

**CITY OF LOS ANGELES**  
INTER-DEPARTMENTAL CORRESPONDENCE

0220-04537-0005

Date: December 13, 2012

To: The Mayor  
The CouncilAttn: Mandy Morales, Mayor's Office  
John White, City Clerk's OfficeFrom: Miguel A. Santana, City Administrative Officer *DH  
TW*Subject: **GRANTS PILOT PROGRAM – GRANT ACCEPTANCE PACKET FOR U.S. DEPARTMENT OF JUSTICE, FY2012-2013 INTELLECTUAL PROPERTY ENFORCEMENT PROGRAM, SECOND YEAR CONTINUATION**

Attached is the updated Grant Acceptance Packet for the U.S. Department of Justice, Bureau of Justice Assistance, Intellectual Property Enforcement Program Grant in the amount of \$200,000 received by the City Attorney's Office for the implementation of the FY2012-013 Counterfeit Abatement Prosecution Program (CAPP), Second Year Continuation. 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
- Notice of Award and Project Summary

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:04130061



**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 29, 2012	
<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, 2012	<b>Performance End Date:</b> September 30, 2013
<b>Purpose:</b> The City Attorney's Office requests authority to accept the Intellectual Property Crime Enforcement Program grant in the amount of \$200,000 from the Department of Justice, Bureau of Justice Assistance. The grant performance period is from October 1, 2012 to September 30, 2013. 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

**10. Grant Award Summary**

The Office of the City Attorney requests authority to accept the Intellectual Property Crime Enforcement Program grant from the Department of Justice, Bureau of Justice Assistance in the amount of \$200,000. This is the second year the City Attorney's Office is receiving this grant. The City Attorney's Office will utilize the 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. In coordination with the National Crime Prevention Center, the City Attorney's Office will also utilize the grant funds to conduct outreach on the radio to increase public awareness on preventing, deterring and identifying criminal violations of intellectual property laws.

The total cost of the program is \$236,917, of which \$200,000 will be reimbursed to the City as follows: \$144,489 in salaries, \$50,282 in fringe benefits, \$4,826 in contractual services and \$403 in supplies. Grant funding for salaries and fringe benefits will support the costs of one Deputy City Attorney IV assigned to this program. There is no matching requirement for this grant, however, the City will have to bear overhead costs, which includes \$24,867 for central services and \$12,050 for department administration, totaling \$36,917, not reimbursed by the grant.

**11. Recommendations**

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.

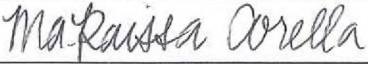
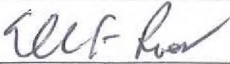
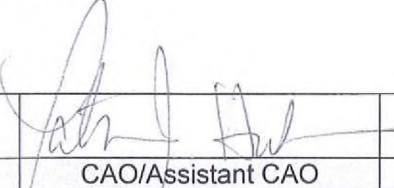
That the Council, subject to the approval of the Mayor:

1. Approve and authorize the City Attorney, or his designee, to execute the grant award between the City of Los Angeles and the Department of Justice, 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, 2012 to September 30, 2013;
3. Authorize the Controller to:
  - a. Establish a receivable within Fund 368, Department 12, in the amount of \$200,000
  - b. Establish a new appropriation account within Fund 368 as follows:  
 Account 12J261 - FY 12-13 Intellectual Property Grant - \$200,000
4. Upon receipt of grant funds, transfer up to \$194,771 from Fund 368, Department 12, Account 12J261 to Fund 100, Account 5301, Reimbursement from Other Funds/Dept; and
5. 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.

**12. Fiscal Impact Statement**

Yes This Office finds that the Grant complies with City financial policies as follows (see below):  
 No This Office finds that the Grant does not comply with City financial policies as follows (see below):

