

**Fiscal Year 2017/2018 Addendum to Memorandum of Understanding  
Department of Justice  
Electronic Recording Delivery System  
Costs for Regulation and Oversight**

**Parties**

This Addendum to the Memorandum of Understanding (Addendum) is between the California Department of Justice, hereinafter referred to as “DOJ” and the County of El Dorado, hereinafter referred to as “County.”

**Incorporation by Reference of MOU**

Both County and DOJ agree that the terms of the MOU, previously executed, continue to operate and are incorporated herein by reference.

**Purpose**

The purpose of this Addendum is to continue the agreement found in the MOU previously executed by the parties to comply with the Electronic Recording Delivery Act of 2004 (ERDA) (Gov. Code, §§ 27390-27399; “Act”). This Addendum shall operate to bind the parties to the final proportionate costs to the County for fiscal year 2017/18. These costs include the costs for regulation and oversight.

**Agreement**

DOJ and County hereby consent and agree that County will pay DOJ for the direct cost of regulation and oversight in support of the Act, as set forth in Article 6 (commencing with Section 27390) to Chapter 6 of Division 2 of Title 3. The final proportionate cost for fiscal year 2017/18 is attached and incorporated by reference. Upon receipt of payment, the County is authorized to participate in the Electronic Recording Delivery System (ERDS).

**Term of Addendum**

The term of this Addendum operates for fiscal year 2017/18.

**MOU Representatives**

The Addendum representatives during the term of this Addendum are:

County of: El Dorado  
Name: William E. Schultz  
Phone: 530-621-5494  
Fax:  
E-mail: bill.schultz@edcgov.us

Department of Justice  
Name: Michelle N. Mitchell  
Phone: (916) 210-4057  
Fax: (916) 227-0595  
E-Mail: michellen.mitchell@doj.ca.gov

**Agreed and Accepted**

Certification of Addendum Representatives

I certify that I have read and understand the aforementioned statements and agree to comply with the requirements contained herein:

County of: El Dorado County  
Name: Board of Supervisors, Chair

Department of Justice  
Name: Michelle N. Mitchell

Signed: \_\_\_\_\_

Signed: \_\_\_\_\_

Dated: \_\_\_\_\_

Dated: \_\_\_\_\_

Attachments: Final Proportionate Costs:  
Expenditure Report:

Attachment A  
Attachment B

## *Fiscal Year 2017/18 Final Proportionate Cost for County Recorders to Fund DOJ Program Costs*

<i>County Code</i>	<i>County Name</i>	<i>Recordings*</i>	<i>% of Recordings</i>	<i>Final County Cost **</i>
1	Alameda	342,486	4.05%	\$9,009.33
2	Alpine	689	0.01%	\$18.12
4	Butte	57,870	0.68%	\$1,522.31
7	Contra Costa	328,740	3.89%	\$8,647.73
9	El Dorado	64,546	0.76%	\$1,697.93
10	Fresno	202,357	2.39%	\$5,323.14
13	Imperial	28,721	0.34%	\$755.53
15	Kern	188,191	2.23%	\$4,950.49
19	Los Angeles	1,653,748	19.56%	\$43,502.98
20	Madera	33,525	0.40%	\$881.90
21	Marin	71,662	0.85%	\$1,885.12
24	Merced	47,165	0.56%	\$1,240.71
25	Modoc	3,561	0.04%	\$93.67
26	Mono	6,091	0.07%	\$160.23
27	Monterey	77,971	0.92%	\$2,051.08
28	Napa	40,837	0.48%	\$1,074.25
29	Nevada	37,088	0.44%	\$975.63
30	Orange	666,752	7.89%	\$17,539.37
31	Placer	117,543	1.39%	\$3,092.05
33	Riverside	586,619	6.94%	\$15,431.42
34	Sacramento	448,308	5.30%	\$11,793.05
35	San Benito	16,574	0.20%	\$435.99
36	San Bernardino	571,671	6.76%	\$15,038.20
37	San Diego	836,786	9.90%	\$22,012.23

\* Recordings are based on what the counties submitted to the Insurance Commissioner in 2016 per the LOI.

\*\* The total documents recorded and filed by the participating counties, as reported to the Office of the Insurance Commissioner pursuant to Section 27296 of the Government Code, for the previous calendar year; A percentage figure will be calculated, by dividing the total documents recorded per participating county, by the total documents recorded for all participating counties; The percentage figure is applied to the estimated annual costs of the ERDS Program to arrive at each participating county's System Administrative Fee.

