



ANTONIO R. VILLARAIGOSA
MAYOR

September 12, 2011

Honorable Members of the City Council
c/o City Clerk
Room 395, City Hall

RE: Notification of Application and Request for Authority to Accept Grant Award for
FY 2011 Edward Byrne Memorial Justice Assistance Grant (JAG) Program

Dear Honorable Members:

Pursuant to Section 14.6 of the Los Angeles Administrative Code, the Mayor's Office of Homeland Security and Public Safety is notifying the City Council of the submission of a formula grant application for the FY 2011 Justice Assistance Grant Program (FY11 JAG). The Department of Justice, Bureau of Justice Assistance issued a RFP for the FY 2011 Edward Byrne Memorial Justice Assistance Grant (JAG) Program on June 6, 2011. An application on behalf of the City of Los Angeles was submitted on July 19, 2011. On August 10, 2011 the City of Los Angeles received the award letter. The grant period is October 1, 2010 to September 30, 2014.

Transmitted herewith for consideration by the City Council is a request to accept \$3,028,147 in grant funds and approve a joint spending plan with the County of Los Angeles for the Department of Justice (DOJ), Bureau of Justice Assistance (BJA) FY 2011 Edward Byrne Memorial Justice Assistance Grant (JAG) Program. There is no match requirement associated with the Justice Assistance Grant.

The JAG is a formula grant that provides flexible funding to support all components of the criminal justice system, from multi-jurisdictional drug and gang task forces to crime prevention and domestic violence programs, courts, corrections, treatment, and justice information sharing initiatives. JAG awards are disbursed by the grantor in the first fiscal year of the appropriation and may be expended over the following three years for a total of four years. The grant period is October 1, 2010 to September 30, 2014. The early start date is due to the grant being awarded at the beginning of the Federal government's fiscal year, which runs from October through September.



Formula allocations are awarded by the DOJ to states and then local jurisdictions based on Part I violent crime statistics. The FY11 JAG provides the City and County of Los Angeles a direct allocation determined by population and Part 1 violent crime statistics and requires approval of a joint spending plan. Out of the total FY11 JAG allocation of \$3,028,147, the proposed City/County joint spending plan allocates \$1,574,636 to the City and \$1,453,511 to the County. As the fiscal agent on this grant, the City is allowed up to ten percent of the total grant amount for administrative expenses. The Mayor's office has budgeted approximately four percent (\$121,125) of the total grant amount for administrative expenses. This amount will partially support the salaries and fringe benefits for up to five Mayoral Aides managing the grant over the course of the grant period.

CLEAR

The City is electing to utilize our funds for the Community Law Enforcement and Recovery (CLEAR) program, which is part of the Mayor's Gang Reduction Strategy that was introduced in April 2007. The primary purpose of CLEAR is to facilitate the recovery of gang-infested communities. This is accomplished by decreasing the criminal activity of targeted gangs in designated communities through an effective collaboration with City and County criminal justice agencies. The CLEAR Team includes the Los Angeles Police Department (LAPD), Los Angeles County Probation Department, Los Angeles City Attorney, and the Los Angeles County District Attorney.

The FY11 JAG will partially support the CLEAR program during FY 2011-12 in a total of eight CLEAR program sites: Northeast, Newton, Southeast, Ramona Gardens, Boyle Heights, 77th, Southwest, and Foothill. The FY11 JAG will provide a total of \$1,453,511 for the following personnel support: five Deputy City Attorneys (\$304,759); eight Deputy District Attorneys (\$657,721); and eight Deputy Probation Officers (\$491,031). We are requesting authority to execute a Professional Services Agreement (PSA) with the County of Los Angeles to pay for Deputy District Attorney and Deputy Probation Officer positions. The chart below details the funding sources for CLEAR in FY 2011-12:

<i>Position</i>	<i>Juvenile Accountability Block Grant FY 11-12</i>	<i>FY 09 ARRA Justice Assistance Grant Interest Income</i>	<i>FY 11 Justice Assistance Grant</i>	<i>FY 09 Justice Assistance Grant Interest Income</i>	<i>Total Program Cost</i>
Deputy City Attorney	\$15,642	\$374,532.74	\$304,759	\$50,000	\$744,934
DCA Benefits					
LAPD Personnel & Benefits	\$22,976				\$22,976
LA County District Attorney/Probation	\$207,747		\$1,148,752		\$1,356,499
Administration	\$6,373	\$11,235.98	\$121,125 (over 3 years)	\$5,264.17	\$143,998
TOTAL	\$252,738	\$385,768.72	\$1,574,636	\$55,264.17	\$2,268,407

In addition, the LAPD component of CLEAR places Detectives, Sergeants and Police Officers in each CLEAR site. It should be noted that the vast majority of LAPD salaries for CLEAR in FY 2011-12 are funded by the LAPD's General Fund. In previous years, the LAPD CLEAR positions were funded through the California State Supplemental Law Enforcement Service Fund (SLESF), a state block fund devoted to law enforcement personnel. In FY 2010 the City received approximately \$2.3 million for LAPD CLEAR officers from SLESF. Due to State budget cuts, funding from this source for FY 2011-12 is uncertain; however, any funds received through SLESF will be transferred to LAPD for the CLEAR program.

Below is a summary of the approved budget for the entire City of Los Angeles FY11 JAG allocation:

Cost Category	Budget
Personnel – 5 Deputy City Attorney III's 8 Deputy District Attorney III's 8 Deputy Probation Officer II's	\$1,453,511
Fringe Benefits	\$ 31,621
Administrative Expenses	\$ 89,504
TOTAL AWARD	\$1,574,636

County Allocation

Based on the program requirements, the County of Los Angeles has elected to use its allocation to support the Sheriff's Department for salary and wage overtime expenses for law enforcement related services throughout the County (\$1,453,511). The Mayor's Office, as the administrative agent, is responsible for monitoring these programs and reports on the County's grant-related activities to DOJ.

IT IS THEREFORE requested that the City Council:

1. **AUTHORIZE** the Mayor, or designee, to accept the FY 2011 Edward Byrne Memorial Justice Assistance Grant (JAG) in the amount of \$3,028,147 for the period effective from October 1, 2010 through September 30, 2014;
2. **AUTHORIZE** the Mayor, or designee, to negotiate and execute the Grant Award Agreement on behalf of the City and submit any other necessary agreements and documents relative to the grant award, subject to the approval of the City Attorney as to form and legality;
3. **APPROVE** the FY 2011 Edward Byrne Memorial Justice Assistance Grant (JAG) budget and authorize the Mayor's Office of Homeland Security and Public Safety to expend the grant in accordance with the approved budget;

4. **APPROVE** a Memorandum of Understanding between the City of Los Angeles and the County of Los Angeles for the FY 2011 Edward Byrne Memorial Justice Assistance Grant for the period of October 1, 2010 through September 30, 2014, for a total not to exceed \$3,028,147 and authorize the Mayor, or designee, to execute the Memorandum of Understanding, subject to the approval of the City Attorney as to form and legality;