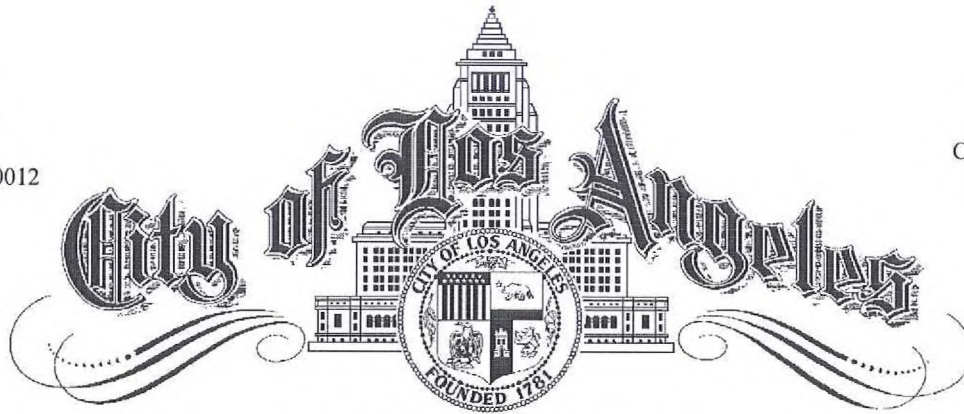
The total cost of the Counterfeit Abatement Prosecution Program is \$236,917, of which \$200,000 will be reimbursed by the Department of Justice. The General Fund impact will be \$36,917 for overhead costs not reimbursed the grant. No additional appropriation is needed. The recommendations in this report are in compliance with the City's Financial Policies in that budgeted appropriations will be balanced against receipts expected from this grant.

			12/13/12
CAO Analyst	Chief	CAO/Assistant CAO	Date



City Hall East  
200 N. Main Street  
Room 800  
Los Angeles, CA 90012

(213) 978-8100 Tel  
(213) 978-8312 Fax  
CTrutanich@lacity.org  
www.lacity.org/atty



OFFICER  
648

**CARMEN A. TRUTANICH**  
City Attorney

October 29, 2012

The Honorable Antonio Villaraigosa  
Mayor of Los Angeles  
City Hall  
Los Angeles, CA 90012  
Attention: Pamela Finley

Honorable City Council  
City of Los Angeles  
City Hall  
Los Angeles, CA 90012  
Attention: June Lagmay

**Re: Acceptance of Bureau of Justice Assistance Intellectual Property  
Enforcement Program Grant Award for FY 2012-2013**

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

The City Attorney's Office is transmitting for your review and approval acceptance of continuation funding totaling \$200,000 from the Department of Justice, Bureau of Justice Assistance related to the Intellectual Property Enforcement Program for FY 2012-2013.

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 with ties to organized crime. The goal of the project is to reduce 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 Investigations. In addition, during FY 2012-13 CAPP will work with National Crime Prevention Center to increase public awareness to prevent, deter and identify criminal violations of intellectual property laws. 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 gangs that sell counterfeit goods to further advance their criminal operations. Gang involved counterfeiting activities frequently cross pollinate with violence, weapons, and narcotics - posing grave public safety risks. During FY 2011-12, the CAPP program effectively addressed chronic counterfeit locations through property notice letters, hearings, and the filing of counterfeit abatement legal actions.

0220-04537-0005



Honorable Antonio Villaraigosa  
City Council  
August 29, 2012  
Page Two

Acceptance of the FY 2012-2013 Intellectual Property Enforcement Program continuation 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 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, 2012 – September 30, 2013.

3. **AUTHORIZE** the Controller to:

a. ESTABLISH a receivable in the amount of \$200,000 within Fund 368, Department 12.

b. **ESTABLISH** the following appropriation Account Nos within Fund 368, Department 12 :

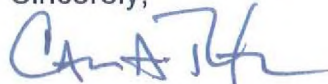
**Account 12J261, FY 12-13 Intellectual Property grant \$200,000**

c. Transfer \$144,489 from Fund 368, Department 12, Account 12J261, FY 12-13 Intellectual Property grant to Fund 100, Department 12, Account 1020 Salaries Grant Reimbursed.

4. **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,



Carmen A. Trutanich  
City Attorney

cc: William Mangan  
Michiko Reyes  
Miguel Santana, 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 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: 213-978-8100	
Department/Bureau/Agency: City Attorney			Date: 10/29/2012		
<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: 09/29/2012		
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>					
Category	Awarded	Match	Additional	Explanation	
Personnel					
Salaries	144,489				
Fringe Benefits	50,282				
Indirect					
Equipment					
Materials/Supplies	403				
Travel					
Contractual Services	4,826			National Crime Prevention Center consultant	
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: 10/01/12   End: 09/30/13			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 with ties to organized crime. During FY 2011-12, 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 Investigations. In addition, CAPP will work with the National Crime Prevention Center to increase public awareness to prevent, deter and identify criminal violations of intellectual property laws. 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.

