

File No. 091170

Committee Item No. 3

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: City Operations & Neighborhood Ser. Date: October 26, 2009

Board of Supervisors Meeting

Date _____

Cmte Board

- | | | |
|-------------------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Resolution |
| <input type="checkbox"/> | <input type="checkbox"/> | Ordinance |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Introduction Form (for hearings) |
| <input type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Application* |
| <input type="checkbox"/> | <input type="checkbox"/> | Public Correspondence |

OTHER

(Use back side if additional space is needed)

<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____

Completed by: Victor Young

Date October 23, 2009

Completed by: Victor Young

Date _____

An asterisked item represents the cover sheet to a document that exceeds 25 pages. The complete document is in the file.

1 [Accept-Expend State Grant – Urban Auto Fraud Interdiction Program]

2
3 **Resolution authorizing the Department of the District Attorney of the City and County**
4 **of San Francisco to retroactively accept and expend a grant in the amount of \$250,000**
5 **through the California Department of Insurance, Fraud Division, Local Assistance**
6 **Program, for a program entitled Organized Automobile Fraud Activity Interdiction**
7 **Program (“Urban Auto”) for fiscal year July 2009 through June 2010.**

8
9 WHEREAS, The City and County of San Francisco desires to establish a certain
10 project designated the Organized Automobile Fraud Activity Interdiction Program to be funded
11 in part from funds made available through the California Department of Insurance (hereafter
12 “DOI”), Fraud Division, Local Assistance Program; and

13 WHEREAS, The grant does not require an ASO amendment; and

14 WHEREAS, The Department proposes to maximize use of available grant funds on
15 program expenditures by not including indirect costs in the grant budget; now, therefore, be it

16 RESOLVED, That the Board of Supervisors hereby authorizes the District Attorney of
17 the City and County of San Francisco to retroactively accept and expend funds from DOI for
18 the purposes of Organized Automobile Fraud Activity Interdiction prosecution purposes; and
19 be it

20 FURTHER RESOLVED, That the Board of Supervisors hereby waives inclusion of
21 indirect costs in the grant budget; and be it

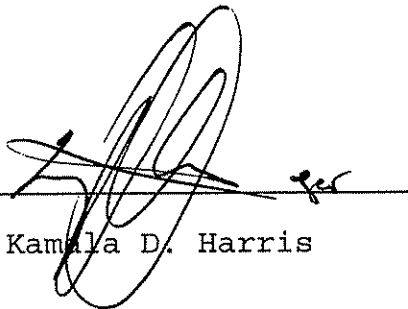
22 FURTHER RESOLVED, That the District Attorney is authorized to execute on behalf of
23 the City and County of San Francisco the necessary Grant Award Agreements for Organized
24 Automobile Fraud Activity Interdiction prosecution purposes, including any extensions,
25 augmentations or amendments thereof; and be it

1 FURTHER RESOLVED, That the District Attorney is authorized and empowered to
2 execute, deliver and perform, in the name of the City and County of San Francisco, all
3 applications, contracts, agreements, amendments and payment requests necessary for the
4 purpose of securing Organized Automobile Fraud Activity Interdiction grant funds and to
5 implement and carry out the purposes specified in the applicable grant application; and be it

6 FURTHER RESOLVED, That any liability arising out of the performance of the Grant
7 Award Agreement, including civil court actions for damages, shall be the responsibility of the
8 grant recipient and the authorizing agency; and that the grant recipient and the authorizing
9 agency will hold DOI harmless from any claims that may arise from the use of grant funds;
10 and be it



11 FURTHER RESOLVED, That grant funds received hereunder shall not be used to
12 supplant expenditures controlled by this body.

13
14 APPROVED:
Office of the District Attorney

15
16
17
18 
19 Kamala D. Harris

20
21 APPROVED:
Office of the Controller

22 APPROVED:
Office of the Mayor

23
24 By: 
25  Ben Rosenfield

By: _____
Gavin Newsom

TO: Angela Calvillo, Clerk of the Board of Supervisors

FROM: Sheila Arcelona, District Attorney's Office 

DATE: September 28, 2009

SUBJECT: Accept and Expend Resolution for Subject Grant

GRANT TITLE: Urban Auto Insurance Fraud Grant

Attached please find the original and 4 copies of each of the following:

Proposed grant resolution; original signed by Department, Mayor, Controller

Grant information form, including disability checklist

Grant budget

Grant agreement

Special Timeline Requirements:

*Please place on **consent calendar** for earliest possible committee!

Departmental representative to receive a copy of the adopted resolution:

Name: Sheila Arcelona

Phone: 415-734-3018

Interoffice Mail Address: DAT, 850 Bryant Street, Ste. 322

Certified copy required Yes

No

(Note: certified copies have the seal of the City/County affixed and are occasionally required by funding agencies. In most cases ordinary copies without the seal are sufficient).

File Number: _____
(Provided by Clerk of Board of Supervisors)

Grant Information Form
(Effective March 2005)

Purpose: Accompanies proposed Board of Supervisors resolutions authorizing a Department to accept and expend grant funds.

