



## Fees and Charges Report

**Date:** March 5, 2026

**To:** Audit, Finance, and Enterprise Committee

**Through:** Scott Butler, City Manager

**From:** Holly Moseley, City Clerk

**Subject:** City Clerk Update to Schedule of Fees and Charges, Citywide

### Purpose and Recommendation

The purpose of this report is to request approval to add a new commercial public records request fee to the City's Schedule of Fees and Charges. This proposed fee would establish a charge of \$25 per hour with a one-hour minimum for the processing of commercial public records requests. Staff recommends that the Audit, Finance, and Enterprise Committee forward the proposed fee to the City Council for consideration and adoption.

### Background

Arizona Revised Statutes (A.R.S. § 39-121.03) authorize public agencies to charge fees for the production of public records when the request is for a commercial purpose. Under the statute, a commercial public records request is defined as one made for the purpose of sale or resale of records, solicitation, or any use in which the requester can reasonably anticipate monetary gain from the direct or indirect use of the records. The statute allows agencies to recover a portion of labor and other associated costs incurred in fulfilling such requests.

The City Clerk's Office has experienced a steady increase in the volume and complexity of commercial public records requests over the past several years. These requests often involve substantial staff research time, coordination with departments, and document review. The City's existing Schedule of Fees and Charges includes commercial public records request fees within certain departments – including Fire and medical (\$30 per hour), Development Services (\$46 per hour), and a flat fee within Animal Control – however, there is currently no clearly established commercial request fee applicable to records processed through the City Clerk's Office. The proposed fee would be adopted within the City Clerk's Office section of the Schedule of Fees and Charges; however, other departments would have the ability to reference and utilize this established fee when processing commercial public records requests, if appropriate. Existing departmental commercial request fees would remain unchanged. Establishing a Clerk's Office fee would provide consistency, transparency, and a clearly defined cost-recovery structure

for commercial requests Citywide.

## **Discussion**

Commercial public records requests generally require additional staff time to research, compile, review, and prepare records for release compared to standard requests. The increase in these requests has led to measurable impacts on Citywide operations, including delays in processing non-commercial requests and additional workload on staff.

Establishing a commercial records request fee would help offset a portion of the personnel costs associated with these requests and align the City with common practices across Arizona municipalities. The fee would support workload management, enhance cost recovery, and uphold statutory allowances.

## **Methodology**

To develop the proposed fee, the City Clerk's Office consulted with the City Attorney's Office and the Human Resources Department to ensure compliance with A.R.S. § 39-121.03 and to establish a reasonable cost-recovery rate. The statute permits public agencies to charge a reasonable fee for the cost of time, materials, equipment, and personnel associated with fulfilling commercial public records requests. Human Resources confirmed that the current average hourly rate for the lowest-paid eligible full-time classification within the City is \$26.10. Based on this analysis, staff recommends establishing a rate of \$25 per hour with a one-hour minimum to capture basic administrative and processing time.

A review of commercial public records activity over the past three calendar years reflects no commercial requests received in 2023 or 2024; however, in 2025, the City Clerk's Office received 21 commercial public records requests, of which three resulted in payment at \$25 per request. The recent increase in commercial requests highlights the need for a clearly established and consistently applied fee within the Schedule of Fees and Charges. The proposed fee is not intended to generate significant revenue, but rather to provide consistency, transparency, and equitable cost recovery moving forward. Benchmarking with other Arizona jurisdictions indicates that similar hourly or fixed commercial request fees are commonly implemented, and the proposed rate is consistent with statewide practices.

## **Alternatives**

### **MAINTAIN CURRENT PRACTICE**

Under this option, the City would assess commercial public records requests fees based on the department responsible for fulfilling the request, resulting in different fee amounts across departments and no single uniform charge. This alternative does not support cost recovery or operational efficiency.

## **Fiscal Impact**

Adoption of the proposed fee is expected to generate modest revenue that offsets staff costs associated with processing commercial public records requests. No new staffing or resources are required to implement this fee, and no General Fund expenditures are anticipated. Revenue will vary depending on request volume, estimated Fiscal Impact is

\$525.00.

**Coordinated With**

- City Attorney's Office
- Human Resources Department
- Office of Management and Budget

All departments consulted support the proposed addition to the Schedule of Fees and Charges.

## Fees & Charges Schedule – Key

### Heading Configuration

<b><u>Schedule of Fees &amp; Charges</u></b>
<b>Department</b>
Contact Information
<b>HEADING 1</b>
HEADING 2
<i>Heading 3</i>
Description of Fee
Description of Fee 2

### Font Indications

Font	Font Indications
Regular Font	Existing fee or language
<del>Strikethrough</del>	Fee or language will be deleted from the Fee Schedule
<b>BOLD CAPS</b>	Language is being added to Fee Schedule
<b>Bold</b>	New or increased Fee Amount

**Schedule of Fees & Charges**

**Exhibit A – Commercial Public Records Request Fee**

Department: City Clerk

Description of Service	Current Fee Range	Proposed Fee Range	Unit	Total Fiscal Impact	Notes
PUBLIC RECORDS REQUESTS <i>COMMERCIAL PUBLIC RECORD REQUEST</i>		\$25	Per hour with one hour minimum	\$525.00	New Fee

**Estimated Total Annual Fiscal Impact: \$525.00**