5. **AUTHORIZE** the Mayor, or designee, to execute a Subrecipient Agreement between the City of Los Angeles and the County of Los Angeles for the FY 2011 Edward Byrne Memorial Justice Assistance Grant for the period of October 1, 2010 through September 30, 2014, for a total not to exceed \$1,453,511, subject to the approval of the City Attorney as to form and legality;

6. **APPROVE** the Professional Services Agreement between the City of Los Angeles and the County of Los Angeles for the CLEAR Program for up to 12 months, for a total not to exceed \$1,148,752 upon submission of invoices and approval by the Mayor, or designee, of such invoices for JAG-related expenditures and authorize the Mayor, or designee, to execute the Agreement, subject to the approval of the City Attorney as to form and legality:

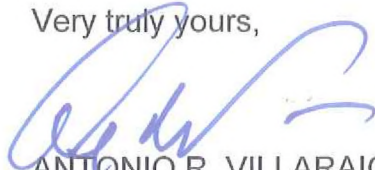
Account	Title	Amount
46H304	CLEAR Contractual Services County of Los Angeles:	
	District Attorney	\$ 657,721
	Probation Department	<u>\$ 491,031</u>
	TOTAL	\$1,148,752

7. **AUTHORIZE** the Controller to:
 - a. **CREATE** a new interest-bearing Fund, titled FY11 Justice Assistance Grant Fund, establish a receivable in this new Fund in the amount of \$3,028,147, and create new **Appropriation Accounts** within the new Fund XXX, Department 46 as follows:

Appropriation Number	Account Name	Amount
46H112	City Attorney - Salaries	\$ 304,759.00
46H304	CLEAR Contractual Services (DA and Probation)	\$1,148,752.00
46HX668	County of Los Angeles JAG Allocation	\$1,453,511.00
46H146	Operating Costs-Mayor Salaries	\$ 89,504.00
46H299	Fringe Benefits	\$ 31,621.00
	TOTAL	\$3,028,147.00

- b. **EXPEND** funds upon presentation of proper demands from the Office of the Mayor; and
 - c. **TRANSFER** cash from the FY11 JAG, Fund No. XXX, Department 46, Account H112 to Fund 100, Department 12, Account 1010 to reimburse the General Fund in an amount up to \$304,759 upon presentation of proper documentation from the City Attorney and approval from the Mayor's Office of such invoices for JAG-related expenditures.
8. **INSTRUCT** the Controller to transfer up to \$89,504 from Fund XXX, Account No. 46H146 to the Mayor's General Fund No. 100, Department 46, Account No. 1020, for reimbursement of grant-funded personnel salaries;
9. **INSTRUCT** the Controller to transfer up to \$31,621 from Fund XXX, Account No. 46H299 to the Mayor's General Fund No. 100, Department 46, Revenue Source No. 4681, for reimbursement of grant-funded fringe benefits; and
10. **AUTHORIZE** the Mayor, or designee, to prepare Controller's instructions for any necessary technical adjustments, subject to the approval of the City Administrative Officer and authorize the Controller to implement the instructions.

Very truly yours,



ANTONIO R. VILLARAIGOSA
Mayor

ARV:jkz

Attachments

- 1 Grant Application
- 2 Award Letter
- 3 County of Los Angeles Memorandum of Understanding

Program Narrative – Attachment 1**Community Law Enforcement and Recovery (CLEAR) Program**

The Community Law Enforcement and Recovery (CLEAR) Program began in 1997 as an innovative City of Los Angeles/Los Angeles County partnership to combat gang violence in Los Angeles. The primary purpose of CLEAR is to facilitate the recovery of gang-infested communities. This is accomplished by decreasing gang crime in targeted communities through an effective collaboration with City and County criminal justice agencies. The CLEAR team includes the Los Angeles Police Department (LAPD), Los Angeles County Probation Department, Los Angeles City Attorney, Los Angeles County District Attorney, California Department of Corrections, and the Los Angeles Mayor's Office. The City of Los Angeles will dedicate 100% of its FY 2011 Justice Assistance Grant allocation to support the CLEAR program.

CLEAR has had a verifiable impact in decreasing gang crime and on maintaining lower levels of gang crime. The success of CLEAR is remarkable; as of December 2010, year-to-date gang crime in CLEAR sites is down 5.6% from the previous year, gang-related violent crime is down 6.9%, overall Part I crime (property and violent crimes) is down 5.3%, and Part I violent crime is down 9.7%.¹

Community members have been meaningfully engaged in the process of community recovery, and government agencies, both within and outside the criminal justice system, have created innovative mechanisms to collaborate amongst themselves and with these communities. Monthly activity reports are created to assist each site with monitoring and revising plans and strategies.

¹ Los Angeles Police Department

CLEAR Partners

The key to CLEAR's success has been the immediate availability of police officers, District Attorneys, City Attorneys, and Probation and Parole Officers in the defined primary and secondary target areas. The role of each team member is outlined below:

- **The Los Angeles Police Department** deploys officers who are designated to respond to gang-related criminal activity within their respective CLEAR target area, and coordinates law enforcement efforts to suppress gang crime.
- **The California Department of Corrections** monitors and closely supervises all parolees during their re-entry into society to avert them from engaging in criminal activity upon their release.
- **The Los Angeles County Probation Department** works with the City Attorney to ensure that gang members receive appropriate conditions of probation that prohibit association with other gang members through curfews and restrictions on returning to designated areas.
- **The Los Angeles County District Attorney's Office and City Attorney's Office** vertically prosecute the most difficult cases generated by CLEAR unit arrests using novel and innovative prosecution strategies that may include granting cross-designation status to city prosecutors so that cases can be effectively pursued in superior court. They also track all arrests made by the CLEAR unit and prepare reports on the progress of the prosecution efforts from the point of arrest through the final court disposition of each case, including the length of imprisonment or the terms of probation ordered, and prepare and prosecute civil injunctions against gang member activities within the CLEAR sites.

CLEAR team members also collaborate with residents within each CLEAR site through the creation of a Community Impact Team (CIT). The CIT's focus is specifically on quality of life issues such as graffiti, litter and juvenile loitering. The CIT also facilitates a linkage between CLEAR's suppression efforts and other gang prevention and intervention programs. Community members on the CIT's identify effective community organizations in their area and facilitate a relationship between those organizations and law enforcement agencies which partner to secure support from individuals and businesses within the community.

Selection of CLEAR Sites

Areas with high rates of gang-related crime are generally selected as CLEAR sites. Within each site, there is a primary target area and a secondary target area identified by LAPD Reporting Districts, which track all LAPD crime data. Primary target areas are comprised of those reporting districts with the most gang activity in the CLEAR site area. Secondary target areas are comprised of those reporting districts with a high level gang activity, but at lower levels than in the primary target areas. Program resources are deployed first to the primary target areas and then to secondary target areas. This approach ensures that resources are efficiently deployed to areas with the most gang related crime.

