
AGENDA



BOARD OF POLICE COMMISSIONERS

REGULAR MEETING

TUESDAY, APRIL 6, 2004

9:30 A.M.

**PARKER CENTER, ROOM 146
150 NORTH LOS ANGELES STREET
LOS ANGELES, CA 90012**

Commissioners: David S. Cunningham, III, President
Alan J. Skobin, Vice President
Rick J. Caruso
Rose Ochi
Silvia Saucedo

Members of the public are invited to address the Board of Police Commissioners on any item on the agenda prior to action by the Board on that specific item. Members of the public may also address the Board on any matter within the subject matter jurisdiction of the Board. The Board will entertain such comments during the Public Comment Period. Public comment will be limited to one (1) minute per individual for each item addressed, unless this limitation is waived by the President of the Board.

(NOTE: Pursuant to Government Code Section 54954.3(b) the legislative body of a local agency may adopt reasonable regulations, including, but not limited to, regulations limiting the total amount of time allocated for public testimony on particular issues and for each individual speaker.)

Members of the public who wish to address the Board are urged to complete a Speaker Card and submit it to the Board Secretary prior to commencement of the public meeting. The cards are available at the public counter, Room 150, Parker Center. However, should a member of the public feel the need to address a matter while the meeting is in progress, a card may be obtained from the Sergeant-At-Arms, who will submit the completed form to the Board Secretary prior to final consideration of the matter.

It is requested that individuals who require the services of a translator contact the Board Secretary no later than the day preceding the meeting. Whenever possible, a translator will be provided.

Sign language interpreters, assistive listening devices, or other auxiliary aids and/or services may be provided upon request. To ensure availability, you are advised to make your request at least 72 hours prior to the meeting you wish to attend.

SI REQUIERE SERVICIOS DE TRADUCCION, FAVOR DE NOTIFICAR LA OFICINA CON 24 HORAS POR ANTICIPADO.

NOTE: The meeting is tape-recorded and the tape is kept for 30 days.

1. APPROVAL OF MINUTES FOR – NONE.

2. REPORT OF THE CHIEF OF POLICE

- Significant Incidents
- Crime Statistics
- Recruitment/Reinstatement/Reassignment of Officers

3. COMMISSION BUSINESS

- Meetings/Events Attended
- Consideration of Future Agenda Items/Pending Projects

4. INFORMATION – FILED ITEMS

- A. Information items on file, as submitted for the period ending April 2, 2004.

5. CONSENT AGENDA ITEMS

The remaining Consent Agenda items are considered to be routine and non-controversial upon which documentation provided to the Board is adequate to give sufficient information for approval without inquiry or discussion. It is designated to minimize the time required for the handling of routine matters in order to permit additional time to be spent on more significant matters. The President will call for ayes and nays on the Consent Agenda as a whole and the vote will be treated as a separate vote on each item. These items may be moved to the Regular Agenda at the order of the President or at the request of the other members of the Board or if a member of the general public has submitted a request to speak on the subject.

- A. Retroactively APPROVE a request for variance to Los Angeles Municipal Code 41.40 from Southern California Gas Company to permit nighttime construction which began on Monday, March 8, 2004, from 7:00 p.m. to 5:00 a.m., Monday through Friday and is scheduled for completion on Friday, April 16, 2004, at the intersection of Aviation Boulevard and 104th Street, as set forth. [BPC #04-0094]
- B. Retroactively APPROVE a request for variance to Los Angeles Municipal Code 41.40 from Southern California Gas Company to permit nighttime construction beginning on Monday, March 15, 2004 from 7:00 p.m. to 3:30 a.m., which was completed on Monday, March 22, 2004 at the intersection of Third and Spring Streets, as set forth. [BPC #04-0101]
- C. APPROVE a request for variance to Los Angeles Municipal Code 41.40 from Bureau of Street Services to permit nighttime construction beginning on Monday, March 22, 2004 from 9:00 p.m. to 7:00 a.m. and is scheduled for completion on Friday, April 16, 2004 for street resurfacing at Sunset Boulevard from Gower Street to Highland Avenue, as set forth. [BPC #04-0106]

- D. APPROVE a request for variance to Los Angeles Municipal Code 41.40 from Sprint Communication Company LP for early Saturday construction beginning on Saturday, March 20, 2004, from 6:00 a.m. to 6:00 p.m. and is scheduled for completion on Friday, December 31, 2004 for the work site located at 610 Wilshire Boulevard, as set forth. [BPC #04-0123]
- E. APPROVE a request for variance to Los Angeles Municipal Code 41.40 from MCI Telecommunication, Inc. to permit nighttime construction beginning on Tuesday, March 30, 2004 from 9:00 p.m. to 7:00 a.m. and is scheduled for completion on Saturday, May 29, 2004 to replace existing fiber optic cables at: [#04-0124]
1. Spring Street and College Street, then continues southwest on Spring Street.
 2. West on West Cesar Chavez Avenue, then continues southeast on North Broadway.
 3. East on West First Street to the intersection of Spring Street and West First Street.
 4. At the intersection of Spring Street and West First Street, then continues southwest on Spring Street.
 5. Southeast on East Sixth Street then continues south on South Central Avenue to the intersection of East Seventh Street and South Central Avenue.
- F. APPROVE and TRANSMIT to the Mayor and the City Council, a donation in the total amount of \$390,000.00 from various Police Department Explorer POSTs and Juvenile Division, to be placed into the Police Department Trust Fund, as set forth. [BPC #04-0120]

