

REPORT FROM

OFFICE OF THE CITY ADMINISTRATIVE OFFICER

Date: November 5, 2019

CAO File No. 0220-04434-0027
Council File No. 19-1066
Council District: All

To: The Mayor
The Council

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

Reference: Transmittal from the Mayor dated August 20, 2019; supplemental information received October 29, 2019

Subject: **FISCAL YEAR 2018 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT ACCEPTANCE**

RECOMMENDATIONS

That the Council:

1. Authorize the Mayor, or designee, to:
 - a. Retroactively apply for and accept the Fiscal Year 2018 Edward Byrne Memorial Justice Assistance Grant in the amount of \$2,231,202 for the period effective from October 1, 2017 through September 30, 2021;
 - b. To negotiate and execute the Grant Award Agreement on behalf of the City 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. To execute a Sub-recipient Agreement between the City of Los Angeles and the County of Los Angeles for the Fiscal Year 2018 Edward Byrne Memorial Justice Assistance Grant for up to 45 months, within the applicable grant performance period, for a total amount not to exceed \$1,004,041, subject to the approval of the City Attorney as to form;
 - d. To execute a contract 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, within the applicable grant performance period, for a total amount not to exceed \$636,032, 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</u>	<u>Title</u>	<u>Amount</u>
46S216	District Attorney	\$ 385,544
46S216	Probation Department	<u>250,488</u>
Total:		\$ 636,032

- e. To execute a contract between the City of Los Angeles and an evaluation contractor selected as a result of a procurement process to provide data collection and program evaluation for the CLEAR Program, for a term of up to 12 months, within the applicable grant performance period, and not to exceed \$100,000, subject to the approval of the City Attorney as to form;
 - f. 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.
2. Approve the Fiscal Year 2018 Edward Byrne Memorial Justice Assistance Grant 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 Fiscal Year 2018 Edward Byrne Memorial Justice Assistance Grant for the period of October 1, 2017 through September 30, 2021 for a total amount not to exceed \$2,231,202 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 FY18 Justice Assistance Grant Fund; establish a receivable in this new Fund in the amount of \$2,231,202; 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</u>	<u>Title</u>	<u>Amount</u>
46S216	CLEAR Contractual Services	\$ 636,032
46S217	CLEAR Evaluation	100,000
46S912	City Attorney Grant Allocation	231,194
46S146	Mayor	148,695
46S299	Related Costs	73,425
46S210	Mayor's – Office and Administrative	1,000
46S668	Partner Jurisdiction	1,004,041
46S970	LAPD Grant Allocation	36,815
Total:		\$ 2,231,202

- b. Expend funds upon presentation of proper demands from the Office of the Mayor;
- c. Transfer up to \$148,695 from the Fiscal Year 2018 Edward Byrne Memorial Justice Assistance Grant Fund No. XXX, Department No. 46, Account No. 46S146 to the Mayor's General Fund No. 100, Department No. 46, Account No. 001020, for reimbursement of grant-funded personnel salaries; and,

- d. Transfer up to \$73,425 from the Fiscal Year 2018 Edward Byrne Memorial Justice Assistance Grant Fund No. XXX, Department No. 46, Account No. 46S299, to the Mayor's General Fund No. 100, Department No. 46, Revenue Source Code No. 5346 for reimbursement of grant-funded fringe benefits.

SUMMARY

The Mayor's Office of Public Safety (Mayor's Office) requests authority to retroactively apply for and accept the Fiscal Year 2018 Edward Byrne Memorial Justice Assistance Grant (FY18 JAG) in the amount of \$2,231,202 from the Department of Justice (DOJ), Bureau of Justice Assistance (BJA) for the term of October 1, 2017 through September 30, 2021. No matching funds are required for this grant.

The DOJ, BJA issued a Request for Proposals (RFP) for the FY18 JAG on July 20, 2018. The Mayor's Office submitted an application for the FY18 JAG, on behalf of the City, on August 21, 2018 and was notified of the award on November 13, 2018. The FY18 JAG is a formula grant that provides states and local governments with funding to support program areas that include 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.

