

CITY OF LOS ANGELES
CALIFORNIA



ANTONIO R. VILLARAIGOSA
MAYOR

FRANK T. MARTINEZ
City Clerk

KAREN E. KALFAYAN
Executive Officer

When making inquiries
relative to this matter
refer to File No.

03-2062
05-1295

Office of the
CITY CLERK
Council and Public Services
Room 395, City Hall
Los Angeles, CA 90012
Council File Information - (213) 978-1043
General Information - (213) 978-1133
Fax: (213) 978-1040

HELEN GINSBURG
Chief, Council and Public Services Division

December 30, 2005

City Administrative Officer
Chief Legislative Analyst
City Attorney (with blue slip)
Los Angeles World Airport
Harbor Department
Department of General Services
Police Department
Police Commission
Councilmember LaBonge
Councilmember Garcetti

Department of Recreation and Parks
Board of Recreation and Parks
Library Department
Library Commission
Convention Center Department
Board of Convention Center Commissioners
Zoo Department
Board of Zoo Commissioners

RE: THE OFFICE OF PUBLIC SAFETY AND A MEMORANDUM OF AGREEMENT BETWEEN THE
LOS ANGELES POLICE DEPARTMENT AND THE GENERAL SERVICES DEPARTMENT

At the meeting of the Council held December 14, 2005, the following action
was taken:

Attached reports adopted, as amended.....	<u> X </u>
Attached motion (LaBonge - Garcetti) adopted.....	<u> X </u>
Attached resolution adopted.....	<u> </u>
FORTHWITH.....	<u> </u>
Mayor concurred	<u> </u>
To the Mayor FORTHWITH	<u> X </u>
Ordinances adopted.....	<u> 12-16-05 </u>
Ordinance number.....	<u> 177212 & 177213 </u>
Posted date.....	<u> 12-29-05 </u>
Effective date.....	<u> 02-07-06 </u>
Mayor vetoed.....	<u> </u>
Mayor approved.....	<u> 12-21-05 </u>

Frank T. Martinez

City Clerk
cr



12/14/05

File No. 03-2062
05-1295

TO THE COUNCIL OF THE
CITY OF LOS ANGELES

Your PUBLIC SAFETY Committee

report as follows:

Public Comments: Yes No
XXX

PUBLIC SAFETY COMMITTEE REPORT relative to the Office of Public Safety (OPS) and a Memorandum of Agreement (MOA) between the Los Angeles Police Department (LAPD) and the General Services Department (GSD).

Recommendations for Council action:

1. REQUEST the LAPD to include a separate strata for OPS arrest reports in the Fiscal Year 2006-07 LAPD arrest, booking, and charging audit to review compliance with LAPD/GSD MOA arrest provisions and LAPD procedures.
2. INSTRUCT the GSD to develop a process to audit/inspect OPS non-categorical use of force investigations and report recommendations at the first OPS Board meeting.
3. DIRECT the GSD to provide the Office of the Inspector General (OIG) a copy of all OPS misconduct complaints filed within 10 days of their receipt by the OPS.
4. REQUEST the OIG to copy the Los Angeles Police Commission (Police Commission), the OPS Board, and the GSD General Manager on all correspondence to the OPS regarding OPS misconduct compliant issues.
5. REQUEST the GSD, the OPS, and the Executive Director of the Police Commission to develop and implement an OPS Board training day, similar to the training day recently provided to the Police Commission.
6. DIRECT the GSD to post a brief summary of completed OPS arrest and non-categorical use of force and misconduct compliant investigation audits/inspections on its website and to prepare for Police Commission review annual discipline reports summarizing complaints and uses of force investigated, investigation results, and discipline imposed.
7. REQUEST the City Attorney to prepare and present a draft ordinance, with a two-year sunset provision, to establish an Office of Public Safety Board of Commissioners, to meet at least quarterly, consisting of one representative each from the Board of Recreation and Parks Commissioners, the Board of Library Commissioners, the Board of Zoo Commissioners, and the Convention Center Board of Commissioners, and the Police Commission for a total of five members to:
 - a. Review audit/inspection reports related to arrests and non-categorical use of force investigations and misconduct complaint investigations.
 - b. Review annual summaries of disciplinary actions related to OPS officers.
 - c. Review OPS officer training plans/programs.

*ADOPTED AS AMENDED BY COUNCIL ACTION OF 12-14-05.

