

CITY OF LOS ANGELES
INTER-DEPARTMENTAL CORRESPONDENCE

0130-01995-0032

Date: November 6, 2013

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

From: Miguel A. Santana, City Administrative Officer

MHS
RWSubject: **GRANTS PILOT PROGRAM – GRANT ACCEPTANCE PACKET FOR THE CALIFORNIA OFFICE OF TRAFFIC SAFETY, FISCAL YEAR 2013-2014 ALCOHOL AND DRUG IMPAIRED DRIVING VERTICAL PROSECUTION PROGRAM AWARD**

Attached is the Grant Acceptance Packet for the Fiscal Year 2013-2014 Alcohol and Drug Impaired Driving Vertical Prosecution Program Grant in the amount of \$520,790 received by the City Attorney's Office from the California Office of Traffic Safety (OTS). OTS is the pass-through agency for the National Institute of Traffic and Highway Safety federal grant fund dollars. It should be noted that this is the second year that funds have been awarded for the City's vertical prosecution project to address impaired driving for alcohol and drugs. As a participant in the Grants Pilot Program, this department has 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
- Notification of 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:04140048c

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

Recipient City Department: Office of the City Attorney		Award Notification Date: 08/28/2013
Grant Award Title: Alcohol and Drug Impaired Driving Vertical Prosecution Program		Grant Amount: \$520,790 Prior Grant Award(s): \$631,000
Awarding Agency: National Institute of Traffic and Highway Safety		
Grant Agreement Number/Reference:	Performance Start Date: October 1, 2013	Performance End Date: September 30, 2014
Purpose: The City Attorney's Office requests authority to accept grant funding in the amount of \$520,790 for the Alcohol and Drug Impaired Driving Vertical Prosecution Program for the grant performance period of October 1, 2013 to September 30, 2014.		

Checklist for Grant Acceptance:	Yes	No	N/A	Comments
1. Authority for Grant Acceptance				
• Department requests acceptance of the Grant	X			() Terms/Conditions outlined in Award Notice/Grantor Agreement
2. Match Requirement Review				
• Match Sources Identification completed			X	() Obtain match requirements from Award Notice/Grantor Agreement
• Additional Funds requested			X	() Submit to CAO for review
3. Charter Section 1022 Determination				
• Charter Section 1022 findings completed			X	() Submit to CAO for review and determination
4. Provisions for Grant-Funded Contracts				
• 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
5. Personnel Authorities				
• Department has submitted a request for position(s)		X		() Review documents and make determination
6. Grant Implementation Recommendations				
• Department has submitted grant implementation instructions	X			() Submit to CAO for review
7. Controller Instructions for Fund/Accounts Set-Up				
• Department has requested Funds/Accounts Set-up	X			
8. Governing Body Resolution/Certification				
• Department has submitted Resolution/Certification			X	() Submit to CAO and City Attorney for review
9. Fiscal Impact Analysis				
• 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 \$520,790 in grant funding for the Alcohol and Drug Impaired Driving Vertical Prosecution Program. These funds originate from the National Highway Traffic Safety Administration and pass through the California Office of Traffic Safety. The Alcohol and Drug Impaired Driving Vertical Prosecution Program grant will fund the salaries of two Deputy City Attorneys who will work with the Los Angeles Police Department on driving under the influence cases, increasing apprehension of defendants in bench warrant status, securing stronger sentencing penalties, training local prosecutors and law enforcement personnel regarding impaired driving, and raising awareness regarding the link between impaired driving and increased traffic fatality and injury rates. This is the second year the City Attorney's Office is receiving this grant.

The total cost of the program is \$560,446, of which \$520,790 will be reimbursed to the City as follows: \$291,588 in salaries, \$115,760 in fringe benefits, \$18,800 in travel and \$94,642 in other programmatic costs such as a phlebotomist (\$20,000), expert witnesses (\$14,642), and testing (\$60,000). There is no matching requirement for this grant, however, the City will have to bear overhead costs, which includes \$16,533 for central services and \$23,123 for department administration, totaling \$39,656 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 the grant award between the City of Los Angeles and the California Office of Traffic Safety, and authorize the City Attorney, or his designee, to execute the grant award in the amount of \$520,790 for the Alcohol and Drug Impaired Driving Vertical Prosecution Program, 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 \$520,790 for funding the Alcohol and Drug Impaired Driving Vertical Prosecution Program for the period of October 1, 2013 to September 30, 2014;
3. Authorize the Controller to:
 - a. Establish a receivable within Fund 368, Department 12, in the amount of \$520,790;
 - b. Establish a new appropriation account within Fund 368 as follows:
 Account 12K231 – FY 13-14 Impaired Driving Prosecution - \$520,790
4. Upon receipt of grant funds, transfer up to \$407,348 from Fund 368, Department 12, Account 12K231 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.