The FY18 JAG allocations are awarded based on population and Part One Violent Crime statistics, which resulted in the City and County of Los Angeles being allocated a total of \$2,231,202. In accordance with a grantor-approved joint spending plan, the City is provided \$1,227,161 and the County is provided \$1,004,041. The chart below provides a breakdown of the City's FY18 JAG appropriation:

Expense Category	Position Funded	Amount
Personnel – City Attorney	6 Deputy City Attorney III 1 Deputy City Attorney II 2 Deputy City Attorney I	\$ 231,194
Contractual Services – LA County	9 Deputy District Attorney III 9 Deputy Probation Officer	636,032
Contractual Services – CLEAR Evaluation	--	100,000
Management & Administration Salaries – Mayor's Office	1 Director of Grants and Finance 2 Grant Specialist 2 Accountants	148,695
Fringe Benefits – Mayor's Office	1 Director of Grants and Finance 2 Grant Specialists 2 Accountants	73,425
Office & Administration Expenses – Mayor's Office	--	1,000
National Incident-Based Reporting System (NIBRS)	--	36,815
TOTAL		\$ 1,227,161

City of Los Angeles Grant Allocation

CLEAR

The City will utilize the FY18 JAG award to partially fund the Community Law Enforcement and Recovery (CLEAR) program, which is part of the Mayor's Gang Reduction Strategy. The CLEAR program facilitates 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. The CLEAR teams are made up of personnel from 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, the Mayor's Office. The CLEAR teams cover the following nine program sites: Northeast, Newton, Southeast, Foothill, Southwest, Boyle Heights, Ramona Gardens, Rampart and 77th.

The FY18 JAG provides \$231,194 to partially fund the following nine positions: six Deputy City Attorney III; one Deputy City Attorney II; and, two Deputy City Attorney I. The remaining salary costs will be a General Fund obligation that will be absorbed within the City Attorney's 2019-20 Adopted Budget. No additional appropriations are needed.

In addition to Deputy City Attorneys, Deputy District Attorneys, and Deputy Probation Officers, each CLEAR site is also staffed with 10 LAPD personnel, comprised of the following: one Detective, one Sergeant, and eight Police Officers. Funding for LAPD's CLEAR salaries is provided through the LAPD's 2019-20 Adopted Budget. No additional appropriations are needed.

Evaluation

As part of its commitment to the CLEAR program, the CLEAR Executive Committee, which is composed of one member from the LAPD; two members from the Office of the City Attorney; and, one member from the Los Angeles County Probation Department Special Services Bureau, elected to commit funds to ensure the ongoing data collection and evaluation of the program. The FY18 JAG budget includes \$100,000 to evaluate the CLEAR program over a 12-month period within the applicable grant performance period. The Mayor's Office requests authority to execute the contract with a consultant selected through a procurement process.

National Incident-Based Reporting System (NIBRS) – Los Angeles Police Department

The Federal Bureau of Investigation (FBI) announced in Fiscal Year 2016 its intention to end 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). The FBI intends for the NIBRS to be the law enforcement crime data reporting standard for the nation by January 1, 2021. To help agencies transition, the BJA is requiring direct JAG award recipients that are 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. Although the Los Angeles Police Department (LAPD) began its move to the NIBRS from the UCR SRS in 2016, the transition is still underway. As a result, three-percent of the City's FY18 JAG award of \$1,227,161, which equates to \$36,815, will be used by the LAPD to modernize its software to meet the California and Federal reporting standards.

Mayor's Office

The FY18 JAG program allows up to ten percent (\$223,120) of the total award to support management and administration (M&A) costs of the program. The City will utilize a portion of the grant award to partially fund the salaries (\$148,695) and fringe benefits (\$73,425) of one Director of Grants and Finance, two Grant Specialists and two Accountants in the Mayor's Office. The remaining salary costs will be covered through separate grant funding, which will be determined at a later date based upon projects assigned to each position. No additional appropriations are needed. The City will also allocate \$1,000 of the grant award for office and administration expenses.

County of Los Angeles Grant Allocation

The FY18 JAG provides \$636,032 to fund nine Deputy District Attorneys (\$385,544) and nine Deputy Probation Officers (\$250,488) in the County of Los Angeles. 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.

The County of Los Angeles will utilize its FY18 JAG allocation to support the following programs: Los Angeles County Sheriff's Department, District Attorney SAGE: Strategies Against Gang Environments, Public Defender Alternative Sentencing Program, Alternate Public Defender Alternate Sentencing Program/Psychiatric Social Worker, Prevention and Intervention Programs for At-Risk Youth, Probation Department, and compliance with the FBI's NIBRS. As the administrative agent, the Mayor's Office will monitor these programs and expenditures and report to the Bureau of Justice Assistance on the activities.

FISCAL IMPACT STATEMENT

There is no impact to the General Fund as a result of the recommendations in this report. Approval of the recommendations will provide \$2,231,202 to the City and County of Los Angeles for the implementation of the Fiscal Year 2018 Edward Byrne Memorial Justice Assistance Grant program. No matching funds are required. The recommendations in this report are 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.

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