



## STAFF REPORT

**Report To:** Board of Supervisors **Meeting Date:** May 19, 2022

**Staff Contact:** Nancy Paulson, City Manager

**Agenda Title:** For Possible Action: Discussion and possible action regarding a proposed resolution for the adoption of a fee schedule and a partial waiver of fees for copies of public records. (Nancy Paulson, npaulson@carson.org)

Staff Summary: NRS 239.052 authorizes a governmental entity to charge a fee for providing a copy of a public record, except that such a fee must not exceed the actual cost of providing the copy. A governmental entity may also waive all or a portion of a charge or fee for a copy of a public record if the governmental entity adopts a written policy to that effect and posts, in a conspicuous place at each office in which the entity provides copies of public records, a sign or notice stating the terms of the policy. If a fee schedule is adopted, a sign or notice stating the fees or stating the location at which the fees may be obtained must be posted at each office in which copies of public records are provided.

**Agenda Action:** Resolution **Time Requested:** 15 minutes

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### **Proposed Motion**

I move to approve Resolution No. \_\_\_\_\_.

### **Board's Strategic Goal**

Efficient Government

### **Previous Action**

March 17, 2022 - The Board of Supervisors discussed the draft fee schedule and provided direction to staff regarding edits to the fee schedule and a waiver policy.

### **Background/Issues & Analysis**

Pursuant to NRS Chapter 239, Carson City must make nonconfidential public records available to members of the public upon request. NRS 239.052 allows a fee to be charged for the actual cost incurred in the provision of a public record. This includes, without limitation, the cost of ink, toner, paper, media and postage. Prior to collecting fees, Carson City must prepare a list of fees to be charged and post the list in a conspicuous place in each office that provides copies of public records. The statute also allows for the waiver of all or a portion of a fee for copies of public records if a written policy is adopted and the City posts, in a conspicuous place at each office in which Carson City provides copies of public records, a sign or notice stating the terms of the policy.

Carson City does not currently have a schedule of fees for copies of public records and does not have a written policy that waives all or a portion of a fee for copies. Attached to this item for consideration by the Board of Supervisors is a draft proposed resolution and a draft proposed fee schedule with waiver policy.

This action does not require a business impact statement under the provisions of NRS Chapter 239 because it is not an ordinance and not an action to be taken by the Board of Supervisors that imposes, increases or changes the basis for the calculation of a fee that is paid in whole or in substantial part by businesses.

**Applicable Statute, Code, Policy, Rule or Regulation**

NRS Chapter 239

**Financial Information**

**Is there a fiscal impact?** Yes

**If yes, account name/number:** Fees that are collected by various City departments for providing copies of public records would be deposited into the General Fund.

**Is it currently budgeted?** No

**Explanation of Fiscal Impact:** The fiscal impact would depend on the volume of public records that result in a fee being charged. Most public records are currently provided electronically without a need to print physical copies.

**Alternatives**

No viable alternative. The Board of Supervisors may elect to revise the proposed fee schedule or waive all or a portion of fees.

**Attachments:**

[Fee Schedule Resolution.docx](#)

[Print\\_Cost\\_per\\_Page.pdf](#)

[Fee\\_Schedule\\_Draft.pdf](#)

**Board Action Taken:**

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

\_\_\_\_\_  
(Vote Recorded By)

**RESOLUTION NO. 2022-R-\_\_\_\_\_**

**A RESOLUTION ADOPTING A FEE SCHEDULE AND POLICY FOR COPIES OF PUBLIC RECORDS.**

**WHEREAS**, NRS 239.052 authorizes Carson City to charge a fee for providing a copy of a public record; and

**WHEREAS**, the fee cannot exceed the actual cost of providing the record, including, without limitation, the cost of ink, toner, paper, media and postage; and

**WHEREAS**, the Board of Supervisors finds that it is in the best interest of Carson City to establish a fee schedule for the purpose of assuring that the fees charged for the provision of copies are uniform and reflect the actual costs of providing those records as prescribed by NRS 239.052;

**NOW, THEREFORE**, the Carson City Board of Supervisors hereby resolves as follows:

1. That the fee schedule attached hereto is hereby adopted as the “Carson City Fee Schedule for Copies of Public Records” (“Fee Schedule”), with an effective date of \_\_\_\_\_, 2022.

