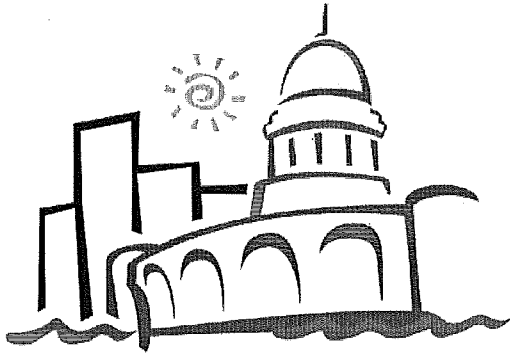


CITY OF MADISON



Madison

Report on the Feasibility of Providing Parking Security Using City Staff

Analysis and Recommendations

By the Parking Security Workgroup

4/4/2013

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Executive Summary

The Parking Security Workgroup, made up of representatives from the Parking Utility, Finance Department, including Risk Management, Mayor's Office, Human Resources Department, City Attorney's Office, Police Department, and Local 60, has met and evaluated parking security needs at the City of Madison Parking Utility. At the direction of the Mayor, the Workgroup also considered security needs throughout the City if security was internalized. The conclusions of the workgroup are not unanimous, with representatives from Local 60 disagreeing with many of the conclusions of the rest of the group. The following summarizes the Workgroup's conclusions:

- The Parking Utility's preferred level of security is to use uniformed security officers, armed with pepper spray, handcuffs, and batons, the same level of security that JBM currently provides under contract. Generally, the Workgroup agrees that this level should continue. However, Local 60 believes a level of security could be provided without baton or handcuffs, yet with pepper spray as a self defense mechanism and as a deterrent, believing the authority to use force on civilians should be left to commissioned officers of the MPD.
- The most efficient and cost-effective way to meet the Utility's needs outlined above is to continue using an outside contractor. The current contract with JBM costs approximately \$217,750 annually (\$25/hr. of security provided for year 2014 for 8,710 hours of security). However, if the total hours were reduced in the contract equivalent to Local 60's proposal (8,710 v. 8372), the contract would be \$209,300 in 2014.
- The Workgroup unanimously agreed that if security at the Utility were provided by City employees, these employees would be members of the Local 60 bargaining unit, with the salary range to be determined by Human Resources after a position study. The majority of the Workgroup believes a supervisor would be necessary to supervise this unit, although Local 60 believes supervision could be accomplished through leadworkers and existing management. Local 60 also believes the level of security could be reduced to eliminate the need for batons and handcuffs, and restructured to reduce the total number of hours without a decrease in service to the public.
- Under the model developed by the majority of the Workgroup, reflected in Table 3A of this report and incorporating the current number of hours of security with a supervisor, if the Parking Utility were to take on providing security for the ramps using City employees, Year 1 costs for salaries/benefits would start at approximately \$387,000. In year 5, salary/benefit costs increase to approximately \$428,000.
- Under Local 60's model, shown in Table 3B, which reflects its belief that adding a full time supervisor for five permanent and five hourly positions is excessive, and that current Parking management along with a lead worker would be sufficient, Year 1 costs would be approximately \$266,000. These costs increase to approximately \$294,000 in Year 5.
- The Workgroup unanimously agrees, assuming the current level of security, that fixed costs in establishing the unit, including vehicles, training, and equipment would be in excess of \$152,000. Annual maintenance/equipment costs are approximately \$34,000. If the level of security were reduced per Local 60's proposal, the Workgroup agrees that costs to establish the unit would be approximately \$123,000, with annual costs of

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\$34,000. The difference is mostly due to a reduced amount of required training, and not having to purchase batons and handcuffs.

- Neither the salary nor the maintenance/equipment cost numbers take into account the potential for increased liability if the City were sued for the actions of a security officer. The current contract with JBM provides that JBM bears all liability costs.
- If security needs at other City facilities, including CDA Housing and the Municipal Court—which both required security officers with firearms, are considered, then staff would require more training, to include firearms certification. In this case, it is likely that the staff would be police officers providing security at all facilities. It is most efficient to train to the highest level of security needed in order to provide flexibility in assignments.
- The Workgroup concludes that while armed police officers may be appropriate to provide security for CDA Housing and the Municipal Court, this level would be more than what is required for the Parking Utility, as well as other agencies, such as Monona Terrace and the Library. In those cases, the agencies may be paying staff well in excess of what is required to perform the work. Based on this, the Workgroup concludes that it would not be efficient or cost effective for the City to provide security that requires armed security officers.

Table 1—Overview of the Differences Between the Workgroup and Local 60

	Workgroup	Local 60
Level of Security	Current level—OC Spray, Cuffs, Baton	Reduced level—OC Spray, no cuffs or baton
Staffing (if provided by the City)	Full-time Security Officers where possible, supplemented by hourly staff, and a permanent supervisor over the unit.	Part-time Security Officers supplemented by hourly staff, no supervisor. Leadworkers oversee other staff.
Number of hours	Current number of hours, 8,710 annually	Reduced number of hours, but with flexibility to provide additional security because of part-time staff.
Training	80 hours before staff is allowed to work in the ramps.	40 hours—reduced due to fewer tools handled by the Officers.*
Fixed costs	Includes calculation for training, batons and cuffs.	Reduced costs for training, no costs for batons and cuffs.

The conclusions outlined above are analyzed in greater detail within this report.

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Introduction and Background

The Finance Department submitted 2 reports to the Board of Estimates (BOE) relative to the feasibility of having security at the parking ramps performed by City staff, dated June 27, 2012, and August 24, 2012 (attached as Appendix 1 and 2 respectively). Both reports concluded it would be more costly to have City staff provide security than to continue with the current contract arrangement with JBM Security. AFSCME Local 60 provided a response (Appendix 3) to the June 27, 2012 report that was also considered by the BOE.

