

COUNCIL DECISION REQUEST

SUBJECT: Tonto Apache Tribal Police Law Enforcement Service Agreement

MEETING DATE: 11/20/2008

PAYSON GOAL: NEW: N/A EXISTING:

ITEM NO.:

TENTATIVE SCHEDULE: N/A

SUBMITTED BY: Chief Donald B. Engler

AMOUNT BUDGETED: N/A

SUBMITTAL TO AGENDA

EXPENDITURE REQUIRED: N/A

APPROVED BY TOWN MANAGER

CONT. FUNDING REQUIRED: N/A



EXHIBITS (If Applicable, To Be Attached): Item #1; Letter to Ferrell Hoosava, Tribal Councilman, Dated October 22nd, 2008, outlining the proposal. Item #2: A spreadsheet showing salary comparisons throughout the region for certified police officers.

POSSIBLE ACTION: I move to approve that the Town of Payson Police Department continue to pursue a law enforcement agreement with the Tonto Apache Tribal Council for law enforcement services beginning on January 1, 2009. I further move that the Town Attorney's Office be tasked with the review and completion of the contractual agreement between the Town of Payson and the Tonto Apache Tribal Council.

SUMMARY OF THE BASIS FOR POSSIBLE ACTION:

I was approached by the Tonto Apache Tribal Council and a request was made of me to put together a possible proposal for Law Enforcement services for the Tonto Apache Tribe with the Payson Police Department being the law enforcement provider. In doing so I considered several factors;

- The benefit to the Town of Payson and the Town of Payson Police Department
- The benefit to the Tonto Apache Tribe

Other considerations are that their call for service level is low and their geographical area for patrol is limited. From their perspective it might be more beneficial for them to contract for law enforcement services rather than attempting to support a police department independent of other entities at a higher expense.

There are also benefits to law enforcement services extending past current town limits regarding the Reservation jurisdiction and continuity in law enforcement. Many of the issues for the Town of Payson are also issues for the Tonto Apache Reservation, and many of the criminal events start in one jurisdiction and carry over into the other. Due to the close proximity of the two jurisdictions and the very limited call load as well as the small number of community members on the Reservation, this a very reasonable proposal.

The other benefit to the Town of Payson Police Department is the fact that we must find ingenious ways to continue to support our efforts in the Town of Payson to attract and retain police officers.

- As all of you well know the salary schedule for the Town of Payson has been frozen for the past year and is likely to remain frozen for the next year with current budget projections.

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- Utilizing the money received from this law enforcement contract service, my proposal would be that this money be used to provide raises to certified police officers with the Town of Payson, excluding the Chief of Police. This is a very reasonable approach due to the fact that we have many officers nearing their 2-year service agreement with the Town of Payson, and certified police officer positions throughout the state continue to be very lucrative. Therefore, if we are able to provide a 8% raise for certified police officers, this will help us in two areas:
 - Retention of officers that are not currently part of the STEPS pay plan.
 - The proposed raise also supports the STEPS pay plan in that with every year we do not instill a merit increase, the STEPS pay plan continues to fall behind.

It is imperative that we maintain competitive wages to be able to retain our certified officers. This proposal allows us a solution to provide raises for certified police officers, with the exception of the Chief of Police, who would be conducting the extra work associated with enforcing the laws of the Tonto Apache Reservation.

The reality that we are going to be required to pay for lab service fees to the Arizona Department of Public Safety is another possible use for the funds generated, and this provides a possible revenue source for us to support that cost.

As you see, I provided two proposals to the Tonto Apache Tribal Council in the letter dated October 22nd, 2008; they have selected the fee for completely taking over law enforcement services on the Tonto Apache Reservation at \$202,300 per year beginning on January 1, 2009 as the preferred proposal.

In the letter I provided to them they would also have to provide us with an indemnification for insurance coverage in our contractual agreement, making the Town of Payson not responsible for any lawsuit filing associated with law enforcement in their jurisdiction.

Yet another factor is that this law enforcement agreement would be separate from the current dispatching agreement that is currently being put in place for the Tonto Apache Tribe.

The final stipulation is that the Bureau of Indian Affairs will continue to handle all major criminal activity on the Indian Reservation including, but not limited to, homicide cases, sexual assault cases, child molest cases, etc.

