
AGENDA



BOARD OF POLICE COMMISSIONERS

REGULAR MEETING

TUESDAY, MAY 4, 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

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 two (2) minutes per individual for each item addressed, unless there are more than ten (10) comment cards for each item, in which case the public comment will be limited to one (1) minute per individual. The aforementioned limitation may be 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:

- Regular Meeting January 7, 2003
- Regular Meeting April 8, 2003
- Regular Meeting April 15, 2003
- Regular Meeting May 13, 2003
- Regular Meeting September 23, 2003
- Regular Meeting September 30, 2003
- Regular Meeting January 13, 2004
- Special Meeting January 13, 2004

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 30, 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 the Bureau of Engineering to permit nighttime construction which began on Thursday, April 1, 2004, from 2:00 a.m. to 7:00 a.m., and was completed on Thursday, April 15, 2004, at the work site which was located on Tujunga Avenue from Collins Street to Martha Street, set forth. [BPC #04-0177]
- B. APPROVE a request for variance to Los Angeles Municipal Code 41.40 from Pinon Asphalt Paving to permit nighttime construction beginning on Wednesday, April 21, 2004 from 9:00 p.m. to 5:00 a.m., and is scheduled for completion on Wednesday, April 28, 2004 at the work site located on First Street and Second Street on the west side of Alameda Street, as set forth. [BPC #04-0180]

- C. Retroactively APPROVE a request for variance to Los Angeles Municipal Code 41.40 from Right of Way Inc. to permit early morning construction which began Wednesday, March 24, 2004, from 6:00 a.m. to 4:00 p.m. and was completed on Wednesday, March 24, 2004 for the work site at 333 South Hope Street, as set forth. [BPC #04-0184]
- D. Retroactively APPROVE a request for variance to Los Angeles Municipal Code 41.40 from Repipe California, Inc. to permit nighttime construction beginning on Monday, April 26, 2004, from 2:00 a.m. to 7:00 a.m. and is scheduled for completion on Friday, April 29, 2004 for the intersection of Tujunga Avenue and Burbank Boulevard, as set forth. [BPC #04-0185]
- E. Retroactively APPROVE a request for variance to Los Angeles Municipal Code 41.40 from Murray Company Mechanical Contractors to permit nighttime construction, which began on Tuesday, March 30, 2004, from 7:00 p.m. to 6:00 a.m., and was completed on Monday, April 5, 2004, at the work site which was located on Seventh Street and South Los Angeles Street, set forth. [BPC #04-0187]
- F. DENY a request for variance to Los Angeles Municipal Code 41.40 from J/K Excavation and Grading Co., Inc. to permit nighttime construction at the proposed work site located on Third Street and Lucas Avenue in downtown Los Angeles, as set forth. [BPC #04-0171]
- G. APPROVE and TRANSMIT to the Mayor and the City Council, a donation of two new color computer printers, valued at \$13,104.00 from the Los Angeles Police Foundation to support COMPSTAT, as set forth. [BPC #04-0172]
- H. APPROVE a donation of a Quarter Horse/Draft Cross, valued at \$5,000.00 from the Los Angeles Police Equestrian Fund to the Department's Mounted Platoon, as set forth. [BPC #04-0181]
- I. APPROVE a donation of six bicycles plus accessories, valued at \$9,255.00 from the Mid-Valley Community Police Council, Inc. to the Department's Van Nuys Patrol Division, Bicycle Unit, as set forth. [BPC #04-0191]
- J. APPROVE a donation of services to refurbish the children's interview/waiting room at the Rampart Detective Division, valued at \$5,844.00 from the Bankcard Services, as set forth. [BPC #04-0195]
- K. REVIEW and APPROVE an application for a Firearms/Ammunition Sales Police Permit from Mr. Michael L. Brewer, as set forth. [BPC #04-0192]
- L. REVIEW and APPROVE an application for a Firearms/Ammunition Sales Police Permit from Mr. Jacob D. Reyes, as set forth. [BPC #04-0193]
- M. REVIEW and APPROVE an application for a Firearms/Ammunition Sales Police Permit from Ms. Danette D. Miller, as set forth. [BPC #04-0194]