During its meeting on August 27, 2012, the BOE voted to accept the reports referenced above. However, the BOE also directed

...Parking Utility management to meet with Local 60 representatives, MPD, Finance, HR, and any other relevant parties to further study the concept of in-housing Parking Utility security. A report of such meetings will be provided to the BOE by March 31, 2013. (Legislative File #26883 Version 1)

In order to respond to this directive, the Parking Security Workgroup was established in September, 2012, to review security needs at the Parking Utility and to make recommendations as to whether it is feasible to provide security using City employees. The members of the Workgroup are

- Guy VanRensselaer—Facilitator
- Sally Miley—Mayor's Office
- David Dryer, Tom Woznick, David Wills—Parking Utility
- Mike Lipski, Sarah Olson—Human Resources
- Dan Bohrod—Finance Department
- Eric Veum—Risk Management
- Capt. Carl Gloede—Madison Police Department
- Patricia Lauten—City Attorney's Office
- Jon Cottom—Administrative Clerk 2, Parking Utility
- Tim Birkley, Jennifer McCulley—AFSCME Local 60

The Workgroup has generally met weekly since September 13, 2012, for 1.5 hours a week. Most of the people on the above list have attended the majority of meetings as schedules have allowed. The Workgroup has considered statistical reports outlining the need for security in the ramps, listened to experts discuss issues such as the appropriate level of security, risk and liability concerns, and heard from other City agencies who contract for security. All this information was considered in making recommendations regarding security at the Parking Utility.

At the first meeting, Mr. VanRensselaer indicated that in addition to reviewing security at the Parking Utility, the Mayor has asked that the Workgroup consider a model for providing security at all City agencies that require it using City staff. This report therefore considers security both at the Parking Utility and the possibility of using City staff to provide security at other City agencies.

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Current Security at the Parking Utility

The June 27, 2012 report found in Appendix 1 outlines the current security arrangement at the Parking Utility. Briefly, the Utility contracts with JBM Security to provide security in 5 City-owned ramps and other surface parking lots 7 nights a week, and for additional special events. The security officers, in addition to monitoring activities within the ramps, escort parking cashiers to vehicles at the end of their shift, discourage loitering, and provide other security services, along with answering the “helpline” and assisting customers when Parking Utility employees are not staffed. The Officer Duties are spelled out in detail on Page 3 of the June 27 report.

JBM Security officers, under the terms of the current contract, are provided training, conducted by JBM, prior to, or within a short duration after, starting work at the parking ramps. JBM Security Officers ride in a marked vehicle, wear a uniform, have a radio, and carry pepper spray, cuffs, and a baton. The JBM Security Officer is expected to maintain security in the parking facility. If there is a disturbance at a facility, the Officer is expected to first make contact with the Police Department and then intervene. In most cases, the intervention is limited to a verbal response. Over the past 3 years, there have only been three instances in which a Security Officer has actually pulled out OC/Pepper spray to intervene in an incident, and in no case was the spray actually deployed. However, it is impossible to measure the deterrent effect of having such equipment present in the ramp. Specifically, there is no way to determine how many incidents were prevented, or didn't escalate, because of the presence of the Security Officer with equipment such as baton, cuffs, and pepper spray.

Local 60 would like to point out that, consistent with the terms in the existing contract, there have been JBM officers deployed to work at the Parking Utility, on occasion, who were equipped with pepper spray, handcuffs, and a baton, with the ability to use force, who had not at the time received the training or certifications for use of said tools. Local 60 also believes that despite the work group not being able to quantify the deterrent effects of security officers being equipped with a baton and cuffs, they can state that there has been no instance of use, or brandishing of said tools, brought to the work group, and therefore is why Local 60 believes security officers could be armed with pepper spray only and be as effective, along with their belief that the use of tools of restraint and blunt force should only be used by commissioned officers.

The City has a contract with JBM outlining the terms of the relationship. Basically, the City is charged \$25/hr. for each hour of security that is needed. In exchange for that \$25, JBM is responsible for

- hiring officers
- training officers
- scheduling officers
- deploying officers
- all fixed costs, including vehicles and equipment
- liability for any incidents that occur between an officer and patron
- worker's compensation costs for officer-related incidents

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The City is not involved in any of the above activities. If an officer is unavailable for a shift, JBM is responsible for ensuring that a different officer is deployed for the shift. Because JBM employs a large group of security officers for a number of different clients, economies of scale make it easy for JBM to reassign someone to the parking ramps as necessary.

Local 60 representatives strongly believe that the City not being involved in the hiring, training, scheduling and deploying of security officers along with the responsibility this entails is a disadvantage for the City, its citizens, its customers, and its employees.

- Hiring - Local 60 believes that hiring internally would eliminate high turnover which currently is the experience with the contracted service, and was an original concern of employees when the security topic was first brought to the BOE. Local 60 believes strong recruitment efforts by Human Resources will yield highly vetted workers, who are compensated with a wage and benefit package that reflects the City's value of public safety officials and will result in vested long term employees committed to their position of providing public safety for customers of the Parking Utility, citizens of Madison, and its guests.
- Training – It is clear in the report of this work group that if the City were to hire security officers internally that the training the City employed officers would be provided would be comprehensive, would likely be greater than the number of hours in the current JBM contract, and would ensure customers, citizens, and employees that those employed by the City of Madison equipped with use of force tools, and the obligation to deploy them, have received full training to do so before deployed into the field.
- Liability – Local 60 representatives believe that the comprehensive training provided by the City would greatly reduce liability concerns, and point to the fact that no instance of a liability claim by a contractor in employment of the Parking Utility was presented to the work group. Local 60 also feels that the concern over potential liability should not dissuade the City from taking full responsibility for deployment of security officers with the ability to use force on the public, but should drive the City to ensure we are providing the most trained and vetted option for the public.

Regarding liability, the contract shields the City from any liability for incidents that occur in the ramps involving security officers. For example, within the last 3 years, a patron sued the City over an incident that occurred involving a security officer (not at the Parking Utility). Pursuant to the terms of the contract, the City motioned to be removed from the lawsuit and Midwest Patrol Investigative was responsible for the outcome of the case. In fact, the City is unaware of how the case was settled because the contractor bears all liability. A longer discussion of risk and liability can be found in Appendix 4.

