

RESOLUTION NO. _____

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

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**RESOLUTION AUTHORIZING A MEMORANDUM OF UNDERSTANDING (MOU)
WITH ORANGE COUNTY FOR USE OF THE SECURE ELECTRONIC RECORDING
SYSTEM FOR THE TERM OF APRIL 26, 2023 THROUGH APRIL 26, 2028, IN AN
AMOUNT NOT TO EXCEED \$250,000**

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, that

WHEREAS, California's Electronic Recording Delivery Act of 2004 (AB 578) authorized county recorders to accept digital electronic records for recordation, subject to regulatory oversight and certification of each electronic recording delivery system (ERDS) by the Attorney General; and

WHEREAS, on June 6, 2006, the Assessor-County Clerk-Recorder and Elections (ACRE) Department was authorized by this Board to enter into the Attorney General's ERDS Program (Reso. No. 068019, 6/6/06) and to collect specified fees from future users of the ERDS system; and

WHEREAS, on December 15, 2009, the Assessor-County Clerk-Recorder and Elections (ACRE) Department entered into a Memorandum of Understanding (Reso. No. 070556) with Orange County and other co-owners for a five-year term of use of their duly certified "SECURE" electronic recording system; and

WHEREAS, there has been presented to this Board of Supervisors for its consideration and acceptance a Memorandum of Understanding (MOU) in the amount of \$250,000 whereby the County of Orange shall act as Lead County in a multi-county agreement created to provide partner counties with an electronic recording system, for a term of five (5) years; and

WHEREAS, this Board has been presented with a form of such MOU, has examined, and approved it as both form and content, and desires to enter into it.

NOW THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that the President of the Board of Supervisors be and is hereby authorized and directed to execute said agreement for and on behalf of the County of San Mateo, and the Clerk of the Board shall attest the President's signature thereto.

BE IT FURTHER RESOLVED that the Assessor-County Clerk-Recorder & Chief Elections Officer or designee is authorized to execute contract amendments which modify the County's maximum fiscal obligation by no more than \$25,000 (in aggregate) and/or modify the contract term and/or services so long as the modified term or services is/are within the current or revised fiscal provisions.

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