Goals, Objectives and Evaluation

The goal of the CLEAR program is to reduce the propagation of gangs, gang membership, and gang-related criminal activity. An independent evaluation of the effectiveness of the CLEAR program is prepared and submitted to the CLEAR Executive Board on an annual basis. The Executive Board chooses the entity that will conduct the evaluation through a

competitive bidding process after sending out requests for proposals. The evaluation includes a description of the extent to which the project has accomplished the following:

- a) A decrease in gang crime in each CLEAR site;
- b) A decrease in violent gang crime in each CLEAR site; and
- c) The prosecution of those arrested for gang-related crimes in the CLEAR sites.

In addition, the CLEAR program will utilize the following performance measures consistent with Bureau of Justice Assistance Justice Assistance Grant Program:

- a) Percent change in number of individuals arrested in a targeted group by crime type;
- b) Expected change in arrests;
- c) Percent change in reported crime rates in a community by crime type; and
- d) Expected change in crime rates.

An evaluation consultant will provide ongoing monthly, quarterly, and annual reports that contain comparative data analysis on crime reduction in the CLEAR sites. Details of the evaluation process include:

- Site Activity Statistics: On a monthly basis, collect data reflecting site activities. Provide law enforcement with access to an electronic web-based system to input collected data. Include numbers of arrests, prosecutions, and other related activities.
- On a quarterly basis, obtain and analyze gang crime data for all CLEAR sites using a statistical model approved by the CLEAR Executive Board. Compare site gang crime statistics to division-wide gang crime statistics.
- Create and distribute four semi-annual reports to be presented to the Board that will include the following content in one or more of the four reports:

- An implementation study that details how the program was implemented across all sites during the Contract period, citing any challenges and successes as well as making recommendations for the future;
- Document all pertinent changes that occurred during the contract period, including but not limited to Reporting Districts, staff turnover, analysis of which sites have the greatest change in gang-related crime, etc.;
- A comprehensive overview that details CLEAR operations and outcomes in a historical, cross-site context; and
- An analysis of CLEAR's impact on each community including feedback from community members.

Project Implementation

Funding from the JAG 11 award will be utilized for the salaries and benefits for the City Attorneys, County District Attorneys, and Probation Officer staff at eight (8) CLEAR sites. These include the Northeast, Newton, Southeast, Ramona Gardens, Boyle Heights, 77th, Southwest, and Foothill Los Angeles Police Department Divisions.

The first months of the program year will be dedicated to incorporating the grant award and entering into formal agreements with the partner agencies. The Operational Teams in the CLEAR sites will continue to implement the specific CLEAR strategy for the identified area and continue coordination of services with the office of Gang Reduction and Youth Development. The CLEAR Executive Committee will continue to oversee and monitor CLEAR activities in the target areas.

Third and fourth quarter activities will include ongoing CLEAR activities in all sites. Additionally, the Executive Committee meetings will monitor and oversee activities and coordination. CLEAR activities will be evaluated and based upon the initial findings strategies in all sites will be modified and expanded. The City anticipates expending all JAG 11 program funds for CLEAR by August of 2012.

Project Management

The Mayor's Office of Homeland Security and Public Safety will manage the City of Los Angeles Justice Assistance Grant Award Program. The Office has twenty five years of experience in managing grant funds and a history of grant compliance. The Office is responsible for securing and administering the City's State and Federal public safety and criminal justice grants, all of which require programmatic and fiscal audits.



Department of Justice
Office of Justice Programs

Attachment 2

Bureau of Justice Assistance

Office of Justice Programs

Washington, D.C. 20531

August 10, 2011

The Honorable Eileen Decker
City of Los Angeles
200 North Spring Street
SW Mezzanine Room M175
Los Angeles, CA 90012

Dear Deputy Mayor Decker:

On behalf of Attorney General Eric Holder, it is my pleasure to inform you that the Office of Justice Programs has approved your application for funding under the FY 11 Edward Byrne Memorial Justice Assistance Grant (JAG) Program Local Solicitation in the amount of \$3,028,147 for City of Los Angeles.

Enclosed you will find the Grant Award and Special Conditions documents. This award is subject to all administrative and financial requirements, including the timely submission of all financial and programmatic reports, resolution of all interim audit findings, and the maintenance of a minimum level of cash-on-hand. Should you not adhere to these requirements, you will be in violation of the terms of this agreement and the award will be subject to termination for cause or other administrative action as appropriate.

If you have questions regarding this award, please contact:

- Program Questions, Dean Iwasaki, Program Manager at (202) 514-5278; and
- Financial Questions, the Office of the Chief Financial Officer, Customer Service Center (CSC) at (800) 458-0786, or you may contact the CSC at ask.ocfo@usdoj.gov.

Congratulations, and we look forward to working with you.

Sincerely,

Denise O'Donnell

Denise O'Donnell
Director

Enclosures



Department of Justice
Office of Justice Programs
Office for Civil Rights

Washington, D.C. 20531

August 10, 2011

The Honorable Eileen Decker
City of Los Angeles
200 North Spring Street
SW Mezzanine Room M175
Los Angeles, CA 90012

Dear Deputy Mayor Decker:

Congratulations on your recent award. In establishing financial assistance programs, Congress linked the receipt of Federal funding to compliance with Federal civil rights laws. The Office for Civil Rights (OCR), Office of Justice Programs (OJP), U.S. Department of Justice is responsible for ensuring that recipients of financial aid from OJP, its component offices and bureaus, the Office on Violence Against Women (OVW), and the Office of Community Oriented Policing Services (COPS) comply with applicable Federal civil rights statutes and regulations. We at OCR are available to help you and your organization meet the civil rights requirements that come with Justice Department funding.

Ensuring Access to Federally Assisted Programs

As you know, Federal laws prohibit recipients of financial assistance from discriminating on the basis of race, color, national origin, religion, sex, or disability in funded programs or activities, not only in respect to employment practices but also in the delivery of services or benefits. Federal law also prohibits funded programs or activities from discriminating on the basis of age in the delivery of services or benefits.

Providing Services to Limited English Proficiency (LEP) Individuals

In accordance with Department of Justice Guidance pertaining to Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, recipients of Federal financial assistance must take reasonable steps to provide meaningful access to their programs and activities for persons with limited English proficiency (LEP). For more information on the civil rights responsibilities that recipients have in providing language services to LEP individuals, please see the website at <http://www.lep.gov>.

Ensuring Equal Treatment for Faith-Based Organizations

The Department of Justice has published a regulation specifically pertaining to the funding of faith-based organizations. In general, the regulation, Participation in Justice Department Programs by Religious Organizations; Providing for Equal Treatment of all Justice Department Program Participants, and known as the Equal Treatment Regulation 28 C.F.R. part 38, requires State Administering Agencies to treat these organizations the same as any other applicant or recipient. The regulation prohibits State Administering Agencies from making award or grant administration decisions on the basis of an organization's religious character or affiliation, religious name, or the religious composition of its board of directors.

The regulation also prohibits faith-based organizations from using financial assistance from the Department of Justice to fund inherently religious activities. While faith-based organizations can engage in non-funded inherently religious activities, they must be held separately from the Department of Justice funded program, and customers or beneficiaries cannot be compelled to participate in them. The Equal Treatment Regulation also makes clear that organizations participating in programs funded by the Department of Justice are not permitted to discriminate in the provision of services on the basis of a beneficiary's religion. For more information on the regulation, please see OCR's website at <http://www.ojp.usdoj.gov/ocr/etfbo.htm>.

