

REPORT FROM

OFFICE OF THE CITY ADMINISTRATIVE OFFICER

Date: November 6, 2020

CAO File No. 0220-04434-0028

Council File No. 20-1120

Council District: --

To: The Mayor
The Council

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



Reference: Transmittal from the Mayor dated September 2, 2020; referred for report on September 3, 2020

Subject: **FISCAL YEAR 2019 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) ACCEPTANCE**

RECOMMENDATIONS

That the Council:

1. Authorize the Mayor, or designee, to:
 - a. Retroactively accept the Fiscal Year 2019 Edward Byrne Memorial Justice Assistance Grant (FY19 JAG) in the amount of \$2,386,696.00 for the period effective October 1, 2018 through September 30, 2022;
 - b. Negotiate and execute the Grant Award Agreement on behalf of the City of Los Angeles and submit any other necessary agreements and documents relative to the grant award, subject to the approval of the City Attorney as to form;
 - c. Execute a Subrecipient Agreement between the City of Los Angeles and the County of Los Angeles for the FY19 JAG for up to 45 months, for a total not to exceed \$1,074,013.20, subject to the approval of the City Attorney as to form;
 - d. Execute a contract between the City of Los Angeles and County of Los Angeles for the CLEAR Program for up to 12 months, for a total not to exceed \$719,735.36, 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 No.</u>	<u>Account Name</u>	<u>Amount</u>
46T216	District Attorney	\$ 469,247.36
46T216	Probation Department	250,488.00
Total:		\$ 719,735.36

2. Approve the FY19 JAG budget and authorize the Mayor’s Office of Public Safety to expend the grant in accordance with the approved budget;
3. Approve a Memorandum of Understanding between the City of Los Angeles and the County of Los Angeles for the FY19 JAG for the period of October 1, 2018 through September 30, 2022, for a total not to exceed \$2,386,696.00, and authorize the Mayor, or designee, to execute the Memorandum of Understanding, subject to the approval of the City Attorney as to form;

4. Authorize the Controller to:

- a. Create a new interest-bearing Fund titled FY19 Justice Assistance Grant Fund; establish a receivable in this new Fund in the amount of \$2,386,696.00; expend funds upon presentation of proper documentation from the Mayor’s Office; and, create new Appropriation Accounts within the new Fund No. XXX, Department No. 46, as follows:

<u>Account No.</u>	<u>Account Name</u>	<u>Amount</u>
46T216	CLEAR Contractual Services	\$ 719,735.36
46T912	City Attorney Grant Allocation	314,897.36
46T146	Mayor	157,765.15
46T299	Related Costs	77,904.45
46T210	Mayor’s Office and Administrative	3,000.00
46T668	Partner Jurisdiction	1,074,013.20
46T970	LAPD Grant Allocation	39,380.48
Total:		\$ 2,386,696.00

- b. Expend funds upon presentation of proper demands from the Mayor’s Office;
 - c. Transfer up to \$157,765.15 from FY 19 Justice Assistance Grant Fund No. XXX, Department No, 46, Account No. 46T146 to the Mayor’s General Fund No. 100, Department No. 46, Account No. 001020, Grant Reimbursed, for reimbursement of grant-funded personnel salaries;
 - d. Transfer up to \$77,904.45 from FY19 Justice Assistance Grant Fund No. XXX, Department No. 46, Account No. 46T299 to the Mayor’s General Fund No. 100, Department No. 46, Revenue Source Code 5346, Related Cost Reimbursements for Grants, for reimbursement of grant-funded fringe benefits; and,
5. Authorize the Mayor, or designee, to prepare Controller instructions for any 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 retroactively accept the Fiscal Year 2019 Edward Byrne Justice Assistance Grant (FY19 JAG) in the amount of \$2,386,696 from the Department of Justice, Bureau of Justice Assistance (Grantor) for a grant performance period of October 1, 2018 through September 30, 2022. There is no match requirement associated with this grant.

The FY19 JAG is a formula grant provided by the federal government to provide states and local governments with funding necessary to support various criminal justice programs, including law enforcement; prosecution and court programs; prevention and education programs; corrections and community corrections; drug treatment and enforcement; crime victim and witness initiatives; and planning, evaluation, and technology improvement programs. Grant allocations are determined by population and Part 1 violent crime statistics.

On July 25, 2019, the Grantor issued a Request for Proposals for the FY19 JAG Program. The City of Los Angeles submitted an application on August 23, 2019 and was awarded \$2,386,696 by the DOJ on September 24, 2019. As the grant guidelines require a joint spending plan between the City of Los Angeles and County of Los Angeles, of the \$2,386,696, an amount of \$1,312,683 will be allocated to the City with \$1,074,013 being provided to the County. The City will distribute grant funds according to the categories outlined below.

Community Law Enforcement and Recovery (CLEAR) Program

The Community Law Enforcement and Recovery (CLEAR) Program, part of the Mayor's Gang Reduction initiative, was established by the City and County to combat gang violence in Los Angeles. The primary goal of CLEAR is to facilitate the recovery of gang-infested communities by decreasing gang crime in collaboration with the Mayor's Office of Gang Reduction and Youth Development, as well as City and County criminal justice agencies. Stakeholders include the Mayor's Office, the City Attorney's Office, the Los Angeles Police Department (LAPD), and the County of Los Angeles Probation Department.

