



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 19, 2019
Placement: Administrative
Estimated Tme: N/A
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Director: Joyce E. Dudley, District Attorney, x2308
Contact Info: Michael Soderman, Chief Financial & Administrative Officer, x2303
SUBJECT: Renewal of Agreement with California Department of Insurance for Life and Annuity Consumer Protection Program Grant, Fiscal Year 2019 - 2020

County Counsel Concurrence

As to form: Yes

Other Concurrence: Risk Management

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Recommended Actions:

It is recommended that the Board of Supervisors:

- a) Adopt a Resolution approving, ratifying, and authorizing the District Attorney to execute a Grant Award Agreement with the California Department of Insurance for the Life and Annuity Consumer Protection Program, for the award period of July 1, 2019 through June 30, 2020 in the amount of \$75,000.00; and
- b) Approve and authorize the District Attorney to execute any future amendments or extensions thereof through December 31, 2020, not to exceed \$35,000.00, with the concurrence of County Counsel and Auditor-Controller; and
- c) Determine that the above action is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378(b)(4), because it consists 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 Life and Annuity Consumer Protection Program (LACPP) is a State Department of Insurance program that provides funds to District Attorneys for the identification, outreach, victim advocacy, enhanced investigation and prosecution of life insurance and annuity financial abuse by insurance licensees or

persons holding themselves out to be insurance licensees, or any person purporting to be engaged in the business of insurance.

Board approval is required to receive grant revenue and continue this program in Fiscal Year 2019-20. In order to meet state deadlines and properly receive the grant funding, the District Attorney preliminarily executed the grant agreement pending formal authority from the Board of Supervisors.

Background:

In 2004, the State of California enacted the Life and Annuity Consumer Protection Program, to curb life insurance and annuity financial abuse, particularly against senior citizens. This program is funded by an assessment on all newly issued life insurance and individual annuity policies sold to California residents. A portion of these funds are distributed to District Attorneys throughout California for the prosecution of life insurance and annuity fraud cases.

This grant will provide partial funds for one Deputy District Attorney (DDA) who will assist in the identification, investigation and prosecution of life and annuity financial abuse. The DDA will act as a liaison to local law enforcement and the DOI when cases of potential abuse are discovered. Victim Witness Assistance Program Advocates are available to provide identified victims with services to help them recover from emotional and financial injuries, including but not limited to case status updates and referrals to counseling and other resources.

Fiscal and Facilities Impacts:

Budgeted: Yes. Revenues and expenditures are included in the FY 19-20 budget.

Fiscal Analysis:

| <u>Funding Sources</u> | <u>Current FY Cost:</u> | <u>Annualized On-going Cost:</u> | <u>Total One-Time Project Cost</u> |
|-------------------------------|--------------------------------|---|---|
| General Fund | | | |
| State | \$ 75,000.00 | | |
| Federal | | | |
| Fees | | | |
| Other: | | | |
| Total | \$ 75,000.00 | \$ - | \$ - |

One part-time Deputy District Attorney (DDA), and one part-time Legal Office Professional will work on annuity insurance fraud efforts Countywide. Fiscal Year 2019-20 funding is \$75,000, to fund Salaries and Employee Benefits. There is no match requirement for this award.

Key Contract Risks:

The District Attorney has been awarded this grant from the California Department of Insurance annually for the past nine years. There is minimal risk to the County.

Staffing Impacts:

| <u>Legal Positions:</u> | <u>FTEs:</u> |
|--------------------------------|---------------------|
| Deputy District Attorney IV | 0.324 |
| Legal Office Professional Sr | 0.081 |

Special Instructions:

Please return one (1) Minute Order and one (1) duplicate original Resolution to Nicole Lee-Rodriguez, DA Business Manager.

Attachments:

- A. Board Resolution
- B. Grant Award Agreement
- C. Grant Award Budget

Authored by:

Danielle Spahn, Team Project Leader (EXH)