


CITY OF LOS ANGELES  
INTER-DEPARTMENTAL CORRESPONDENCE

0220-04537-0006

Date: October 16, 2013

To: The Mayor  
The CouncilAttn: Mandy Olvera, Mayor's Office  
John White, City Clerk's Office

From: Miguel A. Santana, City Administrative Officer

Subject: **GRANTS PILOT PROGRAM - GRANT ACCEPTANCE PACKET  
SUPPLEMENTAL FUNDING FOR THE U.S. DEPARTMENT OF JUSTICE,  
INTELLECTUAL PROPERTY ENFORCEMENT PROGRAM**

Attached is the Grant Acceptance Packet for the U.S. Department of Justice, Bureau of Justice Assistance, Intellectual Property Enforcement Program Supplemental Grant in the amount of \$200,000 received by the City Attorney's Office. This represents additional funding within a two year funding cycle: October 1, 2013 through September 30, 2015 to continue implementation of the City's Counterfeit Abatement Prosecution Program (CAPP). As a participant in the Grants Pilot Program, this department submitted the packet for review and analysis by the CAO Grants Oversight Unit and the appropriate CAO Analyst.

In accordance with the approved procedures for the Pilot, this Office reviewed the Packet for completeness, conducted a concise analysis and prepared a Fiscal Impact Statement. The Grant Acceptance Packet consists of the following:

- Review of Grant Award and Acceptance Determination
- Department Request for Acceptance of Grant Award

If you have any questions about the Grants Pilot Program or the procedures for the Grant Acceptance Packet, please contact Camilla Fong at 213-978-7681.

Attachments

MAS:ACA:CLF:04140042c

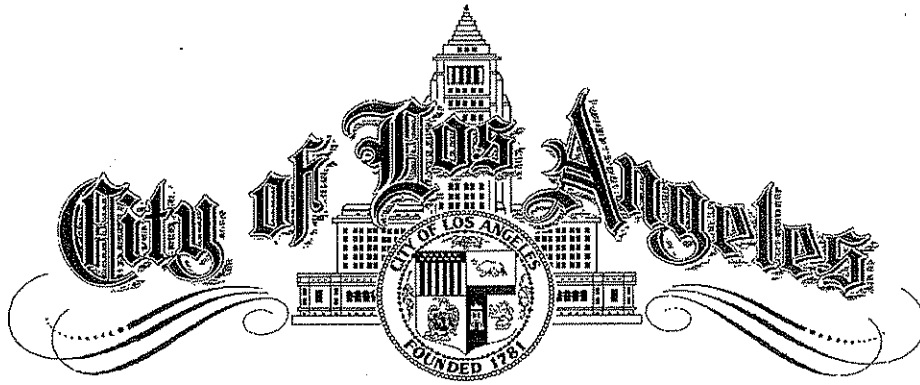
**OFFICE OF THE CITY ADMINISTRATIVE OFFICER**  
Review of Grant Award and Acceptance Determination

<b>Recipient City Department:</b> Office of the City Attorney		<b>Award Notification Date:</b> September 11, 2013	
<b>Grant Award Title:</b> Intellectual Property Enforcement Program		<b>Grant Amount:</b> \$200,000 <b>Prior Grant Award(s):</b> \$200,000	
<b>Awarding Agency:</b> Department of Justice			
<b>Grant Agreement Number/Reference:</b>	<b>Performance Start Date:</b> October 1, 2013	<b>Performance End Date:</b> September 30, 2015	
<b>Purpose:</b> The City Attorney's Office requests authority to accept the supplemental Intellectual Property Enforcement Program grant in the amount of \$200,000 from the Department of Justice, Bureau of Justice Assistance. The grant performance period is for a two-year term from October 1, 2013 to September 30, 2015. The City Attorney's Office will utilize the funds to continue the Counterfeit Abatement Prosecution Program (CAPP), which addresses counterfeiting activities tied to organized crime.			

