



A Tradition of Stewardship
A Commitment to Service

Agenda Date: 1/5/2016

Agenda Placement: 6G

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors

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

REPORT BY: John Tuteur, Assessor-Recorder-County Clerk - 253-4459

SUBJECT: Assessor-Recorder-County Clerk Requests Confirmation of Agent Authorization to Sign
Electronic Recording MOUs with CERTNA

RECOMMENDATION

Assessor-Recorder-County Clerk requests confirmation of agent authorization to sign:

1. Electronic Recording Memorandum of Understanding with California Electronic Recording Transaction Network Authority (CERTNA) with automatic, annual renewal and \$4,000 in annual charges subject to adjustment based on number of documents recorded to implement electronic recording through statewide portal; and
2. Government to Government (G2G) Memorandum of Understanding with California Electronic Recording Transaction Network Authority (CERTNA) with automatic renewal and no cost to Napa County to implement government to government electronic recording.

EXECUTIVE SUMMARY

On October 11, 2005 the Board adopted Resolution 05-174 approving Napa County participation in the Electronic Recording Delivery Act of 2004 (CA Government Code 27390 et seq). The resolution appointed the Assessor-Recorder-County Clerk as agent to conduct negotiations and execute and submit all documents which may be necessary for the completion of the aforementioned project. The Assessor-Recorder-County Clerk has chosen the California Electronic Recording Transaction Network Authority (CERTNA) as the statewide portal to implement electronic recording for Napa County. Napa County will be entering into a Memorandum of Understanding with CERTNA which will be executed by the Assessor-Recorder-County Clerk as agent for Napa County pursuant to Resolution 05-174.

In a separate but related program, CA Government Code 27279 authorizes the Assessor-Recorder-County Clerk to accept digitized (scanned images of original paper) and digital (information that is transmitted as computer

files which become images) documents from other government agencies. CERTNA also offers a Government to Government (G2G) electronic recording solution which is available at no cost to the local recorder other than the purchase of workstation. The Assessor-Recorder-County Clerk will be entering into a Memorandum of Understanding with CERTNA for the G2G program under the authority delegated by the Board for no cost agreements.

All costs associated with the provision of electronic recording will be covered by the \$1.00 per document recording fee Special Revenue Fund that the Board adopted as part of Resolution 05-174.

FISCAL IMPACT

Is there a Fiscal Impact?	Yes
Is it currently budgeted?	Yes
Where is it budgeted?	All costs associated with electronic recording and G2G processes will be covered by the Special Revenue Fund into which the \$1.00 per document electronic recording fee authorized by Resolution 05-174 are deposited. Cost vary among counties depending on the number of documents recorded annually. Napa County's annual charge by CERTNA, subject to adjustment annually, would be \$4,000 based on our document count. Cost of hardware is approximately \$4,000 for two workstations and monitors plus a locking cage for the ERDS server. The electronic recording fee generates approximately \$30,000 per year. We have been collecting the fee since March 2010 and have spent only token amounts to date.
Is it Mandatory or Discretionary?	Discretionary
Discretionary Justification:	The Recorder-County Clerk Division of the Assessor-Recorder-County Clerk Department will see reduced costs and greater staff productivity by implementing electronic recording.
Is the general fund affected?	No
Future fiscal impact:	Positive impacts will continue as electronic recording becomes a larger share of our document flow, costs savings and staff productivity will continue to increase.
Consequences if not approved:	Napa County will not be able to participate in the growing electronic recording process that is transforming the recording process nationally.
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

On October 11, 2005 the Board adopted Resolution 05-174 approving Napa County participation in the Electronic Recording Delivery Act of 2004 (CA Government Code 27390 et seq). The resolution appointed the Assessor-Recorder-County Clerk as agent to conduct negotiations and execute and submit all documents which may be necessary for the completion of the aforementioned project. The Assessor-Recorder-County Clerk has chosen the California Electronic Recording Transaction Network Authority (CERTNA) as the statewide portal to implement electronic recording for Napa County. CERTNA is a joint power authority between a number of California counties. Napa County will be entering into a Memorandum of Understanding with CERTNA as a client county, not a member of the JPA, which will be executed by the Assessor-Recorder-County Clerk as agent for Napa County pursuant to Resolution 05-174. All costs associated with the provision of electronic recording will be covered by the \$1.00 per document recording fee Special Revenue Fund that the Board also adopted as part of Resolution 05-174.

In a separate but related program, CA Government Code 27279 authorizes the Assessor-Recorder-County Clerk to accept digitized (scanned images of original paper) and digital (information that is transmitted as computer files which become images) documents from other government agencies such as the Napa County Tax Collector, CA Franchise Tax Board; CA Employment Development Department, etc. CERTNA also offers a Government to Government (G2G) electronic recording solution which is available at no cost to the local recorder other than the purchase of workstation. The cost of the workstation will be covered by the \$1.00 electronic recording fee Special Revenue Fund. The Assessor-Recorder-County Clerk will be entering into a Memorandum of Understanding with CERTNA for the G2G program under the Purchasing Agent authorization delegated by the Board for agreements below a certain threshold.

Both the electronic recording delivery and the G2G process will contribute to improved customer service and greater staff productivity because of the ease of handling electronic files and the reduction in the number of paper documents that the Recorder is required to mail back to the presenter.

SUPPORTING DOCUMENTS

None

CEO Recommendation: Approve

Reviewed By: Helene Franchi