State Administering Agencies and faith-based organizations should also note that the Safe Streets Act, as amended; the Victims of Crime Act, as amended; and the Juvenile Justice and Delinquency Prevention Act, as amended, contain prohibitions against discrimination on the basis of religion in employment. Despite these noadiscrimination provisions, the Justice Department has concluded that the Religious Freedom Restoration Act (RFRA) is reasonably construed, on a case-by-case basis, to require that its funding agencies permit faith-based organizations applying for funding under the applicable program statutes both to receive DOJ funds and to continue considering religion when hiring staff, even if the statute that authorizes the funding program generally forbids considering of religion in employment decisions by grantees.

Questions about the regulation or the application of RFRA to the statutes that prohibit discrimination in employment may be directed to this Office.

Enforcing Civil Rights Laws

All recipients of Federal financial assistance, regardless of the particular funding source, the amount of the grant award, or the number of employees in the workforce, are subject to the prohibitions against unlawful discrimination. Accordingly, OCR investigates recipients that are the subject of discrimination complaints from both individuals and groups. In addition, based on regulatory criteria, OCR selects a number of recipients each year for compliance reviews, audits that require recipients to submit data showing that they are providing services equitably to all segments of their service population and that their employment practices meet equal employment opportunity standards.

Complying with the Safe Streets Act or Program Requirements

In addition to these general prohibitions, an organization which is a recipient of financial assistance subject to the nondiscrimination provisions of the Omnibus Crime Control and Safe Streets Act (Safe Streets Act) of 1968, 42 U.S.C. § 3789d(c), or other Federal grant program requirements, must meet two additional requirements: (1) complying with Federal regulations pertaining to the development of an Equal Employment Opportunity Plan (EEOP), 28 C.F.R. § 42.301-.308, and (2) submitting to OCR Findings of Discrimination (see 28 C.F.R. §§ 42.205(5) or 31.202(5)).

1) Meeting the EEOP Requirement

In accordance with Federal regulations, Assurance No. 6 in the Standard Assurances, COPS Assurance No. 8.B, or certain Federal grant program requirements, your organization must comply with the following EEOP reporting requirements:

If your organization has received an award for \$500,000 or more and has 50 or more employees (counting both full- and part-time employees but excluding political appointees), then it has to prepare an EEOP and submit it to OCR for review **within 60 days from the date of this letter**. For assistance in developing an EEOP, please consult OCR's website at <http://www.ojp.usdoj.gov/ocr/eeop.htm>. You may also request technical assistance from an EEOP specialist at OCR by dialing (202) 616-3208.

If your organization received an award between \$25,000 and \$500,000 and has 50 or more employees, your organization still has to prepare an EEOP, but it does not have to submit the EEOP to OCR for review. Instead, your organization has to maintain the EEOP on file and make it available for review on request. In addition, your organization has to complete Section B of the Certification Form and return it to OCR. The Certification Form can be found at <http://www.ojp.usdoj.gov/ocr/eeop.htm>.

If your organization received an award for less than \$25,000; or if your organization has less than 50 employees, regardless of the amount of the award; or if your organization is a medical institution, educational institution, nonprofit organization or Indian tribe, then your organization is exempt from the EEOP requirement. However, your organization must complete Section A of the Certification Form and return it to OCR. The Certification Form can be found at <http://www.ojp.usdoj.gov/ocr/eeop.htm>.

2) Submitting Findings of Discrimination

In the event a Federal or State court or Federal or State administrative agency makes an adverse finding of discrimination against your organization after a due process hearing, on the ground of race, color, religion, national origin, or sex, your organization must submit a copy of the finding to OCR for review.

Ensuring the Compliance of Subrecipients

If your organization makes subawards to other agencies, you are responsible for assuring that subrecipients also comply with all of the applicable Federal civil rights laws, including the requirements pertaining to developing and submitting an EEOP, reporting Findings of Discrimination, and providing language services to LEP persons. State agencies that make subawards must have in place standard grant assurances and review procedures to demonstrate that they are effectively monitoring the civil rights compliance of subrecipients.

If we can assist you in any way in fulfilling your civil rights responsibilities as a recipient of Federal funding, please call OCR at (202) 307-0690 or visit our website at <http://www.ojp.usdoj.gov/ocr/>.

Sincerely,



Michael L. Alston
Director

cc: Grant Manager
Financial Analyst



Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

Grant

PAGE 1 OF 6

1. RECIPIENT NAME AND ADDRESS (Including Zip Code) City of Los Angeles 200 North Spring Street SW Mezzanine Room M175 Los Angeles, CA 90012		4. AWARD NUMBER: 2011-DJ-BX-2533				
		5. PROJECT PERIOD: FROM 10/01/2010 TO 09/30/2014 BUDGET PERIOD: FROM 10/01/2010 TO 09/30/2014				
		6. AWARD DATE 08/10/2011	7. ACTION			
1A. GRANTEE IRS/VENDOR NO. 956000735		8. SUPPLEMENT NUMBER 00	Initial			
		9. PREVIOUS AWARD AMOUNT \$ 0				
3. PROJECT TITLE FY 2011 Justice Assistance Grant Program		10. AMOUNT OF THIS AWARD \$ 3,028,147				
		11. TOTAL AWARD \$ 3,028,147				
12. SPECIAL CONDITIONS THE ABOVE GRANT PROJECT IS APPROVED SUBJECT TO SUCH CONDITIONS OR LIMITATIONS AS ARE SET FORTH ON THE ATTACHED PAGE(S).						
13. STATUTORY AUTHORITY FOR GRANT This project is supported under FY11(BJA - JAG) 42 USC 3750, et seq.						
15. METHOD OF PAYMENT GPRS						
AGENCY APPROVAL		GRANTEE ACCEPTANCE				
16. TYPED NAME AND TITLE OF APPROVING OFFICIAL Denise O'Donnell Director		18. TYPED NAME AND TITLE OF AUTHORIZED GRANTEE OFFICIAL Eileen Decker Deputy Mayor				
17. SIGNATURE OF APPROVING OFFICIAL <i>Denise O'Donnell</i>		19. SIGNATURE OF AUTHORIZED RECIPIENT OFFICIAL	19A. DATE			
AGENCY USE ONLY						
20. ACCOUNTING CLASSIFICATION CODES		21. KDJUGT0071				
FISCAL YEAR	FUND CODE	BUD. ACT.	DIV. OFC.	REG. SUB.	POMS	AMOUNT
X	B	DJ	80	00	00	3028147

OJP FORM 4000/2 (REV. 5-87) PREVIOUS EDITIONS ARE OBSOLETE.