6. REGULAR AGENDA ITEMS

- A. RECEIVE and FILE the Inspector General's Activity Report for the month of February 2004, as set forth. [BPC #04-0131]
- B. APPROVE and TRANSMIT to the Mayor and City Council, the First Amendment to Supplemental Agreement No. C-103637 with Rosie Marcelo, d.b.a. Marcelo Consulting, which would extend this contract for an additional eight months, and AUTHORIZE the Chief of Police to execute this Amendment, as set forth. [BPC #04-0093]
- C. REVIEW and APPROVE a Commission staff report on the New Burglary Alarm Policy and FORWARD that report to the Mayor and City Council for their information, as set forth. [BPC #03-0481B]
- D. REVIEW and APPROVE the Department's Vehicle Pursuit Management Audit, Third Quarter Fiscal Year 2003/2004, pursuant to Paragraph 124 of the Consent Decree, as set forth. [BPC #04-0118]
- E. REVIEW and APPROVE the Department's Front Desk Operations Audit, Third Quarter Fiscal Year 2003/2004, pursuant to Paragraph 124 of the Consent Decree, as set forth. [BPC #04-0122]

- F. APPROVE and TRANSMIT to the Mayor and City Council, the Department's Request for Proposal regarding the Automated Photo Red Light Program, as set forth. [BPC #04-0107]
- G. REVIEW and APPROVE the Department's Memorandum of Agreement (MOA) between the Los Angeles Police Department and Los Angeles Department of Transportation regarding bandit taxicab enforcement, which would establish and detail the responsibilities of each agency regarding the cash overtime funding of LAPD bandit taxicab enforcement details within the City of Los Angeles, as set forth. [BPC #04-0119]
- H. REVIEW and APPROVE the Inspector General's Non-Categorical Uses of Force Investigations Audit, pursuant to Paragraph 136 of the Consent Decree, as set forth. [BPC #04-0125]
- I. REVIEW and APPROVE the Department's Audit of Gang Enforcement Detail Work Product, First Quarter Fiscal Year 2003/2004 and the Inspector General's analysis of this report, pursuant to Paragraph 135 of the Consent Decree, as set forth. [BPC #03-0450 and #03-0450A]
- J. REVIEW and APPROVE the Department's Hunter-LaLey Consent Decree report, Third Quarter for deployment periods 7-9, June 29 through August 24, 2003 and Commission staff's analysis of this report, as set forth. [BPC #04-0095]
- K. DISCUSS and APPROVE the monthly Consent Decree Status reports submitted by the:
1. Department [BPC #04-0137]
 2. Office of the Inspector General [BPC #04-0137A]
 3. Executive Director [BPC #04-0137B]
- L. UPDATE and DISCUSSION by the Department regarding the Fiscal Year 2003/2004 Budget and development of the Fiscal Year 2004/05 Budget. [BPC #04-0136]
- CONTINUED FROM 03/30/04
- M. UPDATE and DISCUSSION by the Department regarding the New Police Headquarters Facility and the move to temporary quarters including:
1. APPROVE the Board's previous recommendation that the Department should be moved from its current location (150 North Los Angeles Street) as soon as possible due to the unsafe conditions of this building; and,
 2. APPROVE the Board's previous recommendation that the New Police Headquarters Facility should be built in the same location as the current Police Administration Building.
- N. APPROVE and TRANSMIT to the Public Safety Committee, as requested by Councilmember Zine, the Department's review of arrestee bed availability commensurate to a projected population increase, as set forth. [BPC #04-0121]

7. PUBLIC COMMENT PERIOD

8. CLOSED SESSION ITEMS

A. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE – PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Review of Officer Involved Shootings and other personnel matters. Government Code Section 54957.

1. OIS #020-03 Two Police Officers II
2. OIS #023-03 Seven Police Officers III
3. ACC #031-03 One Police Officer II
4. LERI-HS #A011-03 One Detective III
One Detective II
One Police Officer III
Two Police Officers II
5. ICD #A014-03
6. K-9 #A012-03 One Police Officer III
7. LERI #A015-03 Three Sergeant I
Two Police Officers III
Two Police Officers II

B. CONFERENCE WITH LABOR NEGOTIATOR. Discussion and bargaining instructions to the Employee Relations Administrator regarding Meet and Confer procedure for Financial Disclosure, pursuant to paragraph 132 of the Consent Decree. Government Code Section 54957.6.

C. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION. Discussion with legal counsel pertaining to the Hunter-LaLey Consent Decree, Case No. CV 92-1897. Government Code Section 54956.9.

D. PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Government Code Section 54957.

1. Chief of Police
2. Executive Director
3. Inspector General

The Board will reconvene in Open Session to announce its decision, if any, regarding matters considered in Closed Session.

9. ADJOURNMENT

Support materials relative to Open Session agenda items are available for public inspection in Room 150, Parker Center. The Board may consider matters of an emergency nature not appearing on the published agenda. Information on supplemental agenda items may be obtained by calling the Office of the Secretary, Police Commission, at (213) 485-3531 (TDD 213/485-9818), after 9:30 a.m., Friday, April 2, 2004.

As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability and, upon request, will provide reasonable accommodation to ensure equal access to its programs, services, and activities.