

**BRENNAN
CENTER
FOR JUSTICE**

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March 11, 2015

Via Certified Mail and E-Mail

Patty Huber
Executive Officer, Office of the City Administrative Officer
200 N. Main St., Rm. 1500
Los Angeles, CA 90012

Re: California Public Records Request

Dear Ms. Huber,

This is a request under the California Public Records Act (“PRA”), Cal. Gov’t. Code §§ 6250 *et seq.*, on behalf of the Brennan Center for Justice at NYU School of Law.

The Brennan Center seeks copies of successful Grant Agreements between the State of California Governor’s Office of Emergency Services (OES) and the City of Los Angeles regarding the Homeland Security Grant Program (HSGP) for Fiscal Year (FY) 2014. California applied for, and successfully received federal funding from the Federal Emergency Management Agency (FEMA) via two HSGP sub-programs: 1) the State Homeland Security Program (SHSP) and 2) the Urban Areas Security Initiative (UASI).¹ As a sub-grantee, the City of Los Angeles in turn has been awarded federal funding to support operations related to Homeland Security and emergency preparedness under HSGP.

¹ See U.S. DEP’T OF HOMELAND SECURITY, FUNDING OPPORTUNITY ANNOUNCEMENT (FOA) FY 2014 HOMELAND SECURITY GRANT PROGRAM (HSGP) 27-28 (2014), available at http://www.fema.gov/media-library-data/1395161200285-5b07ed0456056217175fbdee28d2b06e/FY_2014_HSGP_FOA_Final.pdf. All factual assertions in this request related to the 2014 HSGP are based on the information in this document.

Formal Request

Under Cal OES's guidelines for federal grants,² sub-grantees are required to submit and maintain the following supporting documents as part of the grant application.

- A project description.
- Planning ledger, which provides detailed information on planning activities with a final product identified.
- Explanation of 25% Law Enforcement, describing how the sub-grantee will meet the minimum federal requirement for funding Law Enforcement Terrorism Prevention-Oriented Activities.
- Project Narrative.
- Detailed Budget.
- Sub-grantee Performance Report.

The Brennan Center hereby requests fully-executed grant agreements and supporting documents as they pertain to the City of Los Angeles's SHSP and UASI grants for FY 2014 (Catalog of Federal Domestic Assistance No. 97.067) in relation to the specific grants listed below. In particular:

1. California applied for federal funding through the UASI for FY 2014. FEMA approved the application and allocated \$67,500,000 to the Los Angeles/Long Beach Urban Area. Of this, the Los Angeles City Council accepted a sub-grant of \$19,252,754.³
 - a. The Brennan Center requests a copy of the successful grant application and the fully-executed sub-grantee agreement between Cal OES and the Los Angeles City Council, including all supporting documentation as listed above.
 - b. The Brennan Center also requests copies of sub-recipient contracts executed between Los Angeles and the City of Los Angeles Police Department, Fire Department, Emergency Management Department, Information Technology Agency, and the Los Angeles World Airports, along with supporting documentation described above, including project narratives and detailed budgets.
 - c. We also request any successful Requests for Proposals and accompanying contracts that have been negotiated and executed between Los Angeles and contractors, in relation to relevant procurement processes for FY2014 UASI grant projects.

² Cal OES, FY 2014 Homeland Security Grant Program: California Supplement to the Federal Funding Opportunity Announcement and Application Kit 11-12(2014) available at <http://www.calema.ca.gov/EMS-HS-HazMat/Documents/HSGP/14/FY14%20HSGP%20State%20Supplement.pdf>

³ Request from Eric Garcetti, Mayor, City of Los Angeles, to Members of the City Council Re: 2014 Urban Area Security Initiative (UASI) Grant Award (Council File No. 14-0820) (2014) available at http://clkrep.lacity.org/onlinedocs/2014/14-0820_rpt_mayor_10-14-14.pdf

2. California applied for, and was allocated \$447,018 through the SHSP for FY 2014. Los Angeles received a sub-grant of \$10,286,069 from Cal OES.⁴ We request a copy of the successful application, subsequent fully-executed agreement, and supporting documentation as detailed above, between Cal OES and Los Angeles, regarding the SHSP for FY2014.

Response Requested Within Ten Business Days

Consistent with the PRA, we ask that you release the responsive information promptly. If such information will not be provided within ten business days of the receipt of this request, please provide the date, within a reasonable time, when the information will be available.⁵ To the extent that the Department chooses to withhold any information based on one or more exceptions under the PRA, please list in writing each and every document that is withheld, as well as the reasons for doing so.⁶

For records that contain some exempt material and some non-exempt material we request that you release records with appropriate redactions.⁷ We also request that you provide us with the documents in electronic format wherever possible. .

Should you have any questions, please feel free to contact me by email at meghan.koushik@nyu.edu or by phone at (646) 292-8382.

Sincerely,



Meghan Koushik
Research Associate, Liberty and National Security
Brennan Center for Justice at NYU Law
(646) 292-8382

⁴ Cal OES, FY 2014 Homeland Security Grant Program: California Supplement to the Federal Funding Opportunity Announcement and Application Kit, Attachment A(2014) available at <http://www.calema.ca.gov/EMS-HS-HazMat/Documents/HSGP/14/FY14%20HSGP%20State%20Supplement.pdf>

⁵ Cal. Gov't. Code § 6253 (c) (West 2011).

⁶ See *id.* § 6255.

⁷ See *id.* § 6253 (a).