2. Each Carson City office and department shall collect fees for the provision of copies of public records according to Fee Schedule, unless different fees or no fees are mandated by statute, other applicable law or regulation, or contract.

3. The Fee Schedule does not supersede or replace any other fee set by statute, including those for the Recorder (NRS 247.305), Clerk (NRS 19.013), Justice of the Peace (NRS 4.060) and Sheriff (NRS 248.242, NRS 248.275 and NRS 179A).

4. Each Carson City office and department shall post a copy of the Fee Schedule in a conspicuous place.

5. That the Fee Schedule include the following waivers of fees: Fees for the first \$5 of copy fees, not including the cost of storage media, will be waived.

Upon motion by Supervisor \_\_\_\_\_, seconded by  
Supervisor \_\_\_\_\_, the foregoing Resolution was passed  
and adopted this \_\_\_\_ day of \_\_\_\_\_ 2022 by the following vote:

VOTE:

AYES:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

NAYS:

\_\_\_\_\_  
\_\_\_\_\_

ABSENT:

\_\_\_\_\_

ABSTAIN:

\_\_\_\_\_

\_\_\_\_\_  
Lori Bagwell, Mayor

ATTEST

\_\_\_\_\_  
Aubrey Rowlett, Clerk-Recorder  
Carson City, Nevada

Customer Name	Physical Address	Model	Equip. #	B/W Rate	Color Rate
Carson City City of Planning Works Dept	108 E Proctor St	Canon imageRUNNER C3325i Color Copier	126790	0.009900	0.089700
Carson City City of Fire Department	777 S Stewart St	Canon imageRUNNER Advance C5535i III Base Model	156059	0.009900	0.074150
Carson City City of District Court	885 E Musser St Ste 3031	Canon imageRUNNER 525IF III B/W MFP	156199	0.012100	0.082800
Carson City City of Assessor Office	201 N Carson St Ste 6	Canon imageRUNNER Advance C5540i III Base Model	145404	0.007500	0.054000
Carson City City of District Court	885 E Musser St Ste 3031	Canon imageRUNNER Advance C7565i III Base Model	166849	0.007500	0.063600
Carson City City of District Attorneys Office	885 E Musser St Ste 2030	Canon imageRUNNER C256iF III Color Copier	178085	0.012100	0.082800
Carson City City of City Hall Bldg HR	201 N Carson St Ste 4	Canon imageRUNNER Advance DX C5740i Base Model	183051	0.005500	0.055000
Carson City City of Public Guardian	201 N Carson St Ste 1	Canon imageRUNNER Advance DX C357iF Color A4 MFP	189660	0.006550	0.065500
Carson City City of Executive Office	201 N Carson St Ste 2	Canon imageRUNNER Advance DX C5750i Base Model	183043	0.005500	0.055000
Carson City City of Health Dept	1050 E William St Ste 210	Canon imageRUNNER Advance DX C257iF Color A4 MFP	178339	0.012100	0.082800
Carson City City of Public Works	3505 Butti Way	Canon imageRUNNER Advance DX C5750i Base Model	183041	0.006325	0.063250
Carson City City of Public Works	3505 Butti Way	Canon imageRUNNER Advance DX C257iF Color A4 MFP	189546	0.006550	0.065500
Carson City City of IT	201 N Carson St Ste 7	Canon imageRUNNER C2030 Base Color Copier	178101	0.012100	0.082800
Carson City City of Parks & Recreation	3303 Butti Way	Canon imageRUNNER Advance DX C5760i Base Model	183108	0.005500	0.063250
Carson City City of District Court	885 E Musser St Ste 3031	Canon imageRUNNER Advance DX C357iF Color A4 MFP	178427	0.006550	0.065500
Carson City City of District Attorneys Office	885 E Musser St Ste 2030	Canon imageRUNNER Advance DX 4751i Base Model	178425	0.005500	0.055000
Carson City City of District Attorneys Office	885 E Musser St Ste 2030	Canon imageRUNNER Advance DX 4751i Base Model	178426	0.005500	0.055000
Carson City City of Sheriffs Office	911 E Musser St	Canon imageRUNNER Advance DX C3730i Base Model	178449	0.005500	0.055000
Carson City City of Assessor Office	201 N Carson St Ste 6	Ricoh SP3600DN B/W Printer	156202	0.007500	0.054000
Carson City City of Finance Department	201 N. Carson St. Ste 3			0.013915	0.095220
Carson City City of Sheriffs Office	911 E Musser St	Ricoh SP3500N-R	166950	0.012100	0.082800
Carson City City of Senior Center	911 Beverley Dr	Ricoh MP401SPF-RS	178106	0.012100	0.082800
Carson City City of Executive Office	201 N Carson St Ste 2	RICOH MP7502-R	178153	0.012100	0.082800
Carson City City of Health Dept	1711 N Roop St	Ricoh MPC4504-RS	178454	0.007000	0.065000
Carson City City of Parks & Recreation	851 E William St	LANIER MPC4503-L	178158	0.012100	0.082800

