



Office of the Los Angeles City Attorney
Hydee Feldstein Soto

MEMORANDUM

To: The Honorable Karen Bass
Mayor of Los Angeles
City Hall
Los Angeles, CA 90012

Honorable Members of City Council
City Of Los Angeles
City Hall
Los Angeles, CA 90012

From: Kyle Kirkpatrick, Grants Coordinator

Date: December 26, 2023

Re: FY 2024-2027 Prop. 56 CA Healthcare, Research and Prevention Tobacco Tax Act of 2016 Grant Award

Transmitted herewith for Mayor and City Council consideration is a continuation grant award totaling \$4,249,580 for FY 2024-2027 to address illegal sales of tobacco products to minors. Awarded grant funds will maintain retailer compliance checks and enforce state and local tobacco laws.

Grant funding originates from the Prop. 56 California Healthcare, Research and Prevention Tobacco Tax Act of 2016, which is administered by the California Attorney General's Office through a competitive grant process. Council previously accepted a FY 2021/22 award (CF # 13-1204-S6) to launch LA DATA (Decreasing Adolescent Tobacco Access), which is now entering its fifth year of operation.

Since its inception, DATA has undertaken 2,824 PC 308 investigations; 2743 tobacco retailer inspections; 1,784 STSTAKE Compliance Checks, 8 tobacco search warrants/investigations of illicit tobacco; 105 hookah related task force operations. DATA has referred 460 first time PC 308 violators to a tobacco-specific diversion program (developed by the City Attorney's Office); conducted 1,000 tobacco retailer trainings; and completed 220 youth tobacco use prevention outreach programs.



City of Los Angeles
Grant Award Notification and Acceptance

Recipient Department			
This Grant Award <input type="checkbox"/> New <input checked="" type="checkbox"/> Continuation/Renewal <input type="checkbox"/> Supplemental <input type="checkbox"/> Suballocation			
is:			
Grants Coordinator:	Celina Porras	E-Mail: celina.porras@lacity.org	Phone: 213-202-5576
Project Manager:	Celina Porras	E-Mail: celina.porras@lacity.org	Phone: 213-202-5576
Department/Bureau/Agency:	City Attorney		Date: 12/26/2023

Grant Information			
Name of Grantor:		Pass Through Agency:	
CA Department of Justice		N/A	
Grant Program Title:		Notification of Award Date:	
Tobacco Grant Program - DATA VI FY 2024-2027		12/01/2023	
Funding Source (Public / State)	Grant Type:	Funds Disbursement:	Agency's Grant ID:
	Competitive/Discretionary	Reimbursement	CFDA#:
			Other ID#:
			eCivis ID#:
Match Requirement:	None	Amount:	\$0.00 %Match 0
Match Type:	N/A	Identify Source of Match:	
Fiscal Information:	Awarded Funds:	Match/In-Kind Funds:	Additional/Leverage Funds:
	\$ 4,249,580.00	\$ -	\$ -
			Total Project Budget:
			\$ 4,249,580.00

Approved Grant Budget Summary				
Category	Awarded	Match	Additional	Explanation
Personnel				
Deputy City Attorney 1.5 FTE	\$ 971,304.00	\$ -	\$ -	1 DCA II & 50% FTE DCA IV 1/1/2024-12/31/2026
Administrative Coordinator	\$ 325,394.00	\$ -	\$ -	1 AC II 1/1/2024 - 12/31/2026
Investigator	\$ 264,959.00	\$ -	\$ -	1 Investigator I 1/1/2024-12/31/2026
Legal Secretary	\$ 80,510.00	\$ -	\$ -	1 LS 1/1/2026-12/31/2026
Legal Clerk	\$ 203,749.00	\$ -	\$ -	1 LC II 1/1/2024-12/31/2026
Overtime				
LAPD Sworn	\$ 1,165,575.00	\$ -	\$ -	
LAPD Civilian	\$ 75,000.00	\$ -	\$ -	
Supplies				
Laptops	\$ 6,000.00	\$ -	\$ -	
Outreach Items	\$ 20,000.00	\$ -	\$ -	
Other				
Staff Parking	\$ 16,500.00	\$ -	\$ -	
Related Costs				