OJP FORM 4000/2 (REV. 4-88)



Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
SHEET**
Grant

PAGE 2 OF 6

PROJECT NUMBER 2011-DJ-BX-2533

AWARD DATE 08/10/2011

SPECIAL CONDITIONS

1. The recipient agrees to comply with the financial and administrative requirements set forth in the current edition of the Office of Justice Programs (OJP) Financial Guide.
2. The recipient acknowledges that failure to submit an acceptable Equal Employment Opportunity Plan (if recipient is required to submit one pursuant to 28 C.F.R. Section 42.302), that is approved by the Office for Civil Rights, is a violation of its Certified Assurances and may result in suspension or termination of funding, until such time as the recipient is in compliance.
3. The recipient agrees to comply with the organizational audit requirements of OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations, and further understands and agrees that funds may be withheld, or other related requirements may be imposed, if outstanding audit issues (if any) from OMB Circular A-133 audits (and any other audits of OJP grant funds) are not satisfactorily and promptly addressed, as further described in the current edition of the OJP Financial Guide, Chapter 19.
4. Recipient understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of the enactment, repeal, modification or adoption of any law, regulation or policy, at any level of government, without the express prior written approval of OJP.
5. The recipient must promptly refer to the DOJ OIG any credible evidence that a principal, employee, agent, contractor, subgrantee, subcontractor, or other person has either 1) submitted a false claim for grant funds under the False Claims Act; or 2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct involving grant funds. This condition also applies to any subrecipients. Potential fraud, waste, abuse, or misconduct should be reported to the OIG by -

mail:

Office of the Inspector General
U.S. Department of Justice
Investigations Division
950 Pennsylvania Avenue, N.W.
Room 4706
Washington, DC 20530

e-mail: oig.hotline@usdoj.gov

hotline: (contact information in English and Spanish): (800) 869-4499

or hotline fax: (202) 616-9881

Additional information is available from the DOJ OIG website at www.usdoj.gov/oig.

6. Recipient understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of any contract or subaward to either the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries, without the express prior written approval of OJP.
7. The recipient agrees to comply with any additional requirements that may be imposed during the grant performance period if the agency determines that the recipient is a high-risk grantee. Cf. 28 C.F.R. parts 66, 70.



Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
SHEET**
Grant

PAGE 3 OF 6

PROJECT NUMBER 2011-DJ-BX-2533

AWARD DATE 08/10/2011

SPECIAL CONDITIONS

8. Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), the Department encourages recipients and sub recipients to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this grant, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.
9. The recipient agrees to comply with applicable requirements regarding Central Contractor Registration (CCR) and applicable restrictions on subawards to first-tier subrecipients that do not acquire and provide a Data Universal Numbering System (DUNS) number. The details of recipient obligations are posted on the Office of Justice Programs web site at <http://www.ojp.gov/funding/ccr.htm> (Award condition: Central Contractor Registration and Universal Identifier Requirements), and are incorporated by reference here. This special condition does not apply to an award to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).
10. The recipient agrees to comply with applicable requirements to report first-tier subawards of \$25,000 or more and, in certain circumstances, to report the names and total compensation of the five most highly compensated executives of the recipient and first-tier subrecipients of award funds. Such data will be submitted to the FFATA Subaward Reporting System (FSRS). The details of recipient obligations, which derive from the Federal Funding Accountability and Transparency Act of 2006 (FFATA), are posted on the Office of Justice Programs web site at <http://www.ojp.gov/funding/ffata.htm> (Award condition: Reporting Subawards and Executive Compensation), and are incorporated by reference here. This condition, and its reporting requirement does not apply to grant awards made to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own operate in his or her name).
11. The recipient is required to establish a trust fund account. (The trust fund may or may not be an interest-bearing account.) The fund, including any interest, may not be used to pay debts or expenses incurred by other activities beyond the scope of the Edward Byrne Memorial Justice Assistance Grant Program (JAG). The recipient also agrees to obligate and expend the grant funds in the trust fund (including any interest earned) during the period of the grant. Grant funds (including any interest earned) not expended by the end of the grant period must be returned to the Bureau of Justice Assistance no later than 90 days after the end of the grant period, along with the final submission of the Federal Financial Report (SF-425).
12. To avoid duplicating existing networks or IT systems in any initiatives funded by BJA for law enforcement information sharing systems which involve interstate connectivity between jurisdictions, such systems shall employ, to the extent possible, existing networks as the communication backbone to achieve interstate connectivity, unless the grantee can demonstrate to the satisfaction of BJA that this requirement would not be cost effective or would impair the functionality of an existing or proposed IT system.
13. To support public safety and justice information sharing, OJP requires the grantee to use the National Information Exchange Model (NIEM) specifications and guidelines for this particular grant. Grantee shall publish and make available without restriction all schemas generated as a result of this grant to the component registry as specified in the guidelines. For more information on compliance with this special condition, visit <http://www.niem.gov/implementationguide.php>.



Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
SHEET
Grant**

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PROJECT NUMBER 2011-DJ-BX-2533

AWARD DATE 08/10/2011

SPECIAL CONDITIONS

14. The grantee agrees to assist BJA in complying with the National Environmental Policy Act (NEPA), the National Historic Preservation Act, and other related federal environmental impact analyses requirements in the use of these grant funds, either directly by the grantee or by a subgrantee. Accordingly, the grantee agrees to first determine if any of the following activities will be funded by the grant, prior to obligating funds for any of these purposes. If it is determined that any of the following activities will be funded by the grant, the grantee agrees to contact BJA.

The grantee understands that this special condition applies to its following new activities whether or not they are being specifically funded with these grant funds. That is, as long as the activity is being conducted by the grantee, a subgrantee, or any third party and the activity needs to be undertaken in order to use these grant funds, this special condition must first be met. The activities covered by this special condition are:

- a. New construction;
- b. Minor renovation or remodeling of a property located in an environmentally or historically sensitive area, including properties located within a 100-year flood plain, a wetland, or habitat for endangered species, or a property listed on or eligible for listing on the National Register of Historic Places;
- c. A renovation, lease, or any proposed use of a building or facility that will either (a) result in a change in its basic prior use or (b) significantly change its size;
- d. Implementation of a new program involving the use of chemicals other than chemicals that are (a) purchased as an incidental component of a funded activity and (b) traditionally used, for example, in office, household, recreational, or education environments; and
- e. Implementation of a program relating to clandestine methamphetamine laboratory operations, including the identification, seizure, or closure of clandestine methamphetamine laboratories.

The grantee understands and agrees that complying with NEPA may require the preparation of an Environmental Assessment and/or an Environmental Impact Statement, as directed by BJA. The grantee further understands and agrees to the requirements for implementation of a Mitigation Plan, as detailed at <http://www.ojp.usdoj.gov/BJA/resource/nepa.html>, for programs relating to methamphetamine laboratory operations.

Application of This Special Condition to Grantee's Existing Programs or Activities: For any of the grantee's or its subgrantees' existing programs or activities that will be funded by these grant funds, the grantee, upon specific request from BJA, agrees to cooperate with BJA in any preparation by BJA of a national or program environmental assessment of that funded program or activity.