It is also important to note that the Parking Utility is an enterprise agency, which, as noted in the June 27, 2012 report, means the Utility is financially independent from other City operations. The Utility is required to fund any change in its budget, and this is generally done through fee increases. While fee increases are historically required to fund an excessive change in budget, Local 60 has suggested an alternate funding model which could help offset the cost difference

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between contracted and internal security employment with little to no impact on the general Fund. (Please see Appendix 5)

What Level of Security is Required?

The first task the Workgroup undertook was to determine the appropriate level of security for the parking ramps. As noted above, JBM currently patrols the ramps in marked vehicles, and carries batons, pepper spray, and handcuffs. The Workgroup wanted to analyze whether this level of security was appropriate or if a different model could be used in providing security in the ramps.

In discussing possible options, the Workgroup determined that there were 5 different options for providing security at the ramps, outlined in Table 2:

Table 2—Possible Security Levels

Level	Security Staff	Uniforms	Radio	Vehicles	Pepper/OC Spray	Baton	Handcuffs	Firearm	Expected Response
0	N	N	N	N	N	N	N	N	No Security provided
1	Y	Y	Y	Y	N	N	N	N	Provide a presence in the ramps, observe and report incidents
2	Y	Y	Y	Y	Y	N	N	N	Provide a presence in the ramps, observe and report incidents, intervene as necessary
3	Y	Y	Y	Y	Y	Y	Y	N	Provide a presence in the ramps, observe and report incidents, intervene as necessary
4	Y	Y	Y	Y	Y	Y	Y	Y	Provide a presence in the ramps, observe and report incidents, intervene as necessary

After establishing the possible security levels, the Workgroup reviewed incident reports provided by the Parking Utility, Police Department, and JBM. The reports show that a variety of incidents occur in the ramps which require a security presence. Many incidents involve intoxicated patrons. There are a large number of disorderly conducts reports from the ramps, including loitering and fights, and property damage. Although rarer, assaults, including sexual assaults, occur in the ramps. Three people have committed suicide at ramps in the last 3 years. Security officers would be expected to report and then intervene in any of these types of incidents.

The Workgroup then established criteria for determining the appropriate level of security, including:

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- Cost
- Level commensurate with reported incidents
- Risk/Liability
- Customer Expectations
- Employee Expectations

Once the types of incidents that occur in the parking ramps were reviewed against the above criteria, the Workgroup quickly eliminated Level 0 and 1 as being drastically less than what is currently provided, and neither level would meet the Parking Utility's needs. However, the Workgroup also identified Level 4 as being too excessive for the level of security that is required. The Workgroup concluded that Level 3, the current level of security, continues to best meet the needs of the Parking Utility. Local 60 believes Level 2 could provide an appropriate level of security. However, a number of reasons were provided which make Level 3 a more appropriate level.

Cost—The Utility currently uses Level 3 security so continuing the status quo would not change any costs for the Utility. Using a lower level may require less training, and would not require the use of batons or handcuffs, but the savings on training and equipment would not be significant.

Level commensurate with reported incidents—As noted above, serious incidents occur in the ramps which may require security intervention. The Workgroup considered that if security officers are going to be present, it is important for them to be appropriately prepared to intervene. Capt. Carl Gloede, of the Police Department, indicated that if security is going to be present, it is important the guards be given the tools to effectively intercede in situations. Capt. Gloede believes the current level of security is effective to meet the incidents that occur in the ramps. Deputy City Attorney (DCA) Patricia Lauten explained that providing security officers with the current tools (baton, cuffs, spray) continues to provide the best level of security in the ramps. Providing fewer tools may limit the officers' ability to respond creating problems for the City (see Risk/Liability). Local 60 notes that, other than the three documented instances where OC Spray was pulled, there were no documented instances of the use of any of these tools by a JBM security officer presented to the work group, and therefore believes that Level 2 is appropriate.

Risk/Liability—DCA Lauten, and City Risk Manager, Eric Veum, both explained that a reduction in the current level of security could expose the City to greater liability in a lawsuit. In part, this is because the Parking Utility has established a current level of security in arming security officers with spray, cuffs, and batons. A reduction in this level would need to be supported by data, and because the crimes that occur in the ramps can be serious, the data does not support a reduction in level.

Customer Expectations—Feeding into Risk/Liability, customers have also come to expect a certain level of security. If the Parking Utility were to change the level, this would have to be communicated to customers, with an explanation as to why a change is made. If there were an incident, a customer may sue the City and one argument would be that the reduced level of security played a role in the incident not being stopped/prevented. Capt. Gloede and DCA Patricia Lauten both raised a concern that the Utility cannot give customers a false sense of

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security by placing employees in a uniform and marked car without proper training and essential equipment to intervene. Parking ramps are frequently portrayed in media as unsafe and “scary” places. It is important that the Utility provide a level of security to address these perceptions. Uniformed and equipped employees give customers an expectation of security. Again, this is more fully discussed in Appendix 4.

Employee Expectations—Parking Utility employees rely on security to provide an escort to their vehicles at the end of a shift. Again, Utility employees have come to expect a certain level of security and any change in that level would have to be explained and justified yet could still be deemed grounds for a lawsuit.

Local 60 points out that numerous Parking Utility employees have publically testified at the BOE about their concern with JBM personnel. Local 60 believes the City would do a better job of hiring and vetting candidates.

Overall, based on the criteria outlined above, the Workgroup, with the exception of Local 60, did not find that the evidence justified a reduction in the level of security.

Who Should Provide Security?

Once the appropriate level of security was evaluated, the Workgroup analyzed who should provide the security for the Parking Utility. The two options were to continue using an outside contractor to provide security or to use City employees to provide this security.

Workgroup Model—Staffing

The Workgroup developed a model to evaluate if the Parking Utility were to provide its own security using City employees. In this scenario, the Parking Utility would need to create a new security unit within the Parking Operations Unit. A minimum staffing model would involve hiring a new supervisor, and the equivalent of at least 4.6 permanent FTE to cover the necessary hours. In addition, hourly staff would be required to fill unanticipated absences, vacations, and additional shifts as needed. This model is outlined in Table 3A.

