

CITY OF TONKA BAY ITEM NO. 9D



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

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Chief of Police

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M E M O R A N D U M

TO: Coordinating Committee Members

FROM: Bryan Litsey, Chief of Police

DATE: May 8, 2014 - Thursday

RE: Excelsior Park and Dock Patrol Program - 2014 Summer Season

Representatives from the South Lake Minnetonka Police Department (SLMPD) and the City of Excelsior met on both May 5 and 6, 2014 to discuss park and dock patrol services for the 2014 summer season. The attached report recapping last year's park and dock patrol program was helpful in determining if any changes were desired for this year. None were proposed and so the level of service will be similar to last year. This is with the caveat that some adjustments may need to be made due to staffing and scheduling considerations.

Also discussed was having a more firm timetable for the preseason approval process that needs to take place each year. Ideally, this should occur well in advance of the normal start date of Memorial Day Weekend in order to give the SLMPD enough time to gear-up for the program; adjust to desired changes by the SLMPD and/or City of Excelsior; and allow each member city council to sign off on the program in accordance with the Joint Powers Agreement (JPA). There was a disconnect this year that delayed this from happening. To avoid a recurrence, the City of Excelsior will be responsible in the future for letting the SLMPD know in January of each year if it would like the SLMPD to provide park and dock patrol services for another season. If so, the City of Excelsior will arrange a meeting with the SLMPD no later than March to discuss the scope of the services and other considerations. The SLMPD will then put together a proposal based on that discussion, which will first go to the Excelsior City Council for approval. It will then be forwarded to the other member city councils for their approval as required in the JPA for any supplemental services requested by a member city that are separately staffed and funded through the SLMPD. The JPA also states that such supplemental services cannot be unreasonably withheld by another member city.

Due to the compressed time line this year, approval from the member city councils may have to take place after the fact if the SLMPD adheres to the normal start date of Memorial Day Weekend. This will presumably not be a problem, since no substantial changes to the program are being proposed. It is also not the first time that one or more member city

Memorandum to Coordinating Committee
Excelsior Park and Dock Patrol Program - 2014 Summer Season
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councils approved the program after the fact due to extenuating circumstances. The protocol now in place should prevent this from happening in the future.

The SLMPD is currently in the process of putting together a formal proposal for providing the City of Excelsior with park and dock patrol services this season. Once this is finalized and acted upon by the Excelsior City Council, it will be forwarded to the other member city councils for consideration. The following suggested motion satisfies this requirement in the JPA.

Suggested Motion:

Motion to approve the South Lake Minnetonka Police Department providing Park and Dock Patrol Services for the City of Excelsior in 2014 as mutually agreed upon by both parties.

It would be much appreciated if the city manager/administrator in each member city would let me know once their respective city council takes action on this matter.

The SLMPD looks forward to providing this supplemental service once again for the City of Excelsior. This longstanding partnership is a testament to how working together to address a specific public safety need can enhance the quality of life in a community. This is often referred to as the livability factor of a community and the SLMPD is proud to play a prominent role in furthering this effort in all the communities we serve.

South Lake Minnetonka Police Department



Seasonal Park and Dock Patrol Services

City of Excelsior

Prepared by Support Services Manager David Hohertz

April 2014



PROGRAM OVERVIEW

The South Lake Minnetonka Police Department (SLMPD) has a long history of providing park and dock patrol services for the City of Excelsior since the early 1980's. This seasonal program historically begins on Memorial Day weekend and ends on Labor Day.

The primary focus of the program is to provide 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.

Personnel working this seasonal part-time employment are either classified as a park service officer or a park police officer. 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 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 including enforcing state statutes and local ordinances pertaining to criminal, traffic and nuisance violations. Park service officers patrol the Commons Park, the Port of Excelsior and adjacent roadways. Park police officers patrol the areas mentioned above, but have an expanded patrol area which includes the central business district and adjoining residential neighborhoods.

