing a \$35.00 Registrar-Recorder/County Clerk (RR/CC) Deputy Commissioner of Civil Marriages (DCOCM) Appointment fee to become effective thirty (30) days from the date of Board approval in accordance with Government Code section 25123.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION:

Currently, the RR/CC does not charge a fee for appointing individuals, as permitted by applicable law, to perform civil marriages on a specific day. The purpose of this action is to ensure the Department complies with County Strategic Goals and receives full cost recovery for services provided.

The study to determine the appropriate fee consisted of research, interviews and work observations of all DCOCM related functions performed by the Department and included all applicable costs such as salaries and employee benefits, supplies, equipment, and overhead. Based on the findings of the study, it was determined that cost recovery was necessary to achieve fiscal responsibility. Government Code section

54985 authorizes a county board of supervisors to set a fee in the amount necessary to recover the cost of providing any product or service. The RR/CC proposes establishing County Code section 2.32.115, which will ensure full cost recovery for providing this service as follows:

County Code 2.32.115: Deputy Commissioner of Civil Marriages Appointment

Although judges, legislators and religious officials may perform marriages, Family Code Section 401(a) establishes the County Clerk as a commissioner of civil marriages while Family Code Section 401(b) authorizes the commissioner of civil marriages to appoint deputy commissioners who may solemnize marriages.

Upon review of this service, it has been determined that the appropriate fee, including all documentation, to become a Deputy Commissioner of Civil Marriages for a day is thirty-five dollars (\$35).

Currently, most counties in California charge a fee for this service. A survey of counties throughout the State revealed that the proposed fee, if implemented, would be reasonable and competitive with what other counties charge for this service.

Implementation of County Strategic Plan Goals:

Goal No. 1: Service Excellence: Provide the public with effective delivery of services within the County by implementing strategies related to fiscal responsibility, service integration by consolidating services and establishing fees to ensure that the Department receives full cost recovery pursuant to existing law.

Goal No. 4: Fiscal Responsibility: Ensure the County's fiscal responsibility by effectively managing and enhancing current fiscal strategies as well as pursuing additional revenue options.

FISCAL IMPACT/FINANCING:

Approval of this proposed fee will increase Departmental revenue by approximately \$20,000 for the period August 1, 2004 through June 30, 2005.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS:

The RR/CC is requesting approval for the proposed fee to be established as part of the County Code. Government Code section 26840.8 allows the county clerk to collect a fee for appointing an individual to perform civil marriages. In addition, Government Code section 54985 provides that a county board of supervisors shall have the authority

to set a fee in the amount necessary to recover the cost of providing any product or service.

Prior to adopting an ordinance, resolution, or other legislative enactment of a new fee, Government Code section 66018 requires that a local agency hold a public hearing at which oral or written presentations can be made. The Board of Supervisors' Executive Office, in accordance with section 6062(a) of the Government Code, published an official notice of the time and place of said meeting, including a general explanation of the fee to be established.

The proposed fee has been reviewed and approved by the Department of Auditor-Controller and the attached ordinance was prepared by County Counsel.

IMPACT ON CURRENT SERVICES:

The proposed fee will not impact current services provided by the Department.

CONCLUSION:

Please instruct the Executive Officer/Clerk of the Board to return one (1) executed copy of the adopted Board letter to the Department of Registrar-Recorder/County Clerk, 12400 Imperial Highway, Room 7211, Norwalk, CA 90650, Attention: Erika Bonilla, Election Logistics and Administrative Studies Section.

Respectfully submitted,

CONNOR B. McCORMACK
Registrar-Recorder/County Clerk

CMC:KC:ds:eb

Attachments

c: Chief Administrative Office
Auditor-Controller
County Counsel



**NOTICE OF PUBLIC HEARING
PROPOSED REVISION OF FEES
DEPARTMENT OF
REGISTRAR-RECORDER/COUNTY CLERK**

In accordance with Government Code Section 66018, notice is hereby given that a public hearing will be held by the Board of Supervisors of the County of Los Angeles in the matter of revising Registrar-Recorder/County Clerk fees. Said hearing will be held on June 22, 2004 in the Hearing Room of the Board of Supervisors, Room 381, Kenneth Hahn Hall of Administration, 500 West Temple Street (corner of Temple Street and Grand Avenue), Los Angeles, CA 90012. Further notice is given that the Board of Supervisors may continue this hearing.

The Board of Supervisors will consider and may adopt the following proposed fee:

It is recommended that County Code section 2.32.115 be adopted to establish a fee of \$35.00 for the appointment of Deputy Commissioner of Civil Marriages for a period of one day. The purpose of this recommended action is to ensure that the Department receives full cost recovery as permitted by applicable law.

Written comments may be sent to the Executive Office of the Board of Supervisors. For further information please call (562) 462-2814. Para informacion en español, por favor llame al telefono (562) 462-2814.

VIOLET VARONA-LUKENS
Executive Officer-Clerk of
The Board of Supervisors