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- d. Monitor adherence to the established OPS policies and procedures.
 - e. Provide a public forum for discussion of concerns related to the OPS.
 - f. Monitor compliance with the level of service provisions of the client department of Memoranda of Agreement and the coordination of services to the client departments.
 - g. Provide appropriate recommendations regarding OPS-specific policies and procedures.
8. REQUEST the City Attorney to prepare and present an ordinance amending the Los Angeles Administrative Code to consolidate City security functions into a new Office of Public Safety in the GSD, which will be responsible to provide security, including patrol of buildings, parks, shops, warehouses, and yards, to the following departments: Recreation and Parks, Library, Convention Center, Zoo, and El Pueblo. Request the City Attorney to have this ordinance completed for Council consideration concurrent with the Council's consideration of the OPS consolidation.
 9. AUTHORIZE the GSD to move forward with the implementation of consolidation concurrently with implementation of the oversight measures outlined above.
 10. REQUEST the Los Angeles World Airports (LAWA) and the Harbor Department to report to the Public Safety Committee within 60 days regarding civilian oversight of Airport and Harbor Police Operations.
 11. REQUEST the LAWA and the Harbor Department to include in the reports prepared in accordance with Recommendation #10, proposals for strengthening civilian oversight in their departments, as appropriate.
 12. DIRECT the Chief Legislative Analyst (CLA) to review the proposed civilian oversight structures developed pursuant to Recommendations #10 and #11 and report to Council on the results of the review.
 13. NOTE and FILE the following reports, inasmuch as the subject matter is resolved upon the approval of the above recommendations and no Council action is necessary:
 - Mayor transmittal dated October 18, 2005 of the Police Commission report dated October 13, 2005 relative to the revised MOA between the LAPD and the GSD.
 - Communication from the GSD dated September 7, 2005 relative to the development of the OPS.
 - Communication from the Police Commission dated June 24, 2005 relative to the MOA between the LAPD and the GSD to implement the OPS.
 - Motion (Greuel - Weiss) relative to amending the MOA between the LAPD and the GSD for the OPS.
 - City Administrative Officer (CAO) report dated October 29, 2004 relative to consolidation of select departmental security functions into an OPS in the GSD.
 - GSD report dated August 12, 2004 relative to the proposed staffing and deployment for the OPS.

Fiscal Impact Statement: Neither the City Administrative Officer (CAO) nor the CLA has completed a financial analysis of this report.

Community Impact Statement: At its meeting on January 13, 2004, the Greater Griffith Park Neighborhood Council asked the City to delay the consolidation until further study and until such time as the Neighborhood Council receives sufficient information, including financial analyses, in order to make an informed decision.

At its meeting on December 3, 2004, the Greater Echo Park Elysian Neighborhood Council requested delay of implementation of the Office of Public Safety until all issues in every department (Parks, Library, Convention Center, other facilities) are resolved to the satisfaction of constituents and the Council Offices.

SUMMARY

In a joint report dated August 26, 2005, the CLA and the CAO recommends methods of establishing civilian oversight of the OPS. The CAO and the CLA report that the OPS will be formed by consolidating the security staff in the Departments of Recreation and Parks, Library, Convention Center, Zoo, and General Services. The CAO and the CLA also note that as part of the consolidation implementation, a MOA was executed between the GSD and the LAPD addressing numerous aspects of the delineation of duties between GSD and LAPD. The joint report also recommends a civilian oversight structure that will utilize the expertise and resources of the LAPD while also establishing an advisory civilian Commission whose focus will be exclusively on the OPS. Other points covered in the report are:

- Review of OPS Categorical Uses of Force
- Monitoring OPS Adherence to Policies and Procedures
- Establishment of OPS Board of Commissioners
- GSD - LAPD MOA Clarifications
- Authorization to GSD to Proceed with Security Consolidation
- Oversight of other Non-LAPD City Security Functions

The Audits and Governmental Efficiency, the Information Technology and General Services, and the Personnel Committees previously considered this matter in 2004. The Greater Echo Park Elysian Neighborhood Council and the Greater Griffith Park Neighborhood Council also submitted comments on the proposed consolidation. At a meeting held of October 24, 2005, Councilmember Greuel and representatives from the GSD, the LAPD, and the CLA gave the Public Safety Committee a presentation on the efforts made to form the OPS as well as answer the Committee's questions on civilian oversight. Upon the conclusion of public comments, the Committee approved the recommendations contained in the joint CLA and CAO report as amended. This matter is now submitted to Council for its consideration.