**There is no negative fiscal impact on the General Fund.**

### 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:  
Earl Thomas

Department Head Signature:

Date:

### 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:

- Complete The Acceptance Packet has been forwarded to appropriate CAO analyst  
 Returned to Department (Additional information/documentation has been requested.)  
 Flagged (See comments below.)

Comments:

CAO Grants Oversight Unit Signature:

Date:

12/12/12

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

Grant Name: COUNTERFEIT ABATEMENT PROSECUTION PROGRAM	Grant Funds		Additional Costs**		Department:	
	Grant Funds	City Funds	Non-City Funds	Total	Total	Comments
<b>Salaries</b>						
1010 Salaries General					-	
1020 Salaries Grant Reimbursed	144,489				144,489.00	
1070 Salaries As Needed					-	
1090 Overtime					-	
<b>Salaries Total:</b>	\$ 144,489	\$ -	\$ -		\$ 144,489	
<b>Related Costs*</b>						
<u>Related Costs*</u>						
Fringe Benefits						
Department Administration					50,282	
Central Services						
<b>Related Costs Total:</b>	\$ 50,282	\$ -	\$ -		\$ 50,282	
<b>Expense</b>						
2120 Printing & Binding					0	
2130 Travel						
3040 Contractual Services						
3310 Transportation					4,826	National Crime Prevention Center
4160 Governmental Meetings						
6010 Office Supplies					403	
6020 Operating Supplies						
7300 Equipment						
<b>Expenses Total:</b>	\$ 5,229		\$ 0		\$ 5,229	
<b>Grand Total:</b>	\$ 200,000	\$ -	\$ -		\$ 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.)						
**Other sources of funding. Please indicate whether these funds are part of a match requirement and whether they are already provided or new funding is required.						









Department of Justice  
Office of Justice Programs  
Bureau of Justice Assistance

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

**Grant**

PROJECT NUMBER

2011-BE-BX-0009

PAGE 1 OF 1

This project is supported under FY11(BJA - Intellectual Property Enforcement) Pub. L. No. 112-10, div. B, secs. 1101-1104; Pub. L. No. 111-117, 123 Stat. 3034, 3134

1. STAFF CONTACT (Name & telephone number)

Esmeralda C. Womack  
(202) 353-3450

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

Janette Flintoft  
Deputy City Attorney, Grant Director  
200 N. Main Street  
8th Floor  
Los Angeles, CA 90012  
(213) 215-5808

3a. TITLE OF THE PROGRAM

BJA FY 11 Intellectual Property Crime Enforcement Program

3b. POMS CODE (SEE INSTRUCTIONS  
ON REVERSE)

4. TITLE OF PROJECT

Counterfeit Abatement Prosecution Project

5. NAME & ADDRESS OF GRANTEE

City of Los Angeles  
200 N. Spring Street, SW Mezzanine Room M175  
Los Angeles, CA 90012-4110

6. NAME & ADDRESS OF SUBGRANTEE

7. PROGRAM PERIOD

FROM: 10/01/2011 TO: 09/30/2012

8. BUDGET PERIOD

FROM: 10/01/2011 TO: 09/30/2012

9. AMOUNT OF AWARD

\$ 200,000

10. DATE OF AWARD

08/15/2011

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)

This program is authorized by the Full-Year Continuing Appropriations Act, 2011, Omnibus Consolidated Appropriations Act, 2011 (Pub. L. 1121-1017, div. B, secs. 1101-1104) and Pub. L. No. 111-117, 123 Stat. 3034, 3134, and informed by section 401 of Public Law 110-403, which authorizes the Department to provide funding to support state and local intellectual property enforcement efforts. The Intellectual Property Crime Enforcement Program is designed to provide national support and improve the capacity of state, local, and tribal criminal justice systems to address intellectual property criminal enforcement, including prosecution, prevention, training, and technical assistance. This program is generally informed by section 401 of Public law 110-403, which authorizes the Department to provide funding to support state and local intellectual property crime enforcement efforts.

The Los Angeles City Attorney's Office will establish the Counterfeit Abatement Prosecution Program (CAPP) to address physical locations where chronic counterfeiting activities occur with ties to organized crime. The goal of this project is to reduce the public safety, health, and economic impacts related to