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Table 3A—Workgroup Model Staffing the Security Unit Using City Employees—Year 1

Position	Type	Position Pct	Hours/Week (Max = 40/wk)	Comp. Group ¹	Est. Hourly Rate	Benefit Rate	Benefit Exp. (per hour)	Total Compensation /hr.	Total Annual Hours	Annual Comp (52 weeks)
Officer 1	Permanent	1.00	40.00	16-13	\$23.56	0.363	\$8.55	\$32.11	2,080	\$66,794
Officer 2	Permanent	1.00	40.00	16-13	\$23.56	0.363	\$8.55	\$32.11	2,080	\$66,794
Officer 3	Permanent	1.00	40.00	16-13	\$23.56	0.363	\$8.55	\$32.11	2,080	\$66,794
Officer 4	Permanent	0.50	20.00	16-13	\$23.56	0.363	\$8.55	\$32.11	1,040	\$33,397
Officer 5	Permanent	0.50	20.00	16-13	\$23.56	0.363	\$8.55	\$32.11	1,040	\$33,397
Backup	Hourly	0.00	8.50		\$15.26	0.114	\$1.74	\$17.00	442	\$7,514
			168.50						8,762	\$274,690
Backup/Relief	Permanent	0.60	24.00	16-13	\$23.56	0.363	\$8.55	\$32.11	1,248	\$40,076
Backup (On-Call)	Hourly	0.00	8.00		\$15.26	0.114	\$1.74	\$17.00	416	\$7,072
Supervisor	Permanent	1.00	38.75	18-04	\$23.82	0.363	\$8.65	\$32.47	2,015	\$65,420
Total			239.25						12,441	\$387,258

It is likely additional hours would be required. Unlike most City positions, the Utility cannot absorb a call in, leave of absence, or vacancy without having someone fill in to provide security. In addition, it takes at least 2 months from the time a person leaves to recruit and train a replacement. Therefore, it is likely the Utility would need to hire an extra position or additional hourly personnel to handle vacancies that may occur. This is similar to the situation at Madison Metro, where there are more bus drivers than required for a single day because Metro must have personnel available to cover absences and vacancies.

Reviewing the model outlined in Table 2, the minimum dollars required to staff this unit in Year 1 would be approximately \$387,000. It should be reiterated that this is merely an estimate. Also, the dollars in the above table assume newly hired employees at step 1-2 of the salary schedule. However, all employees who successfully pass probation will advance to step 5 within 40 months. Looking at the dollars in Year 5 gives a better estimate of the annual cost of the unit. In Year 5, the cost for salaries and benefits is \$428,113, and this assumes a constant benefit rate.

Local 60 Model—Staffing

It is possible that the total number of hours of security that is provided could be reduced. Local 60 proposed a model whereby the total number of security hours is flexible between 8,372 – 8,888. This would not have a significant impact on the material/equipment costs. However, if staff is classified at a lower range, incorporating the reduced number of hours, and eliminating the supervisor in the Workgroup’s model, the total staffing costs in Year 1 is reduced to

¹ It should be noted that the comp group/range is an estimate. The final compensation group and range would be determined once a detailed position description is established and following a position study. The ultimate result would be presented for final Council approval following a recommendation by the Personnel Board.

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\$265,689. These costs increase to over \$294,000 for salaries and benefits in Year 5. It should be noted that if the hours were reduced, the contract with the external provider would similarly be reduced (\$209,300 at \$25/hr.).

The Local 60 model is represented below in Table 3B. This model incorporates permanent part time employees and hourly employees allowing for shift coverage and trainings without incurring overtime expenses, while reducing benefit costs, a practice the Utility employs now with its revenue staff. This model also assumes a slightly lower compensation group than Table 3A, as Local 60 believes Table 3A overcompensates proposed security positions, paying them more than Parking Revenue Lead Workers who are responsible for Parking operations on nights and weekends without a manager on duty.

Table 3B—Local 60 Model Staffing the Security Unit Using City Employees—Year 1

Position	Type	Position Pct	Hours/Week (Max = 40/wk)	Comp. Group ²	Est. Hourly Rate	Benefit Rate	Benefit Exp. (per hour)	Total Compensation /hr.	Total Annual Hours	Annual Comp (52 weeks)
Officer 1	Permanent	0.75	30.00	16-10	\$22.92	0.363	\$8.32	\$31.24	1560	\$48,734
Officer 2	Permanent	0.75	30.00	16-10	\$22.92	0.363	\$8.32	\$31.24	1560	\$48,734
Officer 3	Permanent	0.70	28.00	16-08	\$21.72	0.363	\$7.88	\$29.60	1456	\$43,098
Officer 4	Permanent	0.70	28.00	16-08	\$21.72	0.363	\$7.88	\$29.60	1456	\$43,098
Officer 5	Permanent	0.60	24.00	16-08	\$21.72	0.363	\$7.88	\$29.60	1248	\$36,941
Backup	Hourly	0.00	21.00		\$15.26	0.114	\$1.74	\$17.00	1092	\$18,564
			161.00						8,372	\$239,169
Backup (On Call)	Hourly	0.00	30.00		\$15.26	0.114	\$1.74	\$17.00	1560	\$26,520
Total			191.00						9932	\$265,689

Fixed Costs for the Security Unit

In addition to the salary and benefit costs, the Parking Utility would need to secure materials and equipment for the unit. This includes vehicles, uniforms, batons, cuffs, spray, radios, and an office for the supervisor with computer, telephone, and other office supplies. These costs are summarized in Table 4. The Workgroup reached consensus on the costing in this table. The startup costs for establishing the unit with Level 3 security would be approximately \$152,500. An additional \$34,000 in annual costs would be required. Overall, not counting the startup costs, the minimum amount that this unit would cost to staff annually at Level 3 is in excess of \$421,000, or approximately twice the cost of the JBM contract. In year 5, the costs escalate to \$462,000 annually.

² It should be noted that the comp group/range is an estimate. The final compensation group and range would be determined once a detailed position description is established and following a position study. The ultimate result would be presented for final Council approval following a recommendation by the Personnel Board.

