

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

0130-02002-0003

Date: January 31, 2018

To: The Mayor  
The CouncilAttn: Mandy Morales, Mayor's Office  
Sharon Dickinson, City Clerk's OfficeFrom:  Richard H. Llewellyn, Jr., Interim City Administrative OfficerSubject: **GRANTS PILOT PROGRAM – GRANT ACCEPTANCE PACKET FOR THE CALIFORNIA ATTORNEY GENERAL, 2017-18 PRIVACY AND PIRACY FUND DISBURSEMENT AWARD**

Attached is the Grant Acceptance Packet for the 2017-18 Privacy and Piracy Fund Disbursement Award in the amount of \$90,240 received by the City Attorney's Office. The grant funds will be utilized to support the Anti-Counterfeit Enforcement Program. 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
- Recipient Award and Disbursement Approval

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**

RHL:ACA:CLF:04180062c

**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> December 18, 2017	
<b>Grant Award Title:</b> State of California Department of Justice Privacy and Piracy Fund Grant Award		<b>Grant Amount:</b> \$90,240 <b>Prior Grant Award(s):</b> \$41,666	
<b>Awarding Agency:</b> California Office of the Attorney General			
<b>Grant Agreement Number/Reference:</b>		<b>Performance Start Date:</b> January 2018	<b>Performance End Date:</b> December 2018
<b>Purpose:</b> The City Attorney's Office is requesting authority to accept \$90,240 in grant funding from the California Office of the Attorney General Privacy and Piracy Fund for the FY 2017-18 distribution cycle. Grant funding will be used to hire an Intellectual Property Specialist to support the Anti-Counterfeit Enforcement Program.			

<b>Checklist for Grant Acceptance:</b>	<b>Yes</b>	<b>No</b>	<b>N/A</b>	<b>Comments</b>
<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 \$90,240 in funding from the California Attorney General's Privacy and Piracy Fund for the FY 2017-18 distribution cycle. Funding will be used to contract an Intellectual Property Specialist to provide litigation support to the prosecution of misdemeanor intellectual property crimes through the Anti-Counterfeit Enforcement Program. The award is for a one year performance period of January 2018 to December 2018, however, the City Attorney is seeking to modify the award to allow for enforcement activities to occur over a two year period. The contracted rate for the Intellectual Property Specialist is \$45,120 per year.

The total cost of the program is \$90,240, for which the California Attorney General's Office will issue and advance to the City for a full-time Intellectual Property Specialist. The City Attorney's Office will seek continuation funding beyond the initial grant period through future Attorney General disbursements, as is the practice at other agencies receiving funding through the Privacy and Piracy Fund. There is no General Fund impact in accepting this award.

**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:

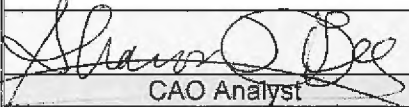
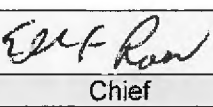
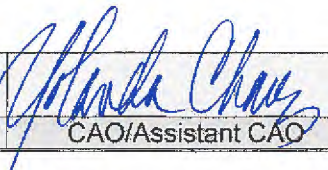
1. Approve and authorize the City Attorney, or his designee, to execute the Privacy and Piracy award between the City of Los Angeles and the California Attorney General's Office for FY 2017-18, subject to the approval of the City Attorney as to form;
2. Authorize the City Attorney or designee to accept the grant award in the amount of \$90,240 for FY 2017-18;
3. Authorize the Controller to :
  - a. Establish a receivable for this program in the amount of \$90,240 from the California Attorney General's Office;
  - b. Establish a new appropriation account within Fund 368 as follows:  
 Account 120930 - FY 17-18 AG Piracy and Privacy Grant Program - \$90,240; and,
4. Authorize the City Attorney or designee 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.

