

# CITY OF TONKA BAY ITEM NO. 9B



**SOUTH LAKE MINNETONKA POLICE DEPARTMENT**  
*Serving Excelsior, Greenwood, Shorewood and Tonka Bay*

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## M E M O R A N D U M

**TO:** Joe Kohlmann, Tonka Bay City Administrator

**FROM:** Bryan Litsey, Chief of Police

**DATE:** April 19, 2012 - Thursday

**RE:** City of Excelsior - 2012 Seasonal Park and Dock Patrol Services

The South Lake Minnetonka Police Department (SLMPD) is once again planning to provide park and dock patrol services this summer for the City of Excelsior. The proposal prepared by the SLMPD is similar to last year and was approved by the Excelsior City Council at their meeting on April 16, 2012. Pursuant to the Joint Powers Agreement, as amended in 2006, each member city council needs to take action on this matter prior to services being provided. I would appreciate this item being included on your next council meeting agenda with a recommendation for approval. Once council action is taken, please let me know the outcome by e-mail. As always, please give me a call if you have any questions regarding this matter.

### **Recommended Motion:**

Motion to approve the South Lake Minnetonka Police Department providing Park and Dock Patrol Services for the City of Excelsior in 2012 as mutually agreed upon by both parties.

Cc: Mayor Bill LaBelle, City of Tonka Bay

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**Park and Dock Patrol Services  
Initial Proposal (03/28/2012)**

**City of Excelsior  
2012 Summer Season**

**Prepared by Chief Bryan Litsey**

**OVERVIEW**

The focus of this proposal is on providing for the safe and orderly use of the Commons Park and Port of Excelsior as well as the security of the adjacent residential neighborhoods and business district. It is not profit driven as would typically be the case when such supplemental services are outsourced. The financial interest of the South Lake Minnetonka Police Department (SLMPD) is to recoup the direct expenses associated with providing these additional services specific to one member city. Taken into account is that the City of Excelsior is already contributing to the infrastructure of the SLMPD and that this increased presence during the busier summer months complements the overall delivery of services among all four member cities.

The approach taken for providing park and dock patrol services will essentially be the same as last year with no change in the allocation and number of hours between job classifications. The tentative schedule will span between Memorial Day and Labor Day weekends, unless extended through mutual agreement. Staffing will be more heavily weighted on weekday evenings and weekends. The schedule is subject to change due to the availability of personnel, weather conditions and park usage. These adjustments have historically kept costs below the budgeted amount with last season being no exception.

The personnel working this seasonal part-time employment will either be classified as a park police officer or a park service officer. The job classification of park police officer requires state licensure as a peace officer and thus is a more highly skilled position with additional duties and responsibilities. The job classification of park service officer is a civilian position with duties and responsibilities that do not require state licensure as a peace officer. The most current job descriptions for both classifications are included with this proposal. **See Appendix A.**

**SEASONAL PART-TIME POSITIONS**

**Park Police Officer**

There are two individuals currently affiliated with the SLMPD that maintain their licensure as a police officer and have worked this seasonal part-time employment in the past. Both individuals have expressed an interest in returning this season. Their patrol district includes the central business and residential areas bordered by the following streets: Lake Street, West Lake Street, Third Street and Morse Avenue. The focus within this district is on traffic and parking enforcement along with other nuisance complaints such as excessive noise.

**Park and Dock Patrol Services - Initial Proposal (03/28/2012)**  
**City of Excelsior - 2012 Summer Season**  
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Compensation for the job classification of park police officer follows the same self-adjusting hourly rate previously established by the SLMPD Coordinating Committee for fully-licensed police officers employed on a part-time basis. This hourly rate is based on the salary in the current labor agreement for an entry-level police officer. This is not only fair, but avoids a potential union issue. Benefits for this seasonal position are limited to providing uniforms and gear along with the training required to maintain their status as a licensed police officer.

**Park Service Officer**

Park service officers are civilian personnel with duties and responsibilities that do not require licensure as a police officer. Individuals working this seasonal part-time employment are normally already affiliated with the SLMPD as reserve officers and/or part-time community service officers. Park service officers are cross-trained so they can patrol the park, dock or both.

Compensation for the job classification of park service officer is determined through an annual review process. The determination has been made that the 2012 pay rate will be the same as the previous season. Benefits for this seasonal position are limited to providing uniforms and gear along with the required amount of training.