2013 SEASON SUMMARY

During the 2013 season park patrol personnel issued 449 citations. Of those, 257 were issued for expired parking meters, 95 for other parking violations and 97 for expired vehicle registrations. Licensed park police officers made 73 traffic stops. Officers responded to 7 medical emergencies as well as incidents such as thefts, damage to property, lost or found property and vehicle lockouts. See attached statistical data.

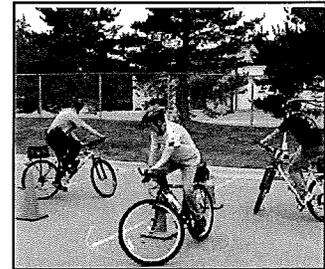
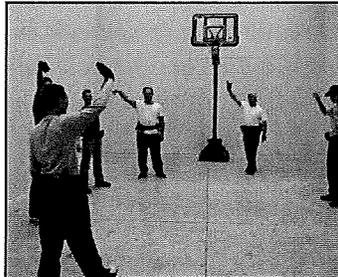
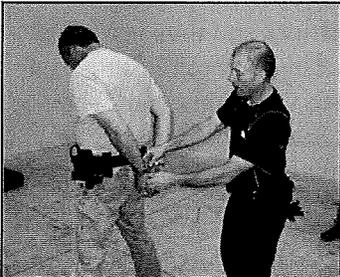
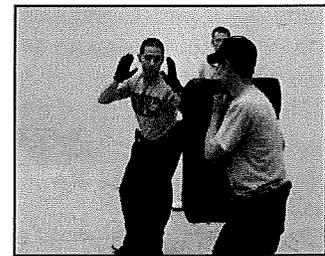
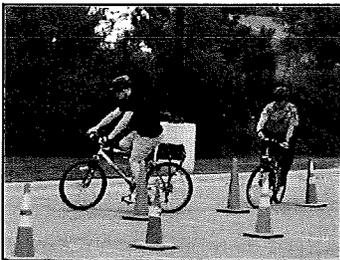
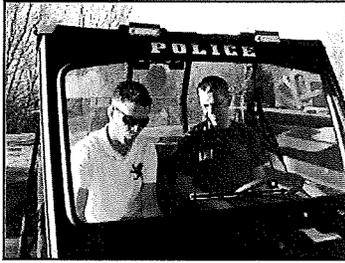
The program came in under budget by \$3,287 due to careful allocation of personnel and resources; this includes shortening or eliminating shifts when park and dock usage is minimal due to poor weather conditions.

PRE-SEASON ORIENTATION AND TRAINING

All of the individuals working this seasonal part-time employment are or have been affiliated with the SLMPD. They are familiar with department operations and have gone through extensive background checks. Each spring, both new and returning officers attend a pre-season orientation meeting as well as department-approved training on use of force and the safe operation of the all-terrain vehicle (ATV) and the mountain bikes.

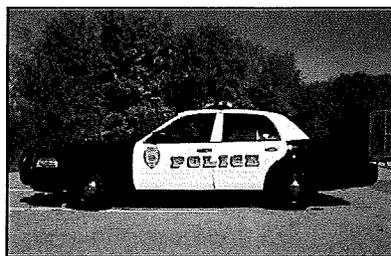
Spring Training

Bike Patrol and ATV Certification/Refresher and Use of Force Training

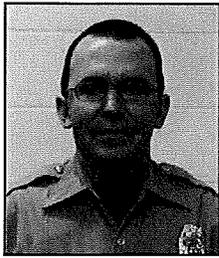


PATROL METHODS

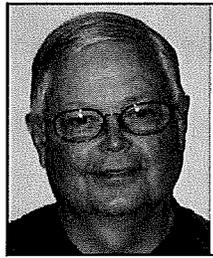
Officers patrol many areas within the park on foot, bike or ATV so as to better interact with park users and to access remote areas not easily reached by squad car. They also spend some of their patrol time in a squad car to maintain high visibility as a deterrent to inappropriate behavior. Park police officers generally spend more time in the squad car than park service officers as they have the additional responsibility of traffic enforcement as well as an expanded patrol area.