<i>County Code</i>	<i>County Name</i>	<i>Recordings*</i>	<i>% of Recordings</i>	<i>Final County Cost **</i>
38	San Francisco	231,002	2.73%	\$6,076.67
39	San Joaquin	167,238	1.98%	\$4,399.31
40	San Luis Obispo	87,464	1.03%	\$2,300.80
41	San Mateo	166,111	1.96%	\$4,369.66
42	Santa Barbara	131,526	1.56%	\$3,459.88
43	Santa Clara	518,286	6.13%	\$13,633.87
44	Santa Cruz	61,399	0.73%	\$1,615.14
45	Shasta	49,624	0.59%	\$1,305.39
48	Solano	136,374	1.61%	\$3,587.41
49	Sonoma	121,122	1.43%	\$3,186.20
51	Sutter	27,087	0.32%	\$712.54
52	Tehama	15,549	0.18%	\$409.03
54	Tulare	93,599	1.11%	\$2,462.19
55	Tuolumne	16,303	0.19%	\$428.86
56	Ventura	203,324	2.40%	\$5,348.58
<b>Total</b>		<b>8,455,509</b>		<b>\$222,428.00</b>

\* Recordings are based on what the counties submitted to the Insurance Commissioner in 2016 per the LOI.

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PROJECTIONS  
ERDS Expenditure/Collections Report

COLLECTIONS

YTD Collections (November 2004 through June 2017)	4,058,262
Interest on Collections	44,639
Total Collections	4,102,901

EXPENDITURES

Summary of ERDS Program Expenditures (November 2004 through June 2017)	4,052,004
2017-18 ERDS Projected Expenditures	241,359
1/ Expenditure Credit Applied to (2017-18) for Subsequent Years (2016-17)	(18,931)
2017-18 Projected MOUs	222,428

1/ Expenditures credits will be applied one year in arrears to allow for fiscal year liquidation.





**Applicant Record and Certification Branch**  
Electronic Recording Delivery System Program  
P.O. BOX 160526  
SACRAMENTO, CA 95816-0526  
Facsimile (916) 227-0595  
(916) 210-4237

August 31, 2017

William E. Schultz  
County Recorder  
El Dorado County  
360 Fair Lane, Building B  
Placerville, CA 95667

**RE: Final Intent to Participate and Memorandum of Understanding (MOU) Addendum**

Dear County Recorder:

Thank you for responding to our April 28, 2017 letter indicating your final intent to participate in the Electronic Recording Delivery System (ERDS) program.

This letter is intended to notify you of your final proportionate costs of \$1,697.93 for participation in the 2017/18 Fiscal Year. Thirty Nine (39) counties have indicated their intent to take part. Please note: The dollar amount has changed slightly due to one county withdrawing. Please see attachment A. Also, an expenditure report (attachment B) is attached showing the projected expenditures and collections for Fiscal Year 2004/05 through Fiscal Year 2017/18.

In addition, enclosed is the MOU or the MOU Addendum between the Department of Justice (DOJ) and El Dorado County. The MOU or the Addendum is an agreement of your county's participation in the funding of the ERDS program. Please review and complete the information requested within the MOU. Specifically, please complete the MOU representative information, sign and date the MOU or Addendum and return it by October 1, 2017 to:

Department of Justice  
Electronic Recording Delivery System Program  
P.O. Box 160526  
Sacramento, CA 95816-0526  
Attn: Michelle N. Mitchell, Field Representative

William E. Schultz

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Upon receipt of the signed MOU or Addendum from each county, the ERDS Program Representative will sign and return a copy of the MOU or Addendum to the county representative for their records. A copy of the signed MOU or Addendum will be forwarded to the Department of Justice's Accounting office, who will generate an invoice for payment due. Upon receipt of the invoice, the county will send the said lump sum payment along with the bottom portion of the invoice to the address as referenced in the MOU or Addendum and on the invoice.

\*\*\*\*\*DO NOT SEND PAYMENT AT THIS TIME\*\*\*\*\*

Sincerely,



Michelle N. Mitchell, Field Representative  
Electronic Recording Delivery System Program  
Applicant Record and Certification Branch

For XAVIER BECERRA  
Attorney General

Enclosures