15. The recipient agrees that any information technology system funded or supported by OJP funds will comply with 28 C.F.R. Part 23, Criminal Intelligence Systems Operating Policies, if OJP determines this regulation to be applicable. Should OJP determine 28 C.F.R. Part 23 to be applicable, OJP may, at its discretion, perform audits of the system, as per the regulation. Should any violation of 28 C.F.R. Part 23 occur, the recipient may be fined as per 42 U.S.C. 3789g(c)-(d). Recipient may not satisfy such a fine with federal funds.
16. The recipient agrees to ensure that the State Information Technology Point of Contact receives written notification regarding any information technology project funded by this grant during the obligation and expenditure period. This is to facilitate communication among local and state governmental entities regarding various information technology projects being conducted with these grant funds. In addition, the recipient agrees to maintain an administrative file documenting the meeting of this requirement. For a list of State Information Technology Points of Contact, go to <http://www.it.ojp.gov/default.aspx?area=policyAndPractice&page=1046>.



Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
SHEET
Grant**

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PROJECT NUMBER 2011-DJ-BX-2533

AWARD DATE 08/10/2011

SPECIAL CONDITIONS

17. The grantee agrees to comply with the applicable requirements of 28 C.F.R. Part 38, the Department of Justice regulation governing "Equal Treatment for Faith Based Organizations" (the "Equal Treatment Regulation"). The Equal Treatment Regulation provides in part that Department of Justice grant awards of direct funding may not be used to fund any inherently religious activities, such as worship, religious instruction, or proselytization. Recipients of direct grants may still engage in inherently religious activities, but such activities must be separate in time or place from the Department of Justice funded program, and participation in such activities by individuals receiving services from the grantee or a sub-grantee must be voluntary. The Equal Treatment Regulation also makes clear that organizations participating in programs directly funded by the Department of Justice are not permitted to discriminate in the provision of services on the basis of a beneficiary's religion. Notwithstanding any other special condition of this award, faith-based organizations may, in some circumstances, consider religion as a basis for employment. See http://www.ojp.gov/about/ocr/equal_fbo.htm.
18. The recipient acknowledges that all programs funded through subawards, whether at the state or local levels, must conform to the grant program requirements as stated in BJA program guidance.
19. Grantee agrees to comply with the requirements of 28 C.F.R. Part 46 and all Office of Justice Programs policies and procedures regarding the protection of human research subjects, including obtainment of Institutional Review Board approval, if appropriate, and subject informed consent.
20. Grantee agrees to comply with all confidentiality requirements of 42 U.S.C. section 3789g and 28 C.F.R. Part 22 that are applicable to collection, use, and revelation of data or information. Grantee further agrees, as a condition of grant approval, to submit a Privacy Certificate that is in accord with requirements of 28 C.F.R. Part 22 and, in particular, section 22.23.
21. The recipient agrees that funds received under this award will not be used to supplant State or local funds, but will be used to increase the amounts of such funds that would, in the absence of Federal funds, be made available for law enforcement activities.
22. Award recipients must submit quarterly a Federal Financial Report (SF-425) and annual performance reports through GMS (<https://grants.ojp.usdoj.gov>). Consistent with the Department's responsibilities under the Government Performance and Results Act (GPRA), P.L. 103-62, applicants who receive funding under this solicitation must provide data that measure the results of their work. Therefore, quarterly performance metrics reports must be submitted through BJA's Performance Measurement Tool (PMT) website (www.bjaperformancetools.org). For more detailed information on reporting and other JAG requirements, refer to the JAG reporting requirements webpage. Failure to submit required JAG reports by established deadlines may result in the freezing of grant funds and future High Risk designation.
23. The recipient agrees to monitor subawards under this JAG award in accordance with all applicable statutes, regulations, OMB circulars, and guidelines, including the OJP Financial Guide, and to include the applicable conditions of this award in any subaward. The recipient is responsible for oversight of subrecipient spending and monitoring of specific outcomes and benefits attributable to use of JAG funds by subrecipients. The recipient agrees to submit, upon request, documentation of its policies and procedures for monitoring of subawards under this award.
24. Award recipients must verify Point of Contact (POC), Financial Point of Contact (FPOC), and Authorized Representative contact information in GMS, including telephone number and e-mail address. If any information is incorrect or has changed, a Grant Adjustment Notice (GAN) must be submitted via the Grants Management System (GMS) to document changes.



Department of Justice
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**AWARD CONTINUATION
SHEET
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PAGE 6 OF 6

PROJECT NUMBER 2011-DJ-BX-2533

AWARD DATE 08/10/2011

SPECIAL CONDITIONS

25. The grantee agrees that within 120 days of award acceptance, each member of a law enforcement task force funded with these funds who is a task force commander, agency executive, task force officer, or other task force member of equivalent rank, will complete required online (internet-based) task force training. The training is provided free of charge online through BJA's Center for Task Force Integrity and Leadership (www.ctfli.org). All current and new task force members are required to complete this training once during the life of the award, or once every four years if multiple awards include this requirement. This training addresses task force effectiveness as well as other key issues including privacy and civil liberties/rights, task force performance measurement, personnel selection, and task force oversight and accountability. Additional information is available regarding this required training and access methods via BJA's web site and the Center for Task Force Integrity and Leadership (www.ctfli.org).
26. Recipient may not expend or drawdown funds until the Bureau of Justice Assistance, Office of Justice Programs has received documentation demonstrating that the state or local governing body review and/or community notification requirements have been met and has issued a Grant Adjustment Notice (GAN) releasing this special condition.
27. Recipient may not expend or drawdown funds until the Bureau of Justice Assistance, Office of Justice Programs has received and approved the signed Memorandum of Understanding (MOU) between the disparate jurisdictions and has issued a Grant Adjustment Notice (GAN) releasing this special condition.
28. With respect to this award, federal funds may not be used to pay cash compensation (salary plus bonuses) to any employee of the award recipient at a rate that exceeds 110% of the maximum annual salary payable to a member of the federal government's Senior Executive Service (SES) at an agency with a Certified SES Performance Appraisal System for that year. (An award recipient may compensate an employee at a higher rate, provided the amount in excess of this compensation limitation is paid with non-federal funds.)

This limitation on compensation rates allowable under this award may be waived on an individual basis at the discretion of the OJP official indicated in the program announcement under which this award is made.



Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

Washington, D.C. 20531

Memorandum To: Official Grant File

From: Orbin Terry, NEPA Coordinator

Subject: Incorporates NEPA Compliance in Further Developmental Stages for City of Los Angeles

The Edward Byrne Memorial Justice Assistance Grant Program (JAG) allows states and local governments to support a broad range of activities to prevent and control crime and to improve the criminal justice system, some of which could have environmental impacts. All recipients of JAG funding must assist BJA in complying with NEPA and other related federal environmental impact analyses requirements in the use of grant funds, whether the funds are used directly by the grantee or by a subgrantee or third party. Accordingly, prior to obligating funds for any of the specified activities, the grantee must first determine if any of the specified activities will be funded by the grant.