City Attorney Fringe -- CAP 41 (43.58%)	\$ 804,450.00	\$ -	\$ -	
City Attorney Indirect -- CAP 41 (16.94%)	\$ 202,359.00	\$ -	\$ 110,339.00	Indirect Capped at 5% of total budget; \$110,339 -- covered by City Atty Adopted Budget
LAPD Sworn Fringe -- 9.44%	\$ 110,030.00	\$ -	\$ -	
LAPD Civilian -- 5.02%	\$ 3,750.00	\$ -	\$ -	
Total	\$ 4,249,580.00	\$ -	\$ 110,339.00	

Approved Project

Descriptive Title of Funded Project: LA DATA VI (FY24-27)

Performance Period Start/End Dates (Month/Day/Year):

Citywide:

Start: 11/01/2023 End: 06/30/2027

Affected Council District(s):

Affected Congressional District(s):

Purpose:

Identify Internal Partners (City Dept/Bureau/Agency):

LAPD

Identify External Partners:

Summary

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 Los Angeles City Attorney's Office (LACA) seeks continuation funding to support its evidence-based youth tobacco-use prevention efforts vitally needed in the City of Los Angeles. Launched in 2018 through Prop. 56 funding, LACA established DATA (Decreasing Adolescent Tobacco Access), a strategic partnership between LACA and the Los Angeles Police Department to reduce tobacco access to, and use by, youth. As the prosecutorial agency responsible for all misdemeanors and infractions occurring within the City of Los Angeles, LACA oversees tobacco retailer enforcement, direct retailer outreach, and multi-agency collaborations through its Tobacco Enforcement Operations Division. In addition to leading efforts to decrease the unlawful sale of tobacco products to minors, LACA monitors nearly 3,800 tobacco retailers to ensure compliance with local tobacco permit guidelines and all tobacco-related laws. Through FY 24-27 funding, LACA will continue DATA enforcement strategies proven effective and which an independent evaluator has described as "a national model of excellence when it comes to law enforcement initiatives that promote public health and safety."

Recommendations

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 (such as contract and position authorities).

