

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

427



FROM: District Attorney

SUBMITTAL DATE:
August 11, 2009

SUBJECT: Acceptance of the FY 2009/10 Life and Annuity Consumer Protection Program Grant and Adoption of Resolution No. 2009-275


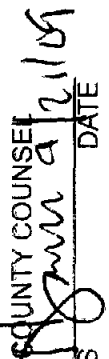
RECOMMENDED MOTION: Move that the Board of Supervisors:

1. Approve acceptance of a \$50,000 Life and Annuity Consumer Protection Program ("LACPP") grant award from the Insurance Commissioner of the State of California, Department of Insurance (DOI) for the grant period July 1, 2009 through June 30, 2010.
2. Adopt Resolution No. 2009-275 authorizing the District Attorney to submit a LACPP grant application to the California Department of Insurance and sign grant agreements on behalf of the Board through FY 2011-12. If funding of the grant significantly changes, is altered or discontinued, the department will return to the Board.
3. Approve and direct the Auditor-Controller to make the budget adjustments as shown in Schedule A.

BACKGROUND: Riverside County population passed the 2 million mark in 2006 and continued to grow at a dramatic rate through 2008. It is projected that by the year 2010 the County's senior population (age 60+) will increase to 381,875 - a 52.7% increase (compared to California at 35.2%), and (age 85+) will escalate to 36,912 - a 75.1% increase (compared to California at 47.8%).

The increasing senior population creates a venue for criminal activity. According to elder abuse advocates, the vast majority of elder abuse crimes are perpetrated to separate the senior from his or her assets. To combat this growing trend of financial crimes against seniors, the District Attorney's Office re-applied for continuation of funding from the Department of Insurance, Life and Annuity Consumer Protection Program and was awarded the grant in the amount of \$50,000. Continued on page 2.


Rod Pacheco, District Attorney

FISCAL PROCEDURES APPROVED
 ROBERT E. BYRD, AUDITOR-CONTROLLER
 BY:  SAMUEL WONG 8/23/09
 cc: Departmental Concurrence
 FORM APPROVED COUNTY COUNSEL
 BY:  NEAL R. KIPNIS DATE: 8/11/09

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 50,000	In Current Year Budget:	Yes
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	Yes
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2009-2010

SOURCE OF FUNDS: State of California, Department of Insurance	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input checked="" type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE

 BY: Robert Tremaine

County Executive Office Signature

Dept's
 Recomm. Consent Policy Policy
 Per Exec. Consent Policy

Background cont'd

The Life and Annuity Consumer Protection Program grant, made pursuant to the provisions of section 10127.17 of the California Insurance Code, will be used by the District Attorney for the enhanced investigation and prosecution of life and annuity financial abuse cases. The District Attorney's Office will also conduct education seminars targeting the senior population in the county. These seminars will reveal types of scams being used to defraud the seniors and what to do if contacted by a suspected con artist. The District Attorney's Office will also work with DOI staff.

A budget adjustment is required as reflected in Attachment A. DOI expects the grant funds to be used for compensating personnel in order to provide direct services to the senior population.

As specified in the proposed Resolution No. 2009-275, the District Attorney's Office is also requesting authorization from the Board of Supervisors to submit and to sign Life and Annuity Consumer Protection Program Grant Agreement, as well as related contracts, amendments or extensions with the California Department of Insurance.

The attached grant agreement and resolution have been reviewed and approved as to form by County Counsel.

Schedule "A"

Increase Appropriations:

10000-2200100000-510040

10000-2200100000-518100

Regular Salaries

Budgeted Benefits

\$40,706

9,294

\$50,000

Increase Estimated Revenue:

10000-2200100000-755840

CA: Life Annuity Consumer Protection \$50,000

2
3 RESOLUTION NO. 2009-275

4 RESOLUTION OF THE BOARD OF SUPERVISORS OF THE
5 COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, REGARDING
6 THE LIFE AND ANNUITY CONSUMER PROTECTION PROGRAM ("LACPP")
7

8 WHEREAS, the County of Riverside desires to undertake a certain program designated the Life
9 and Annuity Consumer Protection Program ("LACPP") to be funded in part from funds made available
10 through California Insurance Code Section 10127.17 and administered by the California Department of
11 Insurance (hereinafter referred to as "DOI"); now therefore

12 BE IT RESOLVED AND ORDERED by the Board of Supervisors of the County of Riverside,
13 State of California, in regular session assembled on _____, 2009, that the Board of
14 Supervisors of the County of Riverside, State of California does hereby authorize the District Attorney of
15 the County of Riverside, State of California to submit and to sign Riverside County's application for grant
16 funding as well as related contracts, amendments, or extensions with "DOI".

17 IT IS AGREED that any liability arising out of the performance of this contract, including civil
18 court actions for damages, shall be the responsibility of the grant recipient and the authorizing agency.
19 The State of California and DOI disclaim responsibility of any such liability.

20 BE IT FURTHER RESOLVED that the resolution shall be in effect for a three-year period
21 beginning July 1, 2009 and ending June 30, 2012.

22 BE IT FURTHER RESOLVED that grant funds received hereunder shall not be used to supplant
23 local expenditures controlled by this body.
24

FORM APPROVED BY COUNTY COUNSEL 8/2/09
BY: NEAL R. KIPNIS
DATE

INSURANCE COMMISSIONER
OF THE STATE OF CALIFORNIA

GRANT AWARD AGREEMENT

Fiscal Year 2009-2010

Life and Annuity Consumer Protection Program


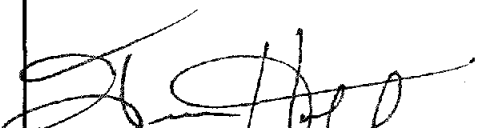
The Insurance Commissioner of the State of California hereby makes award of funds to the **County of Riverside**, Office of the District Attorney, in the amount and for the purpose and duration set forth in this grant award.

This grant award consists of this title page and the application for the grant, which is attached and made a part hereof. By acceptance of the grant award, the grant award recipient agrees to administer the grant project in accordance with all applicable statutes, regulations and Request-for-Applications (RFA).

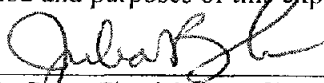
Duration of Grant: The grant award is for the program period, **July 1, 2009 through June 30, 2010.**

Purpose of Grant: This grant award is made pursuant to the provisions of California Insurance Code Section 10127.17 and shall be used solely for the purposes of enhanced investigation and prosecution of life and annuity financial abuse cases.

Amount of Grant: The grant award agreed to herein is in the amount of **\$50,000**. This amount has been determined by the Insurance Commissioner. However, the actual total award amount for the county is contingent on the collection and the authorization for expenditure pursuant to the Government Code Section 13000 et seq. The grant award shall be distributed pursuant to Section 10127.17 of the Insurance Code.

Official Authorized to Sign for Applicant/Grant Recipient	Steve Poizner Insurance Commissioner
	
Name: The Honorable Rod Pacheco	Name: Jesse Huff
Title: Riverside County District Attorney	Title: Chief Deputy Insurance Commissioner
Address: 4075 Main Street Riverside, CA 92501	
Date: 8-5-09	Date: 8-17-09

I hereby certify upon my own personal knowledge that budgeted funds are available for the period and purposes of this expenditure.


Julia Cross, Fiscal Officer, CDI

8/17/09
Date