The following describes the grant referred to in the accompanying resolution:

1. Grant Title: Organized Automobile Fraud Activity Interdiction Program

2. Department: District Attorney

3. Contact Person: Sheila Arcelona Telephone: 415-734-3018

4. Grant Approval Status (check one):

Approved by funding agency

Not yet approved

5. Amount of Grant Funding Approved or Applied for: \$250,000

6a. Matching Funds Required: \$0

b. Source(s) of matching funds (if applicable):

7a. Grant Source Agency: California Department of Insurance

b. Grant Pass-Through Agency (if applicable): n/a

8. Proposed Grant Project Summary:

To provide funds for the investigation and prosecution of Organized Automobile Insurance Fraud Activity, including participation in a regional task force with the California Department of Insurance aimed at combating organized crime rings perpetrating insurance fraud.

9. Grant Project Schedule, as allowed in approval documents, or as proposed:

Start-Date: July 1, 2009

End-Date: June 30, 2010

10a. Amount budgeted for contractual services: 0

b. Will contractual services be put out to bid? n/a

c. If so, will contract services help to further the goals of the department's MBE/WBE requirements? n/a

d. Is this likely to be a one-time or ongoing request for contracting out? n/a

11a. Does the budget include indirect costs? Yes No

b1. If yes, how much? \$

b2. How was the amount calculated?

c. If no, why are indirect costs not included?

Not allowed by granting agency
 Other (please explain):

To maximize use of grant funds on direct services

c2. If no indirect costs are included, what would have been the indirect costs? 10% indirect costs would have been \$25,000.

12. Any other significant grant requirements or comments:

The total grant award subject to this accept and expend is \$145,244. The DA's Office already budgeted \$104,756 through the 2009 - 10 AAO process based upon the award amounts for previous years. The actual award amount was \$145,244 more than was budgeted. The total FY10 award is \$250,000.

In addition, the DA's office has permission from the funder to carry over \$26,877 in grant revenue from FY 09.

****Disability Access Checklist****

13. This Grant is intended for activities at (check all that apply):

<input type="checkbox"/> Existing Site(s)	<input checked="" type="checkbox"/> Existing Structure(s)	<input type="checkbox"/> Existing Program(s) or Service(s)
<input type="checkbox"/> Rehabilitated Site(s)	<input type="checkbox"/> Rehabilitated Structure(s)	<input type="checkbox"/> New Program(s) or Service(s)
<input type="checkbox"/> New Site(s)	<input type="checkbox"/> New Structure(s)	

14. The Departmental ADA Coordinator and/or the Mayor's Office on Disability have reviewed the proposal and concluded that the project as proposed will be in compliance with the Americans with Disabilities Act and all other Federal, State and local access laws and regulations and will allow the full inclusion of persons with disabilities, or will require unreasonable hardship exceptions, as described in the comments section:

Comments:

Departmental or Mayor's Office of Disability Reviewer: Martha Knutzen 
(Name)

Date Reviewed: _____

Department Approval: Eugene Clendinen, Chief Financial Officer
(Name) (Title)


(Signature)



STEVE POIZNER
Insurance Commissioner

September 15, 2009

The Honorable Kamala D. Harris
San Francisco County District Attorney's Office
850 Bryant Street
San Francisco, CA 94103

RE: Grant Award for Organized Automobile Fraud Activity Interdiction Program, Fiscal Years 2009-10, 2010-11, 2011-12

Dear District Attorney Harris:

I am very pleased to inform you that San Francisco County has been awarded the amount of \$250,000 under the Organized Automobile Fraud Activity Interdiction Program for Fiscal Year 2009-10 and \$136,290 for Fiscal Years 2010-11 and 2011-12. This grant award is contingent on the total amount collected and must be used for the investigation and prosecution of organized automobile insurance fraud and economic car theft, pursuant to Section 1874.8 of the Insurance Code and Section 2698.73 of the California Code of Regulations, Title 10, Chapter 5, Subchapter 9.

For Fiscal Year 2009-10, the available funding for local assistance was appropriated at \$8,047,000; and \$4,505,000 for Fiscal Years 2010-11 and 2011-12. Originally the funding availability for Fiscal Year 2009-10 was appropriated at \$8,067,000; and \$5,785,000 for Fiscal Years 2010-11 and 2011-12. However, as stated in Section I of the Request for Application, the CDI reserves the right to adjust district attorney funding levels pursuant to the FY 2009-10 State Budget Act. It is possible that the total collection could fall short of the projected amount and therefore, the final disbursement will reflect the county's portion.

