



BOARD OF SUPERVISORS  
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors  
105 E. Anapamu Street, Suite 407  
Santa Barbara, CA 93101  
(805) 568-2240

**Department Name:** District Attorney  
**Department No.:** 021  
**For Agenda Of:** November 7, 2023  
**Placement:** Administrative  
**Estimated Time:**  
**Continued Item:** No  
**If Yes, date from:**  
**Vote Required:** 4/5

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**TO:** Board of Supervisors  
**FROM:** Department Director John T. Savrnock, District Attorney, (805) 568-2308  
Contact Info: Michael Soderman, Chief Financial & Administrative Officer, (805) 568-2304  
**SUBJECT:** California Office of Emergency Services Pandemic Unemployment Assistance and Unemployment Insurance Anti-Fraud Program Grant Award, Subaward No. PG23 01 0420; Salary Resolution Amendment

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**County Counsel Concurrence**

As to form: Yes

**Auditor-Controller Concurrence**

As to form: Yes

**Other Concurrence:** Risk Management, Human Resources, CEO Budget

**Recommended Actions:**

That the Board of Supervisors:

- a) Adopt a Resolution (Attachment A) authorizing the District Attorney to execute a multi-year grant agreement with the California Office of Emergency Services (Cal OES) for the Pandemic Unemployment Assistance and Unemployment Insurance Anti-Fraud Program (PG) grant accepting \$511,095 for the grant agreement term of July 1, 2023 through March 31, 2025;
- b) Approve, ratify, and authorize the District Attorney, or designee, to execute the Grant Award Agreement with Cal OES accepting \$511,095 in funding for the PG grant program for the 21-month grant agreement term of July 1, 2023 through March 31, 2025;
- c) Approve Budget Revision Request No. 0009350 (Attachment B) to increase appropriations of \$292,000 in the District Attorney General Fund for Salaries and Employee and Benefits (\$265,500) and Service and Supplies (\$26,500), funded by unanticipated revenues from the Cal OES PG grant (4/5 vote required);
- d) Approve and authorize the District Attorney, or designee, to execute any amendments to the Grant Agreement extending the term thereof through September 30, 2025, or for a supplemental grant award in the amount not to exceed \$100,000, with the concurrence of County Counsel, Risk Management, and Auditor-Controller; and

- e) Adopt a Resolution (Attachment C) amending the Salary Resolution to allocate one (1) additional full-time equivalent (1.0 FTE) position to the Office of the District Attorney, effective November 13, 2023, which will be fully-funded by one-time Cal OES PG grant funds; and
- f) Determine that the above actions are exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378(b)(4), because they consist of government funding mechanisms or other government fiscal activities, which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment.

**Summary Text:**

The above-referenced item is on the agenda to request approval of the recommended actions authorizing the District Attorney's Office to accept the Grant Award for the California Office of Emergency Services (Cal OES) Pandemic Unemployment Assistance and Unemployment Insurance Anti-Fraud Program (PG) grant. This grant will primarily fund the addition of one full-time equivalent (1.0 FTE) District Attorney Investigator position to the District Attorney's Office, which will be allocated through the attached salary resolution and Budget Revision Request. This position will be fully funded by one-time Cal OES PG grant funds.

Per the Grant Award Agreement, the District Attorney is required to maintain written documentation on file showing authorization by the Board of Supervisors for the District Attorney to execute the Grant Award Agreement. In order to meet state deadlines and properly receive the grant funding, the District Attorney preliminarily executed the Grant Award Agreement pending formal authority from the Board of Supervisors. The purpose of this Board Letter is to request that the Board authorize the District Attorney to execute the Grant Award Agreement with Cal OES for the PG Program grant award for the period of July 1, 2023 through March 31, 2025, in the amount of \$511,095.

**Background:**

In July 2023, Cal OES released a non-competitive Request for Application (RFA) for the Pandemic Unemployment Assistance and Unemployment Insurance Anti-Fraud Program (PG) grant. The purpose of the PG Program is to provide funding to district attorneys for the investigation and prosecution of pandemic unemployment assistance (PUA) and unemployment insurance (UI) fraud crimes, which spiked during the COVID-19 pandemic. District attorneys are encouraged to work with county and/or municipal law enforcement agencies on investigatory work related to PUA/UI fraud crimes, and then successfully prosecute these cases. Fraud involving PUA/UI or COVID-19 pandemic-related insurance programs administered by the Federal or State government violates various Federal and State laws.

