



# San Bernardino County

## Legislation Text

**File #: 5022, Agenda Item #: 34**

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

**October 26, 2021**

#### **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 \$760,898 to fund the investigation and prosecution of automobile insurance fraud cases in San Bernardino County for the period of July 1, 2021 through June 30, 2022.
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 \$14,238 for the funds awarded in excess of the funds included in the District Attorney's 2021-22 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, Chief 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 \$760,898 grant award will be used to fund the following existing positions assigned to the County's Automobile Insurance Fraud Prosecution Program (Program): (1) Deputy District Attorney, (2) Deputy District Senior Investigators, and (1) Secretary I. 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 \$746,660 was included in the District Attorney's 2021-22 budget. A budget adjustment for the additional \$14,238 is requested, as listed below:

Fund Center	Commitment Item	Description	Action	Amount
4500002670	40408955	State-Grants	Increase	\$14,238

4500002670	55405010	Salaries & Bene Transfers Out	Increase	\$14,238
4500001000	55415011	Salaries & Bene Transfers In	Increase	\$14,238
4500001000	51001010	Salaries	Increase	\$14,238

**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 22, 2021 (Item No. 41), 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, 2021 through June 30, 2022. On September 16, 2021, the Department received notification from the California Insurance Commissioner of the County's grant award in the amount of \$760,898 for the period of July 1, 2021 through June 30, 2022. 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 October 8, 2021 date to return the signed Grant Award Agreement has been extended to October 26, 2021 to ensure adequate time to obtain Board approval.

**PROCUREMENT**

N/A

**REVIEW BY OTHERS**

This item has been reviewed by County Counsel (Katherine Hardy, Deputy County Counsel, 387-5455) on September 30, 2021; Auditor-Controller/Treasurer/Tax Collector (Vanessa Doyle, Chief Deputy Controller, 382-3195) on October 1, 2021; Finance (Carl Lofton, Finance Analyst, 387-5404) on October 8, 2021; and County Finance and Administration (Robert Saldana, Deputy Executive Officer, 387-5423) on October 8, 2021.