Total Average cost of toner per page \$ 0.01 \$ 0.07

	Printer usage per page	0.02	0.02
Printer charge and toner add to all paper types below:		0.03	0.09
8.5X11 Paper cost per page		0.01	0.01
		\$ 0.04	\$ 0.10
8.5x14 Paper cost per page		0.02	0.02
		\$ 0.05	\$ 0.11
11x17 Paper cost per page		0.03	0.03
		\$ 0.06	\$ 0.12
Double Ink Charge for large area		0.01	0.07
24x36 Paper cost per page		0.13	0.13
		\$ 0.17	\$ 0.29

[DRAFT]

**CARSON CITY  
FEE SCHEDULE FOR COPIES OF PUBLIC RECORDS**

**Effective Date: TBD by Board of Supervisors**

This Fee Schedule applies to all Carson City Departments except for fees or copy charges set by statute, including those for the Recorder (NRS 247.305), Clerk (NRS 19.013), Justice of the Peace (NRS 4.060) and Sheriff (NRS 248.242, NRS 248.275 and NRS 179A).

If the estimated fees exceed \$10, the requestor will be notified and required to remit the full estimated amount before the request is processed.

**COPY FEE**

<b><u>Type</u></b>	<b><u>Service</u></b>	<b><u>Fee (per unit)</u></b>
Black & White Documents <ul style="list-style-type: none"><li>• 8.5 X 11</li><li>• 8.5 X 14</li><li>• 11 X 17</li><li>• 24 X 36</li></ul>	Printed Copies	Per Page fee: <ul style="list-style-type: none"><li>• \$ .04</li><li>• \$ .05</li><li>• \$ .06</li><li>• \$ .17</li></ul>
Color Copy Documents <ul style="list-style-type: none"><li>• 8.5 X 11</li><li>• 8.5 X 14</li><li>• 11 X 17</li><li>• 24 X 36</li></ul>	Printed Copies	Per Page fee: <ul style="list-style-type: none"><li>• \$ .10</li><li>• \$ .11</li><li>• \$ .12</li><li>• \$ .29</li></ul>
Compact Disc (CD)	Storage Media	<ul style="list-style-type: none"><li>• \$1.00 per CD</li></ul>
Flash Drive	Storage Media	<ul style="list-style-type: none"><li>• \$4.00 to \$20.00 depending on the size of the flash drive necessary for the data.</li></ul>
Minutes/Recordings	Copies of minutes or audio recordings of public meetings	Minutes or audiotape recording of public meetings are free of charge. These materials may also be obtained at the following Internet website: <a href="https://www.carson.org/government/meeting-information/agendas">https://www.carson.org/government/meeting-information/agendas</a>

### **POSTAGE**

- The requestor is responsible for postage costs in addition to fees for copies. All shipping will be made via USPS standard mail unless otherwise requested.

### **PAYMENT**

- Full payment of estimated fees exceeding \$10 is required to be remitted before any records are provided.  
If the final cost is less than the estimated amount, the requestor will be issued a refund for the difference. Payment must be made by check or money order payable to Carson City.

### **FEE WAIVER POLICY**

- Paper copies will be provided at the cost per page listed in the Fee Schedule above.
- Electronic copies will be provided without charge, except for cost of storage media, unless an actual cost is incurred as the result of providing the record. For example, an actual cost may be incurred in providing an electronic record if Carson City staff is required to print a hard copy of the record to redact confidential information. In such a case, the paper copy fee will be charged in addition to the cost of the media device.
- The first \$5 of any copy fee, not including the cost of a storage media, will be waived.