It was also stated in the letter that we would not enter into the agreement for longer then 24 months, and at the end of a 12-month evaluation period, any cost of living factors associated with the economy in the Payson area would be figured in to the continuing contract amount for the following 12 months.

PROS:

- **As stated earlier, continuity in law enforcement services between the two jurisdictions.**
- **The funding provide by the contract would support other police department needs and goals.**
- **Expected low volume of activity.**

CONS:

- **The extension of the Payson Police Department police officers to cover an additional jurisdiction.**
- **Intense jurisdictional issues that must be often determined by an experienced supervisor**

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PUBLIC INPUT (if any):

BOARD/COMMITTEE/COMMISSION ACTIONS/RECOMMENDATIONS (if any) (give dates and attach minutes):

FUNDING:

Account Number:
Account Number:
Account Number:
Account Number:

Title:
Title:
Title:
Title:

Amount: \$
Amount: \$
Amount: \$
Amount: \$
Total Cost: \$

CFO:

Date:

October 22nd, 2008

Farrell Hoosava, Tribal Councilman
Tonto Apache Tribe
#30 Tonto Apache Reservation
Payson, Az 85541

Dear Mr. Hoosava,

As per our conversation last week, I am providing you information regarding a possible contractual agreement between the Town of Payson and the Tonto Apache Tribe for law enforcement services.

You asked that I provide two different figures; one for completely taking over law enforcement services for the tribe on all tribal lands, including the casino. The second was the Payson Police Department to contract with the Tonto Apache Tribe for police services four days a week on all tribal lands, including the casino, and the tribe being responsible for police services the remaining three days a week. The fee for completely taking over law enforcement services has been determined to be \$202,300. The fee for four days a week for tribal land services is \$154,390.

There are a few other requirements that would have to be put into place for this agreement to be acceptable to the Town of Payson. First, the Town of Payson would have to have some time of indemnification providing insurance coverage, in either potential contractual agreement, for our operation on the reservation. The next factor would be that the current dispatching agreement would be separate from this agreement and would stand on it's own with the Tonto Apache Tribe. An additional item that would need to be retained in place is the availability of the Bureau of Indian Affairs Investigators for major criminal activity on the Reservation: i.e. homicide cases, sexual assault cases, child molest cases etc.

The Town of Payson would also prefer not to enter into an agreement for longer then 24 months, at this time. In addition, the Town of Payson would like an evaluation completed after 12 months of operation to incorporate any cost of living factors associated with the economy. These figures would be limited to the cost of living index for the Town of Payson and the surrounding area.

If there are any further questions, or further discussion is necessary on any of these items, please do not hesitate to contact me.

Sincerely,

Donald B. Engler, Chief of Police
Payson Police Department

AGENCY	STARTING	MID-RANGE	TOP-OUT	ADDITIONAL
Department of Public Safety	45,954.92	55,169.46	64,383.15	Additional performance pay can be earned After 1 yr probation
Gila County Sheriff's Office	40,081/41,080		59,488	
Gilbert Police Dept.	50,535	60,642	70,748	Starting pay is recruit pay/officer Pay > For ED 2% AA, 6% BA, 8% Masters 10 step plan, merritt meets or above 3% merrit possible for 08/09 As of 10/31/2008
Cottonwood Police Dept.	36,979	45,300	53,620	
Buckeye Police Dept.				
Mesa Police Dept.	48,401/50,856	53,518	72,238	
Sierra Vista Police Dept.	41,688		62,513	
Prescott Police Dept.	42,660	49,920	60,236	
Sahuarita Police Dept.	45,808	53,892	61,976	
Sedona Police Dept.	39,674.97	48,442.81	57,210.65	
Yuma Police Dept.	42,745.92		59,844.72	

