



Agenda Date: 1/29/2008
Agenda Placement: 8C
Set Time: 9:30 AM PUBLIC HEARING
Estimated Report Time: 15 Minutes

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors

FROM: Tuteur, John - Recorder-County Clerk
Recorder - County Clerk

REPORT BY: Judith M Perry, Chief Deputy Assessor - Recorder-County Clerk-Regi - 253-4455

SUBJECT: Assessor-Recorder -County Clerk Requests Adoption of Resolution Authorizing County Recorder to Charge Additional Fee for Social Security Truncation and Requiring County Auditor-Controller to Conduct Reviews

RECOMMENDATION

Assessor-Recorder-County Clerk requests adoption of a resolution authorizing the County Recorder to charge an additional fee for social security truncation and requiring the County Auditor-Controller to conduct reviews.

EXECUTIVE SUMMARY

Government Code 27300 et seq effective January 1, 2008 requires the County Recorder to establish a social security number truncation program. To implement the program the County Recorder shall create, in an electronic format, an exact copy of each official record recorded between January 1, 1980 and December 31, 2008 containing a social security number. The duplicate record, known as a public record, will be an exact copy except that any social security number contained in the official record shall be truncated in the public record. In addition, the program will require for each official record containing a complete social security number recorded on or after January 1, 2009, that the County Recorder shall create a copy of that record in an electronic format and truncate any social security number contained in that public record.

Government Code 27361(d) effective January 1, 2008 allows the County Recorder to charge an additional fee of one dollar for recording the first page of every instrument, paper, or notice required or permitted by law to be recorded. Such fee shall not be charged after December 31, 2017 unless reauthorized by the County Board of Supervisors. The funds generated by this fee shall be used only by the County Recorder collecting the fee for the purpose of implementing a social security number truncation program.

Government Code 27361(d)(4) effective January 1, 2008 requires the Board of Supervisors that authorizes the fee to require the County Auditor to conduct two reviews to verify that the funds generated by this fee are used only for the purpose of the program.

PROCEDURAL REQUIREMENTS

1. Chair announces the agenda item.
2. Staff reports on the item.
3. Questions by the Board.
4. Chair invites public comments.
5. Member makes a motion.
6. Different member seconds the motion.
7. Board discussion and debate on the motion.
8. Chair calls for the vote.
9. If roll call vote requested by member, Clerk calls the roll.
10. Chair announces the result of the vote.

FISCAL IMPACT

Is there a Fiscal Impact?	Yes
Is it currently budgeted?	No
What is the revenue source?	An additional fee of one dollar will be collected by the Recorder for recording the first page of every instrument, paper, or notice required or permitted by law to be recorded. Fees collected will be deposited into an account in the County's Recorder's budget solely for the purpose of implementing the social security truncation program.
Is it Mandatory or Discretionary?	Mandatory
Is the general fund affected?	No
Future fiscal impact:	The revenue collected will be used only for the purpose of implementing a social security number truncation program. The fee shall not be charged after December 31, 2017 unless reauthorized by the County Board of Supervisors.
Consequences if not approved:	Napa County will not be in compliance with Government Code 27300 effective January 1, 2008 which requires the County Recorder to establish a social security number truncation program.
Additional Information:	

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

Government Code 27300 et seq effective January 1, 2008 requires the County Recorder to establish a social security number truncation program. To implement the program the County Recorder shall create, in an electronic

format, an exact copy of each official record recorded between January 1, 1980 and December 31, 2008 containing a social security number. The duplicate record, known as a public record, will be an exact copy except that any social security number contained in the official record shall be truncated in the public record. In addition, the program will require for each official record containing a complete social security number recorded on or after January 1, 2009, that the County Recorder shall create a copy of that record in an electronic format and truncate any social security number contained in that public record.

Government Code 27361(d) effective January 1, 2008 allows the County Recorder to charge an additional fee of one dollar for recording the first page of every instrument, paper, or notice required or permitted by law to be recorded. Such fee shall not be charged after December 31, 2017 unless reauthorized by the County Board of Supervisors. The funds generated by this fee shall be used only by the County Recorder collecting the fee for the purpose of implementing a social security number truncation program.

Government Code 27361(d)(4) effective January 1, 2008 requires the Board of Supervisors that authorizes the fee to require the County Auditor to conduct two reviews to verify that the funds generated by this fee are used only for the purpose of the program.

Napa County currently has electronic records back to May 26, 1986. This program will require the County, as funding permits, to review each record working backwards from the implementation of the program to January 1, 1980. Optical character scanning will find those records containing a social security number, automatically duplicate that record with the social security number truncated and flag the official (original) record so that if the public wishes to view that document only the public record will display or print. Once our records are reviewed and social security numbers truncated back to May 26, 1986, we will then convert our film images to electronic images back to January 1, 1980 and apply the same process as part of that conversion program.

By January 1, 2009, we will have a process in place that will review each electronic image as it is recorded for an untruncated social security number, create a duplicate public record for that document and display only the public record for the public.

It will make most sense to have the vendor the department currently uses to convert from film to image and indexing of recorded documents to find those records containing a social security number by using optical character scanning. However, we do not know how much a vendor will charge for implementing this process so we cannot determine at this time if the funds generated by this fee will be adequate to perform the entire process. Government Code 27301(d) effective January 1, 2008 allows the county recorder to limit the social security truncation program to those records for which adequate funds are available. The County Auditor review in 2012 will contain information on the progress of the program and the extent to which funding was adequate.

SUPPORTING DOCUMENTS

A . Social Security Truncation and Auditor Review Resolution

CEO Recommendation: Approve

Reviewed By: Maiko Klieman