The specified activities requiring environmental analysis are:

- a. New construction;
- b. Any renovation or remodeling of a property located in an environmentally or historically sensitive area, including properties located within a 100-year flood plain, a wetland, or habitat for endangered species, or a property listed on or eligible for listing on the National Register of Historic Places;
- c. A renovation, lease, or any proposed use of a building or facility that will either (a) result in a change in its basic prior use or (b) significantly change its size;
- d. Implementation of a new program involving the use of chemicals other than chemicals that are (a) purchased as an incidental component of a funded activity and (b) traditionally used, for example, in office, household, recreational, or education environments; and
- e. Implementation of a program relating to clandestine methamphetamine laboratory operations, including the identification, seizure, or closure of clandestine methamphetamine laboratories.

Complying with NEPA may require the preparation of an Environmental Assessment and/or an Environmental Impact Statement, as directed by BJA. Further, for programs relating to methamphetamine laboratory operations, the preparation of a detailed Mitigation Plan will be required. For more information about Mitigation Plan requirements, please see <http://www.ojp.usdoj.gov/BJA/resource/nepa.html>.

Please be sure to carefully review the grant conditions on your award document, as it may contain more specific information about environmental compliance.



Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

**GRANT MANAGER'S MEMORANDUM, PT. 1:
PROJECT SUMMARY**

Grant

PROJECT NUMBER
2011-DJ-BX-2533

PAGE 1 OF 1

This project is supported under FY 11 (BJA - JAG) 42 USC 3750, et seq.

1. STAFF CONTACT (Name & telephone number)

Dean Iwasaki
(202) 514-5278

2. PROJECT DIRECTOR (Name, address & telephone number)

Julie Zeisler
Senior Grant Specialist
City Hall
200 North Spring Street, Room 303
Los Angeles, CA 90012-6000
(213) 978-4607

3a. TITLE OF THE PROGRAM

FY 2011 Justice Assistance Grant Program

**3b. POMS CODE (SEE INSTRUCTIONS
ON REVERSE)**

4. TITLE OF PROJECT

FY 2011 Justice Assistance Grant Program

5. NAME & ADDRESS OF GRANTEE

City of Los Angeles
200 North Spring Street SW Mezzanine Room M175
Los Angeles, CA 90012

6. NAME & ADDRESS OF SUBGRANTEE

7. PROGRAM PERIOD

FROM: 10/01/2010 TO: 09/30/2014

8. BUDGET PERIOD

FROM: 10/01/2010 TO: 09/30/2014

9. AMOUNT OF AWARD

\$ 3,028,147

10. DATE OF AWARD

08/10/2011

11. SECOND YEAR'S BUDGET

12. SECOND YEAR'S BUDGET AMOUNT

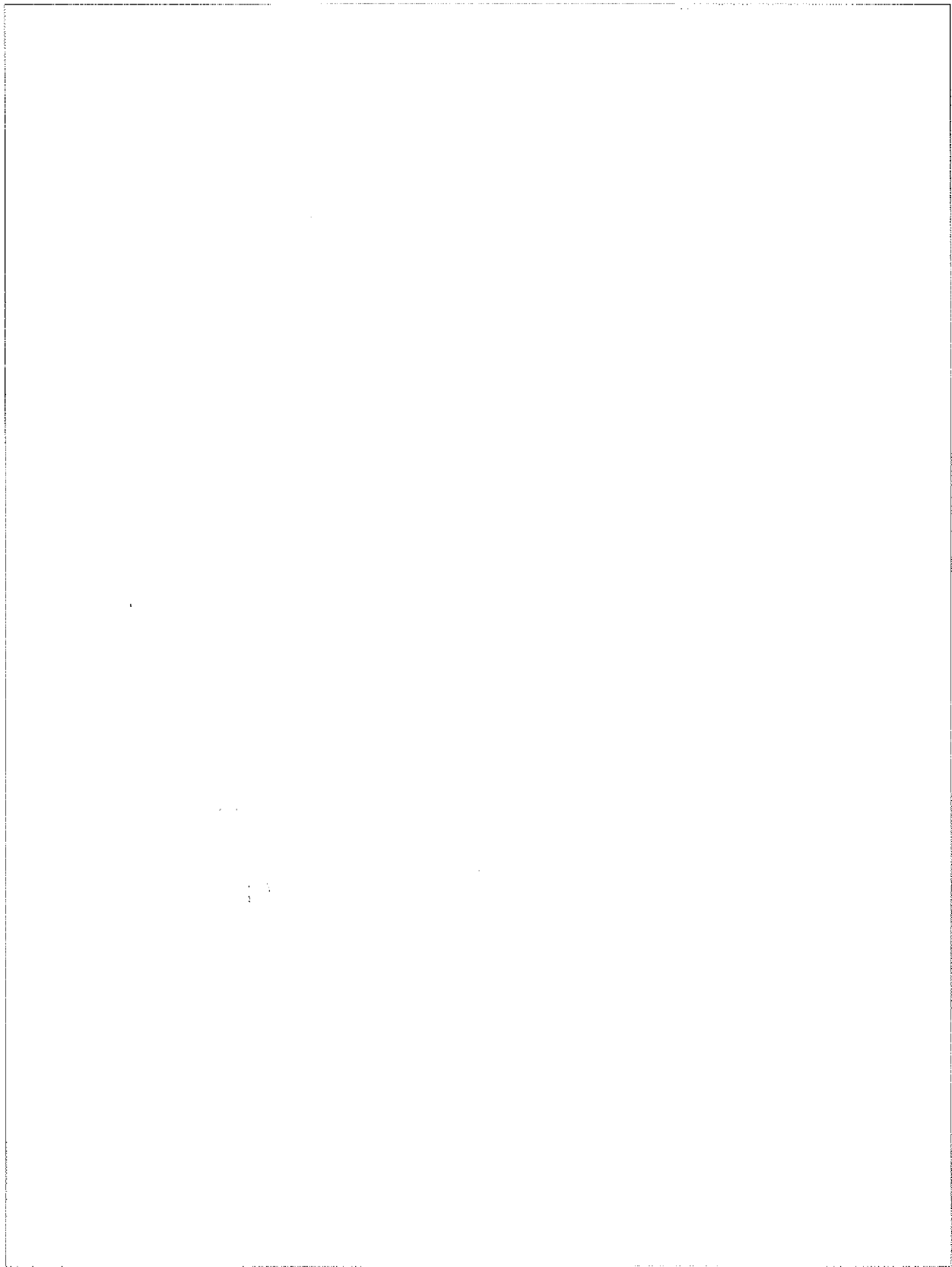
13. THIRD YEAR'S BUDGET PERIOD

14. THIRD YEAR'S BUDGET AMOUNT

15. SUMMARY DESCRIPTION OF PROJECT (See instruction on reverse)

The Edward Byrne Memorial Justice Assistance Grant Program (JAG) allows states and units of local government, including tribes, to support a broad range of activities to prevent and control crime based on their own state and local needs and conditions. Grant funds can be used for state and local initiatives, technical assistance, training, personnel, equipment, supplies, contractual support, and information systems for criminal justice, including for any one or more of the following purpose areas: 1) law enforcement programs; 2) prosecution and court programs; 3) prevention and education programs; 4) corrections and community corrections programs; 5) drug treatment and enforcement programs; 6) planning, evaluation, and technology improvement programs; and 7) crime victim and witness programs (other than compensation).

