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March 26, 2013

BPC #13-0109

The Honorable Antonio Villaraigosa
Mayor, City of Los Angeles
City Hall, Room 303
Los Angeles, CA 90012

The Honorable City Council
City of Los Angeles
c/o City Clerk's Office

Dear Honorable Members:

RE: TRANSMITTAL OF THE ADDITIONAL GRANT AWARD ACCEPTANCE AND
FOURTH AMENDMENT TO THE MOA FOR THE 2010 PORT SECURITY GRANT
PROGRAM

At the regular meeting of the Board of Police Commissioners held Tuesday, March 26, 2013, the Board APPROVED the Department's report relative to the above matter.

This matter is being forwarded to you for approval.

Respectfully,

BOARD OF POLICE COMMISSIONERS

MARIA SILVA
Commission Executive Assistant

Attachment

c: Chief of Police

INTRADEPARTMENTAL CORRESPONDENCE

REVIEWED

8/1

March 22, 2013
1.17

Richard M. Tefank 3/20/13
RICHARD M. TEFANK DATE
EXECUTIVE DIRECTOR

TO: The Honorable Board of Police Commissioners

FROM: Chief of Police

SUBJECT: TRANSMITTAL OF THE ADDITIONAL GRANT AWARD ACCEPTANCE AND FOURTH AMENDMENT TO THE MOA FOR THE 2010 PORT SECURITY GRANT PROGRAM

RECOMMENDED ACTIONS

1. That the Board of Police Commissioners (Board) REVIEW and APPROVE this report.
2. That the Board TRANSMIT the Fourth Amendment to the Memorandum of Agreement (MOA) for the 2010 Port Security Grant Program to the Mayor, Office of the City Administrative Officer (CAO), Office of the Chief Legislative Analyst, and to the City Clerk for Committee and City Council consideration.
3. That the Board REQUEST the Mayor and City Council to:
 - A. AUTHORIZE the Chief of Police or his designee to ACCEPT the additional award of \$76,106.00 for the 2010 Port Security Grant Program (PSGP) from the Department of Homeland Security for the period of September 30, 2009 through January 1, 2014;
 - B. AUTHORIZE the Chief of Police to execute the Fourth Amendment to the MOA between the Los Angeles Police Department (LAPD) and The Marine Exchange of Los Angeles-Long Beach Harbor, the Fiduciary Agent (FA) for the PSGP grant, to add the additional PSGP funds, subject to the review and approval of the City Attorney as to form and legality;
 - C. AUTHORIZE the LAPD to spend additional 2010 PSGP funds for a total amount of \$2,507,072.64 in accordance with the grant requirements;
 - D. AUTHORIZE the Controller to increase the grant receivable to the amount of \$2,507,072.64 and increase the appropriation account, Account No. H555, within Fund No. 339, Department No. 70, for the disbursements of PSGP funds;
 - E. AUTHORIZE the LAPD to submit additional grant reimbursement requests to the FA and deposit grant receipts in Fund No. 339, Department No. 70; and,

- F. AUTHORIZE the LAPD to prepare Controller instructions for any technical adjustments, subject to the approval of the CAO, and AUTHORIZE and INSTRUCT the Controller to implement the instructions.

DISCUSSION

The LAPD submitted an application for the 2010 PSGP to the Department of Homeland Security and was approved for \$1,529,000 in funding for the period of September 30, 2009 through January 1, 2014. The purpose of the PSGP is to strengthen the nation's critical infrastructure against risks associated with potential terrorist attacks and enhance the response of law enforcement entities within the jurisdiction. The Board approved the acceptance of this grant and the execution of the MOA on May 31, 2011 and the Council approved it on August 16, 2011 (CF # 10-1955).