1. AUTHORIZE the City Attorney, or designee, to:
 - a. Retroactively apply for and execute the grant award agreement between the State of California Department of Justice and the City Attorney's Office;
 - b. Accept the grant award in the amount of \$4,249,580 from the State of California Department of Justice;
 - c. Prepare Controller instructions for any necessary technical adjustments, subject to the approval of the City Administrative Officer and instruct the Controller to implement the instructions.
2. AUTHORIZE the Controller to:
 - a. Establish a receivable within Fund 368 in the amount of \$4,249,580 from the State of California Department of Justice;
 - b. Establish a new appropriation account within Fund 368 as follows:
Account 12Y643 – LA DATA VI Program (2024-2027) - \$4,249,580
 - c. TRANSFER up to \$161,377 from Fund 368, Department 12, Account 12Y643 – LA DATA VI Program (2024-2027) to Fund 100, Department 12, Account 001010 – Salaries General as reimbursement for City Attorney salary expenses of the four (4) resolution authorities;
 - d. TRANSFER up to \$684,626 from Fund 368, Department 12, Account 12Y643 – LA DATA VI Program (2024-2027) to Fund 100, Department 12, Revenue Source 5427 - Reimbursement from Grants for salary expenses of the two (2) grant reimbursed regular authorities;
 - e. TRANSFER up to \$1,006,809 from Fund 368, Department 12, Account 12Y643 – LA DATA VI Program (2024-2027) to Fund 100, Department 12, Revenue Source 5346 – Related Cost Reimbursement from Grants as reimbursement for City Attorney fringe benefits and indirect costs related to the LA DATA VI Program (2024-2027).
3. AUTHORIZE the City Council to Instruct the City Clerk to place on Council Calendar for July 1, 2024, the following action relative to the LA DATA VI Program (2024-2027):
 - a. That the City Council, subject to the approval of the Mayor, AUTHORIZE the Controller to TRANSFER up to \$358,544 from Fund 368, Department 12, Account 12Y643 - LA DATA VI Program (2024-2027) to Fund 100, Department 12, Account 001010 – Salaries General as reimbursement for City Attorney salary expenses of the four (4) resolution authorities;
 - b. That the City Council, subject to the approval of the Mayor, AUTHORIZE the Controller to TRANSFER up to \$510,242 from Fund 368, Department 12, Account 12Y643 - LA DATA VI Program (2024-2027) to Fund 100, Department 70, Account 001092 - Sworn Overtime;
 - c. That the City Council, subject to the approval of the Mayor, AUTHORIZE the Controller to TRANSFER up to \$31,500 from Fund 368, Department 12, Account 12Y643 - LA DATA VI Program (2024-2027) to Fund 100, Department 70, Account 1090 - Civilian Overtime.
4. AUTHORIZE the City Council to Instruct the City Clerk to place on Council Calendar for July 1, 2025, the following action relative to the LA DATA VI Program (2024-2027):
 - a. That the City Council, subject to the approval of the Mayor, AUTHORIZE the Controller to TRANSFER up to \$408,100 from Fund 368, Department 12, Account 12Y643 - LA DATA VI Program (2024-2027) to Fund 100, Department 12, Account 001010 – Salaries General as reimbursement for City Attorney salary expenses of the four (4) resolution authorities;
 - b. That the City Council, subject to the approval of the Mayor, AUTHORIZE the Controller to TRANSFER up to \$510,242 from Fund 368, Department 12, Account 12Y643 - LA DATA VI Program (2024-2027) to Fund 100, Department 70, Account 001092 - Sworn Overtime;
 - c. That the City Council, subject to the approval of the Mayor, AUTHORIZE the Controller to TRANSFER up to \$31,500 from Fund 368, Department 12, Account 12Y643 - LA DATA VI Program (2024-2027) to Fund 100, Department 70, Account 1090 - Civilian Overtime.
5. AUTHORIZE the City Council to Instruct the City Clerk to place on Council Calendar for July 1, 2026, the following action relative to the LA DATA VI Program (2024-2027):
 - a. That the City Council, subject to the approval of the Mayor, AUTHORIZE the Controller to TRANSFER up to \$233,269.00 from Fund 368, Department 12, Account 12Y643 - LA DATA VI Program (2024-2027) to Fund 100, Department 12, Account 001010 – Salaries General as reimbursement for City Attorney salary expenses of the four (4) resolution authorities;
 - b. That the City Council, subject to the approval of the Mayor, AUTHORIZE the Controller to TRANSFER up to \$255,121 from Fund 368, Department 12, Account 12Y643 - LA DATA VI Program (2024-2027) to Fund 100, Department 70, Account 001092 - Sworn Overtime;
 - c. That the City Council, subject to the approval of the Mayor, AUTHORIZE the Controller to TRANSFER up to \$15,750 from Fund 368, Department 12, Account 12Y643 - LA DATA VI Program (2024-2027) to Fund 100, Department 70, Account 1090 - Civilian Overtime.
6. ADOPT the attached Resolution requested by the State of California Department of Justice for receipt of the grant award.

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.

The total cost of the LA DATA VI Program (2024-2027) is \$4,359,919 of which \$4,249,580 will be reimbursed by the State of California Department of Justice. The General fund contribution is \$110,339 in related costs (CAP 41) which are already included in the City Attorney adopted budget.

