

REPORT FROM

OFFICE OF THE CITY ADMINISTRATIVE OFFICER

Date: October 12, 2011

CAO File No. 0220-04434-0015

Council File No. 11-1598

Council District: All

To: The Mayor
The Council

From: Miguel A. Santana, City Administrative Officer



Reference: Transmittal from the Mayor dated September 12, 2011; referred for report September 16, 2010; additional information received on October 11, 2011.

Subject: **ACCEPTANCE OF THE 2011 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (FY11 JAG)**

SUMMARY

The Mayor's Office of Homeland Security and Public Safety is requesting authority to accept the 2011 Edward Byrne Memorial Justice Assistance Grant (FY11 JAG) in the amount of \$3,028,147 from the Department of Justice (DOJ), Bureau of Justice Assistance (BJA). The grant is for the term of October 1, 2010 through September 30, 2014. The City acts as the fiscal agent for this grant, which provides allocations to both the City (\$1,574,636) and the County of Los Angeles (LA County) (\$1,453,511) in accordance with a grantor approved joint spending plan. The City has elected to spend the FY11 JAG award to partially fund the Community Law Enforcement and Recovery (CLEAR) program in nine CLEAR program sites.

The FY11 JAG provides for personnel, contractual services, and related costs as described below:

Category	CLEAR Sites	Amount
Personnel – City Attorney	Southwest, Boyle Heights, Foothill, 77 th , and Rampart	\$ 304,759
Contractual Services – LA County	Northeast, Newton, Southeast, Southwest, Foothill, Ramona Gardens, Boyle Heights, and 77 th	1,148,752
Management & Administration	All	89,504
Fringe Benefits – Mayor	All	31,621
LA County JAG Allocation	--	1,453,511
	TOTAL	\$ 3,028,147

Source: Mayor's Office

City of Los Angeles Grant Allocation

The City's portion of the FY11 JAG award will support the CLEAR program which is part of the City's Gang Reduction Strategy. 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 City and County criminal justice agencies. CLEAR teams are made up of personnel from the Los Angeles City Attorney's Office, Los Angeles Police Department (LAPD), Los Angeles Mayor's Office, LA County District Attorney's Office, and the LA County Probation Department. Funding for the CLEAR sites is composed of various grants and General Funds. The FY11 JAG will partially fund the City Attorney involvement in five CLEAR sites (\$304,759), and partially fund the LA County District Attorney and Probation Department (\$1,148,752) involvement in eight CLEAR sites. Additionally, approximately four percent of the total grant award will be allocated for grant management and administration (\$121,125).

FY11 JAG funds will provide partial support totaling \$304,759 for the 2011-12 salaries of the five existing Deputy City Attorney III's dedicated to the Southwest, Boyle Heights, Foothill, 77th, and Rampart CLEAR sites. Four of the Deputy City Attorney III positions assigned to the Hollenbeck, Foothill, 77th, and Rampart CLEAR sites are fully funded utilizing a combination of FY11 JAG funds, FY10 BJA Congressionally Selected Award Hollenbeck Earmark (C.F. 08-3217), FY09 American Recovery and Reinvestment Act (ARRA) JAG Interest Income funds (C.F. 09-0648-S5), FY 11-12 Juvenile Accountability Block Grant funds (C.F. 11-1085), and FY09 JAG Interest Income funds (appropriated through the First Financial Status Report dated September 29, 2011 - C.F. 11-0600). Fringe benefits totaling \$101,180 for these five continuing positions are a General Fund obligation and are funded in the 2011-12 Adopted Budget.

In addition, FY11 JAG funds will provide partial support totaling \$1,148,752 for the 2011-12 salaries of eight LA County Deputy District Attorney III (\$657,721) and eight LA County Deputy Probation Officer II (\$491,031) positions assigned to the Northeast, Newton, Southeast, Southwest, Foothill, Ramona Gardens, Boyle Heights, and 77th CLEAR sites. The LA County position assigned to the 77th CLEAR site will be fully funded utilizing a combination of FY11 JAG and FY09 ARRA JAG grants. The Mayor's Office is requesting to execute a Professional Services Agreement with LA County to pay for the Deputy District Attorney III and Deputy Probation Officer II positions.

Under the JAG Program, administrative costs are restricted to ten percent of the total award. The City has elected to allocate approximately four percent of the total award for administrative costs, for a total of \$121,125. Of this amount, \$89,504 will be utilized for salaries and \$31,621 for fringe benefits. Five grants staff members in the Mayor's Office, three grant specialists and two accountants, will allocate varying portions of their time throughout the grant period for project management, reporting, accounting, compliance, and grant close-out activities.