Respectfully submitted,
PUBLIC SAFETY COMMITTEE

Rpt
ADOPTED

DEC 14 2005
**As Amended*
LOS ANGELES CITY COUNCIL
See Attached Motion

MEMBER	VOTE
WEISS	YES
SMITH:	YES
PARKS:	YES
ZINE:	YES
REYES:	YES

George... [Signature]
[Signature]
[Signature]
[Signature]

ORDS ADOPTED

DEC 16 2005
TO THE MAYOR FORTHWITH
LOS ANGELES CITY COUNCIL

CCL 12/14/05

3 Reports on file

File No. 03-2062

53

TO THE COUNCIL OF THE CITY OF LOS ANGELES

Your BUDGET AND FINANCE Committee

reports as follows:

Public Comments:	<u>Yes</u>	<u>No</u>
	<u>X</u>	<u> </u>

BUDGET AND FINANCE COMMITTEE REPORT relative to the proposed consolidation of select departmental security functions into an Office of Public Safety (OPS) in the General Services Department (GSD).

Recommendations for Council action, as initiated by Motion (Greuel - Weiss - Zine):

1. CONCUR with the recommendations of the Information Technology and General Services Committee relative to creation of an OPS in the GSD, as amended by the Budget and Finance Committee to ESTABLISH the Office of the Inspector General as being responsible for review of OPS's arrest reports for compliance with the arrest policies specified in the GSD/Los Angeles Police Department (LAPD) Memorandum of Agreement (MOA).
2. INSTRUCT the GSD to work with the LAPD to report back to the Council in 90 days following implementation of the OPS, on any changes needed to properly implement the MOA. The report should include a review of the effectiveness of the revised pursuit policy.
3. INSTRUCT the GSD to provide quarterly reports to the Council, subsequent to the 90 day implementation report back requested in recommendation #2, detailing the performance of the OPS, review of arrests, and any categorical or non-categorical use-of-force incidents.
4. RECEIVE and FILE the Board of Police Commissioners (Board) report dated November 23, 2006, relative to a revised MOA between the LAPD, the Board, and the GSD, inasmuch as the report is submitted for information only and no further Council action is required.

Fiscal Impact Statement: Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: The Greater Griffith Park Neighborhood Council, at its meeting on January 13, 2004, asked the City to delay the consolidation until further study and until such time as the Neighborhood Council receives sufficient information, including financial analyses, in order to make an informed decision.

The Greater Echo Park Elysian Neighborhood Council, at its meeting on December 3, 2004, requested delay of implementation of the OPS until all issues in every department (Parks, Library, Convention Center, other facilities) are resolved to the satisfaction of constituents and the Council offices.

(Audits and Governmental Efficiency and Personnel Committees waived consideration of the above matter)

*ADOPTED AS AMENDED by Council action of 12-14-05. Noted

SUMMARY

At its meeting of December 6, 2005, the Budget and Finance Committee considered CAO, joint CAO/Chief Legislative Analyst (CLA) reports, a Mayor's transmittal, GSD and Board of Los Angeles Police Commissioner reports relative to the consolidation of select departmental security functions into an Office of Public Safety, and an MOA between the LAPD and GSD. Motion (Greuel - Weiss - Zine) introduced on September 19, 2003, asked the CAO and CLA, with input from the LAPD, GSD, Library, Zoo, Recreation and Parks, El Pueblo, Convention Center, and appropriate labor representatives, to report on the potential cost savings and service improvements that could result from merging all non-proprietary and non-LAPD security divisions into a centralized OPS in the GSD. This matter, and the associated reports, has been considered by the Audits and Governmental Efficiency, Public Safety, Information Technology and General Services (ITGS), Personnel and Budget and Finance Committees.

On October 24, 2005, the Public Safety Committee considered this matter and recommended approval of recommendations contained in an August 26, 2005, joint CAO/CLA report as amended by the Public Safety Committee (**Public Safety Committee report is attached to the Council file**). In addition to other recommendations, the CAO/CLA recommended that GSD be authorized to proceed with implementation of the OPS as well as the Advisory Civilian Oversight Commission, the name of which was subsequently recommended for change by the ITGS Committee to the Advisory Civilian Oversight Committee. The Personnel Committee considered the OPS matter at its meeting of November 2, 2005. Councilmember Zine expressed concern relative to the existing pursuit policy contained in the MOA. The Personnel Committee, taking no action, forwarded the matter on to the ITGS Committee for its consideration, however, Councilmember Zine asked that the matter not be scheduled for Council consideration pending further review of the pursuit policy. On November 22, 2005, the Police Commission approved a revised MOA that included, at the direction of the Personnel Committee, a revised pursuit policy to allow Special Officers, OPS, to pursue fleeing suspects under certain circumstances. Following review of the revised pursuit policy, Councilmember Zine waived the matter out of the Personnel Committee.

