

1 [Accept and Expend Grant - Retroactive - California Department of Insurance - Workers'
2 Compensation Insurance Fraud Program - \$801,148]

3 **Resolution retroactively authorizing the Office of the District Attorney to accept and**
4 **expend a grant in the amount of \$801,148 from the California Department of**
5 **Insurance for the Workers' Compensation Insurance Fraud Program for the grant**
6 **period of July 1, 2018, through June 30, 2019.**

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8 WHEREAS, The Administrative Code requires City departments to obtain Board of
9 Supervisors' approval to accept or expend any grant funds (Section 10.170 et seq.); and

10 WHEREAS, The Board of Supervisors provided in Section 11.1 of the administrative
11 provisions of the FY2018-2019 Annual Appropriation Ordinance that approval of recurring
12 grant funds contained in departmental budget submissions and approved in the FY2018-
13 2019 budget are deemed to meet the requirements of the Administrative Code regarding
14 grant approvals; and

15 WHEREAS, The Department of Insurance of the State of California that provides
16 grant funds to the Office of the District Attorney requires documentation of the Board's
17 approval of their specific grant funds (California Insurance Code, Section 1872.83,
18 California Code of Regulations, Title 10, Section 2698.55 et seq.); and

19 WHEREAS, The Office of the District Attorney applied for funding from the California
20 Department of Insurance for the "Workers' Compensation Insurance Fraud Program" and
21 was awarded \$801,148; and

22 WHEREAS, The purpose of the grant is to provide enhanced investigation and
23 prosecution of workers' compensation insurance fraud cases, including the application
24 process and subsequent reporting requirements as set forth in the California Insurance
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1 Code, Section 1872.83, California Code of Regulations, Title 10, Section 2698.55 et seq. ;
2 and

3 WHEREAS, The adopted budget for FY2018-2019 is \$758,121; and

4 WHEREAS, The amount of \$43,027 is required to be appropriated to equal the total
5 amount of \$801,148 awarded to the Office of the District Attorney for the 2018-19 fiscal year;
6 and

7 WHEREAS, The grant does not require an amendment to the Annual Salary
8 Ordinance (ASO) Amendment; and

9 WHEREAS, The grant includes indirect costs of \$53,691; and now, therefore, be it

10 RESOLVED, That should the Office of the District Attorney receive more or less
11 money than the awarded amount of \$801,148, that the Board of Supervisors hereby
12 approves the acceptance and expenditure by the Office of the District Attorney of the
13 additional or reduced money; and, be it

14 FURTHER RESOLVED, That the Board of Supervisors hereby authorizes the Office
15 of the District Attorney to accept and expend, on behalf of the City and County of San
16 Francisco, a grant from the California Department of Insurance for the Workers'
17 Compensation Insurance Fraud Program to be funded in part from funds made available
18 through California Insurance Code, Section 1872.83, California Code of Regulations, Title
19 10, Section 2698.55 et seq. in the amount of \$801,148 to enhance investigation and
20 prosecution of workers' compensation insurance fraud cases; and, be it

21 FURTHER RESOLVED, That the District Attorney of the City and County of San
22 Francisco is authorized, on its behalf, to submit the attached proposal to the California
23 Department of Insurance and is authorized to execute on behalf of the Board of
24 Supervisors the attached Grant Award Agreement including any extensions or
25 amendments thereof; and, be it

1 FURTHER RESOLVED, That it is agreed that any liability arising out of the
2 performance of the Grant Award Agreement, including civil court actions for damages, shall
3 be the responsibility of the grant recipient and the authorizing agency; the State of
4 California and the California Department of Insurance disclaim responsibility for any such
5 liability; and, be it

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

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1 Recommended:
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5 George Gascón
6 District Attorney

Approved: _____

London N. Breed
Mayor

Approved: _____

Ben Rosenfield
Controller

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