On or about May 29, 2012, the Department of Homeland Security, acting through the grant's FA, approved an additional \$475,000 of funding to LAPD under this grant to purchase a 9-meter rigid hull inflatable boat. On or about December 5, 2012, the FA approved a third allocation of \$11,966.64 of funding to LAPD under this grant to purchase six portable marine radios, including batteries and chargers. On or about January 16, 2013, the FA approved a fourth allocation from the 2010 PSGP funds of \$415,000 to purchase microwave down-link equipment and medium lift helicopter equipment and completion services. On or about March 15, 2013, the FA approved a fifth allocation from the 2010 PSGP funds of \$76,106 to purchase public safety diver equipment. Request is now being made to accept the additional grant funds and to execute the fourth amendment to the MOA to add the additional grant funds.

If you have any questions, please contact Chief Information Officer Maggie Goodrich, Commanding Officer, Information Technology Bureau, at (213) 486-0370.

Respectfully,



CHARLIE BECK
Chief of Police

Attachment

**BOARD OF
POLICE COMMISSIONERS**
Approved *March 26, 2013*
Secretary *Maria Silva*

INTRADEPARTMENTAL CORRESPONDENCE

March 15, 2013
1.17

TO: Chief of Police


FROM: Commanding Officer, Information Technology Bureau

SUBJECT: TRANSMITTAL OF THE ADDITIONAL GRANT AWARD ACCEPTANCE
AND FOURTH AMENDMENT TO THE MOA FOR THE 2010 PORT
SECURITY GRANT PROGRAM

Attached for your approval and signature is an Intradepartmental Correspondence to the Board of Police Commissioners, requesting approval to transmit the additional grant award from the Department of Homeland Security in the amount of \$76,106.00, for the 2010 Port Security Grant Program. The report also requests authorization to execute the attached Fourth Amendment to the Memorandum of Agreement on behalf of the Los Angeles Police Department with The Marine Exchange of Los Angeles-Long Beach Harbor, the Fiduciary Agent for this grant, to provide critical infrastructure protection within the Port of Los Angeles and Port of Long Beach.

The additional grant award will enable the Underwater Dive Unit of LAPD's Metropolitan Division to use Port Security funds to replace unserviceable public safety diver equipment.

If you have any questions regarding this matter, please have a member of your staff contact Senior Management Analyst Nancy Cammarata, Officer in Charge, Contracts Section, at (213) 486-0380.


MAGGIE GOODRICH, Chief Information Officer
Commanding Officer
Information Technology Bureau

Attachments

**FOURTH AMENDMENT TO THE MEMORANDUM OF AGREEMENT
BETWEEN
THE MARINE EXCHANGE OF LOS ANGELES-LONG BEACH HARBOR
AND
THE CITY OF LOS ANGELES**

This **FOURTH AMENDMENT** ("Fourth Amendment") to that certain Memorandum of Agreement ("MOA") is made and entered into by and between the City of Los Angeles, a municipal corporation ("City"), acting by and through its Los Angeles Police Department ("LAPD"), and the Marine Exchange of Los Angeles – Long Beach Harbor, a California corporation ("Marine Exchange"), with reference to the following:

WHEREAS, the Marine Exchange has been nominated by the Area Maritime Security Committee ("AMSC"), and appointed by the Federal Emergency Management Agency ("FEMA") on behalf of the Department of Homeland Security ("DHS"), to act as the Fiduciary Agent ("FA") for the FY 2010 Port Security Grant Program award (DHS Award No: 2010-PU-T0-K004) ("Grant Award"); and

WHEREAS, the City has previously been awarded Grant Award funds in the amount of U.S. \$1,529,000.00 (the "Original Allocation") to be used by the City in the planning, development and execution of certain projects as set forth in the City's Investment Justification ("IJ") under the Grant Award; and

WHEREAS, on or about October 6, 2011, the Marine Exchange, as the FA for the Grant Award, and the City executed the MOA in connection with the use and disbursement of the Original Allocation of Grant Award funds (C.F.#10-1955, 8/16/11); and

WHEREAS, subsequently, FEMA awarded additional Grant Award funds in the amount of U.S. \$475,000.00 to the City (the "Additional Funds") to be used in accordance with the City's IJ under the Grant Award, such Additional Funds having been accepted by the Los Angeles City Council (C.F.#10-1955, 10/10/12); and