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Table 4—Fixed Costs for Security Unit

Category	Estimated Cost/Unit	Number of Units	Unit of Measure	Payment/Year	Total	Useful Life/Depreciation Period (Years)	1st Year Annualized Cost/ Year	Subsequent Years Annualized Cost/ Year
Security Vehicles								
Security Vehicles (Dedicated)	\$25,000	2			\$50,000	4	\$12,500	\$12,500
Security Vehicle (Roving)	\$25,000	2			\$50,000	4	\$12,500	\$12,500
Fuel/Maintenance/Insurance	\$0.28	16500	Mile		\$4,579	1	\$4,579	\$4,579
Specialty Supplies								
Utility Belts	\$40	8			\$320	10	\$320	
Badges	\$40	8			\$320	10	\$320	
Baton (with case)	\$105	8			\$840	10	\$840	
Handcuffs (with case)	\$45	8			\$360	10	\$360	
OC (Pepper) Spray (with holster)	\$35	8			\$280	4	\$280	\$70
Police-style coats	\$125	8			\$1,000	10	\$1,000	
Security Guard								
Initial Training/Certification	\$3,000	8			\$24,000		\$24,000	\$0
Initial Training Coverage: \$4K/wk	\$4,000	4			\$16,000		\$16,000	\$0
Workers Compensation	\$2,600				\$0		\$2,600	\$2,600
Liability Insurance	Unknown				\$0		Unknown	Unknown
Equipment Costs								
Radio	\$1,100	4			\$4,400	5	\$4,400	\$880
Radio Warranty/Maintenance	\$151	2	per year	1	\$302	1	\$302	\$302
Cell Phone	\$38	2	per month	12	\$75	1	\$900	\$900
Office Supplies	100	1	per year	1	\$100	1	\$100	\$100
Total					\$152,576		\$81,001	\$34,431

Under Local 60's proposal, the Workgroup agrees that the startup costs would only be approximately \$123,000 due to a lower requirement for initial training and less equipment costs. However, the annual costs of \$34,000 would be unchanged. Overall, not counting the startup costs, the minimum amount that this unit would cost to staff annually at Level 2 in accordance with Local 60's proposal is in excess of \$299,000, or approximately \$90,000 more than the cost of the JBM contract if the hours were reduced to the level in the Local 60 proposal. In year 5, the costs escalate to \$328,000 annually.

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Evaluating the Pros and Cons of Contracted vs. City

Once again, after the Workgroup developed a model for providing security using City staff, criteria were developed to evaluate whether this option would work at the Parking Utility. Using a contractor versus providing security with City employees both have their pros and cons. The following table outlines the factors for consideration.

Table 5—Analysis of Who Should Provide Security

Criterion	Outside Contractor	City Staff
Cost	x	
Risk/Liability	x	
Impact on Existing Operations	x	
Ease to implement	x	
Future needs of the Utility	x	
Efficiency	x	x
Value for Taxpayer Dollars	x	

Each criterion will be discussed in more detail below.

Cost—The current contract with JBM states that JBM will provide security for the Parking Utility at a flat rate of \$24/hour. The Utility currently provides 8,710 hours of security, 7 nights a week, at an annual cost of \$209,040. Assuming the schedule remains unchanged, this amount will increase to \$217,750 in 2014 as the hourly rate will increase to \$25/hr. The contract will be put out for bid in 2014 so costs beyond that time are unknown. However, it is likely that the rate will not increase more than \$1/hr. annually, as that is what the Utility has seen in past years.

The models outlined above show that if the Parking Utility were to provide security using City employees, the costs would more than double over the existing contract costs in Table 3A, and increase approximately 43% in Table 3B. In addition, start-up costs for the unit are in excess of \$152,000. These costs do not take into account the increased risk of liability, described below.

A decision based purely on cost would continue to have security provided by an outside contractor as it is clearly the cheaper option for the City.

Risk/Liability—As noted earlier, the current contract with JBM calls for the contractor to take on all liability if there is an issue with security in the ramps. JBM is responsible for ensuring that the security officers are trained to expectations. JBM is also responsible if a citizen files a lawsuit over security in the ramps. The City has been able to successfully extricate itself from litigation because of this contract provision. While the City has not had a claim filed against it in relation to security provided in the ramps over the last six years, it has from other contracted security as noted previously in this report. Due to the indemnification and insurance language in the contract with the security provider, the City was successful in tendering that claim and its related costs to the contracted security provider.

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DCA Lauten and Risk Manager Veum both clearly outlined the increased risk that the City would take on if City staff were used to provide security. The City would be responsible for ensuring that the training for the security officers is appropriate. This would involve developing a new training program for staff as the City currently does not employ security officers who operate at the level required by the Parking Utility. This training would need to be conducted by City staff and annual refresher training would be required. In case of a lawsuit, the City would have to defend the training that it developed and provided as appropriate. A judge or jury would have the final say as to whether the City met its' burden.

It is extremely difficult to quantify the costs as there may be years without a claim, but one large claim could cost the City hundreds of thousands of dollars, if not millions. The City's insurance costs would increase because of this increased risk and potential liability. In addition, while the City may ultimately prevail in court, cost still exists in terms of time required to prepare for trial. A large case could require weeks of preparation, pre-trial motions and discovery, and witness preparation. Currently the City does none of these activities as it relates to security because the contractor assumes all this responsibility.

What makes these claims so difficult to estimate is their infrequency of occurrence and their severity. Claims that we would expect include personal injury (false arrest, false imprisonment), bodily injury and civil rights claims including excessive use of force. The severity issue arises from the fact that many of these claims could fall outside of the State statutory caps that the City benefits from. Claims under the statutory caps are limited to \$50,000 per claimant. We may also lose the benefit of our other protections under State statute. This not only means the City is open to unlimited liability, but if we are unsuccessful, we may have to pay the plaintiffs legal fees which can be significant in a large case.

While the increased exposure associated with adding security officers would not directly increase the insurance costs (the additional employees and budget increase would), but any increase in claims experience associated with the services would increase the City's insurance costs.

