

REPORT FROM

OFFICE OF THE CITY ADMINISTRATIVE OFFICER

Date: January 27, 2022

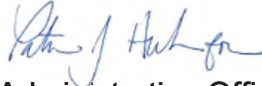
CAO File No. 0220-04434-0029

Council File No. 21-1634

Council District: --

To: The Mayor
The Council

From: Matthew W. Szabo, City Administrative Officer



Reference: Transmittal from the Mayor dated November 17, 2021

Subject: **FISCAL YEAR 2020 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 2020 Edward Byrne Memorial Justice Assistance Grant (FY20 JAG) in the amount of \$2,306,740 for the period effective October 1, 2019 through September 30, 2023;
 - 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 FY20 JAG for up to 45 months, for a total not to exceed \$1,038,033, subject to the approval of the City Attorney as to form;
 - d. Negotiate and execute a sole source Professional Services Agreement with Justice & Security Strategies, Inc. (JSS) for a term of three years within the applicable grant performance period, for a sum not to exceed \$38,061.21, to provide the requisite technical assistance in the National Incident Based Response System (NIBRS) implementation, subject to City contract requirements, and the approval of the City Attorney as to form; and,

- e. Negotiate and execute a contract between the City of Los Angeles and County of Los Angeles for the CLEAR Program for a term of up to 12 months, and for a total amount not to exceed \$589,992.97, 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>
46V216	District Attorney	\$ 369,992.97
46V216	Probation Department	220,000.00
Total:		\$ 589,992.97

2. Approve the FY20 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 FY20 JAG for the period of October 1, 2019 through September 30, 2023, for a total not to exceed \$2,306,740, 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 FY20 Justice Assistance Grant Fund; establish a receivable in this new Fund in the amount of \$2,306,740; 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>
46V216	CLEAR Contractual Services	\$ 589,992.97
46V912	City Attorney Grant Allocation	309,923.00
46V146	Mayor	234,595.57
46V299	Related Costs	95,134.25
46V210	Mayor’s Office and Administrative	1,000.00
46V668	Partner Jurisdiction	1,038,033.00
46V970	LAPD Grant Allocation	38,061.21
Total:		\$ 2,306,740.00

- b. Expend funds upon presentation of proper demands from the Mayor’s Office;
- c. Transfer up to \$234,595.57 from FY20 Justice Assistance Grant Fund No. XXX, Department No, 46, Account No. 46V146 to the Mayor’s General Fund No. 100, Department No. 46, Account No. 001020, Grant Reimbursed, for reimbursement of grant-funded personnel salaries; and,
- d. Transfer up to \$95,134.25 from FY20 Justice Assistance Grant Fund No. XXX, Department No. 46, Account No. 46V299 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 2020 Edward Byrne Justice Assistance Grant (FY20 JAG) in the amount of \$2,306,740 from the Department of Justice, Bureau of Justice Assistance (Grantor) for a grant performance period of October 1, 2019 through September 30, 2023. The early start date is due to the grant being awarded at the beginning of the Federal government's fiscal year, which runs from October through September. There is no match requirement associated with this grant.

The FY20 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. Formula allocations are awarded by the DOJ to states and then local jurisdictions based on Part 1 violent crime statistics.

On July 9, 2020, the Grantor issued a Request for Proposals for the FY20 JAG Program. The City of Los Angeles submitted an application on August 17, 2020 and was awarded \$2,306,740 by the DOJ on September 19, 2020. As the grant guidelines require a joint spending plan between the City of Los Angeles and County of Los Angeles, of the \$2,306,740 awarded, an amount of \$1,268,707 will be allocated to the City with \$1,038,033 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 \$899,916 to nine CLEAR program sites: Northeast, Newton, Southeast, Foothill, Southwest, Hollenbeck/Boyle Heights, Hollenbeck/Ramona Gardens, Rampart, and 77th. 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 \$589,993 in grant funds for the County personnel.

The FY20 JAG will provide \$309,923 to the City Attorney's Office to partially fund nine Deputy City Attorney III positions. The remaining salary costs will be a General Fund obligation that will be absorbed within the City Attorney's 2021-22 budget. Funding for LAPD personnel is already included in the LAPD's 2021-22 budget.

Los Angeles Police Department (LAPD)

In 2016, the Federal Bureau of Investigation (FBI) formally announced its intention to sunset the Uniform Crime Reporting (UCR) Program's traditional Summary Reporting System (SRS) and replace it with the UCR Program's National Incident-Based Reporting System (NIBRS).

Beginning in 2018, the Grantor required direct JAG award recipients not certified by their state as NIBRS-compliant to dedicate three-percent of their JAG award toward achieving full compliance with the FBI's NIBRS data submission requirements under the UCR Program. In 2016, the LAPD began its transition to the NIBRS from the UCR SRS in order meet the California and Federal reporting standards. LAPD's three-percent NIBRS allocation will be used to engage the consultant, Justice & Security Strategies, Inc. (JSS), for the continued testing of data values, data conversion and training in the new NIBRS crime reporting system. The additional guidance and training from the consultant is for LAPD personnel.

Of the total City of Los Angeles' FY20 JAG allocation of \$1,268,707, the three-percent NIBRS spending plan allocates \$38,061 to fund consultant services related to this effort.

Grant Management and Administration

Pursuant to grant guidelines, up to 10-percent of the total award, or \$230,674, can be used to support management and administration (M&A) costs by the Mayor's Office. Of this amount, \$163,457 is allocated to salaries and \$66,217 for fringe benefits, and \$1,000 is allocated for office and administrative 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.

Including the M&A costs, a total amount of \$234,595 will be allocated to Mayor's Office salaries for program staff for the support and management of the program scope projects within the JAG grant. Of this amount, \$71,138 will be used for program staff salaries, and \$163,457 for M&A salaries.

The table below presents a breakdown of the City’s FY20 JAG allocation.

Cost Category	Amount
Community Law Enforcement and Recovery Program (CLEAR)	
<i>CLEAR City Personnel</i>	\$ 309,923.00
<i>CLEAR Contracted County Personnel</i>	589,992.97
CLEAR Subtotal	\$ 899,915.97
Mayor’s Office	
<i>Grant Management and Administration, Program Staff (Salaries)</i>	\$ 234,595.57
<i>Fringe Benefits</i>	95,134.25
<i>Administration Expenses</i>	1,000.00
Mayor’s Office Subtotal	\$ 330,729.82
Los Angeles Police Department (LAPD)	
<i>National Incident-Based Reporting System</i>	\$ 38,061.21
LAPD Subtotal	\$ 38,061.21
Total	\$ 1,268,707.00

County of Los Angeles Allocation

The County will utilize its share of the grant in the amount of \$1,038,033 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 \$2,306,740 to the City and the County of Los Angeles for the implementation of the Fiscal Year 2020 Edward Byrne Memorial Justice Assistance Grant program. As established through a joint spending plan, the City’s allocation is approximately \$1,268,707, whereas \$1,038,033 will be provided to the County. Of the City’s share, costs will be distributed as follows: \$899,916 to the Community Law Enforcement and Recovery (CLEAR) program personnel; \$330,730 to the Mayor’s Office for grant management, administration, and fringe benefits expenses; and, \$38,061 to the Los Angeles Police Department to meet State and Federal crime-reporting requirements. Of the \$899,916 for the CLEAR program, \$589,993 will be appropriated for County staff, and about \$309,923 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 2021-22 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.

MWS:AY:04220060