



THE PORT
OF LOS ANGELES
Executive Director's
Report to the

Board of Harbor Commissioners

DATE: AUGUST 31, 2017

FROM: PORT POLICE

SUBJECT: RESOLUTION NO. _____ – SECOND AMENDMENT TO AGREEMENT NO. 16-3312-A BETWEEN THE CITY OF LOS ANGELES MAYOR'S OFFICE AND THE CITY OF LOS ANGELES HARBOR DEPARTMENT FOR REIMBURSEMENT FOR PARTICIPATION IN THE LOS ANGELES/LONG BEACH URBAN AREA SECURITY INITIATIVE REGION, SECURING THE CITIES PROGRAM

SUMMARY:

Staff requests the Board of Harbor Commissioners (Board) approve the second amendment to Agreement No. 16-3312-A between the City of Los Angeles Mayor's Office (Mayor's Office) and the City of Los Angeles Harbor Department (Harbor Department) for the purpose of adding compliance language for federal grant award requirements, extending the term, and adding funds. This Agreement reimbursing staff hours for backfill and overtime (personnel costs) for Los Angeles Port Police Officers (Port Police) participation in training and exercises under the Securing the Cities (STC) Grant Program.

The Mayor's Office has been awarded grant funds from the Department of Homeland Security (DHS) Domestic Nuclear Detection Office (DNDO) to oversee the cooperative efforts of program participants in developing and enhancing each participant as well as the broader Los Angeles/Long Beach (LA/LB) Urban Area Security Initiative (UASI) region's, nuclear and radiological detection and interdiction capabilities. The Mayor's Office is the Fiduciary Agent for the LA/LB region. The Mayor's Office requires program participants to execute an agreement reimbursing each participant. The term of this Amendment shall be from January 1, 2013 to October 14, 2017. The Harbor Department has been allocated a total of \$226,365 over the course of the grant performance period for the reimbursement of personnel costs relating to the Port Police participation in the STC Program.

RECOMMENDATION:

It is recommended that the Board of Harbor Commissioners:

1. Find that the proposed action is exempt from the requirements of the California Environmental Quality Act (CEQA) under Article II, Section 2(f) of the Los Angeles City CEQA Guidelines as determined by the Director of Environmental Management;
2. Approve this Second Amendment adding compliance language, extending the term to October 14, 2017 and adding \$16,365 in funds for reimbursement of personnel costs under the STC Program between the Harbor Department and the Mayor's Office; and

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3. Authorize the Executive Director to execute and the Board Secretary to attest to amendments to this Agreement for the Securing the Cities Grant on behalf of the Board;
4. Delegate authority to the Executive Director to approve any future amendments to this Agreement which are within his City Charter and Administrative Code contracting authority; and
5. Adopt Resolution No. _____.

DISCUSSION:

Background/Context – On July 23, 2012, the Mayor's Office submitted a competitive grant application to the DHS DNDO for the Fiscal Year 2012 Securing the Cities Program. The City of Los Angeles was notified of the \$2,128,000 award on October 15, 2012. The grant is a five-year program that requires an annual reapplication to qualify for the following year's funding.

On February 20, 2014, the Harbor Department, through its Board of Harbor Commissioners, entered into Agreement 14-3221 with the Mayor's Office for the Port Police's participation in the STC Program. The term of this STC award was January 1, 2013 to October 14, 2017.

On February 19, 2015, the Harbor Department, through its Board of Harbor Commissioners, entered into Agreement 15-3312 with the Mayor's Office for the Port Police's reimbursement of backfill and overtime for attending training under the STC Program. The Harbor Department was granted \$88,900 from the Mayor's Office under this Agreement and the term of the award was January 1, 2013 to July 14, 2015.

On April 7, 2016, the Harbor Department, through its Executive Director on behalf of the Board of Harbor Commissioners, approved the First Amendment to Agreement 15-3312 with the Mayor's Office increasing the allocation to \$210,000 under the STC Program. The term of this first amendment was January 1, 2013 to July 14, 2016.

