

# AGENDA MATERIAL

DATE 3-15-22 ITEM NO. RA 34

**Public Service Center Building**  
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Gabriella Cazares-Kelly, Recorder

Mr. Harrison,

April 13, 2022

The following is in response to a concern regarding new flat fees for bulk subscription services outlined in the 2022 Revised Comprehensive Fee Schedule for the Pima County Recorder's Office. The Pima County Board of Supervisors passed the 2022 Revised Comprehensive Fee Schedule at the March 15, 2022, board meeting.

The Recorder's Office periodically reviews its fee structure to ensure it is reflective of the actual costs expended to provide services to the public.

To meet this objective, the department continues to invest in innovative technologies that create efficiencies in daily operations. For example, in December 2021, the public-image portal was launched on the department's website. All recorded documents indexed and imaged since 1982 are available to view free of charge.

As a result of these ongoing technology upgrades, the actual costs of recovery for services decrease over time.

Additionally, most of the Recorder's Office revenue comes directly from document recording fees established by statute. Since 2018, the Recorder's Office has seen a 65% increase in total revenue generated from document recording services. The reason for this increase is due to the passage of SB1043, which replaced a variable fee structure by setting a flat \$30.00 recording fee for documents. This revenue change substantially increases the department's ability to recover costs for services in both the Recording and Voter Registration divisions.

More importantly, the Recorder's Office is the custodian of public records, and as such, must ensure that the public has easy access to these documents. Arizona public records laws favor the disclosure of information to the public. Case law related to public-records-request challenges continually supports the right of the public to have access to records within the custody of a governmental body. The courts have found that a government agency violates the spirit of public records laws when it creates undue impediments to the access of records, either physical or economic, for the public.

The Recorder's Office has a fiduciary responsibility to the residents, businesses, and government agencies of Pima County to provide services in an economically efficient manner. The cost of these services is not a static number, but rather a dynamic calculation subject to the department's continued mission to improve service delivery while reducing overall costs to the public.

Other than statutorily mandated recording fees, it is important that the Recorder's Office only charge fees that recoup the actual cost for services provided to the public.

Sincerely,

Gabriella Cázares-Kelly

Pima County Recorder

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