



# County of El Dorado

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## Legislation Details (With Text)

**File #:** 20-1317      **Version:** 1

**Type:** Agenda Item      **Status:** Approved

**File created:** 9/29/2020      **In control:** Board of Supervisors

**On agenda:** 10/13/2020      **Final action:** 10/13/2020

**Title:** Recorder-Clerk recommending the Board authorize the Chair to sign perpetual Memorandum of Understanding 5211 with the California Department of Justice in the amount of \$840 for Fiscal Year 2020-2021 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 - Counsel Approval Blue Sheet, 2. B - ERDs Contract 2020-2021

Date	Ver.	Action By	Action	Result
10/13/2020	1	Board of Supervisors	Approved	Pass

Recorder-Clerk recommending the Board authorize the Chair to sign perpetual Memorandum of Understanding 5211 with the California Department of Justice in the amount of \$840 for Fiscal Year 2020-2021 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 #5211 with the California Department of Justice for continued Electronic Recording Delivery System (ERDS) oversight of regulations will replace prior perpetual agreement 3376. County participation continues annually until either party (DOJ or the County) does not wish to continue 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 of 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 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 2020-21 Budget and funded from the ERDS Special Revenue Fund.

**CLERK OF THE BOARD FOLLOW UP ACTIONS**

Clerk of the Board to provide an original to the department for processing.

**STRATEGIC PLAN COMPONENT**

N/A

**CONTACT**

Janelle Horne, Recorder-Clerk