



San Bernardino County

Legislation Text

File #: 7387, Agenda Item #: 26

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

January 24, 2023

FROM

JASON ANDERSON, District Attorney

SUBJECT

Grant Award Agreement with the California Insurance Commissioner for the 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, 2022 through June 30, 2023.
2. Adopt Resolution, as required by the California Department of Insurance, approving the Grant Award Agreement and authorizing the Chief Deputy District Attorney to electronically sign and submit all documents and non-substantive amendments in relation to the acceptance of this Grant Award Agreement, subject to review by County Counsel.
3. Direct the Chief Deputy District Attorney to transmit all documents in relation to the acceptance of this Grant Award Agreement, 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 from the California Insurance Commissioner will be used to fund the following existing positions assigned to the County's Automobile Insurance Fraud Prosecution Program (Program): one Deputy District Attorney, two Deputy District Senior Investigators, and one 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 for this program is included in the District Attorney's (Department) 2022-23 budget.

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 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 14, 2022 (Item No. 29), the Board of Supervisors (Board) authorized the Department to submit a grant application to the California Insurance Commissioner requesting Program funding for the period of July 1, 2022 through June 30, 2023. On August 30, 2022 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, 2022 through June 30, 2023. On December 19, 2022 the Department received notification that the Grant Award Agreement would come from their newly established online Grants Management System and would require electronic signature via DocuSign on December 21, 2022, which would be due on January 20, 2023. This item is being presented at this time, as it is the first available date following required operational, fiscal, and legal review. Approval of this 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 Chief Deputy District Attorney to electronically sign the agreement. The January 20, 2023 date to return the electronically signed Grant Award Agreement has been extended to January 27, 2023 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 December 28, 2022; Finance (Kathleen Gonzalez, Administrative Analyst, 387-5412) on January 9, 2023; and County Finance and Administration (Robert Saldana, Deputy Executive Officer, 387-5423) on January 9, 2023.