



STAFF REPORT

Report To: Board of Supervisors **Meeting Date:** November 21, 2019

Staff Contact: Aubrey Rowlatt, Clerk-Recorder and Ben Johnson, Deputy District Attorney

Agenda Title: For Possible Action: Discussion and possible action to adopt, on second reading, Bill No. 110, an ordinance relating to recording fees and amending Title 2 of the Carson City Municipal Code (CCMC) to impose an additional \$6.00 fee on recording certain documents with the Carson City Clerk-Recorder's office with the proceeds, estimated to be \$47,000 or more in fiscal year (FY) 2020, supporting legal services for abused or neglected children. (Aubrey Rowlatt, ARowlatt@carson.org and Ben Johnson, BJohnson@carson.org)

Staff Summary: This will be the second reading of a proposed ordinance amending Title 2 of the CCMC to add Chapter 2.45, which will implement a \$6.00 fee increase on recording certain documents with the Carson City Clerk-Recorder's office. The \$6.00 fee was authorized by the Nevada Legislature in 2017 and the proceeds will be to support legal services for abused and neglected children.

Agenda Action: Ordinance - Second Reading **Time Requested:** 5 mins

Proposed Motion

I move to adopt Bill No. 110, on second reading, Ordinance No. _____.

Board's Strategic Goal

Efficient Government

Previous Action

November 7, 2019: The first reading of the ordinance. The Board of Supervisors passed the ordinance by a vote of 4 to 1.

Background/Issues & Analysis

In 2011, the Nevada Legislature adopted an amendment to NRS 247.305 to allow counties to impose a fee of not more than \$3.00 for recording certain documents with the county recorder. During the 2017 session, the Legislature adopted Senate Bill 305 that increased the optional fee to \$6.00. The proceeds from this fee are required to be used to support organizations providing legal services to the indigent to fund legal services for abused and neglected children. Carson City has not previously imposed the optional fee allowed by NRS 247.305(4). On October 5, 2017, the Board of Supervisors approved Contract No. 1718-090, in the amount of \$105,000 with Washoe Legal Services to provide legal services to indigent abused and neglected children in Carson City pursuant to NRS 432B.420 and 128.100. The current contract ends September 30, 2020. Amending the Clerk-Recorder fees will generate an estimated \$47,000 or more in FY 2020, which will assist in off-setting costs for the appointment of attorneys in these cases. If approved, the total recording fee beginning January 1, 2020 will be \$43.

Applicable Statute, Code, Policy, Rule or Regulation

NRS 247.305: NRS Chapter 244; Article 2 of the Carson City Charter.

Financial Information

Is there a fiscal impact? Yes

If yes, account name/number: 1011080-441062 General Fund / Indigent Legal Fee NRS 247

Is it currently budgeted? No

Explanation of Fiscal Impact: It is estimated that Carson City would collect an additional \$47,000 or more in FY 2020 based on the proposed \$6 fee increase.

Alternatives

1. Do not adopt the ordinance.
2. Adopt the ordinance but reduce the amount of the fee to be collected.

Attachments:

[Recorder_Fee_Ordinance_REVISED.DOCX](#)

Board Action Taken:

Motion: _____	1) _____	Aye/Nay
	2) _____	_____

(Vote Recorded By)

Summary: Establishes a new fee for the recording of certain documents with the Carson City Clerk-Recorder to support legal services for abused and neglected children.

BILL NO. ____

ORDINANCE NO. 2019-__

AN ORDINANCE RELATING TO THE CARSON CITY CLERK-RECORDER; AMENDING TITLE 2 (ADMINISTRATION AND PERSONNEL) OF THE CARSON CITY MUNICIPAL CODE TO ADD A NEW CHAPTER 2.45 (FEES ON DOCUMENT RECORDING TO SUPPORT LEGAL SERVICES FOR ABUSED OR NEGLECTED CHILDREN) TO ESTABLISH AN ADDITIONAL FEE FOR THE RECORDING OF CERTAIN DOCUMENTS BY THE CARSON CITY CLERK-RECORDER; AND PROVIDING OTHER MATTERS PROPERLY RELATED THERETO.

The Board of Supervisors of Carson City do ordain:

SECTION I:

That Title 2 (ADMINISTRATION AND PERSONNEL) is hereby amended by adding thereto a new chapter (**bold, underlined** text is added, ~~stricken~~ text is deleted) as follows:

Chapter 2.45 – FEES ON DOCUMENT RECORDING TO SUPPORT LEGAL SERVICES FOR ABUSED AND NEGLECTED CHILDREN.

SECTION II:

That Title 2 (ADMINISTRATION AND PERSONNEL), new Chapter 2.45 (FEES ON DOCUMENT RECORDING TO SUPPORT LEGAL SERVICES FOR ABUSED AND NEGLECTED CHILDREN) is hereby amended by adding thereto a new section (**bold, underlined** text is added, ~~stricken~~ text is deleted) as follows:

CCMC 2.45.010 – Document recording fee.

- 1. Except as otherwise provided in NRS 247.305, the Carson City Clerk-Recorder shall, in addition to any other fee the Clerk-Recorder is authorized to charge and collect pursuant to NRS, charge and collect a fee of \$6 for recording a document, instrument, paper, notice, deed, conveyance, map, chart, survey or any other writing.**
- 2. The amount of fees collected pursuant to subsection 1 must be:**

(a) Paid and remitted in the manner required by NRS 247.305; and
(b) Used to provide legal services for abused and neglected children in accordance with
NRS 247.305.

SECTION III:

That no other provisions of Title 2 of the Carson City Municipal Code are affected by this ordinance.

SECTION IV:

This ordinance becomes effective on January 1, 2020.

PROPOSED on _____, 2019.

PROPOSED BY Supervisor _____

PASSED _____, 2019.

VOTE:

AYES:

NAYS:

ABSENT:

ROBERT L. CROWELL, Mayor

ATTEST:

AUBREY ROWLATT, Clerk-Recorder