Risk Manager Veum contacted the UW-Madison and inquired about what type of claims they have experienced from their security officers. UW-Madison staff indicated they had not experienced any liability claims in the last 10 years, but they had experienced workers' compensation claims. While the exposures faced by the security in the City's ramps may be different from that experienced on a daily basis by the UW-Madison security officers, we believe similar types of claims will occur. These are slips, trips and falls, and vehicle accidents. The average City claim cost for these two types of claims for the years 2006 – 2012 are as follows:

- Slips, Trips and Falls - \$5,641
- Vehicle Accidents - \$11,045

If we take a conservative approach and assume one vehicle accident every two years and two slip, trip or fall claims a year, that results in increased workers' compensation costs of \$16,804 per year. The above costs do not include any additional workers' compensation costs related to other common claims associated with the City's police force. Such additional claims occur from

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altercations, training injuries, and back issues associated with duty belts. As the UW-Madison data did not include claims from these areas, they were not included in the above \$16,804 figure, but we would expect to see claims in these areas at some point.

In reviewing the risk/liability involved in providing security, the City is in a much better position letting the contractor bear all this responsibility. Providing security using City employees exposes the City to a whole new area of risk and potential litigation that currently does not exist.

Impact on Existing Operations—Currently, security is provided by an outside contractor, and incident reports are reviewed by a supervisor at the Parking Utility. Issues or concerns are generally addressed in a phone call with the contractor. If a security officer is sick or otherwise unavailable for a shift, the contractor is responsible for ensuring that appropriate staff is available. Because the contractor provides security for a large number of companies, not just the Parking Utility, it has a large number of officers available who can be reassigned as needed. If the Utility has concerns over a particular officer, the Utility can simply ask the contractor to not assign that person to the Utility anymore and the request is honored.

If security were provided under the direct supervision of the Parking Utility, this would create a whole new work unit within Utility operations. The Utility would be responsible for hiring and supervising a new group of specialized employees, which would be upwards of 5-7 permanent individuals and additional hourly staff. The Utility would have to find workspace for the new unit, and would have to directly address issues that occur in the unit, including performance and attendance issues. Also, as noted above, the Utility would have to develop and find a way to administer a training program for the employees. This would take additional time that the Utility currently doesn't spend on security, and it is the main reason a supervisor would be required to oversee the operations of the unit.

Overall, the Utility currently is not set up to have security provided internally and changing this would have significant impacts on existing operations.

Ease to Implement—Continuing to use a contractor would not cause any disruption in Utility operations.

As noted above, implementing this at the Utility would be more difficult. Unlike the Police Department, the Parking Utility has no experience in providing security. A new unit would need to be created, necessitating additional space. The Utility would need to develop position descriptions and HR would need to perform a detailed study to determine the appropriate classification and salary ranges for the supervisor and security officers. As noted earlier, the costs in this report are merely estimates and the actual salary range could be higher or lower. Following the job study, the Personnel Board and Council would have to approve the classifications and the Utility budget would need to be amended to allocate the costs. It is likely that the Utility would then recruit to hire the supervisor and allow that person to develop the training, policies, and procedures for the new unit. Then recruitment for the security officers would begin. Also during this time, the equipment for the unit would need to be ordered. This entire process would take a minimum of six months, but likely closer to a year. During this entire time, the Utility would need to continue using contracted security and paying those costs.

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It is clear that it would be much easier to continue using contracted security than for the Utility to create and hire an entire new work unit for security.

Future Needs of the Utility—The Utility ramps are aging and it is anticipated that over the next few years, plans to replace/upgrade many of them will be developed. It is well known that the Parking Utility is planning to reconstruct the Government East ramp in the next 5 years. This provides an opportunity for the Utility to take advantage of new technologies and advances in ramp design to create a safer environment for customers. As such, the current model for providing security may change. If that happens, the current arrangement of using contracted security staff provides the greatest flexibility in allowing the Utility to implement change. If less staff is required, the Utility simply asks for fewer hours and pays correspondingly less money. If a change in requirements is necessary, this can be negotiated into a new contract.

If security staff are City employees, it is far less easy for the Utility to make changes to the staffing model without having to be cognizant of union contract requirements. For instance, if fewer hours are required, a cut in hours could result in the employee exercising bump rights and moving to a different position. In that case, the Utility would then have a vacancy to fill. If less total staff is required, again, the Utility would either lay off an employee or the employee would exercise bump rights and move to a different position, setting off a chain reaction of bumping. Changed requirements would result in a position study that could affect the classification and salary range of the security officers. All these things make it less easy for the Utility to adapt to changes that may occur in the future.

Overall, having a contract relationship with security allows the Utility much greater flexibility when implementing changes in the way security is provided in the ramps.

Local 60 representatives disagree that “it is far less easy for the Utility to make changes to the staffing model without having to be cognizant of union contract requirements”, but argue that union contracts encourage management and labor to work together to find solutions to enact change that incorporates a human element to the numbers based practice of staffing models and budgets. Table 3B uses permanent part time employees and hourly employees, which would help negate the concern of future bumping as a result of elimination of security hours the Parking Utility provides. Local 60 also points that this work group is working under the premise that if the City were to employ its own security at the Parking Utility this would likely occur no sooner than 2015, where there will be a new document with labor that will govern how employee displacement occurs as a result of position/work hour elimination, and that may or may not reflect current contractual language in regards to bumping. Also, Local 60 has suggested that if the City were to employ its own security officers, that in its beginning stages, the positions should be classified as LTE to alleviate or confirm the concerns voiced in this report.

Efficiency—As noted above, a contracted arrangement for providing security allows the Utility great flexibility in the way security is provided at the ramps. However, having direct control over the employees providing security also provides efficiencies for the Utility. The Utility has greater control over the selection process for officers. In addition, the Utility can develop and deliver training specific to the needs of the Utility. The Utility can also work to develop staff.

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While a contract provides flexibility for the Utility, creating efficiencies, other efficiencies can be gained using City employees to provide security.