SALARY RANGE COMPARISON

Feb-08

AGENCY	SALARY RANGE			
GILA COUNTY S.O.	STEPS	MINIMUM	MIDRANGE	MAXIMUM
POSITION				
DEPUTY RECRUIT	36	\$34,549	\$42,099	\$51,292
DEPUTY SHERIFF	42	\$40,081	\$48,817	\$59,488
SERGEANT	51	\$50,044	\$60,964	\$74,297
LIEUTENANT	60	\$62,504	\$76,148	\$92,788
DETENTION OFFICER	30	\$29,785	\$36,296	\$44,241
DETENTION SERGEANT	38	\$36,296	\$44,241	\$53,892
DETENTION LIEUTENANT	50	\$48,817	\$59,488	\$72,488
DISPATCHER	29	\$29,078	\$35,422	\$43,160
DISPATCH SUPERVISOR	38	\$36,296	\$44,241	\$62,212
 TOWN OF PAYSON				
POSITION		MINIMUM	MIDRANGE	MAXIMUM
POLICE OFFICER RECRUIT	51	\$37,591	\$46,989	\$56,387
POLICE OFFICER	55	\$41,494	\$51,867	\$62,241
POLICE OFFICER II	57	\$43,595	\$54,493	\$65,392
POLICE DETECTIVE	59	\$45,802	\$57,252	\$68,702
SERGEANT	63	\$50,556	\$63,195	\$75,835
LIEUTENANT	70	\$60,096	\$75,120	\$90,143
DISPATCH 911 TRAINEE	45	\$32,415	\$40,519	\$48,623
DISPATCH 911	47	\$34,056	\$42,570	\$51,084
SENIOR DISPATCH	49	\$35,780	\$44,725	\$53,670
DISPATCH SHIFT LEADER	51	\$37,591	\$46,989	\$56,387

SALARY RANGE COMPARISON

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AGENCY	SALARY RANGE						
PINAL COUNTY S.O.	STEP 1 / 2	STEP 3 / 4	STEP 5 / 6	STEP 7 / 8	STEP 9 / 10	STEP 11 / 12	STEP 13 / 14
POSITION							
DEPUTY RECRUIT	\$42,515.20	\$44,699.20	\$46,987.20	\$49,379.20	\$51,896.00	\$54,537.60	\$57,324.80
124	\$43,596.80	\$45,822.40	\$48,172.80	\$50,627.20	\$53,206.40	\$55,910.40	\$58,760.00
DEPUTY SHERIFF	\$45,052.80	\$47,361.60	\$49,774.40	\$52,312.00	\$54,974.40	\$57,782.40	\$60,736.00
226	\$46,196.80	\$48,547.20	\$51,022.40	\$53,622.40	\$56,368.00	\$59,238.40	\$62,254.40
DEPUTY LATERAL	\$45,052.80						
	\$47,361.60						
SERGEANT	\$55,494.40	\$58,323.20	\$61,297.60	\$64,417.60	\$67,704.00	\$71,156.80	\$74,776.00
230	\$56,888.00	\$59,800.00	\$62,836.80	\$66,040.00	\$69,409.60	\$72,945.60	\$76,648.00
LIEUTENANT	\$70,470.40	\$74,048.00	\$77,812.80	\$81,764.80	\$85,924.80	\$90,292.80	\$94,889.60
235	\$72,238.40	\$75,899.20	\$79,768.00	\$83,824.00	\$88,088.00	\$92,560.00	\$97,281.60
DETENTION OFFICER	\$43,513.60	\$45,739.20	\$48,068.80	\$50,523.20	\$53,102.40	\$55,806.40	\$58,656.00
624	\$44,616.00	\$46,883.20	\$49,275.20	\$51,792.00	\$54,433.60	\$57,220.80	\$60,132.80
DETENTION SERGEANT	\$49,171.20	\$51,688.00	\$54,329.60	\$57,096.00	\$60,008.00	\$63,065.60	\$66,268.80
627	\$50,419.20	\$52,998.40	\$55,702.40	\$58,531.20	\$61,526.40	\$64,646.40	\$67,932.80
DETENTION LIEUTENANT	\$59,966.40	\$63,024.00	\$66,227.20	\$69,596.80	\$73,132.80	\$76,856.00	\$80,766.40
633	\$61,484.80	\$64,604.80	\$67,891.20	\$71,344.00	\$74,963.20	\$78,790.40	\$82,804.80
DISPATCHER I	\$30,888.00	\$32,489.60	\$34,174.40	\$35,942.40	\$37,793.60	\$39,728.00	\$41,745.60
719	\$31,678.40	\$33,321.60	\$35,048.00	\$36,857.60	\$38,750.40	\$40,726.40	\$42,806.40
DISPATCHER II	\$33,404.80	\$35,131.20	\$36,940.80	\$38,833.60	\$40,809.60	\$42,910.40	\$45,094.40
721	\$34,257.60	\$36,025.60	\$37,876.80	\$39,811.20	\$41,849.60	\$43,992.00	\$46,238.40
DISPATCH SUPERVISOR	\$47,340.80	\$49,753.60	\$52,291.20	\$54,953.60	\$57,761.60	\$60,715.20	\$63,793.60
728	\$48,526.40	\$51,001.60	\$53,601.60	\$56,347.20	\$59,217.60	\$62,233.60	\$65,395.20