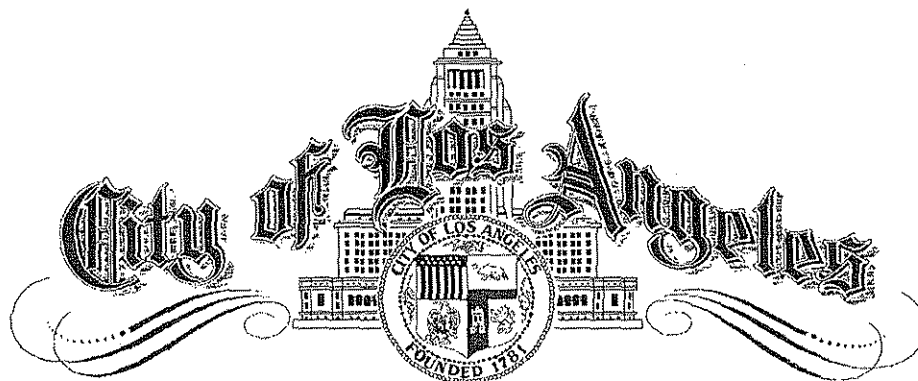
12. Fiscal Impact Statement

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 Alcohol and Drug Impaired Driving Vertical Prosecution Program is \$560,446, of which \$520,790 will be reimbursed by the California Office of Traffic Safety. The General Fund impact will be \$39,656 for overhead costs (central services and department administration). 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.

<i>MaPaisa Arella</i>	<i>Carl Root</i>	<i>Father Aid</i>	<i>11/6/13</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 FY 2013-14 California Office of Traffic Safety Grant Award

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

Dear Mayor Garcetti and Members of City Council:

The Office of the City Attorney is transmitting for your review and approval \$520,790 in grant funding awarded by the Office of Traffic Safety, which is the pass through agency for the National Institute of Traffic and Highway Safety Agency. The grant award will provide reimbursable funding for two Deputy City Attorney positions for the term October 1, 2013 through September 30, 2014. These attorneys will aggressively prosecute driving under the influence offenders (both alcohol and drugs) within the City of Los Angeles as part of the "Alcohol and Drug Impaired Driving Vertical Prosecution Program," now in its second year.

The vertical prosecutors' duties and responsibilities will include working in conjunction with the Los Angeles Police Department on driving under the influence cases, increasing apprehension of defendants in bench warrant status, securing stronger sentencing penalties, training of local prosecutors and law enforcement personnel regarding emerging trends related to impaired driving, and raising critical awareness regarding the link between impaired driving and increased traffic fatality/injury rates. The grant award will also provide reimbursable funding for travel expenses for prosecutors, law enforcement officers, and LAPD toxicologists for trainings and conferences, including the CDAA DUI Drug Enforcement Conference and the Borkenstein Drug Course on the impairing effects of drugs on driving.

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Related programmatic costs funded under the grant award include a phlebotomist at checkpoint locations to collect blood samples from individuals suspected of driving under the influence of drugs (DUID), as well as the procurement of oral fluid collection swab kits and expert witness testimony to support the introduction of oral fluid swab samples into court for evidentiary purposes in DUID cases.

Impaired driving is one of California's most deadly crimes and represents a significant public health and public safety problem. According to a first-ever statewide roadside survey of alcohol and drug use by drivers, drugs that can affect driving were found in one of every seven weekend nighttime drivers in California during 2012. More drivers tested positive for drugs that may impair driving (14 percent) than did for alcohol (7.3 percent). Of the drugs, marijuana was most prevalent, at 7.4 percent, slightly more than alcohol.

The impaired driving rates in the City of Los Angeles rank among the highest in California. During federal fiscal year 2012, the Los Angeles City Attorney's Office filed in excess of 14,000 Vehicle Code Section 23152 (Driving Under the Influence of Alcohol or Drug) cases. Acceptance of this grant award will significantly improve public safety and potentially save lives by reducing the number of impaired drivers on the road. It is further anticipated that grant funding will continue beyond FY 2013-2014 as a result of grantee performance and the ongoing need for resources in this area.

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 Office of Traffic Safety 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 \$520,790 for funding the Alcohol and Drug Impaired Driving Prosecution Program for the period of October 1, 2013 – September 30, 2014.
3. **AUTHORIZE** the Controller to:
 - a. **ESTABLISH** a receivable in the amount of \$520,790 within Fund 368, Department 12.
 - b. **ESTABLISH** Appropriation Account 12K231 - FY 13-14 Impaired Driving Prosecution within Fund 368, Department 12 in the amount of \$520,790

The Honorable Eric Garcetti
Honorable City Council
September 25, 2013
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c. **TRANSFER** \$218,691 from Fund 368, Department 12, Account 12K231- FY 13-14 Impaired Driving Prosecution 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 Alcohol and Drug Impaired Driver Vertical Prosecution Program:

"That the City Council, subject to the approval of the Mayor, **AUTHORIZE** the Controller to transfer \$72,897 from Fund 368, Department 12, Account 12K231 FY 13-14 Impaired Driving Prosecution to Fund 100, Department 12, Account 1020 Salaries Grant Reimbursed."