**OTHER CONSIDERATIONS**

**SLMPD Coordinator/Community Liaison**

An essential element of this proposal is having a person designated at the SLMPD to coordinate the daily operations of this seasonal program and to serve as a liaison with community members. David Hohertz will once again be taking on this seasonal role along with his many other duties and responsibilities as community service supervisor for the SLMPD. He has also maintained his licensure as a police officer and will be working one of the seasonal part-time positions of park police officer.

**Field Supervision**

One of the many benefits of having the SLMPD oversee park and dock patrol services is the direct supervision in the field. The on-duty patrol sergeant, or in his/her absence the senior on-duty patrol officer, will monitor the seasonal part-time personnel working on any given day. Such an arrangement is important not only for the effective delivery of these services, but from a risk management perspective as well. Governmental agencies are increasingly becoming the target of litigation when it comes to claims of negligent supervision of personnel, especially when it concerns law enforcement functions. The SLMPD assumes this supervisory role when providing park and dock patrol services for the City of Excelsior.

### **Training**

Most, if not all, of the individuals that will be working this seasonal part-time employment are already affiliated with the SLMPD. This means they are familiar with SLMPD operations and have received training commensurate with their job classification of either park police officer or park service officer. They are allowed to carry certain self-defense equipment if properly trained and authorized by the SLMPD. Any training deficiencies will be addressed by the SLMPD. Prior to the start of the season, a meeting will be held with all the personnel working this detail to make sure everyone has a clear understanding of their duties and responsibilities.

### **Cost to Excelsior**

All-inclusive hourly rates have been established for the job classifications of park police officer and park service officer. These are based on actual payroll costs plus a five percent administration fee. **See Appendix B.** Park police officers will receive a modest pay increase of 0.75 percent based on the new labor agreement. Park service officers will receive the same pay as the previous year. The percentage contribution toward payroll taxes remains the same with a slight decrease in the workers compensation rate. It should be noted there is no required contribution to the state pension fund since these are seasonal part-time positions. The five percent administration fee is intended to recapture the overhead costs associated with the SLMPD administrating and supervising these additional services along with providing vehicles and equipment (radios, cellular phones, etc.). Uniforms, gear and training expenses are an additional expense for the City of Excelsior. These expenses will be less for returning personnel and more for new personnel.

The attached spreadsheets show both the hourly rates for the aforementioned job classifications as well as the projected overall cost for the season based on the tentative work schedule. The SLMPD will work within a mutually agreed upon budget for providing these seasonal park and dock patrol services and will not exceed this amount by more than five percent without prior approval from the City of Excelsior. This is with the understanding, however, that the SLMPD has the discretion within this financial limitation to allocate personnel and resources as deemed necessary to achieve the desired results. It should be noted that the sponsor of a special event requiring expanded park patrol coverage is responsible for the additional cost.

### **CONCLUSION**

A considerable amount of time and effort has gone into preparing this proposal so that it represents an excellent overall value for the City of Excelsior. The SLMPD is committed to working with representatives from the City of Excelsior along with affected residents, business owners and the general public in finding the right balance between the expense of providing these services and providing for the orderly use of the park, municipal docks and surrounding areas.



## APPENDIX A

*Job Descriptions*

*Park Police Officer*

*Park Service Officer*

## DEPARTMENT MANUAL

SOUTH LAKE MINNETONKA POLICE DEPARTMENT GENERAL ORDER	ISSUE DATE	EFFECTIVE DATE	NUMBER
	03/30/07	03/30/07	118
JOB DESCRIPTION for PARK POLICE OFFICER	DISTRIBUTION		RESCINDS
	ALL PERSONNEL		118 - (Dated 04/27/06)

### **REQUIREMENTS**

- (1) Must be licensed or eligible to be licensed as a police officer through the Minnesota Board of Peace Officer Standards and Training.
- (2) Must meet selection standards as mandated by the Minnesota Board of Peace Officer Standards and Training.
- (3) Have CPR and first aid training with First Responder or Emergency Medical Technician certification preferred.
- (4) Participate in a selection process as deemed necessary by the Chief of Police. Preference will be given to personnel currently affiliated with the South Lake Minnetonka Police Department who meet the eligibility requirements with a history of exemplary performance.