Acceptance Packet

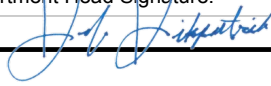
The above named Department has received an award for the Grant Program identified above, accepts full responsibility for the coordination and management of all Grant funds awarded to the City, and will adhere to any policies, procedures and compliance requirements set forth by the Grantor and its related 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 checked="" type="checkbox"/> Copy of Grant Agreement (if applicable) |
| <input checked="" type="checkbox"/> Detail of Positions and Salary Costs (Excel Document) | <input type="checkbox"/> Additional Documents (if applicable) |

Department Head Name:

Kyle Kirkpatrick

Department Head Signature:



Date:

12/26/2023

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:

Date:

					Department:	City Attorney
Grant Name: Decreasing Adolescent Tobacco Access			Additional Costs**			
Grant Project Breakdown		Grant Funds	City Funds	Non-City Funds	Total	Comments
<u>Salaries</u>						
1010 Salaries General		1,845,916			1,845,916	City Attorney Staff Salaries
1020 Salaries Grant Reimbursed					-	
XXXX LAPD Sworn Overtime		1,165,575			1,165,575	
XXXX LAPD Civilian Overtime		75,000			75,000	
Salaries Total:		\$ 3,086,491	\$ -	\$ -	\$ 3,086,491	
<u>Related Costs*</u>	<u>CAP Rate</u>					
Fringe Benefits	43.58%	804,450			804,450	
Department Administration	4.34%		80,113		80,113	
Central Services	12.60%	202,359	30,226		232,585	5% of Total Budget is allowable
LAPD Sworn Fringe	9.44%	110,030			110,030	
LAPD Civilian Fringe	5.02%	3,750			3,750	
Related Costs Total:		\$ 1,120,589	\$ 110,339	\$ -	\$ 1,230,928	
<u>Expense</u>						
2120 Printing & Binding					-	
2130 Travel & Training					-	
3040 Contractual Services					-	
3310 Transportation		16,500			16,500	Parking
4160 Governmental Meetings					-	
6010 Office Supplies		6,000			6,000	Laptops
6020 Operating Supplies		20,000			20,000	Outreach Materials/Items
7300 Equipment					-	
Expenses Total:		\$ 42,500	\$ -	\$ -	\$ 42,500	
Grand Total:		\$ 4,249,580	\$ 110,339	\$ -	\$ 4,359,919	
<p>*Please use the full Cost Allocation Plan (CAP) rates unless disallowed by the Grantor. CAP rates should be applied to Gross Salaries (including Compensated Time Off.)</p>						
<p>**Other sources of funding. Please indicate whether these funds are part of a match requirement and whether they are already provided or new funding is required.</p>						

PF2 (091222)

LOS ANGELES CITY COUNCIL RESOLUTION
Proposition 56 Grant

WHEREAS the ***Los Angeles City Attorney's Office*** desires to participate in the Proposition 56 grant program administered by the California Attorney General's Office to establish LA DATA ("Decreasing Adolescent Tobacco Access). LA DATA will feature aggressive tobacco retailer enforcement, hookah lounge enforcement/abatement, and widespread youth outreach as coordinated through an anti-tobacco task force.

NOW, THEREFORE, BE IT RESOLVED that the ***City Attorney, Hydee Feldstein Soto***, be authorized on behalf of the ***City of Los Angeles*** to enter in the FY 2024-27 Grant Agreement with the California Attorney General's Office, including any amendments thereof.

BE IT FURTHER RESOLVED that grant funds received hereunder shall not be used to supplant expenditures controlled by this body.

BE IT FURTHER RESOLVED that the ***Los Angeles City Attorney's Office*** agrees to abide by the terms and conditions of the Grant Agreement as set forth by the California Attorney General's Office.

PASSED AND ADOPTED on _____ by
the following vote of the City Council of the City of Los Angeles, to wit:

Ayes:

Noes:

Absent:

Signature:



Tobacco Grant Program

Grant Services Branch – Local Assistance

Division of Operations

SUMMARY OF AWARD – DOJ-PROP56-2023-24-1-011

Los Angeles City Attorney's Office

I. Award Summary

Requested Amount: \$5,098,505	Award Amount: \$4,249,580
Removed from Award: General Office Supplies; printing; copiers; software.	Reduced Line Items: Reduced to 3 year budget (many items budgeted for 3.5 years)
Other Changes or Stipulations: None	

