

REPORT FROM

OFFICE OF THE CITY ADMINISTRATIVE OFFICER

Date: December 13, 2018

CAO File No. 0220-04434-0026
Council File No. 18-1129
Council District: All

To: The Mayor
The Council

From: Richard H. Llewellyn, Jr., City Administrative Officer

Reference: Transmittal from the Mayor dated November 21, 2018; referred for report November 26, 2018

Subject: **FISCAL YEAR 2017 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT ACCEPTANCE**

RECOMMENDATIONS

That the Council:

1. Authorize the Mayor, or designee, to accept the Fiscal Year 2017 Edward Byrne Memorial Justice Assistance Grant (FY17 JAG) in the amount of \$1,953,647 for the period effective from October 1, 2016 through September 30, 2020;
2. Authorize the Mayor, or designee, to 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;
3. Approve the FY17 JAG budget and authorize the Mayor's Office of Public Safety to expend the grant in accordance with the approved budget;
4. Approve a Memorandum of Understanding between the City of Los Angeles and the County of Los Angeles for the period of October 1, 2016 through September 30, 2020 for a total amount not to exceed \$1,953,647 and authorize the Mayor, or designee, to execute the Memorandum of Understanding, subject to the approval of the City Attorney as to form;
5. Authorize the Mayor, or designee, to execute a Subrecipient Agreement between the City of Los Angeles and the County of Los Angeles for the FY17 JAG for up to 45 months, for a total amount not to exceed \$879,141.15, subject to the approval of the City Attorney as to form;
6. Authorize the Mayor, or designee, to execute a contract between the City of Los Angeles and the County of Los Angeles for the Community Law Enforcement and Recovery (CLEAR) Program for up to 12 months, for a total amount not to exceed \$644,037.12, subject to the approval of the City Attorney as to form and upon submission of invoices and approval by the Mayor, or designee, of such invoices for JAG-related expenditures;

<u>Account</u>	<u>Title</u>	<u>Amount</u>
46N216	District Attorney	\$390,396.56
46N216	Probation Department	<u>253,640.56</u>
	Total	\$644,037.12

7. Authorize the Controller to:

- a. Create a new interest-bearing Fund, titled FY17 Justice Assistance Grant Fund, establish a receivable in this new Fund in the amount of \$1,953,647, expend funds upon presentation of proper documentation from the Mayor's Office and create new appropriation accounts within the new Fund XXX, Department 46, as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
46R216	CLEAR Contractual Services	\$644,037.12
46R912	City Attorney Grant Allocation	235,104.03
46R146	Mayor	142,318.50
46R299	Related Costs	52,045.88
46R210	Mayor's – Office and Administrative	1,000.32
46R668	Partner Jurisdiction	<u>879,141.15</u>
	Total	\$1,953,647.00

- b. Expend funds upon presentation of proper demands from the Office of the Mayor;

8. Authorize the Controller to transfer up to \$142,318.50 from FY17 JAG Fund XXX, Account No. 46R146 to the Mayor's General Fund No. 100, Department 46, Account No. 001020 for reimbursement of grant-funded personnel salaries;
9. Authorize the Controller to transfer up to \$52,045.88 from FY17 JAG Fund XXX/46, Account No. 46R299 to the Mayor's General Fund No. 100, Department 46, Revenue Source No. 5346 for reimbursement of grant-funded fringe benefits; and,
10. Authorize the Mayor, or designee, to prepare Controller's instructions for any necessary technical adjustments, subject to the approval of the City Administrative Officer, and authorize the Controller to implement the instructions.

SUMMARY

The Mayor's Office of Public Safety (Mayor's Office) requests authority to accept the Fiscal Year 2017 Edward Byrne Memorial Justice Assistance Grant (FY17 JAG) in the amount of \$1,953,647 from the Department of Justice, Bureau of Justice Assistance. The grant is for the term of October 1, 2016 through September 30, 2020. There is no match requirement for the FY17 JAG.

The JAG is a formula grant that provides local governments with funding to support all components of the criminal justice system including law enforcement, prosecution and court programs, prevention and education programs, corrections, treatment, crime victim and witness initiatives, and technology improvement programs. The JAG allocations are awarded based on Part 1 violent crime statistics. The City and County of Los Angeles is provided a total of \$1,953,647, of which

\$1,074,505.85 is provided to the City and \$879,141.15 is provided to the County, in accordance with a grantor-approved joint spending plan.

It should be noted that the U.S. Department of Justice delayed the issuance of the FY17 JAG award due to several conditions added to the grant eligibility requirements related to the federal government's immigration enforcement efforts. Although historically, the City has received these grant funds from year to year, the FY17 JAG grant funds were not awarded to the City during FY 2017-18 due to the issuance of a nationwide injunction imposed by the United States District Court.