### **NATURE OF DUTIES**

Park Police Officer is a seasonal part-time position in the City of Excelsior that requires state licensure as a police officer. It is not a union position given the temporary nature of the assignment and the job classification. The normal duration of this seasonal position is between Memorial Day Weekend and Labor Day Weekend, but may be extended longer depending on the need. Work performed is in accordance with department policies and procedures. The primary service area includes the Excelsior Commons Park and adjacent roadways along with the central business district and adjoining neighborhoods. This primary service area is bordered by the following roads: Lake Street, West Lake Street, Third Street and Morse Avenue. Duties are carried out in a manner consistent with community oriented policing and include general patrol, maintenance of order, prevention of crime, enforcement of state statutes/local ordinances, medical assistance and calls for service. Stamina is needed in order to be outside for extended periods of time on foot and bike patrol. Good communication skills and common sense are essential parts of this position.

### **EXAMPLE OF WORK PERFORMED**

- (1) Patrol the Excelsior Commons Park and adjacent roadways on foot, bike and in a police vehicle. Maintain high visibility as a deterrent to inappropriate behavior.

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- (2) Patrol the central business district and adjoining neighborhoods on foot, bike and in a police vehicle. Maintain high visibility as a deterrent to inappropriate behavior.
- (3) Assist the public as a goodwill ambassador for the City of Excelsior.
- (4) Enforce state statutes and local ordinances pertaining to criminal, traffic and nuisance violations.
- (5) Monitor and enforce parking meters.
- (6) Monitor and take appropriate action for the prohibited use and display of alcoholic beverages.
- (7) Take appropriate action to deal with boisterous and disorderly behavior as well as other inappropriate conduct.
- (8) Render medical assistance.
- (9) Account for lost and found property in the park.
- (10) Maintain daily activity logs and complete reports as required.
- (11) Testify in court when requested.
- (12) Perform such other work as directed or assigned by a supervisor.

## DEPARTMENT MANUAL

SOUTH LAKE MINNETONKA POLICE DEPARTMENT GENERAL ORDER	ISSUE DATE	EFFECTIVE DATE	NUMBER
	03/30/07	03/30/07	146
JOB DESCRIPTION for PARK SERVICE OFFICER	DISTRIBUTION		RESCINDS
	ALL PERSONNEL		146 - (Dated 06/05/01)

### **REQUIREMENTS**

- (1) High school graduate, with an interest in law enforcement preferred.
- (2) Physically able to perform job.
- (3) Have a valid Minnesota Driver's License with a good driving record.
- (4) No substantive criminal record.
- (5) Have CPR and first aid training with First Responder or Emergency Medical Technician certification preferred.
- (6) Participate in a selection process as deemed necessary by the Chief of Police. Preference will be given to personnel currently affiliated with the South Lake Minnetonka Police Department who meet the eligibility requirements with a history of exemplary performance.

### **NATURE OF DUTIES**

Park service officer is a seasonal part-time position in the City of Excelsior. Assignments include park and dock patrol, which normally extend from Memorial Day Weekend through Labor Day Weekend unless extended further. Park service officers are cross-trained so they can work either assignment. It is a civilian position that will require the wearing of a uniform as approved by the department. Enforcement authority is limited to what is allowable under Excelsior City Code (Section 1-14). This includes ordinances dealing with parks, municipal docks, animals, parking and nuisance matters. Park service officers will be allowed to carry certain self-defense equipment if trained and approved by the department. They need to have the stamina to be outside on foot or bike patrol for extended periods of time. They should have good communication skills in order to present a positive image to the general public and be able to deter criminal and nuisance type violations. They need to use good common sense and be willing to call for assistance when situations warrant additional help from on-duty officers with the South Lake Minnetonka Police Department (SLMPD) and/or Water Patrol Deputies with the Hennepin County Sheriff's Department (HCSD).