6. **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. Should you have any questions or require assistance please contact Michiko Reyes at (213) 978-7020 or Janette Flintoft at (213) 215-5808.

Sincerely,


Leela Kapur
Chief of Staff

cc: Miguel Santana, CAO
Maria Raisa Corella, CAO

City of Los Angeles Grant Award Notification and Acceptance

Recipient Department				
This Grant Award is: <input checked="" 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: Ellen Sarmiento		E-Mail: ellen.sarmiento@lacity.org		Phone: 213-978-8100
Department/Bureau/Agency: City Attorney Criminal Division				Date: 9/21/2013
Grant Information				
Name of Grantor: National Institute of Traffic and Highway Safety			Pass Through Agency: California Office of Traffic Safety	
Grant Program Title: Alcohol and Drug Impaired Driving Vertical Prosecution Program			Notification of Award Date: 08/28/2013	
Funding Source (Public or Private): <input checked="" type="checkbox"/> Federal <input checked="" 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 # _____ Other ID # <u>Grants Made Easy</u> <u>Open Category - No RFA</u> 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: _____				
Fiscal Information:	Awarded Funds \$520,790	Match/In-Kind Funds \$	Additional/Leveraged Funds \$	Total Project Budget \$520,790
Approved Grant Budget Summary:				
Category	Awarded	Match	Additional	Explanation
Personnel				
Salaries	291,588			
Fringe Benefits	115,760			
Indirect				Requested, but not awarded
Equipment				
Materials/Supplies				
Travel	18,800			Travel for 4 representatives to statewide trainings and conferences
Contractual Services				
Other	14,462			Expert witness fees for courtroom testimony
	20,000			Phlebotomist services at checkpoint locations and alcohol/drug testing
	60,000			600 oral fluid testing cartridges
Total:	520,790			
Approved Project				
Descriptive Title of Funded Project: Alcohol and Drug Impaired Driving Vertical Prosecution Program				
Performance Period Start/End Dates (Month/Day/Year): Start: 10/01/2013 End: 09/30/2014		Citywide: <input checked="" type="checkbox"/> Affected Council District(s): All Affected Congressional District(s): All		
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: LA County Coroner, California Highway Patrol, CDA				
Summary				
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.				
Funding will support two Deputy City Attorneys, who will aggressively prosecute driving under the influence offenders (both alcohol and drugs) within the City of Los Angeles. Prosecutors will work with the LAPD on driving under the influence cases, increase apprehension of defendants in bench warrant status, secure stronger sentencing penalties, train local prosecutors and law enforcement personnel regarding impaired driving, and raise critical awareness regarding the link between impaired driving and increased traffic fatality/injury rates. The grant award will also fund travel expenses related to trainings and conferences, a phlebotomist at checkpoint locations, oral fluid collection supplies, and oral fluid evidence expert witness testimony.				

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.

The City Attorney grant application requested full cost recovery for two DCA positions. The grant Award by the Office of Traffic Safety approved funding for one year for salary and fringe benefits only.

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 type="checkbox"/> Copy of Grant Agreement (if applicable) |
| <input 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

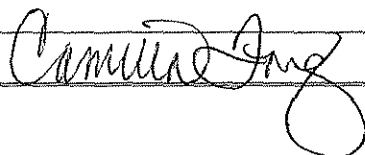
FOR CAO USE ONLY

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: 11/2/13

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

Grant Name: Alcohol and Drug Impaired Driving Vertical Prosecution	Grant Funds	Additional Costs**		Department:	
		City Funds	Non-City Funds		
Grant Project Breakdown	Grant Funds	City Funds	Non-City Funds	Total	Comments
Salaries					
1010 Salaries General	-			-	
1020 Salaries Grant Reimbursed	291,588			291,588	
1070 Salaries As Needed				-	
1090 Overtime				-	
Salaries Total:	291,588			291,588	
Related Costs*	CAP Rate				
Fringe Benefits	39.70%	115,760		115,760	
Department Administration	16.70%			-	
Central Services	10.51%			-	
Related Costs Total:		115,760		115,760	
Expense					
2120 Printing & Binding				-	
2130 Travel		18,800		18,800.00	Travel for up to 6 City employees
3040 Contractual Services				-	
3310 Transportation				-	
4160 Governmental Meetings				-	
6010 Office Supplies				-	
6020 Operating Supplies				-	
7300 Equipment				-	
Other		94,642		94,642.00	Phlebotomist (\$20,000); Experts (\$14,642); Testing (\$60,000)
Expenses Total:		113,442		113,442	
Grand Total:		520,790		520,790	
*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.					

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

Department: City Attorney Project Name: Alcohol and Drug Impaired Driving	Grant Funding				Other Funding Sources			
	Total	New	Existing	Cost	City	Non-Reimbursable**	Non-City	Comments
Job Classification	No.	No.	No.	Cost	No.	Cost	No.	Cost
Deputy City Attorney III	1		1	162,948	1	363,960		
Deputy City Attorney II	1		1	128,640	1	222,319		
Total:	2	0	2	291,588	2	586,279	0	0

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.