On November 16, 2005, the ITGS Committee considered the OPS matter and concurred with the recommendations of the Public Safety Committee with the following amendments: (1) on recommendation of the City Attorney, to approve changing the name of the Advisory Civilian Oversight Commission to the Advisory Civilian Oversight Committee; and, (2) an instruction that reports back from the Los Angeles World Airports and the Harbor Department relative to civilian oversight of Airport and Harbor Police Operations and proposals for strengthening civilian oversight in their departments, be additionally referred to the Commerce, Energy and Natural Resources Committee, as well as the Public Safety Committee.

On December 6, 2005, the OPS matter with all associated reports was considered by the Budget and Finance Committee. The Committee concurred with the recommendations of the ITGS Committee, as amended by the Budget and Finance Committee to establish the Office of the Inspector General as being responsible for review of OPS's arrest reports for compliance with the arrest policies specified in the GSD/LAPD MOA. At their respective meetings, the Public Safety and ITGS Committees had approved a recommendation that the LAPD review compliance with the LAPD/GSD MOA arrest provisions, however, during the Budget and Finance Committee discussion, Councilmember Greuel reported that following discussions with the Inspector General, it was agreed that the Inspector General would be responsible for review of OPS arrests for compliance with the MOA. The Budget and Finance Committee additionally added recommendations for reports back from the GSD, one to be submitted 90 days following implementation of the OPS which is to include recommendations for any changes needed to properly implement the MOA, and a review of the revised pursuit policy. The Committee's recommendation is for GSD to then submit quarterly reports detailing the performance of the OPS, review of arrests, and any categorical or non-categorical use-of-force incidents.

The GSD reported that upon approval by the Council of the creation of the OPS, the Department would be ready to implement the OPS within three to four weeks, possibly by the end of January 2006. The CAO reported that no additional budgetary appropriation is anticipated at this time for the OPS. The Budget and Finance Committee, at its meeting of December 6, 2005, concurred with the recommendations of the ITGS Committee, as amended, relative to the proposed consolidation of select departmental security functions into an Office of Public Safety in the General Services Department. This matter is now forwarded to the Council for its consideration.

Respectfully submitted,

BUDGET AND FINANCE COMMITTEE

Benjamin C. Loh
Tony Cardenas
Bob Rull
[Signature]

MEMBER VOTE
PARKS: YES
CARDENAS: YES
SMITH: YES
GREUEL: YES
ROSENDAHL: ABSENT

LB
#032062E
12/7/05

Rpt
ADOPTED

DEC 14 2005
** As Amended*
LOS ANGELES CITY COUNCIL
see Attached motion

ORD NOT PRESENTED - TO BE PRESENTED *Dec. 16, 2005*

ORDS
ADOPTED

DEC 16 2005

LOS ANGELES CITY COUNCIL

TO THE MAYOR FORTHWITH

CCL 12/14/05

COMMUNICATION

TO: LOS ANGELES CITY COUNCIL

FILE NO. 03-2062

FROM: COUNCILMEMBER JANICE HAHN, CHAIR
INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE

Public Comments Yes No
 ___ XX

COMMUNICATION FROM CHAIR, INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE relative to a proposed Office of Public Safety (OPS) and related matters.

Recommendation for Council action:

CONCUR with the recommendations made by the Public Safety Committee at its meeting held October 24, 2005, with the following amendments:

- a. Refer to the proposed Advisory Civilian Oversight Commission as the Advisory Civilian Oversight Committee.
- b. Also refer the requested report backs by the Los Angeles World Airports and the Harbor Departments (Recommendation No. 10 of the Public Safety Committee report) to the Commerce, Energy and Natural Resources Committee (as well as the Public Safety Committee).

Fiscal Impact Statement: Neither the City Administrative Officer (CAO) nor the CLA has completed a financial analysis of this report.

Community Impact Statement: At its meeting on January 13, 2004, the Greater Griffith Park Neighborhood Council asked the City to delay the consolidation until further study and until such time as the Neighborhood Council receives sufficient information, including financial analyses, in order to make an informed decision.

At its meeting on December 3, 2004, the Greater Echo Park Elysian Neighborhood Council requested delay of implementation of the Office of Public Safety until all issues in every department (Parks, Library, Convention Center, other facilities) are resolved to the satisfaction of constituents and the Council Offices.