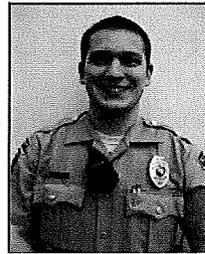
PARK AND DOCK PATROL STAFF



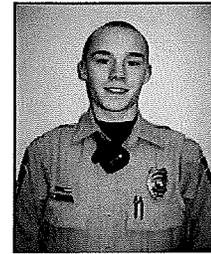
David Hohertz
Park Police Officer



Mark Erickson
Park Police Officer



Andrew Nightingale
Park Service Officer



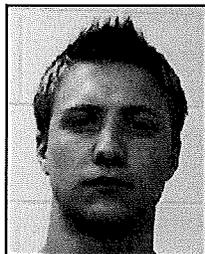
Dan Smith
Park Service Officer

David Hohertz has served seasonally as a licensed park police officer since the summer of 1984 and also serves as the liaison between the SLMPD and the City of Excelsior and area residents, business owners and visitors to the area. He serves in a full-time capacity as the SLMPD's Support Services Manager and Emergency Management Coordinator.

Mark Erickson retired from the SLMPD at the rank of Sergeant after serving for 29 years. He returned to the SLMPD in 2009 to work seasonally as a licensed park police officer.

Andrew Nightingale has served as a park service officer since the summer of 2010. Andrew serves year round as a member of the community service officer team as well as on the volunteer reserve unit. He is currently a student at North Hennepin Community College pursuing his law enforcement degree and works full-time in retail security.

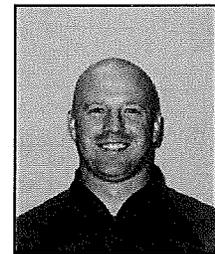
Dan Smith will be starting his second season as a park service officer. He is also a member of the community service officer team, working both in the front office and on the road. He is a law enforcement student at North Hennepin Community College pursuing his law enforcement degree and works part-time in retail security.



Cole Peterson



Jason Pierce and **Cole Peterson** worked as park service officers for the 2013 park and dock patrol season. Neither will be returning this year as they have both been offered and accepted full-time police officer positions. Jason Pierce has been hired by the Saint Paul Police Department and graduated from their training academy on March 27, 2014. Cole Peterson has been hired by the Minneapolis Police Department and will begin their training program in May. Although we would like to have them back this summer, our congratulations go out to them as they begin their careers as police officers.



Jason Pierce



South Lake Minnetonka Police Department

Support Services Division - Park and Dock Patrol Services



Statistical Data – 2013 Season



Prepared by Support Services Manager David Hohertz

Incident	Number
Accident - Property Damage	1
Alarm - Commercial	1
Alarm - Residential	1
Animal Complaint - DOA Cat	1
Animal Complaint - Found Cat	1
Assault	1
Assist Other Agency - Water Patrol	1
Burglary	1
Check Burn	1
Damage to Property	1
Disorderly Conduct - Arrest	2
Disturbance	1
Domestic	1
Drunk Problem	6
DWI	3
Expired Meter - Citation	257
Expired Meter - Written Warning	1
Expired Registration - Citation	97
Expired Registration - Written Warning	19
Extra Patrol Request	1
Fight	1
Fireworks - Verbal Warning	1
Found Property - Back Pack	1
Found Property - Returned	1
Found Property - Wallet	1
Handicapped Parking - Citation	5
Lost Property - Jewelry	1
Lost Property - Purse	1
Medical - Fall	2
Medical - Pain	2
Medical - Seizure	2
Medical - Unconscious	1
Missing Child	1
Narcotics Complaint	1
Noise Disturbance	1
Parked Blocking Driveway - Citation	1
Parked Where Prohibited - Citation	10