6. REGULAR AGENDA ITEMS

- A. RECEIVE and FILE the Chief's Activity Report for the month of January 2004, as set forth. [BPC #04-0179]
- B. APPROVE and TRANSMIT to the Mayor and Public Safety Committee, the Department's response to Motion (Zine - Miscikowski) regarding off-duty, uniformed officers working as security for the Business Improvement Districts (BIDS), as set forth. [BPC #04-0175]
- C. APPROVE and TRANSMIT to the Mayor and City Council, the Department's First Amendment to the Weed and Seed Professional Services Agreement between the Department and Southeast Explorer Post 911, and upon approval by the Mayor and City Council, AUTHORIZE the Chief of Police to execute this Amendment, as set forth. [BPC #04-0197]
- D. APPROVE and TRANSMIT to the Mayor and the City Council, the Department's recommendation that a reward offer be paid to David Bailey for providing testimony instrumental in the conviction of the murders of Albert and Edna Patton, Council File No. 00-0010-S17, as set forth. [BPC #04-0198]
- E. APPROVE and TRANSMIT to the Mayor and the City Council, a request from the Office of the Deputy Commander in Chief, United States Central Command (USCENTCOM), to donate 2,500 body armor vests for use by the Iraqi Police Service, as set forth. [BPC #04-0196]
- F. REVIEW and APPROVE the Department's Annual Audit Plan Status report, Third Quarter, Fiscal Year 2003/2004, as set forth. [BPC #04-0207]
- G. DISCUSS and APPROVE the monthly Consent Decree Status reports submitted by the:
 - 1. Department [BPC #04-0199]
 - 2. Office of the Inspector General [BPC #04-0199A]
 - 3. Executive Director [BPC #04-0199B]
- H. DISCUSSION and UPDATE by the Department regarding the Fiscal Year 2003/2004 Budget and development of the Fiscal Year 2004/05 Budget.

CONTINUED FROM 04/06/04
- I. DISCUSSION and UPDATE by the Department regarding the New Police Headquarters Facility and the move to temporary quarters.
 - 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.

J. REVIEW and APPROVE the Department's report of Personnel Complaint Investigations Submitted to Prosecutors for Review, Fourth Quarter 2003 and the Inspector General's analysis of this report, as set forth. (Also Calendared as Item No. 8-B in Closed Session) [BPC #04-0053 and #04-0053A]

K. REVIEW and APPROVE the Department's report and staff analysis of the Flexible Work Schedule and forward those reports to the Mayor and City Council for their information, as set forth. [BPC #03-0568]

L. Department UPDATE regarding the status of the Revised Dispatch Policy approved by the Board on February 17, 2004.

M. Department PRESENTATION regarding proposed changes to the investigation and reporting of Non-Categorical Uses of Force for the Board's CONSIDERATION and APPROVAL. (Final approval will be sought once the special order is submitted to the Board)

N. APPROVE and FORWARD to the Mayor and City Council, a draft ordinance which would allow the Board of Police Commissioners to issue Regular and Reserve Police Officers more than one badge and to permit these officers to purchase their badge(s), at their own expense, upon promotion, as set forth. [BPC #04-0086]

CONTINUED FROM 04/20/04

O. RECONSIDER the 77th Area Official Police Garage (OPG) contract in light of the City Council's action of April 13, 2004 and Mayor's letter dated April 26, 2004 as follows:

1. Disapprove the Commission's recommendation that Al's Towing be awarded the 77th Area OPG contract; and
2. Return the entire matter to the Commission requesting that the Board issue a new Request for Proposal for the 77th Area OPG Contract.

7. PUBLIC COMMENT PERIOD

8. CLOSED SESSION ITEMS

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

1. OIS #025-03 One Police Officer III
One Police Officers I

CONTINUED FROM 04/20/04

2. OIS #029-03 Three Police Officers II

3. A-D #026-03 Two Police Officers III
Two Police Officers II

B. PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Discussion regarding the Commission's assessment of the appropriateness of the Chief of Police's actions on the Department's report of Criminal Cases Submitted to Prosecutors for Review, Fourth Quarter 2003, and the Inspector General's analysis of this report. Government Code Section 54957. (Also Calendared as Item Nos. 6-J in Open Session)

CONTINUED FROM 04/20/04

C. 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.

D. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION. Discussion with legal counsel pertaining to the Consent Decree, Case No. CV 00-11796 GAF (RcX). Government Code Section 54956.9(a).

E. 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 30, 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.