II. Notes for All Grantees

- a. Enforcement Activities
 - i. Authorized - If enforcement activities were proposed, only activities that target retailers for illegal sales/marketing of tobacco products were approved.
 - ii. Unauthorized - Community and school patrols or other enforcement actions related to tobacco use and possession are not permitted.
- b. Removed Personnel or Other Items
 - i. If specific personnel or other items were removed and not funded, they cannot be reinstated during the grant term.
- c. Reduced Line Items
 - i. If a specific line item was reduced, the intention was to not fully fund it or the activities it represents.
- d. Mileage/Fuel
 - i. Budgets that include mileage or fuel were amended to include both together in one line item for flexibility and the type of backup documentation available. Mileage is limited to the state rate at the time of travel.
- e. Equipment
 - i. All equipment items must be purchased during that first year of the grant. Their awarding is intended to support project goals and be used to support grant activities during the grant term.

Please reference the Tobacco Grant Program Grantee Handbook for more information regarding allowable costs under this grant cycle.

III. Goals and Budget Narrative

- a. Based on the information contained in page 1, we expect some goals, objectives, and deliverables stated in your proposal may have been removed or adjusted. With that in mind, please re-state your funded goals, objectives, deliverables, and budget narratives using the template below so they are reflective of required changes noted on page 1.
- b. The Tobacco Grant Program will reference this document when determining whether an activity was approved for funding and is reimbursable.
- c. Completion of this summary is required in order for DOJ to fully execute the Memorandum of Understanding and becomes part of the Grant Agreement.

Goal 1 Title:	Continued Penal Code 308 Enforcement
Goal Description:	Conduct at least one PC 308 investigation at every tobacco retailing location to decrease illegal tobacco sales.
Measurable Outcome:	The DATA program will conduct a minimum of 1,000 Penal Code 308 investigations.
Timeline:	1/1/2024-6/30/26
Narrative Description:	Approximately 3,800 tobacco retailers operate within the City of Los Angeles who are subject to PC 308 enforcement activities led by the LAPD. Through initial and subsequent Prop 56 funding, LACA's DATA program has successfully completed approximately 2,900 Penal Code 308 investigations citywide. With this FY 23/24 continuation funding for the DATA program, LACA aims to conduct at least one PC 308 investigation at each tobacco retailing location in the City. Additionally, the DATA program will continue its evidence-based PC 308 enforcement strategies including 1) identifying hot spots by assessing tobacco retailer density and school proximity and 2) prioritizing bringing repeat offenders into compliance.

Goal 2 Title:	Provide Direct Tobacco Retailer Education to all City of Los Angeles Tobacco Retailers
Goal Description:	Provide direct on-site education to all tobacco retailers in the City prior to a PC 308 investigation to support a prevention-first model.
Measurable Outcome:	The DATA program will conduct a minimum of 3,000 direct retailer education trainings

Timeline:	1/1/2024 - 6/30/26
Narrative Description:	Through FY 23/24 funding, the LACA will be able to continue to provide direct on-site education to tobacco retailers. The goal is to educate retailers prior to a PC 308 investigation in the hope that the retailer will not sell to the decoy during a subsequent investigation and will avoid a criminal citation. This approach aligns with the statewide trend to rethink traditional criminal justice modalities to prioritize prevention over punishment. During the on-site training, LAPD educates retailers on applicable tobacco laws and stresses the importance of not selling tobacco to youth. The training includes hands-on demonstrations regarding proper age verification and role playing scenarios to: 1) assist identifying counterfeit IDs; and 2) provide guidance on best practices for refusing a sale. As an adjunct to the training, the LACA will incorporate a new enhancement to the protocol by including an invitation for retailers to participate in the LACA's new online tobacco retailer education program. Upon completion of the virtual curriculum, a certificate will be issued for display at the retailing location.

Goal 3 Title:	Decrease Illegal Online Tobacco Sales to Youth
Goal Description:	Design and implement a new investigation program targeting illegal online tobacco sales to youth.
Measurable Outcome:	Successful development of online investigation protocols and number of investigations completed.
Timeline:	1/1/2024 - 6/30/26
Narrative Description:	Through FY 23/24 funding, LACA aims to develop an entirely new investigation program dedicated exclusively to unlawful online tobacco sales. The development of this program will include an analysis of recent online sales trends, identification of the most prevalent online sources, creation of online investigatory protocols specific to online tobacco sales to youth, and the possible utilization of both criminal and civil enforcement strategies.

