

REPORT FROM

## OFFICE OF THE CITY ADMINISTRATIVE OFFICER

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Date: November 13, 2014

CAO File No. 0220-04434-0021

Council File No. 14-1186

Council District: --

To: The Council

From: Miguel A. Santana, City Administrative Officer

Reference: Transmittal from the Mayor dated August 26, 2014

Subject: **FISCAL YEAR 2014 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE  
GRANT ACCEPTANCE**

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### SUMMARY

The Mayor's Office of Homeland Security and Public Safety requests authority to accept the Fiscal Year 2014 Edward Byrne Memorial Justice Assistance Grant (FY14 JAG) in the amount of \$2,120,954 from the United States Department of Justice (USDOJ) Bureau of Justice Assistance (BJA). The grant is for the term of October 1, 2013 to September 30, 2017. There is no match requirement for the FY14 JAG.

The JAG is a formula grant that provides local governments with funding to support components of the criminal justice system including law enforcement, prosecution and court programs, prevention and education programs, corrections, treatment, and justice information sharing initiatives. The JAG allocations are awarded based on population and Part 1 violent crime statistics. The City is a joint recipient of the grant with the County of Los Angeles, with \$1,166,524.70 allocated to the City and \$954,429.30 to the County in accordance with the grantor-approved joint spending plan.

The City has elected to spend its FY14 JAG allocation of \$1,166,524.70 to partially fund the Community Law Enforcement and Recovery (CLEAR) program, which has been a part of the Mayor's Gang Reduction Strategy since 2007. The primary purpose of CLEAR is to facilitate the recovery of gang infested communities by decreasing the criminal activity of targeted gangs in designated communities through collaboration with the Mayor's Office of Gang Reduction and Youth Development (GRYD) and City and County criminal justice agencies. CLEAR agencies include the Los Angeles Police Department (LAPD), County of Los Angeles Probation Department, Los Angeles City Attorney, County of Los Angeles District Attorney, California Department of Corrections Parole, and the Los Angeles Mayor's Office.

The FY14 JAG provides \$196,082.08 to partially fund nine Deputy City Attorney III resolution authority positions assigned to each CLEAR site. The full annual salary cost for these positions is \$1,877,652 (\$1,412,406 in direct costs and \$465,246 in fringe benefit costs). While some of the remaining funding of \$1,681,570 required for these positions may be covered by other grant funds,

the majority of the cost is an obligation of the General Fund and will be absorbed within the City Attorney's 2014-15 Adopted Budget.

The FY14 JAG also provides \$668,347.22 to partially fund nine Deputy District Attorneys (\$407,534.14) and nine Deputy Probation Officers (\$260,813.08) in the CLEAR program. The Mayor's Office requests authority to execute a Professional Services Agreement with the County to provide the funding for these positions.

Funding of \$90,000.00 in the FY14 JAG has also been approved for the Mayor's Office to hire a consultant to evaluate the CLEAR program over a 12-month period. In accordance with Charter Section 371.(e)(2), the Mayor's Office will undergo an informal procurement process to select a consultant and requests authority to negotiate and execute the contract.

The JAG funding allows up to ten percent (\$212,095.40) of the total award to support management and administration costs of the program. Funding will be used to support the salaries of grant administration staff in the Mayor's Office (\$145,403.95), as well as the fringe benefits (\$64,691.45) for the positions and office and administrative costs (\$1,000.00).

The City's \$1,166,524.70 allocation of the FY14 JAG for the CLEAR program breaks down as follows:

Category	Department	Amount
Program Salaries	City Attorney	\$ 196,082.08
Contractual Services – LA County	District Attorney	407,534.14
Contractual Services – LA County	Probation	260,813.08
Contractual Services – Evaluation	N/A	90,000.00
Management & Administration Salaries	Mayor's Office	145,403.95
Fringe Benefits	Mayor's Office	65,691.45
Office & Administrative	Mayor's Office	1,000.00
<b>TOTAL</b>		<b>\$ 1,166,524.70</b>

The County will utilize its FY14 JAG allocation of \$954,429.30 to support overtime for the Los Angeles Sheriff's Department (Region 1) and programs such as Strategies Against Gang Environments (SAGE), Alternative Sentencing Program – Public Defender, Drug Court – Public Health, and School-Based Supervision Program – Probation. The Mayor's Office will monitor these expenditures and report to the BJA on the County's activities.