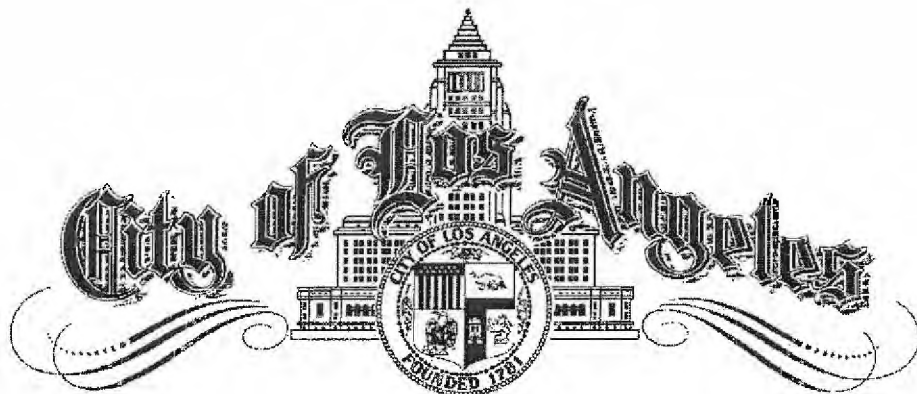
**12. Fiscal Impact Statement**

**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 program cost for an Intellectual Property Specialist will be funded through a \$90,240 disbursement from the California Attorney General's Privacy and Piracy Fund. There is no General Fund impact associated with the acceptance of this grant award.

Doc. No. 04180062

 CAO Analyst	 Chief	 CAO/Assistant CAO	01/30/18 Date
--	--	---	------------------



**MICHAEL N. FEUER**  
City Attorney

December 18, 2017

The Honorable Eric Garcetti  
Mayor of Los Angeles  
City Hall  
Los Angeles, CA 90012  
Attention: Pamela Finley

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

**Re: FY 2017-2018 Disbursement from the California Attorney General Privacy and Piracy Fund**

Contact persons: Michiko Reyes Tel. 213 978-7020  
Kevin Gilligan Tel. 310 978-8100

Dear Mayor Garcetti and Honorable Members of City Council:

The Los Angeles City Attorney's Office respectfully requests authority to accept a FY 2017-18 disbursement from the California Attorney General's Privacy and Piracy Fund totaling \$90,240. This disbursement will enable the hiring of one contract Intellectual Property Specialist to provide litigation support to the prosecution of misdemeanor intellectual property crimes through the City Attorney's Anti-Counterfeit Enforcement Program. While the original award is \$90,240 for one year, the City Attorney's Office is seeking modify the award to allow for enforcement activities to occur over a two year period (at the contracted rate of \$45,120 per year). This modification will enable continuous enforcement over a longer period.

ACEP began in 2010 with grant funding from the U.S. Department of Justice for civil enforcement actions targeting chronic counterfeit locations, and chronic counterfeiters, many of whom are Los Angeles gang members. ACEP partners with local, state and federal law enforcement and files Unlawful Competition Actions (B&P 17200 et seq.). ACEP has filed cases on investigations by the Los Angeles Police Department (LAPD), the Los Angeles Sheriff's Department (LASD), the California Board of Equalization, the Federal Bureau of Investigation (FBI), and the Bureau of Alcohol Tobacco and Firearms (ATF). Since 2010, at least 182 properties have been identified and reviewed for a range of actions including civil enforcement cases, property owner case conferences and property owner notification letters.

0130 - 02002 - 0063

December 18, 2017

Page 2

For FY 2017-19, the total program cost is anticipated to be \$90,240, for which the California Attorney General's Office will issue an advance to the City is as follows:

- \$90,240 to retain a full-time Intellectual Property Specialist.

There is no General Fund impact to accept this award.

The City Attorney's Office will seek continuation funding beyond the initial grant period through future Attorney General disbursements, as is the practice at other agencies receiving funding through the Privacy and Piracy Fund.

We, therefore, request that the City Council, subject to the approval of the Mayor, approve the following:

1. **APPROVE** the Privacy and Piracy award and authorize the City Attorney or his designee to execute the grant award between the City and California Attorney General's Office for FY 2017-18, subject to City Attorney review and approval as to form.
2. **AUTHORIZE** the City Attorney or designee to accept the grant award in the amount of \$90,240 for FY 2017-18.
3. **AUTHORIZE** the Controller to:
  - a. Establish a receivable for this program in the amount of \$90,240 from the California Attorney General's Office);
  - b. Establish the appropriation account within Fund No. 368 as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
120903	FY 17-18 AG Piracy & Privacy Grant Program	\$90,240

4. **AUTHORIZE** the City Attorney or designee 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.