Value for Customer Dollars—As outlined above in the Costs section, it is significantly cheaper to continue using a contract arrangement in providing security. While customers are concerned with more than just money, the Utility has not received complaints from the public which would motivate a change in the way that security is provided. In addition, as noted earlier in this report, the Parking Utility is an enterprise agency. As such, it would have to raise funds to pay for this new unit, which would likely result in additional fees for the customers if the staff were City employees. Overall, it appears the current model is effective and as such continues to be the best value for customer dollars.

Local 60 representatives point again to Appendix 6 to suggest a model to defer a cost increase as a result of hiring security internally.

It is apparent from the above discussion that the significant majority of factors weigh in favor of continuing to use a contractor to provide security for the Parking Utility.

Security at Other City Agencies

As noted at the outset of this report, the Mayor asked the Workgroup to consider the feasibility of using City employees to provide security for other agencies who require it, such as CDA Housing and the Municipal Court. Both those agencies require security officers to have a firearm. The Workgroup met with Housing Manager Agustin Olvera, who provided an overview of the needs of CDA Housing. The Workgroup agreed that the nature of the incidents and expectations of the residents supports continued use of security with firearms, equivalent to Level 4 outlined in Table 1.

Having security officers with firearms adds additional elements for consideration, including increased training responsibility and liability concerns. DCA Lauten said that once firearms were added to the conversation, the training responsibility is much greater because the risk of use of force is greater. Any lawsuit in this area would have a higher threshold for the City to meet in ensuring that staff were properly trained. Capt. Gloede indicated that it would be difficult for armed employees to not be a part of the Police Officers Union. At that point in the conversation, it became apparent that the best way to provide security using armed employees would be to use Police Officers. However, this is a much greater level than required at most places, including the Parking Utility. This would also be much more costly than what CDA Housing is currently paying for security, approximately \$21/hr.

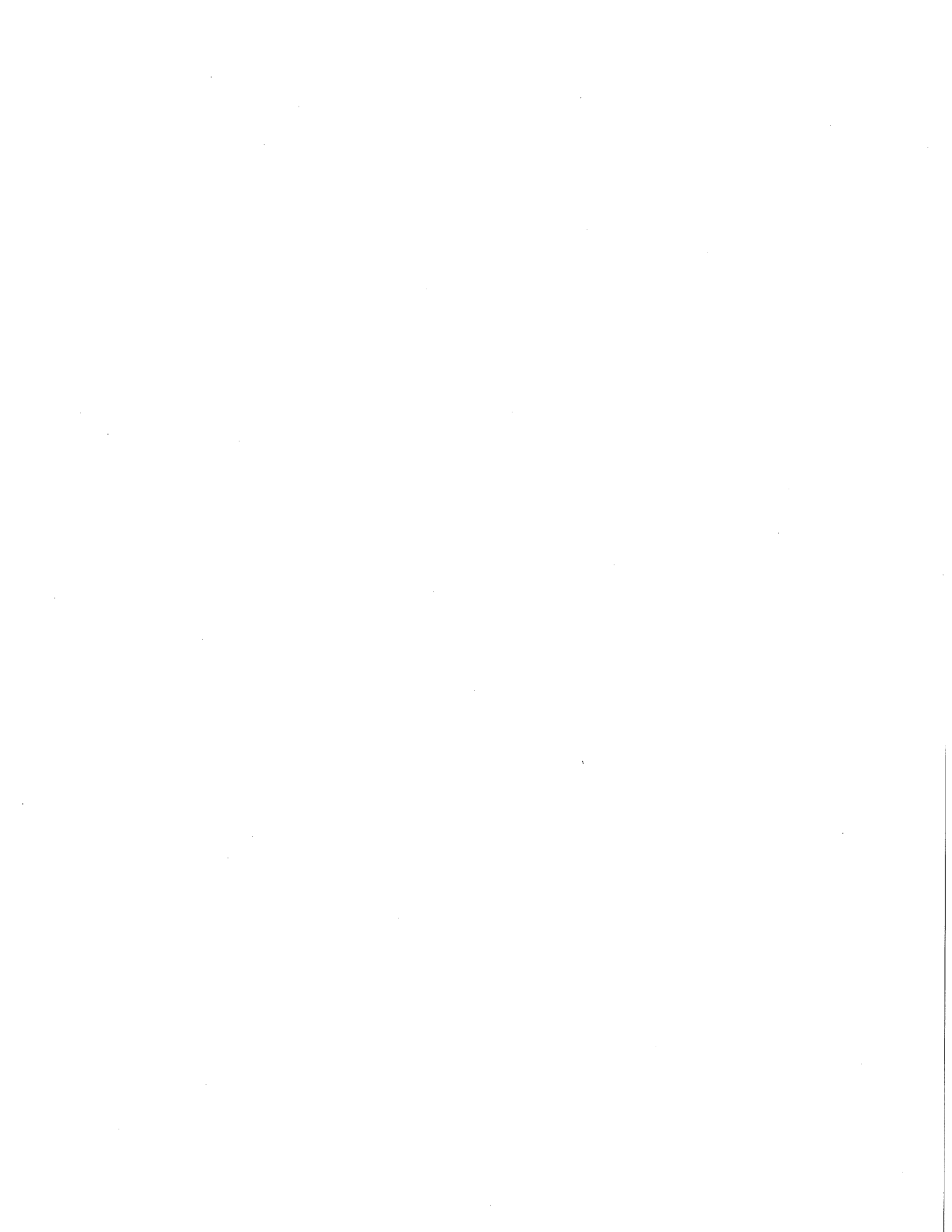
The Workgroup also determined that if a security unit were created to provide security at multiple City facilities, it would be most efficient to set up an internal operation where all security officers are trained to the same level and then can be allocated as necessary. A larger number of security officers would provide more flexibility in covering for absences or vacancies. However, if all the security officers have to be hired and trained as Police Officers, the cost considerations outweigh the benefit.