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**PARK PATROL - EXAMPLE OF WORK PERFORMED**

- (1) Patrol the Excelsior Commons Park and adjacent roadways on foot, bike and in a police vehicle. Maintain high visibility as a deterrent to inappropriate behavior.
- (2) Assist the public as a goodwill ambassador for the City of Excelsior.
- (3) Enforce local ordinances as authorized by Excelsior City Code (Section 1-14).
- (4) Monitor and enforce parking meters.
- (5) Monitor and take appropriate action for the prohibited use and display of alcoholic beverages.
- (6) Take appropriate action to deal with boisterous and disorderly behavior as well as other inappropriate conduct.
- (7) Render first-aid within skill level and call for assistance when needed.
- (8) Account for lost and found property in the park.
- (9) Maintain daily activity logs and complete reports as required.
- (10) Testify in court when requested.
- (11) Perform such other work as directed or assigned by a supervisor.

**DOCK PATROL - EXAMPLE OF WORK PERFORMED**

- (1) Direct commercial and private boat traffic use of the Excelsior Municipal Docks. Keep outer pier open for approved watercraft, which requires checking to make sure boats in this area have the proper authorization. Monitor inner pier for violations and issue written warnings and/or citations as authorized by Excelsior City Code (Section 1-14).
- (2) Foot patrol in the area of the Excelsior Municipal Docks (Port of Excelsior).
- (3) Assist the public as a goodwill ambassador for the City of Excelsior.
- (4) Take appropriate action to deal with boisterous and disorderly behavior as well as other inappropriate conduct.
- (5) Monitor and take appropriate action for the prohibited use and display of alcoholic beverages.

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- (6) Render first-aid within skill level and call for assistance when needed.
- (7) Notify HCSD Water Patrol Deputies of reported and/or observed water craft concerns on the lake.
- (8) Be well versed in communication equipment in order to monitor and be able to contact Hennepin County Dispatch, SLMPD Officers, HCSD Water Patrol Deputies and Charter Boat Employees.
- (9) Account for lost and found property in the park.
- (10) Maintain daily activity logs and complete reports as required.
- (11) Testify in court when requested.
- (12) Perform other duties as assigned by the Chief of Police and/or designee.



## APPENDIX B

*Projected Cost to Excelsior  
Year 2012*

*Park and Dock Patrol Services*

# **SOUTH LAKE MINNETONKA POLICE DEPARTMENT**

## **Excelsior Park and Dock Patrol Services**

### **2012 Summer Season**

#### **Hourly Cost of Seasonal Part-Time Positions - Initial Proposal (03/28/2012)**

<b>Seasonal Part-Time Positions</b>	<b>Hourly Rate</b>	<b>Payroll Taxes</b>	<b>Workers Compensation</b>	<b>Administration Fee</b>	<b>Total</b>
		<b>(1)</b>	<b>(2)</b>	<b>(3)</b>	
<b>Park Police Officer</b>	\$24.17	\$1.85	\$0.82	\$1.21	<b>\$28.05</b>
<b>Park Service Officer</b>	\$14.00	\$1.07	\$0.47	\$0.70	<b>\$16.24</b>

**(1)** Employer Social Security & Medicare Tax Rates - 7.65%

**(2)** Employer Workers Compensation Rate - 3.38%

**(3)** SLMPD Administration Fee - 5.0%

Notations: Additional Cost for Uniforms and Gear

Figures Rounded

# SOUTH LAKE MINNETONKA POLICE DEPARTMENT

## Excelsior Park and Dock Patrol Services

### 2012 Summer Season

#### Projected Budget - Initial Proposal (03/28/2012)

Part-Time Seasonal Positions	Projected Hours 2012 Season	Hourly Rate Total	Total Amount
<b>Park Police Officer</b> <i>Licensed Police Officer Position - Patrol Commons Park and Central Business/Residential Areas</i>	272	\$28.05	\$7,630
<b>Park Service Officer - Commons Park</b> <i>Civilian Position - Patrol Commons Park and Adjacent Residential/Business Areas</i>	390	\$16.24	\$6,334
<b>Park Service Officer - Municipal Docks</b> <i>Civilian Position - Patrol Port of Excelsior and Municipal Docks</i>	317	\$16.24	\$5,148
<b>Training</b>			\$600
<b>Uniforms and Gear</b>			\$800
<b>Total</b>	<b>979</b>		<b>\$20,512</b>
<b>Projected Budget - 2011 Season</b>	<b>979</b>	Plus Training & Uniforms	<b>\$20,473</b>
<b>Actual Total Cost - 2011 Season</b>			<b>\$17,082</b>

*Figures Rounded*