Thank you for your consideration in this matter.

Very truly yours,

  
Leela Kapur

Chief of Staff

cc: Michiko M. Reyes  
Sharon Lee – CAO  
Kevin Gilligan

## City of Los Angeles Grant Award Notification and Acceptance

<b>Recipient Department</b>				
This Grant Award is: <input checked="" type="checkbox"/> New <input 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: 310-570-0686
Project Manager: Travis Austin		E-Mail: Kevin.gilligan@lacity.org		Phone: 213-978-8100
Department/Bureau/Agency: City Attorney				Date: December 18, 2017, 2017
<b>Grant Information</b>				
Name of Grantor: CA Attorney General's Office			Pass Through Agency: N/A	
Grant Program Title: Privacy and Piracy Fund Disbursement				Notification of Award Date: December 14, 2017
Funding Source (Public or Private): <input 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 checked="" type="checkbox"/> Advance <input type="checkbox"/> Reimbursement	Agency's Grant ID: CFDA # _____ N/a 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 \$90,240	Match/In-Kind Funds \$	Additional/Leveraged Funds \$0	Total Project Budget \$41,666
<b>Approved Grant Budget Summary:</b>				
Category	Awarded	Match	Additional	Explanation
Personnel				
Salaries				
Fringe Benefits				
Indirect				
Equipment				
Materials/Supplies				
Travel				
Contractual Services	90,240			1 Full-Time Independent Contractor (up to 2 Years)
Other				
Total:	90,240			
<b>Approved Project</b>				
Descriptive Title of Funded Project: Privacy and Piracy Fund Disbursement				
Performance Period Start/End Dates (Month/Day/Year): Start: January, 2018    End: December, 2018		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: Consumer protection agencies and community organizations.				
<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 CA Attorney's General has awarded the City Attorney's Office \$90,240 to hire a full-time, independent contractor for the specific purpose of providing litigation and investigative support for intellectual property enforcement. Upon receipt of the funds the City Attorney's Office will hire a Intellectual Property Specialist to support the vertical prosecution of misdemeanor intellectual property (IP) crimes.				

## 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 general fund impact to accept this award because it is an independent contractor position.**

### 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 checked="" 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 checked="" type="checkbox"/> Detail of Positions and Salary Costs (Excel Document) | <input checked="" type="checkbox"/> Additional Documents (if applicable) |

Department Head Name:  
Mary Clare Molidor

Department Head Signature:

Date:

1/2/18

### 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:

*Camilla Song*

Date:

1/26/18

**XAVIER BECERRA**  
Attorney General

State of California  
**DEPARTMENT OF JUSTICE**



RONALD REAGAN BUILDING  
300 SOUTH SPRING STREET, SUITE 1702  
LOS ANGELES, CALIFORNIA 90013

Public: (213) 269-6000  
Telephone: (213) 269-6369  
Facsimile: (213) 897-4951  
E-Mail: [lisa.kim@doj.ca.gov](mailto:lisa.kim@doj.ca.gov)

December 14, 2017

Janette Flintoft  
Los Angeles City Attorney's Office  
200 N. Main St., 8<sup>th</sup> Floor  
Los Angeles, CA 90012  
[janette.flintoft@lacity.org](mailto:janette.flintoft@lacity.org)

RE: 2017-2018 Disbursement from the Attorney General's Privacy and Piracy Fund

Dear Ms. Flintoft:

We are pleased to inform you that the Los Angeles City Attorney's Office has been selected to receive a disbursement from the Attorney General's Privacy and Piracy Fund for the FY 2017-2018 distribution cycle. Specifically, our Office has awarded the Los Angeles City Attorney's Office the amount of **\$90,240.00 to fund the cost of hiring an Intellectual Property Crimes Specialist for one year**. Upon receipt of the funds, the Los Angeles City Attorney's Office will have **one year** to spend the award.

This award is made subject to your express agreement to comply with the terms and conditions for disbursement as set forth in the fund application. As a reminder, any unused grant funds or grant funds that have been expended for any purpose other than the authorized purpose set forth in this letter, must be returned to our Office upon request or upon expiration of the year, whichever occurs first. If circumstances arise that would warrant a modification of the terms of the grant, or the purposes for which grant funds can be used, please contact our Office to request a modification.