SALARY RANGE COMPARISON

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AGENCY	SALARY RANGE						
GLOBE POLICE DEPT.		STEP 1	STEP 4	STEP 7	STEP 1	STEP 4	STEP 7
POLICE OFFICER		\$35,838.40	\$41,184.00	\$49,483.20	7 OFFICERS	3 OFFICERS	7 OFFICERS
POLICE SERGEANT		\$41,974	\$48,069	\$56,014	4 SERGEANT	2 SERGEANT	
POLICE LIEUTENANT		\$45,668	\$55,452	\$65,238			1 LIEUTENANT
DISPATCHER		\$27,394	\$32,448	\$37,502	4 DISP.	1 DISP.	1DISP.
RECORDS/SUPERVISOR		\$35,552	\$39,541	\$46,571			1 SUPERVISOR
YAVAPAI COUNTY S.O.		STEP 1	STEP 2	STEP3			
DEPUTY RECRUIT	C 62	\$41,145	\$48,579.00	\$56,012			
DEPUTY SHERIFF	C62	\$41,145	\$48,579	\$56,012			
SERGEANT	C84	\$49,785	\$58,779	\$67,774			
LIEUTENANT	C66	\$60,240	\$71,123	\$82,006			
DETENTION OFFICER	C60	\$34,004	\$40,147	\$46,291			
DETENTION SERGEANT	C62	\$41,145	\$48,579	\$56,012			
DETENTION LIEUTENANT	C65	\$54,763	\$64,657	\$74,551			
DISPATCH	C59	\$30,912	\$36,497	\$42,082			
DISPATCH SUPERVISOR	C62	\$41,145	\$48,579	\$56,012			

SALARY RANGE COMPARISON

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AGENCY	SALARY RANGE						
DEPT. OF PUBLIC SAFETY	CADET	MINIMUM	MIDRANGE	MAXIMUM	ANNUAL PERFORMANCE PAY ADDED		
CADET OFFICER (48 EMPLOYEES)	\$38,335					\$1054	
OFFICER (926 EMPLOYEES)		\$44,416	\$53,095	\$61,773	MINIMUM	MIDPOINT	MAXIMUM
					\$1,221	\$1,460	\$1,699
SERGEANT I (80 EMPLOYEES)	SINGLE SALARY \$67,950					\$1,869	
SERGEANT II (117 EMPLOYEES)	ALL ENTERING RANK OF SGT. SPENDS FIRST THREE YEARS AT SGT. BEFORE AUTOMATIC ADVANCE TO II SINGLE SALARY \$77,881					\$2142	
LIEUTENANT (45 EMPLOYEES)	SINGLE SALARY \$100,722					\$2770	
POLICE DISPATCHER (61 EMPLOYEES)		\$36,031	\$41,786	\$47,510	\$992	\$1,149	\$1,307
COMMUNICATIONS SUPER.	CIVILIAN CLASSIFICATION ON 9 STEP PAY PLAN, ANNUAL RAISES, MAXING OUT AFTER 9 YEARS OF SERVICE						
		\$45,609	\$52,734	\$59,858	\$1,254	\$1,450	\$1,646

CURRENTLY THERE ARE NO BONUSES OFFERED FOR EITHER SWORN OR CIVILIAN HIRING. CURRENT INCENTIVE FOR LATERAL OFFICERS IS MATCHING THEIR YEARS OF SERVICE OF QUALIFYING LAW ENFORCEMENT EXPERIENCE BY CREDITING THEIR TIME AS DPS EXPERIENCE FOR SALARY COMPUTATION.