The City will allocate approximately \$1,034,633 to nine CLEAR program sites: Northeast, Newton, Southeast, Foothill, Southwest, Hollenbeck/Boyle Heights, Hollenbeck/Ramona Gardens, Rampart, and 77th. One Deputy City Attorney, one Deputy District Attorney, and one Deputy Probation Officer, as well as 10 existing LAPD personnel, consisting of one Detective, one Sergeant, and eight Police Officers, will staff each program site. Accordingly, funding will go towards nine Deputy City Attorneys in the City Attorney's Office, nine Deputy District Attorneys, and nine Deputy Probation Officers. As the Deputy District Attorney III and Deputy Probation Officer positions are County employees, the Mayor's Office requests authority to execute an agreement with the County to disburse \$719,735 in grant funds for County personnel.

The FY19 JAG will provide \$314,897 to the City Attorney's Office to partially fund the following nine positions: three Deputy City Attorney Is and six Deputy City Attorney IIIs. The remaining salary costs will be a General Fund obligation that will be absorbed within the City Attorney's

2020-21 City Budget. Funding for LAPD personnel is already included in the LAPD's 2020-21 City Budget.

Los Angeles Police Department (LAPD)

The National Incident-Based Reporting System (NIBRS), managed by the Federal Bureau of Investigation (FBI), is a crime data reporting and collecting system that will replace the Uniform Crime Reporting (UCR) Program. By January 1, 2023, the NIBRS should be the standard law enforcement crime data reporting standard for the country. In order to transition agencies to the new system, the Grantor requires JAG recipients to dedicate 3-percent of their JAG award for those who have not yet been certified by their state as NIBRS-compliant.

The LAPD began the transition from UCR to NIBRS in 2016 and is currently modernizing its technology and training staff to meet State and Federal reporting standards. Of the \$1,312,683 received by the City, \$39,380 will be committed to fund software and hardware upgrades related to the NIBRS.

Grant Management and Administration

Pursuant to grant guidelines, up to 10-percent of the total award can be used to support management and administration (M&A) costs. A total amount of \$238,670 will be allocated towards M&A, of which \$157,765 will be for salaries, \$77,904 for fringe benefits, and \$3,000 for office expenses. Management and administration costs include applying for the grant, monitoring expenditures, generating quarterly reports, conducting audits of City and County projects and expenditures, and managing disbursement and reimbursement of grant funds.

The table below presents a breakdown of the City's FY19 JAG allocation.

Cost Category	Amount
Community Law Enforcement and Recovery Program (CLEAR)	
<i>CLEAR City Personnel</i>	\$ 314,897.36
<i>CLEAR Contracted County Personnel</i>	719,735.36
CLEAR Subtotal	\$ 1,034,632.72
Mayor's Office	
<i>Grant Management and Administration</i>	\$ 157,765.15
<i>Fringe Benefits</i>	77,904.45
<i>Administration Expenses</i>	3,000.00
Mayor's Office Subtotal	\$ 238,669.60
Los Angeles Police Department (LAPD)	
<i>National Incident Based Reporting System</i>	\$ 39,380.48
LAPD Subtotal	\$ 39,380.48
Total	\$ 1,312,682.80

County of Los Angeles Allocation

The County will utilize its share of the grant in the amount of \$1,074,013 for the following agencies and programs: the Los Angeles County Sheriff's Department; District Attorney SAGE: Strategies Against Gang Environments; Public Defender Alternative Sentencing Program/Psychiatric Social Worker; Probation Department; and the AB109 Re-Entry Housing Project. As the administrative agent, the Mayor's Office will monitor these programs and expenditures and report back to the Grantor.

FISCAL IMPACT STATEMENT

Approval of the recommendations in this report will provide \$2,386,696 to the City and the County of Los Angeles for the implementation of the Fiscal Year 2019 Edward Byrne Memorial Justice Assistance Grant program. As established through a joint spending plan, the City's allocation is approximately \$1,312,683, whereas \$1,074,013 will be provided to the County. Of the City's share of \$1,312,683, costs will be distributed as follows: \$1,034,633 to the Community Law Enforcement and Recovery (CLEAR) program personnel; \$238,670 to the Mayor's Office for grant management and administration expenses; and, \$39,380 to the Los Angeles Police Department to meet State and Federal crime-reporting requirements. Of the \$1,034,633 for the CLEAR program, approximately \$719,735 will be appropriated for County support staff, and about \$314,897 will partially fund nine Deputy City Attorney positions in the City Attorney's Office. The City Attorney's Office will be required to absorb any unfunded salary obligations with available funds in the 2020-21 City Budget. There is no match requirement associated with this grant.

FINANCIAL POLICIES STATEMENT

The recommendations in this report are in compliance with the City's Financial Policies in that grant funds will be utilized for grant-eligible activities.