Checklist for Grant Acceptance:	Yes	No	N/A	Comments
<b>1. Authority for Grant Acceptance</b>				
• Department requests acceptance of the Grant	X			( ) Terms/Conditions outlined in Award Notice/Grantor Agreement
<b>2. Match Requirement Review</b>				
• Match Sources Identification completed			X	( ) Obtain match requirements from Award Notice/Grantor Agreement
• Additional Funds requested			X	( ) Submit to CAO for review
<b>3. Charter Section 1022 Determination</b>				
• Charter Section 1022 findings completed			X	( ) Submit to CAO for review and determination
<b>4. Provisions for Grant-Funded Contracts</b>				
• Standard and Grantor Provisions or equivalent language is included			X	( ) Incorporate Provisions or Language into proposed agreement
• Pro Forma Agreement RFP <input type="checkbox"/> MOU <input type="checkbox"/> PSA <input type="checkbox"/>			X	( ) Submit to City Attorney for review and approval; copy to CAO
<b>5. Personnel Authorities</b>				
• Department has submitted a request for position(s)		X		( ) Review documents and make determination
<b>6. Grant Implementation Recommendations</b>				
• Department has submitted grant implementation instructions	X			( ) Submit to CAO for review
<b>7. Controller Instructions for Fund/Accounts Set-Up</b>				
• Department has requested Funds/Accounts Set-up	X			
<b>8. Governing Body Resolution/Certification</b>				
• Department has submitted Resolution/Certification			X	( ) Submit to CAO and City Attorney for review
<b>9. Fiscal Impact Analysis</b>				
• Department has submitted Fiscal Impact Statement	X			( ) Submit to CAO for review and determination

**OFFICE OF THE CITY ADMINISTRATIVE OFFICER**  
Review of Grant Award and Acceptance Determination

<b>10. Grant Award Summary</b>			
<p>The Office of the City Attorney requests authority to accept the supplemental grant to the Intellectual Property Enforcement Program from the Department of Justice, Bureau of Justice Assistance in the amount of \$200,000 for a two-year grant performance period from October 1, 2013 to September 30, 2015. The Council approved the acceptance of the original award on January 18, 2013 (C.F. 12-1936). The City Attorney's Office will utilize the supplemental grant to continue the Counterfeit Abatement Prosecution Program (CAPP), which addresses counterfeiting activities tied to organized crime by increasing filings of counterfeit nuisance abatement and unfair competition lawsuits.</p> <p>The total cost of the program is \$237,908, of which \$200,000 will be reimbursed to the City as follows: \$148,368 in salaries, and \$51,632 in fringe benefits. Grant funding for salaries and fringe benefits will support the costs of one Deputy City Attorney IV assigned to this program. No additional position authority is needed as the authority for this position is provided through the 2013-14 Departmental Personnel Ordinance. There is no matching requirement for this grant, however, the City will have to bear overhead costs, which includes \$25,534 for central services costs and \$12,374 for department administration costs, totaling \$37,908, not reimbursed by the grant.</p>			
<b>11. Recommendations</b>			
<p>Pursuant to a review of departmental recommendations for this grant, please provide a complete list of necessary actions for implementation including acceptance of the award by the City, Controller instructions for fund and accounts set-up, coordination of project activities, etc.</p> <p>That the Council, subject to the approval of the Mayor:</p> <ol style="list-style-type: none"> <li>Approve the grant award between the City of Los Angeles and the Department of Justice, Bureau of Justice Assistance and authorize the City Attorney, or his designee, to execute the grant award in the amount of \$200,000 for the Intellectual Property Enforcement Program, subject to the approval of the City Attorney as to form and legality;</li> <li>Authorize the City Attorney, or his designee, to accept the Intellectual Property Enforcement Program grant award in the amount of \$200,000 for funding the Counterfeit Abatement Prosecution Program for the period of October 1, 2013 to September 30, 2015;</li> <li>Authorize the Controller to:             <ol style="list-style-type: none"> <li>Establish a receivable within Fund 368, Department 12, in the amount of \$200,000</li> <li>Increase appropriations within Fund 368 as follows: Account 12J261 - FY 12-13 Intellectual Property Grant - \$200,000</li> </ol> </li> <li>Upon receipt of grant funds, transfer up to \$200,000 from Fund 368, Department 12, Account 12J261 to Fund 100, Account 5301, Reimbursement from Other Funds/Dept; and,</li> <li>Authorize the City Attorney to prepare Controller instructions for any necessary technical adjustments subject to the approval of the City Administrative Officer and authorize the Controller to implement the instructions.</li> </ol>			
<b>12. Fiscal Impact Statement</b>			
<p><input checked="" type="checkbox"/> Yes This Office finds that the Grant complies with City financial policies as follows (see below):  <input type="checkbox"/> No This Office finds that the Grant does not comply with City financial policies as follows (see below):</p> <p>The total cost of the Counterfeit Abatement Prosecution Program is \$237,908, of which \$200,000 will be reimbursed by the Department of Justice, Bureau of Justice Assistance. The General Fund impact will be \$37,908 for central services and department administration costs not reimbursed the grant. No additional appropriation is needed. The recommendations in this report are in compliance with the City's Financial Policies in that budgeted appropriations will be balanced against receipts expected from this grant.</p>			
<i>Marissa Orrella</i>	<i>W. Lee</i>	<i>R. S.</i>	<i>10/16/13</i>
CAO Analyst	Chief	CAO/Assistant CAO	Date