SALARY RANGE COMPARISON

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AGENCY	SALARY RANGE			
APACHE JUNCT. P.D.	MINIMUM	MIDRANGE	MAXIMUM	
POLICE OFFICER RECRUIT	\$40,383.77	47,791	\$56,537.27	NO SIGN ON BONUS
POLICE OFFICER	\$45,690.52	54,071	\$63,966.73	
POLICE CORPORAL	\$49,203.70	58,228	\$68,885.18	
POLICE SERGEANT	\$58,487.73	69,215	\$81,882.83	RANGE IS FROM STEP A TO STEP I WITH 4.3%
POLICE CAPTAIN	\$82,641.64	97,799	\$115,698..	BETWEEN STEPS.
DISPATCHER TRAINEE	\$32,336.43	38,267	\$45,271.00	
DISPATCHER	\$36,585.70	43,296	\$51,219.98	
SENIOR DISPATCHER	\$39,339	46,625	\$55,158.31	
DISPATCH SUPERVISOR	\$54,311.67	64,273	\$79,036.34	
PIMA COUNTY S.O.	MINIMUM	MIDRANGE	MAXIMUM	
DEPUTY RECRUIT	\$56,555			NO SIGN ON BONUS
DEPUTY SHERIFF	\$38,272	46,062	\$53,851	
SERGEANT	\$56,555	61,007	\$65,458	2ND SHIFT (EVENING) \$.60
LIEUTENANT	\$88,440	92,973	\$97,505	3RD SHIFT (NIGHT) \$.65
DETENTION OFFICER	\$33,696	38,350	\$43,005	
DETENTION SERGEANT	\$44,059	48,215	\$52,372	
DETENTION LIEUTENANT	\$54,990	58,603	\$62,216	
DISPATCHER 911	\$34,775	42,788	\$50,801	
DISPATCH SUPERVISOR	\$40.67	49,910	\$59,155	

SALARY RANGE COMPARISON

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AGENCY	SALARY RANGE		
NAVAJO COUNTY S.O.	MINIMUM	MIDRANGE	MAXIMUM
DEPUTY RECRUIT	\$26,707	\$33,383	\$40,060
DEPUTY I	\$35,041	\$43,802	\$52,562
DEPUTY II	\$37,736	\$47,170	\$56,604
SERGEANT	\$42,694	\$53,368	\$64,042
LIEUTENANT (COMMANDER)	\$50,750	\$63,438	\$76,125
DETENTION OFFICER RECRUIT	\$25,420	\$31,775	\$38,130
DETENTION OFFICER I	\$28,760	\$35,950	\$43,140
DETENTION OFFICER II	\$30,971	\$38,714	\$46,457
DETENTION SERGEANT			
DETENTION LIEUTENANT			
DISPATCHER 911			
DISPATCH SUPERVISOR			
ARIZ. DEPT. OF CORR.	MINIMUM	MIDRANGE	MAXIMUM
CORRECTION OFFICER	\$32,916.00	\$43,315.00	\$51,614.37
SERGEANTS	\$39,425.36	\$49,798.00	\$60,172.53
LIEUTENANTS	\$41,224.14	\$51,737.00	\$62,250.24

LATERAL WOULD BEGIN AT HIGHER THAN MINIMUM

SALARY RANGE COMPARISON

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AGENCY	SALARY RANGE		
GRAHAM COUNTY S.O.	MINIMUM	MIDRANGE	MAXIMUM
DEPUTY RECRUIT	NO POSITION		
DEPUTY	\$37,414	\$47,138	\$56,862
SERGEANT	\$39,676	\$49,192	\$58,708
LIEUTENANT	NO POSITION		
DETENTION RECRUIT	\$30,732	NO INCREASE UNLESS HIRED FULL TIME	
DETENTION OFFICER	\$30,732	\$38,728	\$46,722
DETENTION SERGEANT	\$36,322	\$45,760	\$55,198
DETENTION LIEUTENANT	NO POSITION		
DISPATCHER 911	\$28,522	\$35,932	\$43,342
DISPATCH SUPERVISOR	\$34,086	\$42,952	\$51,818