



San Bernardino County

Legislation Text

File #: 3109, Agenda Item #: 40

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

October 27, 2020

FROM

JASON ANDERSON, District Attorney

SUBJECT

Grant Award Agreement for the San Bernardino County Automobile Insurance Fraud Prosecution Program

RECOMMENDATION(S)

1. Approve Grant Award Agreement with the California Insurance Commissioner to accept \$746,660 to fund the investigation and prosecution of automobile insurance fraud cases in San Bernardino County for the period of July 1, 2020 through June 30, 2021.
2. Adopt Resolution, as required by the California Department of Insurance, approving the Grant Award Agreement and authorizing the District Attorney to execute all documents and non-substantive amendments in relation to the acceptance of this Grant Award Agreement, subject to review by County Counsel.
3. Approve appropriation and revenue adjustments of \$23,702 for the funds awarded in excess of the funds included in the District Attorney's 2020-21 budget and authorize the Auditor-Controller/Treasurer/Tax Collector to post the necessary budget adjustments, as detailed in the Financial Impact Section. (Four votes required)
4. Direct the District Attorney to transmit all Grant Award Agreement documents, 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.

FINANCIAL IMPACT

Approval of this item will not result in the need for additional Discretionary General Funding (Net County Cost). The \$746,660 grant award will be used to fund (1) Deputy District Attorney, (2) District Attorney Senior Investigators, and (1) Secretary I assigned to the County's Automobile Insurance Fraud Prosecution Program (Program). Funds assessed annually against insurers, in the amount of \$1.00 for each insured vehicle, provide the funding for this grant, and no matching funds are required. Revenue and appropriation in the amount of \$722,958 was included in the District Attorney's 2020-21 budget. A budget adjustment for the additional \$23,702 is requested, as listed below:

Fund Center	Commitment Item	Description	Action	Amount
4500002670	40408955	State-Grants	Increase	\$23,702

4500002670	55405010	Salaries & Bene Transfers Out	Increase	\$23,702
4500001000	55415011	Salaries & Bene Transfer In	Increase	\$23,702
4500001000	51001010	Salaries	Increase	\$23,702

BACKGROUND INFORMATION

The California Insurance Commissioner, as authorized by Section 1872.8 of the California Insurance Code and California Code of Regulations, Title 10, Section 2698.65, annually distributes grant funds to agencies statewide for the purpose of investigating and prosecuting automobile insurance fraud cases. The San Bernardino County District Attorney’s Office (Department) has been receiving funds for this purpose since 1991. In addition to keeping the public safe, the Department’s prosecution of automobile insurance fraud often results in reduced insurance claim payments and a commensurate decrease in automobile insurance premiums for County residents.

On June 23, 2020 (Item No. 45), the Board of Supervisors (Board) authorized the District Attorney to submit a grant application to the California Insurance Commissioner requesting Program funding for the period of July 1, 2020 through June 30, 2021. On September 22, 2020, the Department received notification from the California Insurance Commissioner of the County’s grant award in the amount of \$746,660 for the period of July 1, 2020 through June 30, 2021. This item is being presented at this time, as this is the first available date following the required operational, fiscal, and legal review. Approval of the grant award by the Board at this time will have no impact on the Department’s grant related services and activities.

The State of California, Department of Insurance requires a resolution from the Board approving the Grant Award Agreement and authorizing the District Attorney to sign the agreement. The Department of Insurance has requested that the signed Grant Award Agreement be submitted by Friday, October 30, 2020.

PROCUREMENT

N/A

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Katherine Hardy, Deputy County Counsel, 387-5437) on October 05, 2020; Auditor-Controller/Treasurer/Tax Collector (Erika Gomez, General Accounting Manager, 382-3196) on October 02, 2020; Finance (Monique Amis, Administrative Analyst III, 387-4883) on October 7, 2020; and County Finance and Administration (Kelly Welty, Deputy Executive Officer, 387-5423) on October 7, 2020.