The FY11 JAG funds provide only a portion of the total funding required for the 2011-12 operation of the nine CLEAR sites referenced within this report. In addition to City Attorney and County personnel referenced earlier, each CLEAR site is staffed with existing LAPD personnel. The CLEAR program model recommends that ten LAPD personnel staff each site. The LAPD component of the CLEAR program places one Detective, one Sergeant and eight Police Officer II's at each site. All LAPD salaries for staff supporting CLEAR sites are funded in the 2011-12 Adopted Budget.

Los Angeles County Grant Allocation

Based on the program requirements, LA County has elected to use its allocation of \$1,453,511 to support the Sheriff's Department for salary and wage overtime expenses for law enforcement related services. As the administrative agent of the FY11 JAG, the Mayor's Office is responsible for monitoring these programs and reports on LA County's grant-related activities to the DOJ. The Mayor's Office is requesting authority to execute a Subrecipient Agreement with LA County for their portion of the FY11 JAG award totaling \$1,453,511.

RECOMMENDATIONS

That the Council:

1. Authorize the Mayor, or designee, to accept the Fiscal Year 2011 Edward Byrne Memorial Justice Assistance Grant (FY11 JAG) in the amount of \$3,028,147 from the U.S. Department of Justice, Bureau of Justice Assistance, for the period effective from October 1, 2010 through September 30, 2014;
2. Authorize the Mayor, or designee, to negotiate and execute the Grant Award Agreement on behalf of the City and submit all necessary documents relative to the FY11 JAG award, subject to the review and approval of the City Attorney as to form and legality;
3. Approve the FY11 JAG budget and authorize the Mayor's Office of Homeland Security and Public Safety to expend the grant in accordance with the approved budget;
4. Approve a Memorandum of Understanding (MOU) between the City of Los Angeles and the County of Los Angeles for the Fiscal Year 2011 Edward Byrne Memorial Justice Assistance Grant for the period of October 1, 2010 through September 30, 2014, for a total not to exceed \$3,028,147 and authorize the Mayor, or designee, to execute the MOU on behalf of the City, subject to the review and approval of the City Attorney as to form and legality;
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 Fiscal Year 2011 Edward Byrne Memorial Justice Assistance Grant for the period of October 1, 2010 through September 30, 2014, for a total not to exceed \$1,453,511, and authorize the Mayor or designee to execute the Agreement, subject to the review and approval of the City Attorney as to form and legality;
6. Approve the Professional Services Agreement (PSA) between the City of Los Angeles and the County of Los Angeles for the CLEAR Program for up to 12 months during the grant performance period, for a total not to exceed \$1,148,752 upon submission of invoices and approval by the Mayor, or designee, of such invoices for JAG-related expenditures and authorize the Mayor, or designee, to execute the PSA, subject to the approval of the City Attorney as to form and legality;

7. Authorize the Controller to:

- a. Create an interest-bearing Fund, titled FY11 Justice Assistance Grant Fund, establish a receivable in this new Fund in the amount of \$3,028,147, expend funds upon presentation of proper demand from the Mayor's Office, and create new appropriation accounts within the new Fund, Department 46 as follows:

Account	Account Name	Amount
46H112	City Attorney - Salaries	\$ 304,759
46H304	CLEAR Contractual Services	1,148,752
46H668	County of Los Angeles JAG Allocation	1,453,511
46H146	Operating Costs – Mayor Salaries	89,504
46H299	Related Costs – Fringe Benefits	31,621
	TOTAL	\$ 3,028,147

- b. Expend funds upon presentation of proper demands from the Mayor's Office;
- c. Transfer cash from the FY11 Justice Assistance Grant Fund, Fund No. XXX, Department 46, Account 46H112 to Fund 100, Department 12, Account 001010 to reimburse the General Fund in an amount up to \$304,759 upon presentation of proper documentation from the City Attorney and approval from the Mayor's Office of such invoices for JAG-related expenditures;

8. Instruct the Controller to:

- a. Transfer up to \$89,504 from Fund XXX, Account 46H146 to the Mayor's General Fund No. 100, Department 46, Account 001020 for reimbursement of grant-funded personnel salaries;
- b. Transfer up to \$31,621 from Fund XXX, Account 46H299 to the Mayor's General Fund No. 100, Department 46, Revenue Source No. 4681, for the reimbursement of grant-funded fringe benefits; and,

9. Authorize the Mayor' Office, 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.

Fiscal Impact Statement continued on the next page.

FISCAL IMPACT STATEMENT

Acceptance of the Fiscal Year 2011 Justice Assistance Grant award in the amount of \$3,028,147 will provide support for the continued implementation of nine Community Law Enforcement and Recovery program sites. A General Fund obligation totaling \$101,180 is attributed to fringe benefits costs of the five Deputy City Attorney III positions (\$304,759). As this General Fund obligation is included in the Adopted Budget, no additional appropriation is necessary at this time. Accepting the grant and approving the recommendations is in compliance with the Financial Policies in that budgeted General Fund monies plus grant revenues are available to support the cost of this program.

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