

RESOLUTION NO. 2020-209

RESOLUTION OF THE SOLANO COUNTY BOARD OF SUPERVISORS TO WITHDRAW FROM THE CALIFORNIA ELECTRONIC RECORDING TRANSACTION AUTHORITY (CERTNA) EFFECTIVE JULY 1, 2021, DELEGATE AUTHORITY TO THE ASSESSOR/RECORDER TO PARTICIPATE IN THE STATEWIDE ELECTRONIC COURIER UNIVERSAL RECORDING ENVIRONMENT (SECURE), AND AUTHORIZE AN APPROPRIATION INCREASE OF \$82,789 FOR SECURE START-UP COSTS AND FIRST YEAR MAINTENANCE FEES

Whereas, the Electronic Recording Delivery Act of 2004 (ERDA), authorizes a county recorder, upon approval by resolution of the Board of Supervisors to establish an Electronic Recording Delivery System (ERDS) for recording specified digitized and digital electronic records pursuant to the provisions thereof and regulations developed by the California Department of Justice (DOJ); and

Whereas, on November 14, 2006, the Board of Supervisors adopted Resolution 2006-220 authorizing the Assessor/Recorder to execute a Memorandum of Understanding (MOU) with the DOJ in accordance with the ERDA, and approving the Assessor/Recorder to issue payments to the DOJ for the County's allocated share of the direct cost of program oversight; and

Whereas, on April 11, 2017, the Board of Supervisors authorized the Assessor/Recorder to execute a Joint Powers Agreement with the California Electronic Recording Network Authority (CERTNA), a California Joint Powers Authority; and Delegated authority to the Assessor/Recorder to conduct negotiations, executions and submissions of documents which may be necessary for the participation of Solano County as a party to the CERTNA Electronic Delivery System; and

Whereas, a party may withdraw from the Joint Powers Agreement with CERTNA as of the first day of July of any year following six months' notice to the other parties by resolution of intent to withdraw adopted to the legislative body of the party; and

Whereas, the Statewide Electronic Courier Universal Recording Environment (SECURE) is a multi-county ERDS with a sustainable business model, requiring a start-up fee of \$50,000 and first year maintenance fee of \$32,789; and

Whereas, delegating authority to the Assessor/Recorder will allow the County to enter into a MOU with SECURE, and ensure the County's uninterrupted participation in an approved ERDS.

Resolved, the Solano County Board of Supervisors approves and adopts withdrawal from the Joint Powers Agreement with CERTNA.

Resolved, that the Solano County Board of Supervisors delegates authority to the Assessor/Recorder to enter in a MOU with SECURE.

Resolved, that the Solano County Board of Supervisors approves an appropriation of \$50,000 and \$32,789 for SECURE start-up costs and first year maintenance fees, respectively.

Passed and adopted by the Solano County Board of Supervisors at its regular meeting on November 17, 2020 by the following vote:

AYES:	SUPERVISORS	<u>Hannigan, Brown, Spering, Vasquez, and Thomson</u>
NOES:	SUPERVISORS	<u>None</u>
EXCUSED:	SUPERVISORS	<u>None</u>



ERIN HANNIGAN, Chairwoman
Solano County Board of Supervisors

ATTEST:
BIRGITTA E. CORSELLO, Clerk
Solano County Board of Supervisors

By: 

Alicia Draves, Chief Deputy Clerk