SUMMARY

In a joint report dated August 26, 2005, the CLA and the CAO recommends methods of establishing civilian oversight of the OPS. The CAO and the CLA report that the OPS will be formed by consolidating the security staff in the Departments of Recreation and Parks, Library, Convention Center, Zoo, and General Services. The CAO and the CLA also note that as part of the consolidation implementation, a MOA was executed between the GSD and the LAPD addressing numerous aspects of the delineation of duties between GSD and LAPD. The joint report also recommends a civilian oversight structure that will utilize the expertise and resources of the LAPD while also establishing an advisory civilian Commission whose focus will be exclusively on the OPS. Other points covered in the report are:

- Review of OPS Categorical Uses of Force
- Monitoring OPS Adherence to Policies and Procedures
- Establishment of OPS Board of Commissioners
- GSD - LAPD MOA Clarifications
- Authorization to GSD to Proceed with Security Consolidation
- Oversight of other Non-LAPD City Security Functions

*ADOPTED AS AMENDED by Council action of 12-14-05.

The Audits and Governmental Efficiency, the Information Technology and General Services, and the Personnel Committees previously considered this matter in 2004. The Greater Echo Park Elysian Neighborhood Council and the Greater Griffith Park Neighborhood Council also submitted comments on the proposed consolidation.

At a meeting held on October 24, 2005, Councilmember Greuel and representatives from the GSD, the LAPD, and the CLA gave the Public Safety Committee a presentation on the efforts made to form the OPS as well as answer the Committee's questions on civilian oversight. Upon the conclusion of public comments, the Committee approved the recommendations contained in the joint CLA and CAO report as amended.

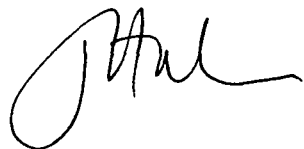
At a special meeting held November 16, 2005, the Information Technology and General Services Committee Chair discussed this matter with City staff. At that time, Councilmember Greuel and representatives from the City Attorney, the GSD, the Department of Recreation and Parks, and the Police Commission briefed the Committee Chair on the progression of this Council file through the Public Safety and Personnel Committees. The City Attorney recommended that the Advisory Civilian Oversight Commission instead be named the Advisory Civilian Oversight Committee; and the Police Commission reported on an impending change in the proposed OPS Pursuit Policy that would bring it more in line with that of the LAPD. (The revised OPS Pursuit Policy is/was scheduled for consideration by the Police Commission at its meeting to be held on Tuesday, November 22, 2005.)

The Committee Chair concluded her consideration of this matter and substantially concurred with the recommendations made by the Public Safety Committee at its meeting held October 24, 2005, as amended to accommodate the City Attorney's request regarding the name of the civilian oversight group; and, to also refer requested report backs by the Los Angeles World Airports and the Harbor Departments (Recommendation No. 10 of the Public Safety Committee report) to the Commerce, Energy and Natural Resources Committee (as well as the Public Safety Committee). This matter is now submitted to Council for its consideration.

Respectfully submitted,

Councilmember Janice Hahn, Chair
INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE

MEMBER	VOTE
HAHN	YES
PADILLA:	ABSENT
WEISS:	ABSENT



AA
11/17/05
#032062d.wpd

ADOPTED
MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION

DEC 14 2005

** As Amended*
LOS ANGELES CITY COUNCIL
de Arceol motion

Ord NOT PRESENTED - TO BE PRESENTED Dec. 16, 2005

DRDS
ADOPTED

DEC 16 2005

LOS ANGELES CITY COUNCIL
OFFICE OF THE CLERK

VERBAL MOTION

I HEREBY MOVE that Council AMEND the Public Safety and Budget and Finance Committees' Report and Communication from Chair, Information Technology and General Services Committee (Item No. 53, CF 03-2062 & 05-1295) relative to the proposed consolidation of select departmental security functions into an Office of Public Safety (OPS) in the Department of General Services (GSD) to INSTRUCT the City Administrative Officer to work toward a goal of 37 Park Rangers in the budget for Fiscal Year 2006-07.

PRESENTED BY _____
TOM LABONGE
Councilmember, 4th District

SECONDED BY _____
ERIC GARCETTI
Councilmember, 13th District

December 14, 2005

CF 03-2062

Motion
ADOPTED

DEC 14 2005

LOS ANGELES CITY COUNCIL