The City will utilize the FY17 JAG award to partially fund the Community Law Enforcement and Recovery (CLEAR) program in nine program sites. The FY17 JAG provides funding for personnel, contractual services, and fringe benefits as described below:

Category	Positions Funded	Amount
Personnel – City Attorney	9 - Deputy City Attorney III	\$235,104.03
Contractual Services – LA County	9 - Deputy District Attorney III	390,396.56
	9 - Deputy Probation Officer	253,640.56
Management & Administration – Mayor's Office	1 - Director of Grants and Finance 2 - Grant Specialist 2 - Accountant	142,318.50
Fringe Benefits – Mayor's Office	1 - Director of Grants and Finance 2 - Grant Specialist 2 - Accountant	52,045.88
Office & Administration – Mayor's Office	--	1,000.32
TOTAL		\$1,074,505.85

City of Los Angeles Grant Allocation

The City will utilize the FY17 JAG allocation to support the CLEAR program, which is part of the Mayor's Gang Reduction Strategy. The CLEAR program facilitates the recovery of gang infested communities by decreasing the criminal activity of targeted gangs in designated communities through collaboration with City and County criminal justice agencies. CLEAR teams are made up of 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 and Rehabilitation, and the Mayor's Office. There are nine CLEAR program sites: Northeast, Newton, Southeast, Foothill, Southwest, Hollenbeck/Boyle Heights, Hollenbeck/Ramona Gardens, Rampart, and 77th. Funding for the CLEAR program this fiscal year is provided by the General Fund and JAG funds from FY13, FY14, and FY16.

The FY17 JAG provides \$235,104.03 to partially fund nine Deputy City Attorney III positions assigned to all CLEAR sites. The estimated cost of the nine positions for Fiscal Year 2017-18 is \$2,289,234.15, which includes \$1,257,061.20 in direct costs and \$1,032,172.95 in indirect costs. In addition to the FY17 JAG funds, funding is also provided by the FY13 JAG (\$10,562.93), FY14 JAG (\$7,272.06), and FY16 JAG (\$6,674.71). The remaining \$997,447.47 in direct costs, as well as \$1,032,172.95 in indirect costs, were a General Fund obligation and were absorbed in the City Attorney's FY 2017-18 Adopted Budget. The FY17 JAG will reimburse the General Fund in the amount of \$235,104.03, which represents the partial salaries funding for the nine City Attorney

positions. No additional appropriations are needed.

The FY17 JAG also provides \$644,037.12 to fund nine Deputy District Attorneys (\$390,396.56) and nine Deputy Probation Officers (\$253,640.56) in the County of Los Angeles. The Mayor's Office requests authority to execute a Professional Services Agreement with the County of Los Angeles to support the salaries of the Deputy District Attorneys and Deputy Probation Officers.

In addition to Deputy City Attorneys, Deputy District Attorneys, and Deputy Probation Officers, each CLEAR site is also staffed with LAPD personnel. The LAPD component of the CLEAR program assigns one Detective, one Sergeant, and eight Police Officers to each CLEAR site. Funding for LAPD's salaries this fiscal year for the CLEAR program is provided through the LAPD's 2018-19 Adopted Budget. No funding is provided to the LAPD from the FY17 JAG.

The JAG program allows up to ten percent (\$195,364.70) of the total award to support management and administration (M&A) costs of the program. The City will utilize a portion of the grant award to partially fund the salary (\$142,318.50) and fringe benefit (\$52,045.88) costs for Mayor's Office JAG program support staff. The City will also allocate \$1,000.32 of the grant award for office and administrative expenses.

County of Los Angeles Grant Allocation

The County of Los Angeles will utilize its FY17 JAG allocation to support the following programs: Los Angeles County Sheriff's Department, District Attorney SAGE: Strategies Against Gang Environments, Public Defender Alternative Sentencing Program, Alternate Public Defender Alternate Sentencing Program/Psychiatric Social Worker, Probation Department, and AB109 Re-Entry Housing Project. As the administrative agent, the Mayor's Office will monitor these programs and expenditures and report to the Bureau of Justice Assistance on the activities.

FISCAL IMPACT STATEMENT

Acceptance of the Fiscal Year 2017 Justice Assistance Grant award in the amount of \$1,953,647 will provide support for the continued implementation of nine Community Law Enforcement and Recovery program sites. A General Fund obligation totaling \$2,029,620.42 is attributed to the salaries (\$997,447.47) and fringe benefits (\$1,032,172.95) of nine Deputy City Attorney III positions. No additional appropriation is needed at this time since this General Fund obligation will be absorbed within the City Attorney's 2017-18 Adopted Budget. Acceptance of the grant and approval of the recommendations in this report are in compliance with the City's Financial Policies in that budgeted General Fund monies plus grant revenues are identified and available to support the cost of this program.