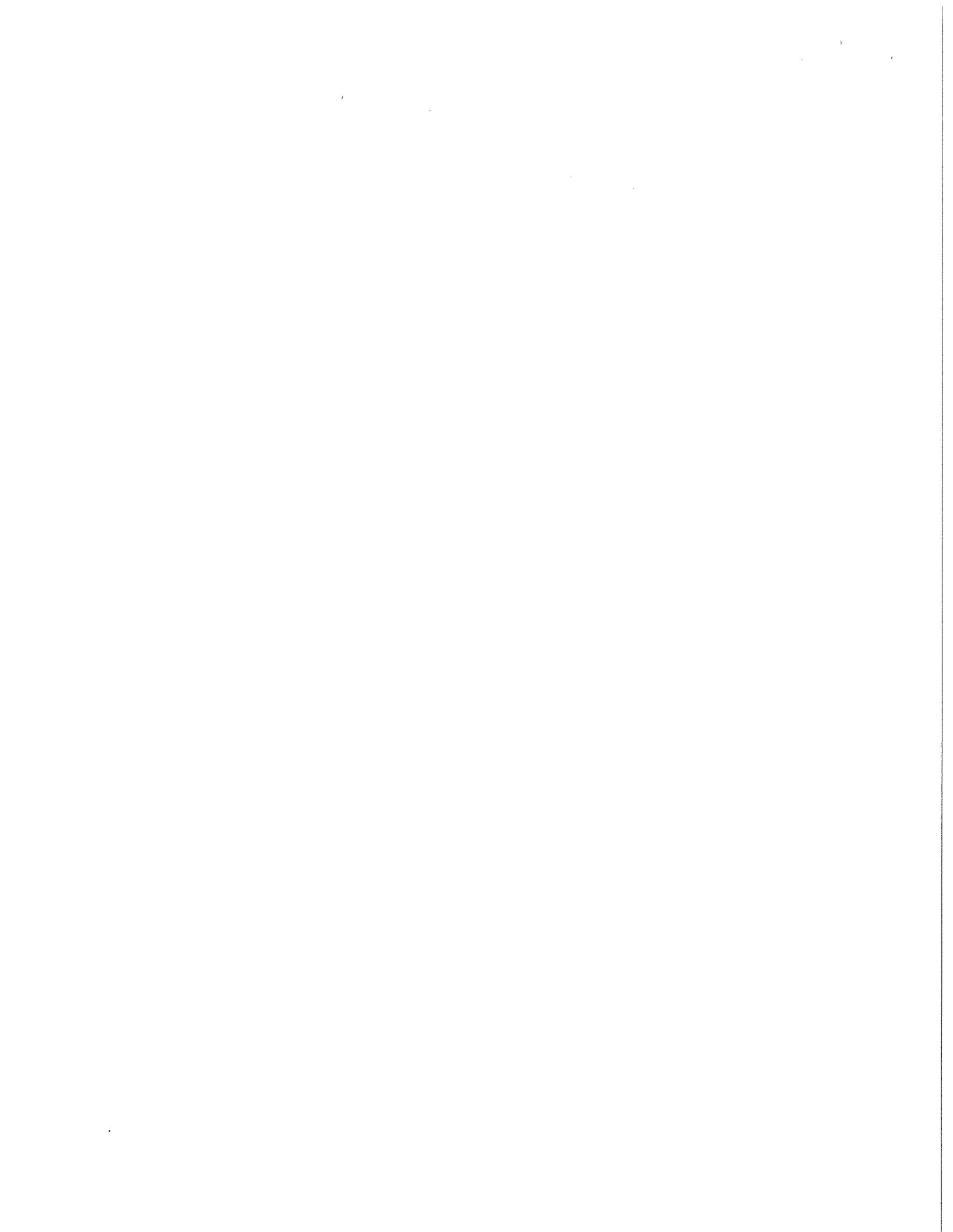
South Lake Minnetonka Police Department

Support Services Division - Park and Dock Patrol Services

Statistical Data – 2013 Season

Prepared by Support Services Manager David Hohertz

Parked Where Prohibited - Written Warning	5
Parked Wrong Direction - Citation	1
Parking - Other - Citation	34
Parking - Other - Written Warning	4
Parking - Overtime - Citation	23
Parking - Overtime - Written Warning	5
Parking by Permit Only - Citation	20
Parking by Permit Only - Written Warning	2
Parking Complaint - 15-Minute Zone	1
Port of Excelsior - Permit Parking Only - Verbal Warning	1
Possible DK Driver	1
Public Assist	1
Shots Heard	1
Spot Check - Third Street Pump House	2
Suspicious Act	1
Traffic Stop - Citation	4
Traffic Stop - Equipment Repair	34
Traffic Stop - Equipment Repair - Citation	1
Traffic Stop - Verbal Warning	19
Traffic Stop - Written Warning	15
Unwanted Person	1
Vehicle Lockout	5
Warrant Arrest	1
Welfare Check	4
TOTAL EVENTS - 617	





Excelsior Park and Dock Patrol Program Proposed Services - 2014 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 virtually 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

Park police officers are sworn personnel with duties and responsibilities that require licensure as a police officer. Individuals working this seasonal part-time employment typically have a past or current affiliation with the SLMPD. 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. 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

**Excelsior Park and Dock Patrol Program
Proposed Services - 2014 Summer Season
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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 provided for this seasonal position are limited to 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 licenser 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, which supports a modest increase in 2014. Benefits provided for this seasonal position are limited to 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 performing this seasonal role along with his many other duties and responsibilities as support services manager for the SLMPD. He has maintained his licenser as a police officer and once again will be working as a 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