The grantee will use funds to support the salaries of staff assigned to a multi-agency program aimed at combating gang violence in targeted communities. General overtime hours for sheriff's deputies will also be funded. NCA/NCF



MEMORANDUM OF UNDERSTANDING BETWEEN
THE COUNTY OF LOS ANGELES AND THE CITY OF LOS ANGELES
2011 BYRNE JUSTICE ASSISTANCE GRANT (JAG) PROGRAM AWARD

This Memorandum of Understanding ("MOU") is made and entered into this ____ day of _____ 2011, by and between the County of Los Angeles, a subdivision of the State of California, acting by and through its governing body, the Los Angeles County Board of Supervisors, ("County"), and the City of Los Angeles, acting by and through its governing body, the City Council, ("City").

WITNESSETH

WHEREAS, this MOU is authorized pursuant to Section 23005 of the Government Code, and was specifically authorized by the County (refer to Board File dated ___ / ___ / ___); and

WHEREAS, this MOU is authorized by the Los Angeles City Council and the Mayor of Los Angeles (refer to Council File _____ dated ___ / ___ / ___); and

WHEREAS, the United States Department of Justice, Office of Justice Programs' Bureau of Justice Assistance ("BJA") administers the U.S. Department of Justice, FY 2011 Edward Byrne Memorial Justice Assistance Grant ("FY11 JAG") Program; and

WHEREAS, BJA requires this MOU be executed between the County and City prior to allocating the FY11 JAG funds; and

WHEREAS, each governing body, in performing governmental functions or in paying for the performance of governmental functions hereunder, shall make that performance or those payments from current revenues legally available to that party; and

WHEREAS, each governing body finds that the performance of this MOU is in the best interests of both parties, that the undertaking will benefit the public, and that the division of costs fairly compensates the performing party for the services or functions under this MOU; and

WHEREAS, the City agrees to serve as the applicant/fiscal agent for the FY11 JAG funds allocated to the City and County and to provide the County with the amount of JAG funds approved by BJA for use as approved by BJA under the FY11 JAG program.

NOW THEREFORE, the COUNTY and CITY agree as follows:

Section 1.

The term of this MOU shall commence on October 1, 2010 and end September 30, 2014. Said term is subject to the provisions herein.

Section 2.

Upon the disbursement by BJA to the City of all FY11 JAG funds allocated to the City and County, the CITY agrees to disburse to County that amount allocated by BJA to the County (the "Disbursement Amount"). The Disbursement Amount is the amount of JAG funds allocated to the County by BJA less 4% of such allocated amount to be retained by the City as compensation to the City for its role as applicant/fiscal agent of such FY11 JAG funds. The County agrees to use the FY11 JAG funds allocated to it for those projects approved by BJA under the FY11 JAG program as set forth in the application for the FY11 JAG funds submitted by the City to BJA. Prior to disbursement of the Disbursement Amount of FY11 JAG funds to the County, the County agrees to enter into a contract with the City setting forth the County's and the City's assurances and obligations regarding the use of FY11 JAG funds, which shall include without limitation compliance with all applicable laws and reporting requirements related to the FY11 JAG program the use of the FY11 JAG funds (the "Contract"). Currently the Disbursement Amount is contemplated to be \$1,453,511.00.

Section 3.

Nothing in the performance of this MOU shall impose any liability for claims against the City or County other than claims for which liability may be imposed by the California Tort Claims Act, or claims by the State or Federal Government for unallowable expenditure of the funds provided by this MOU.

Section 4.

Funding for all periods of this MOU is subject to the continuing availability of Federal funds for this program. The MOU may be terminated immediately upon written notice to County of a loss or reduction of Federal grant funds. Any change in the terms of this MOU, including any increase or decrease in the amount of FY11 JAG funds awarded, shall be incorporated into this MOU by a written amendment properly executed and signed by the person authorized to bind the parties.

Section 5.

Upon execution of this MOU, the County shall provide performance reports on a quarterly and annual basis demonstrating progress in achieving desired goals and outcomes in a form and manner as required under the FY11 JAG program.

Section 6.

Each of the parties to this MOU is a public entity. In contemplation of the provisions of Section 895.2 of the Government Code of the State of California imposing certain tort liability jointly upon public entities, solely by reason of such entities being parties to an Agreement as defined by Section 895 of said Code, the parties hereto, as between themselves, pursuant to the authorization contained in Section 895.4 and 895.6 of said

Code, will each assume the full liability imposed upon it or upon any of its officers, agents, or employees by law, for injury caused by a negligent or wrongful act or omission occurring in the performance of this Agreement, to the same extent that such liability would be imposed in the absence of Section 895.2 of said Code. To achieve the above stated purpose, each party indemnifies and holds harmless the other party solely by virtue of said Section 895.2. The provision of Section 2778 of the California Civil Code is made a part hereto as if fully set forth herein. County certifies that it has adequate self insured retention of funds to meet any obligation arising from this MOU. City also certifies that it has adequate self-insured retention of funds to meet any obligation arising from this MOU.

Each party to this MOU will be responsible for its own actions in providing services under this MOU and shall not be liable for any civil liability that may arise from the furnishing of the services by the other party.

Section 7.

The parties to this MOU warrant that they will abide by all the Federal, State and other governmental rules and regulations applicable to the FY11 JAG funds. The County shall be liable to the City, as fiscal agent, for any sums spent under the FY11 JAG grant found to be ineligible by the State or Federal government. The County shall cooperate and assist the City in any audit, or administrative or judicial actions brought by the State or Federal government concerning the activities funded by this MOU.

Section 8.

The parties to this MOU do not intend for any third party to obtain a right by virtue of this MOU.

Section 9.

By entering into this MOU, the parties do not intend to create any obligations express or implied other than those set out herein. Further, this MOU shall not create any rights in any party not a signatory hereto.

IN WITNESS WHEREOF, the governing bodies of the parties hereto have authorized the foregoing Memorandum of Agreement between the County of Los Angeles and the City of Los Angeles to be executed on the ____ day of _____ 2011.

COUNTY OF LOS ANGELES

APPROVED AS TO FORM:
OFFICE OF COUNTY COUNSEL

By: _____
WILLIAM T FUJIOKA
Chief Executive Officer

By: _____
JENNIFER LEHMAN
Senior Deputy County Counsel

Date: _____

Date: _____

Attach County Seal Here

CITY OF LOS ANGELES
ANTONIO R. VILLARAIGOSA, Mayor

Attach City Seal Here

By: _____

Date: _____

APPROVED AS TO FORM:
CITY OF LOS ANGELES
CARMEN A. TRUTANICH, City Attorney

ATTEST:
JUNE LAGMAY, City Clerk

By: _____
Steven Hong, Deputy City Attorney

By: _____
Deputy City Clerk

Date: _____

Date: _____

Council File/CAO Number _____ Date _____

Said Agreement is Number _____ of City Contracts