



County of Fresno

Hall of Records, Rm. 301
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Fresno, California
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Legislation Text

File #: 21-1039, **Version:** 1

DATE: November 2, 2021

TO: Board of Supervisors

SUBMITTED BY: Oscar J. Garcia, CPA, Auditor-Controller/Treasurer-Tax Collector

SUBJECT: Approve Memorandum of Understanding for the use of the Statewide Electronic Courier Universal Recording Environment (SECURE) Government to Government Portal by the Tax Collector

RECOMMENDED ACTION(S):

Approve and Authorize the Chairman to execute a Memorandum of Understanding with the counties of Orange, Los Angeles, Riverside, and San Diego for the use of the Statewide Electronic Courier Universal Recording Environment (SECURE) Government to Government Portal by the Auditor-Controller/Treasurer-Tax Collector, effective November 2, 2021, through November 1, 2023, total not to exceed \$0.

ALTERNATIVE ACTION(S):

If the recommended action is not approved by your board, the Tax Collection Unit of the Auditor-Controller/Treasurer-Tax Collector ("Tax Collector") will only be able to record official documents, such as liens, notices of power to sell, and other official documents, via paper copies over the counter at the Recorder's office. This will significantly impact the productivity of both the Recorder's office and the Tax Collector's office at certain times of the year, especially in January, February, and September, when liens for all unpaid Secured and Unsecured prior year property taxes are recorded to secure the debt owed to the County as well as recording any notices of power to sell for the annual tax sale of delinquent Secured parcels.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended action. The proposed Memorandum of Understanding (MOU) has no ongoing costs associated with it due to the Tax Collector being a government agency and therefore exempt from fees. The start-up costs referenced in the MOU are one-time costs, are expected to be minimal, if any, and sufficient funding is available within Org 04100500's Fiscal Year 2021-22 Adopted Budget.

DISCUSSION:

Since 2012, the Tax Collector has routinely submitted approximately 5,000 liens, notices of power to sell, re-recorded liens, and other official documents to the Recorder via an electronic file. Approximately 500 individual files are also manually processed throughout the fiscal year in batches too small to warrant electronic submittal. This process has saved numerous staff hours due to increased efficiencies within both the Tax Collector's office and the Recorder's office.

On November 24, 2020, your Board approved an MOU with the Counties of Orange, Los Angeles, Riverside, and San Diego to allow the Recorder's office to accept electronic records from authorized external submitters, such as title companies and lenders, for recordation. The Recorder's office was fully transitioned to receive

files via SECURE's portal in April 2021. The Tax Collector continued to submit electronic files via the prior vendor through February 2021 and the Recorder's office separated from the prior vendor in July 2021.

The counties that own the SECURE system require all government submitters, including county departments such as the Tax Collector, to enter into an MOU to use the SECURE Government to Government Portal ("SECURE G2G Portal") to submit documents electronically. Because the Recorder's office uses the SECURE system, the recommended MOU is required for the Tax Collector to continue submitting documents electronically for recordation.

The recommended MOU establishes certain technical requirements and use policies for the Tax Collector to use the SECURE G2G Portal. The Tax Collector's office must supply its own equipment to submit documents electronically. Under the MOU, the County is required to indemnify and hold harmless the counties that own the SECURE system from any liability for damages arising in connection with the Tax Collector's use of the SECURE G2G Portal.

REFERENCE MATERIAL:

Board Agenda Item #31 - November 24, 2020

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Memorandum of Understanding SECURE G2G Portal

CAO ANALYST:

Greg Reinke