

REPORT FROM

OFFICE OF THE CITY ADMINISTRATIVE OFFICER

Date: April 23, 2013

CAO File No. 0220-04434-0018

Council File No. 13-0411

Council District: All

To: The Mayor  
The Council

From: Miguel A. Santana, City Administrative Officer *DH*  
*RS*

Reference: Transmittal from the Mayor dated April 9, 2013; referred for report April 12, 2013

Subject: **ACCEPTANCE OF THE 2012 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (FY12 JAG)**

SUMMARY

The Mayor's Office of Homeland Security and Public Safety requests authority to accept the 2012 Edward Byrne Memorial Justice Assistance Grant (FY12 JAG) in the amount of \$2,365,208 from the Department of Justice (DOJ); Bureau of Justice Assistance (BJA). The grant is for the term of October 1, 2011 to September 30, 2015. There is no match requirement for the FY12 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, and justice information sharing initiatives. The JAG allocations are awarded based on Part 1 violent crime statistics. The City and County of Los Angeles is provided a total of \$2,365,208, of which \$1,229,908 is provided to the City and \$1,135,300 is provided to the County, in accordance with a grantor approved joint spending plan.

The City has elected to spend the FY12 JAG award to partially fund the Community Law Enforcement and Recovery (CLEAR) program in nine program sites. The FY12 JAG provides funding for personnel, contractual services, and fringe benefits as described below:

Category	CLEAR Sites	Amount
Personnel – City Attorney	Northeast, Newton, Southeast, Foothill	\$345,102.00
Contractual Services – LA County	All	\$690,198.00
Management & Administration	All	\$76,888.12
Fringe Benefits – Mayor	All	\$17,719.88
Evaluation Consultant	All	\$100,000.00
LA County JAG Allocation	--	\$1,135,300.00
<b>TOTAL</b>		<b>\$ 2,365,208.00</b>

### **City of Los Angeles Grant Allocation**

The City will utilize the FY12 JAG allocation to 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 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 Los Angeles Mayor's Office. There are nine CLEAR program sites: Northeast, Newton, Southeast, Foothill, Southwest, Boyle Heights, Ramona Gardens, Rampart and 77<sup>th</sup>. Funding for the CLEAR program this fiscal year is provided by the General Fund and various grant funds, including FY12 JAG, FY12 Juvenile Accountability Block Grant, FY09 American Recovery and Reinvestment Act (ARRA) JAG Interest Income, FY09 JAG Interest Income, FY10 JAG Interest Income, and FY11 JAG Interest Income.

The FY12 JAG provides \$345,102 to partially fund four Deputy City Attorney III positions assigned to the Northeast, Newton, Southeast, and Foothill CLEAR sites. Fringe benefits totaling \$120,095 for these four continuing positions are a General Fund obligation and are funded in the 2012-13 Adopted Budget.

The FY12 JAG also provides \$690,198 to fund nine Deputy District Attorneys (\$419,703) and nine Deputy Probation Officers (\$270,495). 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 places one Detective, one Sergeant, and eight Police Officers at each CLEAR site. Funding for LAPD's salaries this fiscal year for the CLEAR program is provided through the LAPD's 2012-13 Adopted Budget and the California State Supplemental Law Enforcement Service Fund (SLESF), which is a State block grant fund for law enforcement personnel. No funding is provided to the LAPD from the FY12 JAG.

The City will also utilize \$100,000 of the FY12 JAG to support the costs of a consultant to provide comparative data analysis, recommendations on program implementation and operations, and an evaluation of the overall effectiveness of crime reduction at the CLEAR sites. The Mayor's Office conducted an informal procurement process and requests authority to execute a contract with the Center for Nonprofit Management & Vital Research, LLC to conduct an evaluation of the CLEAR program for a 12-month period.

The JAG program allows up to ten percent of the total award to support management and administration (M&A) costs of the program. The City will be utilizing four percent of the total award for administrative costs totaling \$94,608. Funding in the amount of \$50,155.34 will be used to support the salaries of two Grant Specialists and two Accountants in the Mayor's Office, as well as the fringe benefits (\$17,719.88) for the positions. In addition, funding in the amount of \$26,732.78 will be used to partially support the salary of one Deputy City Attorney III assigned to draft, approve, and execute all contracts associated with this grant.

