

AMENDMENT NO. 1 TO MEMORANDUM OF UNDERSTANDING

This Amendment No. 1 to Memorandum of Understanding (“Amendment No. 1”) is dated August 23, 2022 and is between the counties of Los Angeles, Orange, Riverside, and San Diego (collectively, “Owners”) that own the Statewide Electronic Courier Universal Recording Environment (“SECURE”) with the Orange County Clerk-Recorder acting on the Owners’ behalf as the lead county (“Lead County”), and the County of Fresno, a political subdivision of the State of California (“County”).

Recitals

- A. On November 2, 2021, the County, in the name of its Auditor-Controller/Treasurer-Tax Collector (identified as the “Fresno County Tax Collector”) and the Lead County entered into a “Memorandum of Understanding between Owner Counties and Government Participants for the Use of the SECURE Government to Government (G2G) Portal,” which is County agreement number 21-448 (“Agreement”), to allow the Fresno County Tax Collector to use the SECURE G2G Portal to record documents electronically.
- B. The County and the Lead County now desire to amend the Agreement to replace Attachment B to the Agreement with a new Attachment B. The purpose of the new Attachment B is to add access to the “Lights Out Queue” functionality to the Fresno County Tax Collector’s access to the SECURE G2G Portal.
- C. The County and the Contractor now desire to amend the Agreement to replace Attachment B, as provided in this Amendment No. 1.

The parties therefore agree as follows:

1. Attachment B to the Agreement is hereby deleted and replaced with a new Attachment B, which is attached to this Amendment No. 1 and incorporated by this reference.
2. When both parties have signed this Amendment No. 1, the Agreement and this Amendment No. 1 together constitute the Agreement.
3. This Amendment may be signed in counterparts, each of which is an original, and all of which together constitute this Amendment.
4. The Agreement as amended by this Amendment No. 1 is ratified and continued. All provisions of the Agreement not amended by this Amendment No. 1 remain in full force and effect.

The parties are signing this Amendment No. 1 on the date stated in the introductory clause.

COUNTY OF ORANGE AS LEAD
COUNTY

Hugh Nguyen
Hugh Nguyen,
Orange County Clerk-Recorder

COUNTY OF FRESNO

Brian Pacheco
Brian Pacheco, Chairman of the Board of
Supervisors of the County of Fresno

Attest:
Bernice E. Seidel
Clerk of the Board of Supervisors
County of Fresno, State of California

By: *Hanan*
Deputy

Approved as to Form

Jacqueline Guzman
Deputy County Counsel

For Fresno County accounting use only:

Org No.: 04100500

Account No.: 7295

Fund No.: 0001

Subclass No.: 10000

Attachment B – Fresno County

1. Hours of Operation

Paper scanned document batches may be submitted to the SECURE G2G queue 24 hours a day, Monday through Friday.

Documents must be submitted to the SECURE G2G queue by 10:00 am. Monday – Friday, excluding County holidays, to guarantee same-day recording.

XML batch uploads may be submitted to the SECURE Lights Out queue as needed with prior approval from the Recorder's Office.

The Lights Out process will run after 5:00 pm (after all electronic recordings are processed) on the designated day to ensure all documents are recorded in sequential order.

2. Account Setup Procedures

The Government Agency must complete the applicable Memorandum of Understanding and submit it for approval. Once approved, a Customer ID for billing purposes will be created and an account shall be activated.

3. Batch Submittals

Before submitting any document, the Government Agency must be approved to record electronically in Fresno County.

The Government Agency shall limit the size of each batch submitted to the G2G queue to a maximum of 50 documents.

Fresno County will reject an entire batch if any document within the batch requires further attention or correction.

4. Lights Out Queue

The Government Agency shall limit the size of each batch to a maximum of 100 documents.

File size limits are as follows:

- Document: The FileBuffer element is limited to 25MB, equivalent to around 200 pages.
- Batch: The WebAPI is limited to 100MB for a request.

The document type for the Lights Out queue is specific to the submitting Government Agency.

- Submitting Government Agency – FRESNO COUNTY TAX COLLECTOR
- Recorder document type – 1159 CERTIFICATE OF COUNTY TAX LIEN
- External Code – “CertificateOfCountyTaxLien”

5. Turnaround Timeframes

Documents submitted will be recorded on a First In-First Out (“FIFO”) basis and will be returned daily.

6. Concurrent Documents

The Government Agency must identify concurrent documents. Documents shall be identified and submitted in the proper recording order; i.e., 1 of 3, 2 of 3 etc. Concurrent documents shall be submitted as one batch and shall not be combined with additional orders.

7. Illegible Documents

The Government Agency is responsible for scanning at 300 dpi and performing quality assurance on each page of all documents to ensure compliance with photographically reproducible standards. Documents or page(s) not meeting this requirement will be rejected for rescanning and submission.

8. Preliminary Change of Ownership Report (PCOR)

If required, PCOR’s shall be scanned and submitted as a separate attachment to the document. Documents containing PCOR’s as part of the recordable document will be rejected and returned to the Government Agency for correction.

9. Journal Voucher (JV)

If required, JV’s shall be scanned and submitted as a separate attachment to the document. Documents containing JV’s as part of the recordable document will be rejected and returned to the Government Agency for correction.

10. Return Options

Recording confirmation will be returned to the Government Agency in electronic format after recordation is complete.

Submitted documents that are rejected will be returned to the Government Agency in electronic format along with a description of the reason(s) for rejection.

Fresno County reserves the right to make changes to the indexing as necessary.

11. Recording Fees

The Government Agency is responsible for the recording fees of any document submitted for recording.

All fees shall be submitted according to the Fresno County Recorder's Office approved accounting procedures.

The Government Agency identified as failing to submit proper fees will be blocked from submitting documents until financial issues are resolved.

12. Reporting and Reconciliation

An invoice will be sent to submitting Government Agency on a monthly based upon the submitter's own approved accounting procedures. Government Agency is responsible for verifying the invoice and contacting the department if a discrepancy is found.

13. Technical Service Help and Security Incident Contact Information

If assistance is needed for technical issues or a security issue needs to be reported, email SECURESupport@rec.ocgov.com between the hours of 7:00 a.m. and 5:00 p.m. (Pacific Time). If there is no response to the email within 1 hour. You may contact the SECURE Support Project Manager at (714) 478-9891 between the hours of 7:00 a.m. and 5:00 p.m.

Authorized Submitter: Fresno County Tax Collector

Signed and Approved By:  Date: 8-3-2022

Printed Name: Oscar J. Garcia, CPA

Title: Auditor-Controller/Treasurer-Tax Collector

Telephone #: 559-600-3496 Email Address: OGarcia@FresnoCountyCA.Gov