June 10, 2014

Marin County Board of Supervisors
3501 Civic Center Drive
San Rafael, CA 94903

SUBJECT: Enact ordinance repealing Marin County Code Chapter 3.36 regarding Recorder’s Fee – Electronic Delivery System Program

Dear Supervisors:

RECOMMENDATION: It is recommended that your Board adopt the proposed ordinance repealing in its entirety Marin County Code Chapter 3.36 which established an additional fee of one dollar for each instrument recorded pursuant to Government Code (GC) Section 27397 by:

1. Conducting a first reading on the proposed ordinance on this day, June 10, 2014.

2. Scheduling a public hearing of the proposed ordinance on July 8, 2014 at 10:30 am to repeal Marin County Code Chapter 3.36 and replace it with a resolution.

SUMMARY: On May 12, 2009 the Marin County Board of Supervisors adopted Ordinance No. 3516 adding Chapter 3.36 of the Marin County Code establishing an additional one dollar ($1.00) fee for recording every instrument, paper or notice required or permitted by law to be recorded to be used solely for the implementation of an Electronic Recording Delivery System program pursuant to GC Section 27397.

In order to comply with certain additional provisions of GC Section 27397, it is recommended that Ordinance No. 3516 be repealed in its entirety and replaced by a resolution authorizing the County Recorder to establish an Electronic Recording Delivery System pursuant to GC Section 27390 through 27399.

FISCAL/STAFFING IMPACT: There is no net increase to county costs. The fee will be re-established under the proposed resolution.

ATTACHMENTS: (1) Marin County Code Chapter 3.36; (2) Proposed Ordinance; (3) Proposed Resolution

Reviewed: [X] County Administrator [ ] N/A
[X] Department of Finance [X] N/A
[X] County Counsel [ ] N/A
[X] Human Resources [X] N/A

Respectfully submitted,

Richard N. Benson
Assessor-Recorder-County Clerk