The District Attorney's Office plans to utilize these grant funds to assign a dedicated District Attorney Investigator to work closely with local law enforcement agencies and the local Employment Development Department (EDD) Investigator assigned to Santa Barbara County. These partnerships will enable the District Attorney's Office to assume responsibility for most of the EDD theft cases that are reported to local law enforcement, and also ensure thorough investigations and the filing of criminal charges when necessary. The charging decisions made by the District Attorney's Office will consider factors such as the dollar amount of the fraudulent activity, the specifics of the fraudulent activity, and the defendant's criminal history, particularly prior convictions of fraud.

The District Attorney’s Office aims to achieve fair and balanced outcomes that serve the best interests of both the victim and the defendant. While seeking restitution for the State of California, the Office recognizes that impeding a defendant's ability to gainful employment may hinder his or her ability to pay restitution. Therefore, in cases with no significant criminal history, the District Attorney’s Office may seek resolutions that allow defendants to be gainfully employed while making restitution. Whenever possible, the Office will refer qualifying cases to available diversion programs, including the District Attorney’s newly-expanded Neighborhood Restorative Justice Program.

**Performance Measures:**

Quarterly progress reports will be submitted to Cal OES and will serve as a record for implementing the grant award. Statistics for progress reports must be collected monthly, even if there is no new information to report. Information collected will include but is not limited to the following:

1. Number of new cases.
2. Number of active cases.
3. Number of arrests.

**Fiscal and Facilities Impacts:**

Budgeted: No; recommended approval of BJE No. 0009350 attached.

**Fiscal Analysis:**

<b>Costs by Object Level</b>	<b>FY 2023-24</b>	<b>FY 2024-25</b>	<b>21-Month Total</b>
DA Investigator	\$220,400	\$165,300	\$385,700
Deputy District Attorney	23,118	17,339	40,457
Legal Office Professional	21,986	16,489	38,475
<i>Total Salaries &amp; Benefits</i>	265,504	199,128	464,632
Indirect Costs	26,550	19,913	46,463
<i>Total Services and Supplies</i>	26,550	19,913	46,463
<b>Total Project Cost</b>	<b>\$292,054</b>	<b>\$219,041</b>	<b>\$511,095</b>

The PG grant will provide \$511,095 in total funding for the 21-month period of July 1, 2023 through March 31, 2025. This includes \$385,700 in Salaries and Employee Benefits for the addition of 1.0 FTE District Attorney Investigator II, as well as \$40,457 to fund 0.23 FTE of an existing Deputy District Attorney and \$38,475 to fund 0.26 FTE of an existing Legal Office Professional Senior. The grant will also provide a total of \$46,463 in funding for indirect costs.

The Deputy District Attorney and Legal Office Professional will be existing staff who will be assigned to assist with this grant program. Once the current grant cycle ends, if the state does not continue the program, then the newly-added PG DA Investigator will be absorbed through natural attrition.

**Staffing Impacts:**

<b>Legal Positions:</b>	<b>FTEs:</b>
Add 1.0	Add 1.0

Adoption of the attached Salary Resolution will allocate the following one (1) additional legal position to the District Attorney's Office:

- One (1) 1.0 FTE District Attorney Investigator I/II

**Key Contract Risks:** There is minimal risk to the County. Funds are reimbursed after program expenses are incurred

**Special Instructions:**

- a) Please return the following items to John DeAlba, DA Department Business Specialist:
  - a. One (1) Minute Order
- b) Please email the following items to Tracy Rogers, Workforce Planning Analyst, Human Resources Department at [trogers@countyofsb.org](mailto:trogers@countyofsb.org):
  - a. One (1) Minute Order
  - b. One (1) copy of the fully-executed Salary Resolution

**Attachments:**

Attachment A: Board Resolution to accept the Cal OES PG Grant Award

Attachment B: Budget Revision Request No. 0009350

Attachment C: Salary Resolution

**Authored by:**

John DeAlba, Department Business Specialist; (805) 568-2434