**MICHAEL N. FEUER**  
CITY ATTORNEY

September 25, 2013

The Honorable Eric Garcetti  
Mayor of Los Angeles  
City Hall  
Los Angeles, CA 90012  
Attention: Cary Gross

Honorable City Council  
City of Los Angeles  
City Hall  
Los Angeles, CA 90012  
Attention: Holly Wolcott

**Re: Acceptance of Bureau of Justice Assistance Intellectual Property  
Enforcement Program Supplemental Grant Award for FY 2013-2015**

Contact Persons: Michiko M. Reyes (213) 978-7020  
Janette Flintoft (213) 215-5808

Dear Mayor Garcetti and Members of City Council:

The City Attorney's Office is transmitting for your review and approval acceptance of a supplemental grant award in the amount of \$200,000 from the Department of Justice, Bureau of Justice Assistance, under the Intellectual Property Enforcement Program. This award will support counterfeit abatement enforcement actions in the City of Los Angeles from October 1, 2013 through September 30, 2015.

With federal funding, the Los Angeles City Attorney's Office ("LACA") will maintain the Counterfeit Abatement Prosecution Program (CAPP) to address physical locations where chronic counterfeiting activities occur. Increased filing of counterfeit nuisance abatement and unfair competition lawsuits will take place as part of a broader local, state, and federal strategy that includes the Los Angeles Police Department, Los Angeles County Sheriff, and Federal Bureau of Investigation. CAPP will also strengthen existing local intellectual property task force efforts through heightened coordination and collaboration related to abatements.

Los Angeles is the epicenter of intellectual property theft and home to sophisticated entities that sell counterfeit goods to further advance their criminal operations. Counterfeiting activities frequently cross pollinate with violence, weapons, and narcotics - posing grave public safety risks. During FY 2012-13, CAPP effectively addressed

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chronic counterfeit locations through property owner notification letters, hearings with property owners, and the filing of counterfeit abatement legal actions.

Acceptance of the FY 2013-2015 Intellectual Property Enforcement Program supplemental funding will continue to improve the performance and efficiency of intellectual property enforcement efforts and increase public safety.

IT IS THEREFORE REQUESTED that the City Council and the Mayor:

1. Authorize the City Attorney or his designee to **APPROVE** the accompanying grant award between the City and the Department of Justice, Bureau of Justice Assistance, and authorize the City Attorney or his designee to **EXECUTE** said grant award on behalf of the City, subject to the approval of the City Attorney as to form and legality.
2. Authorize the City Attorney or his designee to **ACCEPT** the grant award in the amount of \$200,000 for funding the Counterfeit Abatement Prosecution Program for the period of October 1, 2013 – September 30, 2015.
3. **AUTHORIZE** the Controller to:
  - a. **ESTABLISH** a receivable in the amount of \$200,000 within Fund 368, Department 12.
  - b. **ESTABLISH** Appropriation Account 12K261 - FY 13-14 Intellectual Property Grant within Fund 368, Department 12 in the amount of \$200,000.
  - c. **TRANSFER** \$54,387 from Fund 368, Department 12, Account 12K261 - FY 13-14 Intellectual Property Grant to Fund 100, Department 12, Account 1020 Salaries Grant Reimbursed.
5. **AUTHORIZE** the City Council to Instruct the City Clerk to place on Council Calendar for July 1, 2014, the following action relative to the Counterfeit Abatement and Prosecution Program:

“That the City Council, subject to the approval of the Mayor, **AUTHORIZE** the Controller to transfer \$72,516 from Fund 368, Department 12, Account 12K261 FY 13-14 Intellectual Property Grant to Fund 100, Department 12, Account 1020 Salaries Grant Reimbursed.”