**RECOMMENDATIONS**

That the Council:

1. Authorize the Mayor, or designee, to:
  - a. Accept the Fiscal Year 2014 Edward Byrne Memorial Justice Assistance Grant (FY14

JAG) from the United States Department of Justice, Bureau of Justice Assistance (BJA) in the amount of \$2,120,954.00 for the period of October 1, 2013 to September 30, 2017;

- b. 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;
2. Approve the FY14 JAG budget and authorize the Mayor's Office of Homeland Security and Public Safety to expend the grant in accordance with the approved budget;
  3. Authorize the Mayor, or designee, to:
    - a. Execute a Memorandum of Understanding between the City of Los Angeles and the County of Los Angeles for receipt and expenditure of the FY14 JAG award in an amount not to exceed \$2,120,954.00 for the period of October 1, 2013 to September 30, 2017, subject to the approval of the City Attorney as to form and legality;
    - b. Execute a Subrecipient Agreement between the City of Los Angeles and the County of Los Angeles for the disbursement of the FY14 JAG award in an amount not to exceed \$954,429.30 for the period of October 1, 2013 to September 30, 2017, subject to the approval of the City Attorney as to form and legality;
    - c. Execute a Professional Services Agreement between the City of Los Angeles and the County of Los Angeles, subject to the approval of the City Attorney as to form and legality, for the Community Law Enforcement and Recovery (CLEAR) program for a period of up to 12 months, in an amount not to exceed \$668,347.22 upon submission of invoices for JAG-related expenditures and approval by the Mayor's Office;
    - d. Negotiate and execute a contract with a procured consultant to provide data collection and program evaluation for the CLEAR program for a term of up to 12 months within the applicable grant performance period in an amount not to exceed \$90,000.00, subject to the approval of the City Attorney as to form and legality;
  4. Authorize the Controller to:
    - a. Create a new interest-bearing fund, titled FY14 Justice Assistance Grant Fund, establish a receivable in this new Fund in the amount of \$2,120,954.00 and create new appropriation accounts within the new Fund XXX, Department 46, as follows:

<u>Appropriation No.</u>	<u>Account Name</u>	<u>Amount</u>
46L216	CLEAR Contractual Services	\$ 668,347.22
46L217	CLEAR Evaluation	90,000.00
46L112	City Attorney	196,082.08
46L146	Mayor's Office (M&A)	145,403.95

46L299	Related Costs	65,691.45
46L203	Mayor – Office & Admin	1,000.00
46L668	Partner Jurisdiction – LA County	<u>954,429.30</u>
	TOTAL	\$ 2,120,954.00

b. Expend funds upon presentation of proper documentation from the Mayor’s Office;

5. Request that the Controller:

- a. Transfer up to \$145,403.95 from FY14 JAG Fund XXX/46, Account No. 46L146 to the Mayor’s Office Fund 100/46, Account No. 001020 Grant Reimbursed for reimbursement of grant-funded personnel salaries;
- b. Transfer up to \$65,691.45 from FY14 JAG Fund XXX/46, Account No. 46L299 to the Mayor’s Office Fund 100/46, Revenue Source No. 5346 Related Cost Reimbursement From Grants for reimbursement of grant-funded fringe benefits;
- c. Transfer cash up to \$196,082.08 from FY14 JAG Fund XXX/46, Account No. 46L112 to the City Attorney Fund 100/12, Account No. 001010 Salaries General on an as-needed basis to reimburse the City Attorney’s Office for grant-funded personnel salaries, upon presentation of proper documentation and approval from the Mayor’s Office; and,

6. Authorize the Mayor, or designee, to prepare Controller’s instructions for any necessary technical adjustment, subject to the approval of the City Administrative Officer and authorize and request the Controller to implement the instructions.

**FISCAL IMPACT STATEMENT**

Acceptance of the Fiscal Year 2014 Justice Assistance Grant award in the amount of \$2,120,954.00 will provide support for the continued implementation of the Community Law Enforcement and Recovery program. Approval of the recommendations will provide \$196,082.08 to the City Attorney’s Office to support nine Deputy City Attorney IIIs. The full annual salary cost for these positions is \$1,877,652, including fringe benefits. The majority of the remaining funding of \$1,681,570 required for these positions is an obligation of the General Fund and will be absorbed within the City Attorney’s 2014-15 Adopted Budget. No additional appropriation is needed at this time. Acceptance of the grant and approval of the recommendations in this report is in compliance with the City’s Financial Policies in that budgeted General Fund monies plus grant receipts are available to support the cost of this program.