## **County of Los Angeles Grant Allocation**

The County of Los Angeles will utilize its FY12 JAG allocation to support the following programs: Alternative Sentencing Program – Public Defender, Drug Court – Public Health, Jail Overcrowding Reduction Program – Countywide Criminal Justice Coordination Committee. The Mayor's Office will monitor these expenditures and report to the Bureau of Justice Assistance on their activities.

### **RECOMMENDATIONS**

That the Council:

1. Authorize the Mayor, or designee, to accept the Fiscal Year 2012 Edward Byrne Memorial Justice Assistance Grant (FY12 JAG) in the amount of \$2,365,208 for the period effective from October 1, 2011 to September 30, 2015;
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 related to the grant award, subject to the approval of the City Attorney as to form and legality;
3. Approve the FY12 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 the Memorandum of Understanding between the City of Los Angeles and the County of Los Angeles for the FY12 JAG for the period of October 1, 2011 to September 30, 2015, for a total not to exceed \$2,365,208 and authorize the Mayor, or designee, to execute the Memorandum of Understanding, subject to the 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 FY12 JAG for the period of October 1, 2011 to September 30, 2015, for a total not to exceed \$1,135,300, subject to the approval of the City Attorney as to form and legality;
6. Authorize the Mayor, or designee, to execute a Subrecipient Agreement between the City of Los Angeles and the evaluation contractor selected as a result of the Request for Proposals for the period of February 1, 2013 to January 31, 2014, for a total not to exceed \$100,000, subject to the approval of the City Attorney as to form and legality;
7. Approve the Personal Services Agreement (PSA) 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 during the grant performance period, for a total not to exceed \$690,198 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;

8. Authorize the Controller to:

- a. Create a new interest-bearing Fund, titled FY12 Justice Assistance Grant Fund, establish a receivable in this new Fund in the amount of \$2,365,208, 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>Appropriation Number</u>	<u>Account Name</u>	<u>Amount</u>
46J304	CLEAR Contractual Services	\$690,198.00
46J668	Partner Jurisdiction – LA County	\$1,135,300.00
46J306	CLEAR Evaluation	\$100,000.00
46J146	Mayor's Office	\$50,155.34
46J112	City Attorney	\$345,102.00
46J203	Mayor-Office and Administrative	\$26,732.78
46J299	Related Costs	\$17,719.88
	TOTAL	\$2,365,208.00

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

9. Request that the Controller transfer up to:

- a. \$50,155.34 from FY12 JAG Fund XXX, Account 46J146 to the Mayor's General Fund 100, Department 46, Account 001020, for reimbursement of grant-funded personnel salaries;
- b. \$17,719.88 from FY12 JAG Fund XXX, Account 46J299 to the Mayor's General Fund 100, Department 46, Revenue Source 5346, for reimbursement of grant-funded fringe benefits;
- c. \$345,102 from FY12 JAG Fund XXX, Account 46J112 to Fund 100, Department 12, Account 001010, to reimburse the General Fund for grant-funded personnel salaries, upon presentation of proper documentation from the City Attorney and approval from the Mayor's Office of such invoices for JAG-related expenditures;
- d. \$26,732.78 from FY12 JAG Fund XXX, Account 46J203 to Fund 100, Department 12, Revenue Source 5301, Reimb From Other Funds, to reimburse the General Fund for grant-funded personnel salaries, upon presentation of proper documentation from the City Attorney and approval from the Mayor's Office of such invoices for JAG-related expenditures; and,

10. Authorize the Mayor, or designee, to prepare Controller's instructions for any necessary technical adjustments consistent with this action, subject to the approval of the City Administrative Officer, and request that the Controller implement the instructions.

## **FISCAL IMPACT STATEMENT**

Acceptance of the Fiscal Year 2012 Justice Assistance Grant award in the amount of \$2,365,208 will provide support for the continued implementation of nine Community Law Enforcement and Recovery program sites. A General Fund obligation totaling \$120,095 is attributed to fringe benefits costs of four Deputy City Attorney III positions (\$345,102). No additional appropriation is needed at this time since this General Fund obligation is included in the Adopted Budget. Accepting the grant and approving the recommendations in this report is in compliance with the City's Financial Policies in that budgeted General Fund monies plus grant revenues are available to support the cost of this program.

*MAS:MBC:04130104*