

DATE: FEBRUARY 20, 2018

FROM: PORT POLICE

**SUBJECT: RESOLUTION NO. _____ MEMORANDUM OF UNDERSTANDING
BETWEEN THE CITY OF LOS ANGELES HARBOR DEPARTMENT
AND THE CITY OF LOS ANGELES POLICE DEPARTMENT FOR
INTEROPERABLE RADIO COMMUNICATION**

SUMMARY:

Staff requests the ratification of a Memorandum of Understanding (MOU) between the City of Los Angeles Harbor Department (Harbor Department) and the City of Los Angeles Police Department (LAPD) for the purpose of enabling continued interoperable radio communications. The Harbor Department and the LAPD, in fulfilling their respective public safety, law enforcement, and emergency management missions, frequently conduct coordinated responses and participate in joint operations. Interoperable radio communication is essential for sharing critical information and for affecting command and control when conducting these operations. Moreover, both parties would like to enable continued interoperable radio communications through coordination and information sharing with regard to the radio communication; and system technical information necessary to maintain radio communications and plans.

The intent of this MOU is to memorialize the understanding between the Harbor Department and the LAPD with respect to the information exchange necessary to facilitate continued interoperable radio communications. The effective date shall be the date of execution by the Executive Director of the Harbor Department upon authorization of the Board of Harbor Commissioners. The MOU shall be in effect for one year with annual, automatic renewals, not to exceed three years. The MOU is administrative in nature and there will be no financial impact.

RECOMMENDATION:

It is recommended that the Board of Harbor Commissioners (Board):

1. Find that the Director of Environmental Management has determined the proposed action is administratively exempt from the requirements of the California Environmental Quality Act (CEQA) under Article II, Section 2(f) of the Los Angeles City CEQA Guidelines;
2. Ratify the proposed MOU between the Harbor Department and the LAPD;

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- 3. Authorize the Executive Director to execute and the Board Secretary to attest to the MOU; and
- 4. Adopt Resolution No. _____.

DISCUSSION:

Background/Context - The Harbor Department and the LAPD, in fulfilling their respective public safety, law enforcement, and emergency management missions, frequently conduct coordinated responses and participate in joint operations. Interoperable radio communication is essential for sharing critical information and for affecting command and control when conducting these operations. Interoperable radio communication is essential for sharing critical information and will be made possible through coordination and information sharing with regard to the radio communications and system technical information necessary to maintain radio communications and plans.

As a result of this MOU the Harbor Department and the LAPD will grant permission to each other to use radio channels or talk groups for which they are the controlling authority. The use of these radio channels or talk groups will be limited to communications with units or dispatchers and will only be used during emergency response or preplanned joint operations. Other general responsibilities and stipulations are detailed in the MOU.

Ratification - This action recommends that the Board ratify the MOU. Under established law, the Board is not required but it may, in its sole discretion, legally ratify previously unauthorized requests after-the-fact, if it could have originally authorized such contracts at the inception. Here, the Board, under Admin Code Section 10.5, had the authority on October 20, 2017 to approve the MOU. Therefore, while the MOU lacked proper Board authorization, the Board can now, in its discretion, ratify and approve the MOU; with the result having the effect of a duly adopted MOU with the Harbor Department as a signatory party as though it had been adopted as of October 20, 2017. No payments have been made or are payable under the MOU.

ENVIRONMENTAL ASSESSMENT:

The proposed action is the ratification of an MOU between the Harbor Department and LAPD, which is an administrative activity. Therefore, the Director of Environmental Management has determined that the proposed action is administratively exempt from the requirements of California Environmental Quality Act (CEQA) in accordance with Article II, Section 2(f) of the Los Angeles City CEQA guidelines.

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FINANCIAL IMPACT:

The authorization of this MOU is not expected to have a financial impact as the proposed MOU is administrative in nature establishing interoperable radio protocols between the Harbor Department and LAPD.

CITY ATTORNEY:

The Office of the City Attorney has reviewed and approved the subject Memorandum of Understanding as to form and legality.

TRANSMITTALS:

1. Memorandum of Understanding

FIS Approval: MB (initials)
CA Approval: me (initials)



MICHAEL GRAYCHIK
Assistant Chief of Police



THOMAS E. GAZSI
Deputy Executive Director, Public Safety
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APPROVED:



EUGENE D. SEROKA
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