Honorable Eric Garcetti  
City Council  
September 25, 2013  
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6. **AUTHORIZE** the City Council to Instruct the City Clerk to place on Council Calendar for July 1, 2015, the following action relative to the Counterfeit Abatement and Prosecution Program:

“That the City Council, subject to the approval of the Mayor, **AUTHORIZE** the Controller to transfer \$18,131 from Fund 368, Department 12, Account 12K261 FY 13-14 Intellectual Property Grant to Fund 100, Department 12, Account 1020 Salaries Grant Reimbursed.”

7. **AUTHORIZE** the Office of the City Attorney to prepare Controller’s instructions for any necessary technical adjustments, subject to the approval of the City Administrative Officer.

Thank you for your consideration to this matter.

Sincerely,


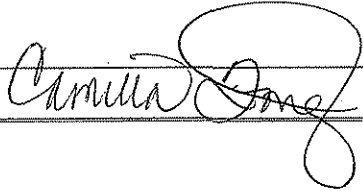
  
Leela Kapur  
Chief of Staff

cc: Miguel Santana, CAO  
Maria Raisa Corella, CAO

## City of Los Angeles Grant Award Notification and Acceptance

<b>Recipient Department</b>				
This Grant Award is: <input type="checkbox"/> New <input checked="" type="checkbox"/> Continuation/Renewal <input checked="" type="checkbox"/> Supplemental <input type="checkbox"/> Revision <input type="checkbox"/> Sub-Allocation				
Grants Coordinator: Janette Flintoft		E-Mail: janette.flintoft@lacity.org		Phone: 213-215-5808
Project Manager: Kevin Gilligan		E-Mail: kevin.gilligan@lacity.org		Phone: 213-978-3642
Department/Bureau/Agency: City Attorney				Date: 09/25/13
<b>Grant Information</b>				
Name of Grantor: Department of Justice			Pass Through Agency: Bureau of Justice Assistance	
Grant Program Title: Intellectual Property Enforcement Program			Notification of Award Date: 09/11/13	
Funding Source (Public or Private): <input checked="" type="checkbox"/> Federal <input type="checkbox"/> State <input type="checkbox"/> Local <input type="checkbox"/> Foundation <input type="checkbox"/> Corporation <input type="checkbox"/> Other	Grant Type: <input type="checkbox"/> Formula/Block <input checked="" type="checkbox"/> Competitive/Discretionary <input type="checkbox"/> Other		Funds Disbursement: <input type="checkbox"/> Advance <input checked="" type="checkbox"/> Reimbursement	Agency's Grant ID: CFDA # BJA 2011 2869 Other ID # _____ eCivis ID# _____
Match Requirement: <input checked="" type="checkbox"/> None <input type="checkbox"/> Recommended <input type="checkbox"/> Mandatory _____ Amount = _____ % Match				
Match Type: <input type="checkbox"/> Cash <input type="checkbox"/> In-Kind Identify Source of Match: _____				
<b>Fiscal Information:</b>	Awarded Funds \$200,000	Match/In-Kind Funds \$	Additional/Leveraged Funds \$	Total Project Budget \$200,000
<b>Approved Grant Budget Summary:</b>				
<u>Category</u>	<u>Awarded</u>	<u>Match</u>	<u>Additional</u>	<u>Explanation</u>
Personnel				
Salaries	145,489	148,368		
Fringe Benefits	54,966	51,632		
Indirect				
Equipment				
Materials/Supplies				
Travel				
Contractual Services				
Other				
Total:	200,000			
<b>Approved Project</b>				
Descriptive Title of Funded Project: Counterfeit Abatement Prosecution Program				
Performance Period Start/End Dates (Month/Day/Year): Start: 10/01/2013 End: 09/30/2015			Citywide: <input checked="" type="checkbox"/> Affected Council District(s): Citywide Affected Congressional District(s): Citywide	
Purpose: <input type="checkbox"/> Capital/Infrastructure <input type="checkbox"/> Equipment <input checked="" type="checkbox"/> Program <input type="checkbox"/> Planning/Training <input type="checkbox"/> Pilot/Demonstration				
Identify Internal Partners (City Department/Bureau/Agency): LAPD				
Identify External Partners: Intellectual Property Task Force consisting of local, state and federal partners.				
<b>Summary</b>				
Please provide a project summary including goals, objectives (metrics), specific outcomes, and briefly describe the activities that will be used to achieve these goals. You may attach an additional sheet of paper if necessary.				
The Counterfeit Abatement Prosecution Program (CAPP) will continue to address physical locations where chronic counterfeiting activities occur. During FY 2012-13, CAPP reduced the public safety, health and economic impacts related to counterfeiting through increased filing of counterfeit nuisance abatement and unfair competition lawsuits as part of coordinated intellectual enforcement strategies involving the Los Angeles Police Department, Los Angeles County Sheriff, and Federal Bureau of Investigation. CAPP will also strengthen existing local intellectual property task force efforts through heightened coordination and collaboration related to abatements.				