WHEREAS, on or about October 26, 2012, the Marine Exchange, as the FA for the Grant Award, and the City executed that certain First Amendment to the MOA in connection with the addition and use of the Additional Funds under the MOA as authorized by the Los Angeles City Council (C.F.#10-1955, 10/10/12); and

WHEREAS, subsequently, FEMA further awarded additional Grant Award funds in the amount of U.S. \$11,966.64 to the City (the "Third Allocation") to be used in accordance with the City's IJ under the Grant Award, such Third Allocation having been accepted by the Los Angeles City Council (C.F.#10-1955, Dated 2/5/13); and

WHEREAS, on or about March 1, 2013, the Marine Exchange, as the FA for the Grant Award, and the City executed that certain Second Amendment to the MOA in

connection with the addition and use of the Third Allocation under the MOA as authorized by the Los Angeles City Council (C.F.#10-1955, 2/5/13); and

WHEREAS, subsequently, FEMA further awarded additional Grant Award funds in the amount of U.S. \$415,000.00 to the City (the "Fourth Allocation") to be used in accordance with the City's IJ under the Grant Award, such Fourth Allocation having been accepted by the Los Angeles City Council (C.F.#10-1955, Dated _____); and

WHEREAS, on or about _____, 2013, the Marine Exchange, as the FA for the Grant Award, and the City executed that certain Third Amendment to the MOA in connection with the addition and use of the Fourth Allocation under the MOA as authorized by the Los Angeles City Council (C.F.#10-1955, _____); and

WHEREAS, subsequently, FEMA further awarded additional Grant Award funds in the amount of U.S. \$76,106.00 to the City (the "Fifth Allocation") to be used in accordance with the City's IJ under the Grant Award, such Fifth Allocation having been accepted by the Los Angeles City Council (C.F.#10-1955, Dated _____); and

WHEREAS, the Marine Exchange and the City (each a "Party" and collectively the "Parties") each desire to enter into this Fourth Amendment to add the Fifth Allocation to the MOA and to bind the responsibilities and obligations of both Parties under the MOA to the use of the Fifth Allocation.

NOW, THEREFORE, in consideration of the mutual covenants herein set forth and the mutual benefits to be derived therefrom, the Marine Exchange and the City agree that the MOA be amended effective March 15, 2013 as follows:

1. The MOA is hereby amended to include the following provision:

"13. In addition to the Grant Awards of U.S. \$1,529,000.00, \$475,000.00, \$11,966.64, and \$415,000.00 allocated to the Sub-Recipient as referenced in the recitals above and the First, Second, and Third Amendments to this MOA, DHS, through FEMA, has awarded to the Sub-recipient an additional Grant Award amount of U.S. \$76,106.00 (the "Fifth Allocation"), for a total Grant Award allocation to the Sub-Recipient of U.S. \$2,507,072.64. This Fifth Allocation shall be used by Sub-Recipient for Project #45 – Public Safety Diver Equipment. The award and use of the Fifth Allocation is hereby made a part of this MOA, and all provisions of this MOA shall apply thereto."

2. Except as herein amended by this Fourth Amendment, all other terms and conditions of the MOA shall remain unchanged and in full force and effect by way of this Fourth Amendment.
3. This Fourth Amendment may be executed in one or more counterparts, each of which will be deemed an original, but all of which together will constitute

one and the same instrument. This Fourth Amendment includes four (4) pages which constitutes the entire understanding and agreement of the parties with respect to the matters set forth herein.

(Signature page follows)

IN WITNESS WHEREOF, the City of Los Angeles and the Marine Exchange of Los Angeles-Long Beach Harbor have caused this Fourth Amendment to be executed by their duly authorized representatives.

CITY OF LOS ANGELES
a municipal corporation

MARINE EXCHANGE OF
LOS ANGELES-LONG BEACH HARBOR

By: 

CHARLIE BECK
Chief of Police

By: _____
CAPTAIN GHALIB TIKARI
Program Manager

Date: 3-20-13

Date: _____

APPROVED AS TO FORM:

CARMEN J. TRUTANICH
City Attorney

By: _____
STEVEN H. HONG
Deputy City Attorney

Date: _____