



Legislation Details (With Text)

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Type: Agenda Item **Status:** Approved

File created: 9/21/2021 **In control:** Board of Supervisors

On agenda: 10/12/2021 **Final action:** 10/12/2021

Title: Recorder-Clerk recommending the Board authorize the Chair to sign the addendum to perpetual Memorandum of Understanding with the California Department of Justice in the amount of \$1,758.35 for Fiscal Year 2021-2022 for continued Electronic Recording Delivery System (ERDS) oversight of regulations, which allows the Recorder-Clerk continued secure use of electronic recording.

FUNDING: ERDS Special Revenue Fund.

Sponsors:

Indexes:

Code sections:

Attachments: 1. A - 2021-22 ERDS Blue Routing Sheet, 2. B - 2021-22 ERDS MOU

Date	Ver.	Action By	Action	Result
10/12/2021	1	Board of Supervisors	Approved	Pass

Recorder-Clerk recommending the Board authorize the Chair to sign the addendum to perpetual Memorandum of Understanding with the California Department of Justice in the amount of \$1,758.35 for Fiscal Year 2021-2022 for continued Electronic Recording Delivery System (ERDS) oversight of regulations, which allows the Recorder-Clerk continued secure use of electronic recording.

FUNDING: ERDS Special Revenue Fund.

DISCUSSION / BACKGROUND

This perpetual Memorandum of Understanding with the California Department of Justice for continued Electronic Recording Delivery System (ERDS) oversight of regulations will replace prior perpetual agreement 5211. County participation continues annually until either party (DOJ or the County) does not wish to continue with the agreement. Fees are a pro-rata share of cost based upon the number of documents recorded annually. El Dorado County currently has an estimated 400 active submitters with a combination of title companies and lenders and many that have not yet been activated. Currently more than 75% of all recordings are completed through the electronic recording system.

Electronic recording has been implemented in many counties and El Dorado County began to e-record in June 2013. Continuing the MOU with the Department of Justice will keep electronic recording safe and secure. According to Procurement Policy 4.5 Departments must obtain authorization from the Board of Supervisors initially, and on an annual basis, to utilize any contract that does not have a stated contract term.

ALTERNATIVES

If the County would like to continue electronic recording this payment is necessary to allow the California Department of Justice to provide oversight of electronic recording regulations.

PRIOR BOARD ACTION

October 13, 2020 - Legistar 20-1317

October 15, 2019 - Legistar 19-1441

September 25, 2018 - Legistar 18-1391

OTHER DEPARTMENT / AGENCY INVOLVEMENT

County Counsel

CAO RECOMMENDATION / COMMENTS

Approve as recommended.

FINANCIAL IMPACT

There is no Net County Cost associated with this item. The funds are included in the Fiscal Year 2021-22 Budget and funded from the ERDS Special Revenue Fund.

CLERK OF THE BOARD FOLLOW UP ACTIONS

Clerk of the Board to provide two originals to the department for processing.

STRATEGIC PLAN COMPONENT

N/A

CONTACT

Janelle Horne, Recorder-Clerk