## City of Los Angeles Grant Award Notification and Acceptance

Fiscal Impact Statement		
Please describe how the acceptance of this grant will impact the General Fund. Provide details on any additional funding that may be required to implement the project/program funded by this grant.		
<b>There is no negative fiscal impact on the General Fund.</b>		
Acceptance Packet		
The above named Department has received an award for the Grant Program identified above, accepts full responsibility for the coordination and management of all Grant funds awarded to the City, and will adhere to any policies, procedures and compliance requirements set forth by the Grantor and its related agencies or agents, as well as those of the City, and its financial and administrative departments. The following items comprise the Acceptance Packet and are attached for review by the CAO Grants Oversight Unit:		
<input checked="" type="checkbox"/> Grant Award Notification and Acceptance	<input type="checkbox"/> Copy of Award Notice	
<input checked="" type="checkbox"/> Grant Project Cost Breakdown (Excel Document)	<input checked="" type="checkbox"/> Copy of Grant Agreement (if applicable)	
<input checked="" type="checkbox"/> Detail of Positions and Salary Costs (Excel Document)	<input type="checkbox"/> Additional Documents (if applicable)	
Department Head Name: Mary Clare Molidor	Department Head Signature: 	Date: 10/2/13
FOR CAO USE ONLY		
The Office of the City Administrative Officer, Grants Oversight Unit has reviewed the information as requested, and has determined that the Acceptance Packet is:		
<input checked="" type="checkbox"/> Complete The Acceptance Packet has been forwarded to appropriate CAO analyst <input type="checkbox"/> Returned to Department (Additional information/documentation has been requested.) <input type="checkbox"/> Flagged (See comments below.)		
Comments:		
CAO Grants Oversight Unit Signature: 		Date: 10/11/13



**Grant Award Notification and Acceptance  
Grant Project Cost Breakdown**

Grant Name: Couterfeit Abatement Prosecution Program	Grant Funds		Additional Costs**		Department:	
	Grant Funds	City Funds	Non-City Funds	Total	Comments	
<b>Salaries</b>						
1010 Salaries General						
1020 Salaries Grant Reimbursed	-446,034	149,368				
1070 Salaries As Needed						
1090 Overtime						
<b>Salaries Total:</b>						
<b>Related Costs*</b>						
Fringe Benefits	34,901%					
Department Administration						
Central Services						
<b>Related Costs Total:</b>						
<b>Expense</b>						
2120 Printing & Binding						
2130 Travel						
3040 Contractual Services						
3310 Transportation						
4160 Governmental Meetings						
6010 Office Supplies						
6020 Operating Supplies						
7300 Equipment						
<b>Expenses Total:</b>						
<b>Grand Total:</b>	\$	200,000				
*Please use the full Cost Allocation Plan (CAP) rates unless disallowed by the Grantor. CAP rates should be applied to Gross Salaries (including Compensated Time Off.)						

## Grant Award Notification and Acceptance Detail of Positions Salary Costs for Grant

Department: City Attorney Criminal Branch	Prosecution Program				Other Funding Sources							
	Project Name: Counterfeit Abatement				City		City		Non-City		Comments	
	Total	New	Existing	Grant Funding No.	Grant Funding Cost	Reimbursable* No.	Reimbursable* Cost	Non-Reimbursable** No.	Non-Reimbursable** Cost	No.		Cost
DCA IV	1		1	1	145,034							
<b>Total:</b>					145,034							

Indicate classification code by each position and percentage of time spent on this grant. The amounts shown here should only reflect salary costs. Related costs (fringe benefits, department administration and central services) are separate and when combined with salaries, will result in the full costs for personnel. \*Reimbursable costs are savings to the City. These costs would include all currently City funded positions working for the specified grant program activities that will be reimbursed by grant funds.

\*\*Non-reimbursable costs may not be reimbursed by the Grant but could be used as a Match or as additional costs needed to enhance the program.