

Agenda Report

July 8, 2013

TO: Honorable Mayor and City Council

FROM: Police Department

SUBJECT: AUTHORIZE THE CITY MANAGER TO EXECUTE THE LOS ANGELES INTERAGENCY METROPOLITAN POLICE APPREHENSION CRIME TASK FORCE (L.A. IMPACT) JOINT POWERS AGREEMENT

RECOMMENDATION:

It is recommended that the City Council:

1. Find that the proposed action is not subject to the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Sections 15060 (c)(2), 15060 (c)(3), and 15378, as the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment; and
2. Authorize the City Manager to execute the Joint Powers Agreement approving the City of Pasadena's membership in the Los Angeles Interagency Metropolitan Police Apprehension Crime Task Force (L.A. IMPACT).

BACKGROUND:

Originally formed under a Memorandum of Understanding (MOU), the Los Angeles Interagency Metropolitan Police Apprehension Crime Task Force (L.A. IMPACT), is a compilation of numerous federal, state and local law enforcement agencies the mission of which is to promote coordinated law enforcement efforts, and to address emerging criminal justice issues throughout Los Angeles County area, encouraging maximum cooperation between all law enforcement and prosecutorial agencies, and insuring the safety of both police personnel and the public, accomplished in an efficient manner within constitutional guidelines. The City Council formally approved Pasadena's participation in L.A. IMPACT in May 1992.

In 2004, the City Council approved an amendment to the MOU agreement whereby Pasadena provides management and maintenance services for the L.A. IMPACT Air Support Unit. This agreement has not only contributed to the effectiveness of L.A. IMPACT it has also generated net revenues for the City in excess of \$200,000 from Fiscal Year 2010 to Fiscal Year 2012.

In 2011, L.A. IMPACT formally organized as a Joint Powers Authority (JPA) under the California Government Code. The shift from cooperative organization operating under an MOU to a JPA was done in order to clarify the agency's standing as a distinct agency able to enter into contracts, sue and be sued as well as a public entity, subject to the open meeting requirements of the Ralph M. Brown Act.

Despite operating as a JPA since 2011, a recent review performed for L.A. IMPACT indicated that some member agencies, including Pasadena, never executed the Joint Powers Agreement. Moreover, a search of the City's legislative record indicates that the issue was never presented to the City Council for consideration. To correct the oversight, staff is requesting City Council authorization to formally enter into the Joint Powers Agreement.

As discussed above, L.A. IMPACT operates as an independent law enforcement agency, is governed by a board of directors, which is comprised of the president of the Los Angeles County Police Chief's Association, the police chief of the law enforcement agency of each member city, the Los Angeles County Sheriff, and a representative of any federal or state agency which is a member. An executive director administers the daily business and activities of the agency; in addition, there are 17 contract employees.

The annual budget for L.A. IMPACT is currently \$4.6 million with the majority of the funding coming from federal and state grants, in addition to asset forfeitures. Personnel costs for individuals assigned to L.A. IMPACT are funded through each member agency and include benefits, salary, and 10 hours of overtime. For Pasadena, these costs are incorporated into the Police Department's operating budget. All other costs are reimbursed through L.A. IMPACT.

In the event the City did not join the L.A. IMPACT JPA, the City would stand to lose a significant amount of revenue through asset forfeiture funds along with access to this valuable crime fighting tool. L.A. IMPACT is a nationally recognized crime taskforce with tremendous expertise and resources capable of assisting the Police Department with complex investigations or high profile criminal matters.

COUNCIL POLICY CONSIDERATION:

The proposed action supports the City Council strategic planning goal to ensure public safety. In addition, leveraging assets and providing fee for service support to L.A. IMPACT is in keeping with the goal of maintaining fiscal responsibility and stability.

ENVIRONMENTAL ANALYSIS:

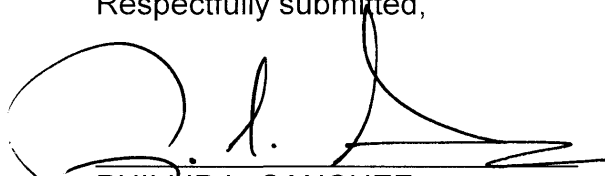
The action proposed herein is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA sections 15060 (c)(2), 15060 (c)(3), and 15378. CEQA Guidelines Section 15060 (c)(2) states that an activity is not subject to CEQA if "The activity will not result in a direct or reasonably foreseeable indirect physical change in the environment". The proposed activity consists of approving the L.A. IMPACT Joint Powers Agreement and as such would not have a physical impact on the environment; therefore,

the proposed activity is not a CEQA "Project" as defined in State CEQA Guidelines Section 15378 and is, therefore, also not subject to CEQA pursuant to CEQA Guidelines Section 15060 (c)(3).

FISCAL IMPACT:


Costs incurred through the City's membership in L.A. IMPACT are more than reimbursed through revenues the Police Department receives from L.A. IMPACT through asset forfeiture funds. Failure to become a member city through the Joint Powers Agreement will result in a reduction in revenue to account 6545-104-401710 and 6211-207-401500. From 2010 to 2012, L.A. IMPACT generated approximately \$474,558 to account 6545-104-401710 in revenue compared to approximately \$257,884 in expenses from account 8011-104-401710. In addition, the Police Department received from L.A. IMPACT approximately \$713,954 in Asset Forfeiture Revenue to account 6211-207-401500 during that same time frame.

Respectfully submitted,



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Chief of Police

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Approved by:



MICHAEL J. BECK
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