These funds will be distributed to you in one lump sum following your return of the following: Please (1) fill out the enclosed JUS Form 8765 (make certain that all blanks in the Recipient/Applicant column are completed); and (2) sign below to indicate your acknowledgment that the Los Angeles City Attorney's Office will comply with the terms and conditions of the disbursement. Please return the signed letter and form to me as soon as possible.



Janette Flintoft  
December 14, 2017  
Page 2

Thank you for your cooperation. Please feel free to contact me at (213) 269-6369 should you have any questions.

Sincerely,



LISA B. KIM  
Deputy Attorney General  
Consumer Law Section/Privacy Unit

For XAVIER BECERRA  
Attorney General

LBK:bm  
Enclosure

I acknowledge that the Los Angeles City Attorney's Office has been awarded **\$90,240.00** from the Attorney General's Privacy and Piracy Fund for the FY 2017-2018 distribution cycle. The Los Angeles City Attorney's Office will comply with the terms and conditions of this disbursement as set forth in this letter and the application that our Office previously signed and submitted to the California Attorney General's Office, including all reporting and self-evaluation requirements.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Los Angeles City Attorney  
Name:  
Title:

STATE OF CALIFORNIA  
**PRIVACY AND PIRACY  
 RECIPIENT AWARD  
 AND DISBURSEMENT  
 APPROVAL**

JUS 8765 (REV. 4-07)



AWARD NUMBER	AM. NO.
18-01	
ORIGINAL AMOUNT REQUESTED	
\$270,720.00	
Award Period	
July 1, 2017 – June 30, 2018	
APPROVED AWARD	
\$90,240.00	

THIS AGREEMENT, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ 17

TITLE OF OFFICER ACTING FOR STATE <b>ATTORNEY GENERAL</b>	AGENCY <b>DEPARTMENT OF JUSTICE</b>
--	--

IMPLEMENTING/RECIPIENT AGENCY(S) / TASK FORCE NAME

**Los Angeles City Attorney's Office**

The recipient signifies acceptance of this award and agrees to administer the project in accordance with the Final Judgment and Permanent Injunction ("Judgment") in the case of *People v. Hewlett-Packard Company*, Case No. 106CV-076081, and the application for distribution from the Privacy and Piracy Fund prepared and submitted by the Implementing/Recipient Agency ("authorized prosecutors" or "Recipient," as defined in the Judgment) and as approved by the Department of Justice.

**Lisa B. Kim** is designated as the Department of Justice Project Coordinator and **X** \_\_\_\_\_ is designated as the Recipient's Representative. The Department of Justice reserves the right to change the Project Coordinator at any given time without Agreement amendment.

STATE OF CALIFORNIA	RECIPIENT/APPLICANT
AGENCY <b>DEPARTMENT OF JUSTICE</b>	Implementing/Recipient Agency /Task Force Representative Los Angeles City Attorney's Office
BY (AUTHORIZED SIGNATURE) <b>X</b>	BY (AUTHORIZED SIGNATURE) <b>X</b>
PRINTED NAME OF PERSON SIGNING Lisa B. Kim	PRINTED NAME AND TITLE OF PERSON SIGNING <b>X</b>
TITLE Deputy Attorney General	ADDRESS <b>X</b>
TELEPHONE (213) 269-6369	TELEPHONE <b>X</b>
E-MAIL Lisa.Kim@doj.ca.gov	E-MAIL <b>X</b>

I hereby certify upon my own personal knowledge that budgeted funds are available for the period and purpose of the expenditure stated above.

Signature of Accounting Officer

DATE

Department of Justice  
Use Only

CURRENT YEAR	YEAR 2	YEAR 3
AMOUNT APPROVED FOR PAYMENT	AMOUNT APPROVED FOR PAYMENT	AMOUNT APPROVED FOR PAYMENT
\$90,240.00	\$	\$
PERIOD OF PAYMENT		
JULY 1, 2017 THROUGH JUNE 30, 2018	JULY 1, 20__ THROUGH JUNE 30, 20__	JULY 1, 20__ THROUGH JUNE 30, 20__

RECIPIENT     DOJ PROJECT COORDINATOR     DOJ ACCOUNTING