On April 7, 2017, the Harbor Department received notification from the Mayor's Office that the second Amendment was ready for review by the Harbor Department. The Harbor Department submitted a City Attorney reviewed and amended version of the Agreement to the Mayor's Office on May 22, 2017, for approval as to form. On August 2, 2017, the Mayor's Office returned the Agreement to the Harbor Department approved as to form. The Second Amendment consists of increasing allocation of funds, extending the term of the agreement, and adding federal compliance language to the agreement. Because the federal compliance language changes the term of the original

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Board approved agreement, which allowed subsequent agreements to be approved by the Executive Director on its behalf, this amendment must go before the Board for approval. This amendment increased the funds allocated from \$210,000 to \$226,365. Additionally, the term of this amendment is January 1, 2013 to October 14, 2017.

The STC grant is a five-year program, which requires an annual reapplication to qualify for the following year's funding. The Mayor's Office will submit subsequent amendments to the agreement annually for the remaining term of the grant. The grant program is contingent upon the Mayor's Office receiving funding after an annual application process with DNDO. All funds for this project are released by the DNDO at the start of the Federal fiscal year beginning October 1; therefore, the Mayor's Office cannot annually apply for new funds until after that time.

A total of \$226,365 has been budgeted for the Harbor Department to support backfill and overtime for all STC training. In order to develop regional detection capabilities, first responders must be trained on the use of nuclear and radiological detection equipment prior to the equipment being deployed in the field. The STC regional participants assessed the need for a team of 60 subject-matter experts to be trained through a train-the-trainer program. The funding supports the backfill and overtime costs associated with STC training program.

All grant funds allocated to the Harbor Department under this Agreement and subsequent Agreements shall be disbursed for reimbursement of personnel expenses associated with the attendance and participation of training and/or exercises related to the STC Program. Any such reimbursement shall be strictly limited to backfill and overtime costs directly resulting from the designated representative's attendance and participation in training and/or exercises. The Harbor Department shall prepare, track, maintain, and submit to the Mayor's Office, copies of originally executed timesheets, timekeeping documents, and any other supporting documentation, to fully and accurately verify time expended by Port Police. All such expense documentation shall satisfy applicable Federal, State, and City audit and review standards and requirements. The Harbor Department shall comply with 2 CFR Part 200 as identified in this Amendment.

ENVIRONMENTAL ASSESSMENT:

The proposed action is approval of the second amendment to the Memorandum of Understanding between the City of Los Angeles Mayor's Office and LAHD which will add Federal compliance language, extend the term, and add funds. As an administrative activity, the Director of Environmental Management has determined that the proposed action is exempt from the requirements of CEQA under Article II Section 2(f) of the Los Angeles City CEQA Guidelines.

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FINANCIAL IMPACT:

The Harbor Department has been allocated a total of \$226,365 over the course of the grant performance period for the reimbursement of personnel costs, including salaries and benefits, relating to the Port Police participation in the STC Program. The entire amount of the personnel costs covered under this Agreement shall not exceed the grant amount and will be reimbursed by the Mayor's Office upon requests for drawdown of funds by the Harbor Department. On February 23, 2017, the Harbor Department requested \$40,655.44 from the Mayor's Office and is awaiting reimbursement. There will be no cost share requirement for this grant program. There is no anticipated operating and maintenance costs associated with this Agreement or any subsequent Agreements under this grant program. The Harbor Department project number assigned to this grant program is 6832200. Any personnel costs relating to the STC program shall be charged to this project number.

CITY ATTORNEY:

The Office of the City Attorney has reviewed and approved the Second Amendment as to form and legality.

TRANSMITTAL:

- 1. Agreement No. 16-3312-A

FIS Approval: *MB* (initials)
CA Approval: *CRB* (initials)

Timothy J. Riley

TIMOTHY J. RILEY
Assistant Chief of Police

Thomas E. Gazsi

THOMAS E. GAZSI
Chief of Police and
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APPROVED:

Mark Bleavins FOR

EUGENE D. SEROKA
Executive Director

TEG:TJR:JT:rkg
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