The grant award was based on the following criteria:

- **Qualifications of personnel** assigned to the program
- **County statistics:** warrants, arrests, convictions, fines and restitutions in relation to the return of investment to the program
- **Problem statement** is clearly identified and reflects a balance of insurance fraud and auto theft cases investigated
- **Strategy and coordination** using the joint plan as a roadmap to conducting auto insurance fraud investigations and prosecutions
- **Outreach plan** defined as to return on investment
- **Budget request** is clearly stated and justified

If you have any questions regarding your participation in the Organized Automobile Fraud Activity Interdiction Program, please contact Ms. Mary Spaid, Manager, Fraud Division Headquarters, Local Assistance Unit, at (916) 854-5774 or at spaidm@insurance.ca.gov.

Sincerely,


Steve Poizner
Insurance Commissioner

cc: Robert Ring, Assistant District Attorney
Eugene Clendinen, Chief Financial Officer

**San Francisco District Attorney
Urban Auto Insurance Fraud Program
FY 10-12**

BUDGET SCHEDULE

BUDGET CATEGORY AND LINE ITEM DETAIL											
A. Personal Services - Salaries/Employee Benefits								FY 2010	FY 2011	FY 2012	
CLASS	PERIOD	STEP	BASE SALARY	prem	BI-WEEKLY	# OF PAY PERIODS	FTE				
Trial Attorney											
8177 Fong	Salary	16	6,644	1.00	6,644	x 26.1 x 0.50 =		\$ 86,704			
	Social Sec. Medicare		7.65%		6,633						
	Flex Benefits		\$ 2,700		2,700						
	Health Ins		\$ 5,478		5,478						
	Long Term Disability		0.54%		468						
	Retirement		9.49%		8,228						
	Unemployment Ins		0.20%		173						
	Dental Rate		\$ 1,284		\$ 1,284						
	Fringe Benefits Total				\$ 24,965			\$ 24,965			
Investigator											
8146 Yim	Salary	6	3,873	1.06	4,105	x 26.1 x 1.00 =		\$ 107,150	\$ 107,150	\$ 107,150	
	Social Sec. - Medicare		1.45%		1,554						
	Health Ins		\$ 5,294		5,294						
	Dependent Cov		\$ 4,237		3,409						
	Retirement		18.13%		19,426						
	Unemployment Ins		0.20%		214						
	Dental Rate		\$ 1,284		1,284						
	Fringe Benefits Total				31,181			\$ 31,181	\$ 29,140	\$ 29,140	
FTE Total								1.50			
Salary Total								\$ 193,854	\$ 107,150	\$ 107,150	
Fringe Benefits Total								\$ 56,146	\$ 29,140	\$ 29,140	
CATEGORY TOTAL - PERSONNEL COSTS								\$ 250,000	\$ 136,290	\$ 136,290	

BUDGET CATEGORY AND LINE ITEM DETAIL

COUNTY OF SAN FRANCISCO Organized Auto Insurance Fraud (Urban) Proposal

BUDGET SCHEDULE

BUDGET CATEGORY AND LINE ITEM DETAIL			
B. Operating Expenses	FY 2010	FY 2011	FY 2012
CATEGORY TOTAL - OPERATING EXPENSES	\$ -	\$ -	\$ -

BUDGET CATEGORY AND LINE ITEM DETAIL

COUNTY OF SAN FRANCISCO Organized Auto Insurance Fraud (Urban) Proposal

BUDGET SCHEDULE

BUDGET CATEGORY AND LINE ITEM DETAIL C. EQUIPMENT	FY 2010	FY 2011	FY 2012
CATEGORY TOTAL - EQUIPMENT	\$ -	\$ -	\$ -
PROGRAM TOTAL	\$ 250,000	\$ 136,290	\$ 136,290
CARRYOVER TOTAL	\$ -	\$ -	\$ -
INTEREST TOTAL	\$ -	\$ -	\$ -



KAMALA D. HARRIS
DISTRICT ATTORNEY
CITY AND COUNTY OF SAN FRANCISCO

July 13, 2009

Vicki Griner
California Department of Insurance
9342 Tech Center Drive, Suite 100
Sacramento, CA 95826

Dear Ms. Griner:

Enclosed please find the original and three (3) copies of the 2009-12 Organized Automobile Insurance Fraud Grant Application for the City and County of San Francisco. A CD containing a digital copy of the application is also included in this package.

Please note that a copy of County Ordinance 391-97 is included in this grant application in lieu of a certified resolution. This Ordinance authorizes County Department Heads to apply for and to expend grant proceeds. Specifically, the Ordinance states (in Section 10.170-1) that programs that are recurring or have continuous funding from year to year shall be included in the budget submission by the department. This eliminates the necessity for a new resolution each year. For fiscal years 2009-2012, the District Attorney's proposed budget will include an expenditure of up to \$1,161,437.00 for the investigation and prosecution of organized automobile insurance fraud.

Our year end report for fiscal year 2008-2009 is in the process of being completed. Our office will forward the report to you once it is finalized. All grant funds will be expended by or before the end of fiscal year 2008-2009. At this time there is no request to carry funds into the next fiscal year.

Thank you for your attention to this request. Should you have any questions or need additional information, please feel free to contact Robert Ring of my office.

Very truly yours,

Kamala D. Harris
District Attorney