

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

**Resolution No.:** \_\_\_\_\_

Resolution to:

- a. Approve and Authorize the County of Monterey, by and through the County Recorder, to withdraw as a Board Member County from the California Electronic Recording Transaction Network Authority (CERTNA), a Joint Powers Authority (JPA), effective July 1, 2022; and
- b. Approve and Authorize the County of Monterey, by and the through the County Recorder, enter into a CERTNA Client Memorandum of Understanding (MOU). The term of this agreement shall run for an indefinite period with the ability to terminate upon 30 days notice, following the procedures indicated in Article VI.A of the MOU, estimated, but not limited to, the amount of \$90,000, effective July 1, 2022.

**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 delivery, and when applicable, return of specified digitized electronic records and digital electronic records upon certification by the State of California, Department of Justice ERDS Program; and

**WHEREAS**, on May 13, 2010, the Board of Supervisors approved the County's participation in ERDS (Resolution 10-118) and delegated authority to the County Recorder to negotiate, execute, amend, and terminate all Memorandum of Understanding, contracts, or documents necessary to implement and carry out the County's participation in ERDS; and

**WHEREAS**, on May 13, 2010, the Board of Supervisors approved the County's participation in the California Electronic Recording Transaction Network Authority (CERTNA), a California Joint Powers Authority (JPA), (Resolution 10-120) established in July of 2007 for standardizing electronic

recording of documents across multiple member counties by creating an umbrella agency to develop, operate, and maintain an ERDS; and

**WHEREAS**, the joint powers agreement with CERTNA provides that a party may withdraw from the agreement as of the first day of July of any year following six months' notice to the other parties by resolution of intention to withdraw adopted by the legislative body of the withdrawing party; and

**WHEREAS**, in reliance on the recommendation of the Assessor-County Clerk-Recorder, the Board of Supervisors determines that continued participation in CERTNA as a Client Member county will be a benefit not only to the County Recorder's Office but also the County resulting in cost and resource savings;

**NOW, THEREFORE, BE IT RESOLVED** that the County of Monterey Board of Supervisors adopts this Resolution:

- a. Approve and Authorize the County of Monterey, by and through the County Recorder, to withdraw as a Board Member County from the California Electronic Recording Transaction Network (CERTNA), a Joint Powers Authority (JPA) effective July 1, 2022; and
- b. Approve and Authorize the County of Monterey, by and through the County Recorder, enter into a CERNTA Client Memorandum of Understanding (MOU). The term of this agreement shall run month to month, following the procedures indicated in Article VI.A. of the MOU estimated, but not limited to, the amount of \$90,000, effective July 1, 2022.

PASSED AND ADOPTED on this 16<sup>th</sup> day of November, 2021, by the following vote, to-wit:

AYES:

NOES:

ABSENT:

I, Valerie Ralph, 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 \_\_\_\_\_ for the meeting on \_\_\_\_\_.

Dated:

Valerie Ralph, Clerk of the Board of Supervisors  
County of Monterey, State of California

By \_\_\_\_\_  
, Deputy