Goal 4 Title:	Implementation and Enforcement of the City and State Flavored Tobacco Sales Ban
Goal Description:	Increase tobacco retailer compliance with the new City and State flavored tobacco sales ban.
Measurable Outcome:	Number of enforcement actions against retailers unlawfully selling flavored tobacco products in violation of the City and State flavored tobacco sales ban.
Timeline:	1/1/2024 - 6/30/26

Narrative Description:	Through FY 23/24 funding, the LACA aims to shift from the current education and outreach period to more direct enforcement. This new funding will allow for the development of an enforcement protocol to include both civil and criminal legal action against recalcitrant retailers. In addition, with FY 23/24 funding LACA will be able to implement protocols and provide training to all LAPD area Vice units to assist LAPD Vice Officers in determining if a product is flavored.
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Goal 5 Title:	Enhance Tobacco Retailer Diversion Program through Online Engagement
Goal Description:	Fully implement the offering of an online tobacco retailer education program for City tobacco retailers.
Measurable Outcome:	Number of participants that complete the online tobacco retailer education program.
Timeline:	1/1/2024 - 6/30/26
Narrative Description:	A central component of the DATA program is the tobacco-specific diversion program for PC 308 offenders. This diversion program provides a restorative justice based alternative to misdemeanor criminal prosecution. LACA's diversion program prioritizes educating retailers on the consequences of a criminal conviction and also raising awareness of the detrimental health-related and societal impacts associated with underage tobacco sales. To modernize LACA's diversion program, LACA is utilizing current Prop 56 funding to develop a first-of-its kind online tobacco retailer education program. This online program will be completed in early 2024 and will be available free of charge. With FY23/24 funding, LACA will be able to incorporate this new online program as an enhancement to the DATA diversion program. Additionally, LACA will use FY23/24 funding to offer and promote this new online program to all tobacco retailers in the City– not just diversion participants. All retailers will be given an opportunity to take this online course free of charge. Participation will be incentivized and encouraged as an affirmative step business owners can take to prevent unlawful tobacco sales at their business and protect themselves from the consequences of a violation including criminal penalties and Tobacco Permit suspension.

Budget Narrative:	<p>LAPD resources will be distributed citywide for overtime to conduct PC 308 investigations, direct retailer educational visits, implementation of an online tobacco sales investigation program and initiation of flavored tobacco ban enforcement.</p> <p>Computers for grant funded staff.</p> <p>Outreach items needed for retailer education and youth tobacco-use</p>
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	<p>prevention.</p> <p>Parking for DATA staff, collaborators and interns.</p> <p>5% indirect cost rate (federally approved)</p> <p>Should FY 23/24 grant funding be awarded in full, LACA does not expect to apply for subsequent grant funding cycles until 2027.</p>
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End



Tobacco Grant Program Grant Services Branch – Local Assistance Division of Operations

Los Angeles City Attorney's Office

DOJ-PROP56-2023-24-1-011

MEMORANDUM OF UNDERSTANDING

PURPOSE

This Memorandum of Understanding ("MOU") is entered into by the Department of Justice ("DOJ") and the Los Angeles City Attorney's Office ("Grantee"), for the purpose of disbursing grant funds to Grantee for reimbursement of expenditures in compliance with the California Code of Regulations and the Fiscal Year 2023-24 Grantee Handbook.

Commencing January 1, 2023, the [California Code of Regulations, Title 11, Division 1, Chapter 5: Department of Justice Tobacco Grant Program](#) ("TGP Regulations") shall govern the policies and procedures of the Tobacco Grant Program.

The TGP Regulations, Request for Proposals, Grantee Handbook (dated March 2023), and Summary of Award document are hereby incorporated by reference into this MOU. Grantee will expend funds for the purposes identified in the approved Summary of Award document. Reimbursements are to be funded under the California Healthcare, Research and Prevention Tobacco Tax Act of 2016, approved by the voters as Proposition 56.

