

**Before the Board of Supervisors in and for the
County of Monterey, State of California**

Resolution No: 10 – 118

RESOLUTION OF THE COUNTY OF MONTEREY BOARD)
OF SUPERVISORS APPROVING THE COUNTY OF)
MONTEREY TO ESTABLISH AN ELECTRONIC)
RECORDING DELIVERY SYSTEM (ERDS))

WHEREAS, the Electronic Recording Delivery Act (ERDA) of 2004. Government Code section 27391(a) authorizes a County Recorder upon approval by resolution of the Board of Supervisors to establish an electronic recording delivery system, for the delivery, and, when applicable, return of specified digitized electronic records and digital electronic records upon system certification by the State of California, Department of Justice ERDS Program.

WHEREAS, the State of California, Department of Justice ERDS Program has established regulations and has been delegated the authority for system certification, regulations and oversight of Electronic Recording Delivery Systems and the County Recorder shall comply with all of the State of California, Department of Justice ERDS Program regulations; and

NOW, THEREFORE, BE IT RESOLVED that the County of Monterey Board of Supervisors adopts a resolution approving the County of Monterey's participation in the State of California, Department of Justice ERDS Program; and approves the County Recorder, or designee to:

- Enter into a Memorandum of Understanding with the State of California, Department of Justice ERDS Program, before system certification, agreeing to the computer System Administration Fee and annually thereafter by an addendum to the Memorandum of Understanding;
- Issue payments to the State of California, Department of Justice ERDS Program for the County's proportionate share of the System Administrative Fee; and
- Participate in a Multi-County ERDS Program for Type 1 and Type 2 instruments; and

NOW THEREFORE, BE IT FURTHER RESOLVED, that the County Recorder shall be authorized to:

- Submit an application for system certification to the State of California, Department of Justice ERDS Program; and, in doing so will comply with the California Code of Regulations, Title 11, Division 1, Chapter 18, Articles 1 through 9; and
- Designate those individuals who will have secure and authorized access to the ERDS comply with Government Code section 27395(b);

- Pursuant to California Penal Code section 11105.2(d) notify the ERDS Program if an individual that has secure access no longer requires that access;
- Notify the Board of Supervisors, District Attorney, Computer Security Auditor on contractual agreement, and the ERDS Program if there are any known or suspected security violations that compromises the safety and/or security of the ERDS;
- Notify the ERDS Program if there is a change of County Recorder; and
- Notify the ERDS Program if the County wishes to withdraw their system certification.

PASSED AND ADOPTED on this 11th day of May, 2010, upon motion of Supervisor Potter, seconded by Supervisor Armenta, by the following vote, to-wit:

AYES: Supervisors Armenta, Calcagno, Salinas, Potter

NOES: None

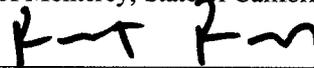
ABSENT: Supervisor Parker

I, Gail T. Borkowski, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 75 for the meeting on May 11, 2010.

Dated: May 13, 2010

Gail T. Borkowski, Clerk of the Board of Supervisors
County of Monterey, State of California

By



Deputy