**Excelsior Park and Dock Patrol Program
Proposed Services - 2014 Summer Season
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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 is 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 reflect actual payroll costs plus a five percent administration fee. **See Appendix B.** 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, training and certification costs 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 2014 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 licenser 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.

PAGE 2 - REVISED GENERAL ORDER NUMBER 118

- (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).

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 2014*

Park and Dock Patrol Services

SOUTH LAKE MINNETONKA POLICE DEPARTMENT

Excelsior Park and Dock Patrol Services

2014 Summer Season

SLMPD Proposal - Hourly Cost of Seasonal Part-Time Positions

Seasonal Part-Time Positions	Hourly Rate	Payroll Taxes	Workers Compensation	Administration Fee	Total
		(1)	(2)	(3)	
Park Police Officer	\$24.96	\$1.91	\$0.80	\$1.25	\$28.92
Park Service Officer	\$14.39	\$1.10	\$0.46	\$0.72	\$16.67

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

(2) Employer Workers Compensation Rate - 3.22%

(3) SLMPD Administration Fee - 5.0%

Notations: Additional Costs for Training, Uniforms, Gear, Etc.

Figures Rounded

SOUTH LAKE MINNETONKA POLICE DEPARTMENT

Excelsior Park and Dock Patrol Services

2014 Summer Season

SLMPD Proposal - Projected Budget

Part-Time Seasonal Positions	Projected Hours 2014 Season	Hourly Rate Total	Total Amount
Park Police Officer <i>Licensed Police Officer Position - Patrol Commons Park and Central Business/Residential Areas</i>	272	\$28.92	\$7,866
Park Service Officer - Commons Park <i>Civilian Position - Patrol Commons Park and Adjacent Residential/Business Areas</i>	403	\$16.67	\$6,718
Park Service Officer - Municipal Docks <i>Civilian Position - Patrol Port of Excelsior and Municipal Docks</i>	303	\$16.67	\$5,051
Training			\$600
Uniforms, Gear, Etc.			\$900
Total	978		\$21,135
Projected Budget - 2013 Season	978		\$20,746
Actual Total Cost - 2013 Season			\$17,413

Notation: Figures Rounded