

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF THE COUNTY OF SAN BERNARDINO
AND RECORD OF ACTION**

May 19, 2020

FROM

JASON ANDERSON, District Attorney

SUBJECT

Agreement with State of California Employment Development Department for Access to Confidential Information

RECOMMENDATION(S)

1. Approve **Agreement No. 20-293** with State of California Employment Development Department (EDD) to access confidential information for the period of May 1, 2020 through April 30, 2023 in an amount not to exceed \$8,676.
2. Adopt **Resolution No. 2020-58**, as required by the State of California, authorizing the District Attorney to execute all documents as required by EDD, including subsequent non-substantive amendments upon review by County Counsel, in relation to this agreement.
3. Authorize the District Attorney Supervising Automated Systems Analyst and Supervising Investigator to sign the Information Security Certification, Attachment No. D3, in the Standard Agreement package.
4. Direct the District Attorney to transmit all documents related to this agreement with EDD, including any non-substantive amendments, to the Clerk of the Board of Supervisors within 30 days of execution.

(Presenter: Michael Fermin, Assistant District Attorney, 382-3662)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Provide for the Safety, Health and Social Service Needs of County Residents.

Pursue County Goals and Objectives by Working with Other Agencies.

FINANCIAL IMPACT

Approval of this item will not result in the use of additional Discretionary General Funding (Net County Cost). The total cost of this three-year contract will not exceed \$8,676. Appropriation for this agreement is available in the District Attorney's (Department) 2019-20 budget and will be included in the future recommended budgets.

BACKGROUND INFORMATION

For several years, many of the Department's investigative units have utilized the EDD to assist with the following:

- Locating victims or witnesses, by way of the State's employment records.
- Investigating workers' compensation insurance fraud cases where either an employer or an employee has committed fraud.

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- Establishing whether an employer has complied with the required amounts of withholdings for state taxes and insurance.

EDD requires a Standard Agreement with the Department for continued access to their files. In addition to the agreement, EDD requires that the Board of Supervisors (Board) adopt a resolution authorizing the District Attorney to sign and submit the agreement. Although the term of the agreement begins May 1, 2020, the contract start date will not commence until final approval has been obtained.

PROCUREMENT

N/A

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Katherine Hardy, Deputy County Counsel, 387-5437) on April 28, 2020; Finance (Carl Lofton, Administrative Analyst III, 387-5404) on May 1, 2020; and County Finance and Administration (Kelly Welty, Deputy Executive Officer, 387-5423) on May 4, 2020.

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Record of Action of the Board of Supervisors
County of San Bernardino

APPROVED (CONSENT CALENDAR)

Moved: Robert A. Lovingood Seconded: Josie Gonzales

Ayes: Robert A. Lovingood, Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: May 19, 2020



cc: W/RESOLUTION
DA- Walker w/agree for sign
Contractor- C/O DA w/agree
File- w/agree
la 05/27/2020