THE BOARD OF COUNTY COMMISSIONERS OF SANTA FE COUNTY

ORDINANCE NO. 2011 - 12

AN ORDINANCE AMENDING ORDINANCE NO. 2009-06 TO REMOVE FEES FOR DATA AND DOCUMENTS PROVIDED BY THE COUNTY CLERK, TO COMPORT WITH NMSA 1978, SECTION 14-8-14 (2011), WHICH DELEGATES AUTHORITY TO ESTABLISH REASONABLE FEES TO THE COUNTY CLERK: AMENDING EXHIBIT A OF ORDINANCE NO. 2009-06.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SANTA FE. **NEW MEXICO:**

Section One. Fees for Printed or Electronic Data. Section 6 of Ordinance No. 2009-06 shall be and hereby is amended with the following language (changes shown):

"Section 6. Fees for Printed or Electronic Copies of Data

- "A. Except for records maintained at the office of the county clerk, fees for printed or electronic copies of data that has been inserted into a computer Database or data contained in the County's Geographic Information System are set forth on Exhibit A. All fees are due and payable prior to the receipt of data or information, and are non-refundable. The fees are set forth in Exhibit A may only be modified by amendment to this Ordinance."
- In accordance with NMSA 1978, Section 14-8-14 (2011), the County clerk may charge a reasonable fee for conducting searches and for reproducing or permitting reproduction of records as well as for certifying documents. The County Clerk shall not charge a fee in excess of one dollar (\$1.00) per page for documents eleven inches by seventeen inches in size or smaller. The County Clerk may require advance payment of fees before making copies of public records. The County Clerk shall not charge a fee for the cost of determining whether any public record is subject to disclosure, and shall provide a receipt, upon request."

Section Two. Amendment of Exhibit A. Exhibit A of Ordinance No. 2009-06 shall be and hereby is replaced with the amended Exhibit A attached hereto.

PASSED, APPROVED, AND ENACTED this /3 day of Med., 2011.

BCC ORDINANCE

COUNTY OF SANTA FE STATE OF NEW MEXICO

PAGES: 3) 55

I Hereby Certify That This Instrument Was Filed for Record On The 14TH Day Of December, 2011 at 04:11:09 PM And Was Duly Recorded as Instrument # 1654304 Of The Records Of Santa Fe County



Witness My Hand And Seal Of Office Valerie Espinoza

THE BOARD OF COUNTY COMMISSIONERS OF SANTA FE COUNTY

Virginia Vigil, Chair

ATTEST

Valerie Espinoza, County Clerk

Approved as to form:

Stephen C. Ross, County Attorney



EXHIBIT A

Databases:

Price:

\$43.64 if sent electronically \$47.64 if placed on disk

Other County Databases

Price for electronic copy will be calculated by the finance department using the hourly compensation paid to the employee responsible for copying the database for their time in researching and retrieving the electronic records, and shall be calculated in fifteen minute increments, in addition to relevant software and storage costs and the actual cost of materials.

Data held by the County clerk: As specified by the County Clerk.

Records held by the County clerk:

The cost of each page printed from an electronic database not otherwise set forth below shall be fifty cents (\$0.50).

Internet Access:	P	rice:
Internet Access to Accessible	Fields	
of the AS400		25.00 per month
Standard Hard Copy Maps:		Price:
36" X 48" standard product map		\$26.50
36" X 36" Maps		\$20.00
7' X 3' Maps		\$46.00
Reduced Copies of maps		\$2.25 per square foot
Reduced Copies of maps on photo paper		\$2.50 per square foot
11 X 17 Maps		\$2.00
8.5 X 11 Maps		\$2.00
Orthophoto imagery 36" X 36" on plain paper		\$20.00
Orthophoto imagery 36" X 36" on photo paper		\$22.50
1:100,000 (3' X 4') imagery o	\$26.50	
1:100,000 (3' X 4') imagery on photo paper		\$30.00
Santa Fe County Road Book (28 pages – 24" X 36")		\$370.00
Individual sheet of Road Book		\$13.25
Slope Analysis:		Price:
	Hourly Fee	\$33.00
	Set-Up Fee	\$25.00
GIS Data:		Price:
	Hourly Fee	\$33.00
	Setup Fee	\$25.00
	CD Rom	\$0.50
	DVD Rom	\$4.00

As specified by the County Clerk.

VALERIE ESPINOZA COUNTY CLERK

(505) 986-6280

E-Mail: vespinoza@co.santa-fe.nm.us County Courthouse 102 Grant Avenue Santa Fe, New Mexico 87501 P.O. Box 1985 Santa Fe, New Mexico 87504-1985



Denise Lamb

Chief Deputy Clerk Bureau of Elections (505) 992-6755 E-Mall: dlamb@co.santa-fe.nm.us

Victoria L. Trujillo
Chief Deputy Clerk
Santa Fe County Clerk's Office
(505) 995-6535
E-Mail: vltrujillo@co.santa-fe.nm.us

MEMORANDUM

TO: Board of County Commissioners

FR: Valerie Espinoza, County Clerk

DT: November 9, 2011

RE: An Ordinance Amending Ordinance No. 2009-6, to Remove Fees for Data and

Documents Provided by the County Clerk, to Comport with NMSA 1978, Section 14-8-14 (2011), which Delegates Authority to Establish Reasonable Fees to the County Clerk;

Amending Exhibit A of Ordinance No. 2009-06.

The proposed ordinance amending Ordinance No. 2009-6 complies with a 2011 amendment to a New Mexico statute titled "Searching Records; Reproduction of Records; Fees." The statute, as amended, states that "County clerks: may charge reasonable fees for conducting searches and for reproducing or permitting reproduction of their records as well as for certifying documents; shall not charge fees in excess of one dollar (\$1.00) per page for documents eleven inches by seventeen inches in size or smaller; may require advance payment of fees before making copies of public records; shall not charge a fee for the cost of determining whether any public record is subject to disclosure; and shall provide a receipt, upon request. County clerks shall establish reasonable fees for conducting searches and for reproducing or copying records maintained at the office of the county clerk."

Previously, the County Clerk's fees were incorporated into an Ordinance No. 2009-6, which now conflicts with the statutory authority of the County Clerk to establish reasonable fees.

In order to eliminate this conflict and the potential for confusion between Ordinance No. 2009-6 and the Clerk's fee schedule, and to comply with NMSA 1978, Section 14-8-14 (2011) the Clerk proposes that the Board adopt this ordinance amending Ordinance No. 2009-6.