COST REIMBURSEMENT

DOJ agrees to reimburse Grantee in arrears, for Grantee's actual expenditures in performing the project or scope of work included in the approved Summary of Award document. Reimbursements will be made upon receipt of invoices from Grantee and approval of the invoices by DOJ, in accordance with the reimbursement procedures set forth in the TGP Regulations and Grantee Handbook.

BUDGET CONTINGENCY CLAUSE

It is mutually agreed, if the Budget Act of the current fiscal year and/or any subsequent years covered under the MOU does not appropriate sufficient funds, the MOU shall be of no further force and effect. In the event this situation occurs, DOJ shall have no liability to reimburse/pay any funds to Grantee, or to furnish any other considerations under this MOU. As well, Grantee shall not be obligated to continue performing the provisions of this MOU, for which the Grantee would have been reimbursed.

If funding for any fiscal year is reduced or deleted in the Budget Act for purposes of this MOU, DOJ shall have the option to either cancel this MOU with no liability occurring to DOJ, or offer an addendum to the Grantee to reflect the reduced amount.

PROJECT BREACH-TERMINATION

Failure of a Grantee to comply with this MOU or the TGP Regulations shall be treated by DOJ as a breach of contract. If an act of noncompliance occurs, DOJ may take actions described within the TGP Regulations, including termination. DOJ may terminate this MOU and be relieved of any obligation to disburse grant funds to Grantee should Grantee fail to perform the scope of work at the time and in the manner provided in this MOU.

MISCELLANEOUS PROVISIONS

Addendum – No addendum or variation of the terms of this MOU is valid unless made in writing, and signed by the duly authorized representatives of the parties.

Assignment – This MOU is not assignable by Grantee in whole or in part.

Indemnification – Grantee agrees to indemnify and hold harmless DOJ, its officers, agents and employees from all claims, liabilities, or losses in connection with the performance of this MOU.

Certifications – Grantee certifies that it does not receive funding from a manufacturer, distributor, or advertiser of Cigarettes or Tobacco Products. Grantee further certifies that grant funds will not supplant existing state or local funds dedicated for the same purpose.

TERMS

Grant Duration: **11/1/2023 – 6/30/2027**

Category of Expenditure	Award Amount			
	Budget FY 2023-2024	Budget FY 2024-2025	Budget FY 2025-2026	Budget FY 2026-2027
Personal Services	\$395,442	\$1,384,014	\$1,455,166	\$770,099
Operating Expenses and Equipment	\$2,750	\$21,500	\$15,500	\$2,750
Administrative Costs (Not to Exceed 5%)	\$19,909	\$70,275	\$73,533	\$38,642
TOTAL AWARD AMOUNT	\$4,249,580			

The time limit for reimbursements against this award ends 6/30/2027. Requests for reimbursement received after 7/15/2027 cannot be considered by DOJ.

GRANTEE CONTACT INFORMATION

Hydee Feldstein Soto, City Attorney
 Los Angeles City Attorney's Office
 200 N. Main Street, 8th Floor
 Los Angeles, CA 90012
 310-886-1600
 hydee.feldsteinsoto@lacity.org

AUTHORIZATION

DOJ and Grantee, by their duly authorized officials, have executed this MOU on the respective dates indicated below. This MOU and any future addendums shall be e-mailed to TobaccoGrants@doj.ca.gov, care of the Division of Operations, Grant Services Branch, Local Assistance Unit, Tobacco Grant Program, and will become fully executed upon completion of signatures from all parties.

NAME:

Title:

Agency:

Date_____
NAME:

Title:

Agency:

Date_____
NAME:

Title:

Agency:

Date_____
JENNIFER IVERY JOHNSON, Grant Manager
Division of Operations
California Department of Justice_____
Date_____
STACY HEINSEN, Administrative Manager
Division of Operations
California Department of Justice_____
Date_____
CHRIS RYAN, Chief
Division of Operations
California Department of Justice_____
Date