



Legislation Text

File #: 18-1865, **Version:** 1

District Attorney recommending the Board consider the following:

- 1) Adopt and authorize the Chair to sign Resolution **252-2018** to rescind and replace Resolution 223-2018 to add language to accept liability for the Automobile Insurance Fraud Program for Fiscal Year 2018-19; and
- 2) Adopt and authorize the Chair to sign Resolution **253-2018** to rescind and replace Resolution 224-2018 to add language to accept liability for the Workers' Compensation Insurance Fraud Program for Fiscal Year 2018-19.

FUNDING: California Department of Insurance.

DISCUSSION / BACKGROUND

On October 16, 2018 the Board approved Resolutions 223-2018, authorizing the District Attorney to execute a Grant Award Agreement with the California Department of Insurance for the Automobile Insurance Fraud Program for Fiscal Year 2018-19 in the amount of \$231,870 including any extensions or amendments thereof which would not increase net county costs, and 224-2018, authorizing the District Attorney to execute a Grant Award Agreement with the California Department of Insurance for the Workers' Compensation Insurance Fraud Program for Fiscal Year 2018-19 in the amount of \$353,173 including any extensions or amendments thereof which would not increase net county costs. However, the resolutions did not include language accepting liability for the local programs, which is a California Department of Insurance requirement to participate in the grant programs. The amended resolutions correct the omission of this statement by including the following language:

Any liability arising out of the performance of the Grant Award Agreement, including civil court actions for damages, shall be the responsibility of the grant recipient and the authorizing agency. The State of California and the California Department of Insurance disclaim responsibility for any such liability.

Signed resolutions are required in order for the District Attorney to sign the Grant Award Agreements with the California Department of Insurance (CDI). Approval of these recommendations will allow the District Attorney's Office to continue receiving grant funds that support their consumer protection efforts.

ALTERNATIVES

No viable alternative recommendations are available.

PRIOR BOARD ACTION

The Board approved Resolutions 223-2018 and 224-2018 on October 16, 2018, Agenda File 18-1189, Item Number 15.

OTHER DEPARTMENT / AGENCY INVOLVEMENT

County Counsel reviewed and approved the original and revised resolutions.

CAO RECOMMENDATION / COMMENTS

Approve as recommended.

FINANCIAL IMPACT

There is no change to Net County County.

CLERK OF THE BOARD FOLLOW UP ACTIONS

Upon approval, Clerk of the Board to return one certified copy of each resolution to the CAO Central Fiscal Unit, Attn: Megan Arevalo

STRATEGIC PLAN COMPONENT

Public Safety

CONTACT

Vern Pierson, District Attorney