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Conclusion

Continued use of an outside contractor to provide security for the Parking Utility makes the most sense from cost, risk/liability, impact on existing operations, ease to implement, future needs, and value for customer dollars standpoints. However, while it would be possible to develop a model whereby the Utility could provide security using City employees, it would cost approximately twice what the current contract arrangement costs, and would require significant up-front investment in terms of cost and time to develop the training, policies, and procedures that would be required. Any change along these lines would expose the City to increased risk and liability, the costs of which cannot be quantified but could be substantial. As an enterprise agency, using City employees would require the Utility to find an additional funding, including possible increased parking fees, as the Utility would have to fund the additional cost in staff and equipment/materials. Therefore, the Workgroup recommends maintaining the current level of security service and using an outside contractor (Local 60 disagrees with this recommendation).

The Workgroup does not believe it is realistic to use City employees to provide security at agencies that would require the use of firearms as this would require the use of Police Officers and would cost substantially more money.



City of Madison**Report: Feasibility of using In-House Resources for the Provision of Parking Utility Security Services**

To: Mayor and Common Council
From: Dave Schmiedicke, Finance Director
David Dryer, City Traffic Engineer and Parking Manager
CC: Board of Estimates; Transit and Parking Commission
Date: 6/27/2012
Re: Report on the Feasibility of Providing Security Services at Parking Ramps via Utility Staff

A provision in the 2012 adopted operating budget requires the Parking Utility and Finance Department to "study the feasibility and efficacy of providing security services at Parking Utility facilities utilizing in-house resources rather than private contracting and report its findings to the Council."

This memorandum constitutes such a report, and is offered to provide a general background and overview of the relevant issues, analyses of costs and implications, and general recommendations.

Background

According to Parking Utility archival documents, the "first Parking Utility System in the United States" was established in the City of Madison on March 1, 1947. This was preceded by enactment of a State statute in 1945 that allowed for the establishment of such Utilities by municipalities.

As an enterprise agency, the Parking Utility operates as an organization that is financially independent from the remainder of City operations, as revenues derived from fees sustain its cost of operations. However, the Parking Utility is subject to control by the Common Council. Under Madison General Ordinance 3.14(4), the Council has established a Transit and Parking Commission as a "public utility" responsible for the "overall management, operation and control of the assets for the City of Madison parking system to ensure that it functions as an integrated part of the overall transportation system."

The Utility is managed by the Traffic Engineer, who serves also as the Parking Manager. A Parking Operations Manager oversees the day-to-day operations of the Parking Utility.

The Parking Utility owns and operates 5 parking garages and several surface lots, and administers on-street metered parking spaces and a residential parking permit program. In total, the Utility operates and maintains 5,667 parking spaces, with 3,722 spaces in parking garages, 473 spaces in surface lots, and 1,472 on-street metered spaces.

Parking Garage Name	Year Built	# of Stalls
Government East	1958	522
State St. Campus:		1,082
Lake	1964	
Frances	1982	
Overture	1982	629
State St. Capitol	1963	876
Capitol Square North	1971	613

Since 1990, the Parking Utility has contracted with a security firm to provide security services in its parking garages to deter vandalism to vehicles, escort parking cashiers to their vehicles at the end of their shifts at night, place parking fee due notices on vehicles after cashiers are not on duty, discourage loitering, and provide a higher level of security to employees and the general public.

Security services are provided daily primarily during the hours of 8:00 p.m. to 6:30 a.m., with additional security deployed as needed for special events. Following are the duties, scheduled hours and personnel deployment for security services as required by the Utility:

Sunday – 16.5 Hours

Officer #1 – 8:00p.m. to 4:00a.m.
Officer #2 – 10:00p.m. to 6:30a.m.

Monday – 16.5 Hours

Officer #1 – 8:00p.m. to 4:00a.m.
Officer #2 – 10:00p.m. to 6:30a.m.

Tuesday – 24.5 Hours

Officer #1 – 8:00p.m. to 4:00a.m.
Officer #2 – 10:00p.m. to 6:00a.m.
Officer #3 – 10:00p.m. to 6:30a.m.

Wednesday – 24.5 Hours

Officer #1 – 8:00p.m. to 4:00a.m.
Officer #2 – 10:00p.m. to 6:00a.m.
Officer #3 – 10:00p.m. to 6:30a.m.

Thursday – 24.5 Hours

Officer #1 – 8:00p.m. to 4:00a.m.
Officer #2 – 10:00p.m. to 6:00a.m.
Officer #3 – 10:00p.m. to 6:30a.m.

Friday – 30.5 Hours

Officer #1 – 8:00p.m. to 4:00a.m.
Officer #2 – 10:00p.m. to 4:00a.m.
Officer #3 – 10:00p.m. to 6:00a.m.

Officer #4 – 10:00p.m. to 6:30a.m.

Saturday – 30.5 Hours

Officer #1 – 8:00p.m. to 4:00a.m.

Officer #2 – 10:00p.m. to 4:00a.m.

Officer #3 – 10:00p.m. to 6:00a.m.

Officer #4 – 10:00p.m. to 6:30a.m.

Total Weekly Coverage = 167.5 Hours

Officer Duties: Patrol from location to location in a marked security vehicle which includes all parking garages and Buckeye Lot; walk every stairwell in each facility from top to bottom twice per night; walk the parking bays at each facility once per night; provide escorts to cashiers going off duty at designated times and locations; assist Parking Utility personnel with traffic control after large events; report lighting malfunctions using lighting maps provided; close off Overture Center and State Street Capitol elevators after cashiers have gone off duty; lock and post stairwell doors at the Overture Center facility after the cashier has gone off duty; carry and respond to our "Helpline" calls from patrons at all locations after Parking Utility Leadworker staff has gone off duty; monitor suspicious activity in our facilities; escort people loitering from our facilities; make minor repairs to gate equipment within our facilities if gate booms are damaged or broken; file daily activity logs to the Parking Utility Field Operations; file incident reports when the Madison Police Department is called upon to assist in any capacity.

The Utility continually evaluates its security-related needs, costs and quality of service. In 2011, due in part to suggestions arising from the Mayor's budget-related "Community Conversations," the Utility explored with the Madison Police Department the feasibility of utilizing MPD officers for the provision of parking facility security services. However, based on the Utility's required service hours and duties, a cost-effective and operationally efficient framework was deemed infeasible.

For the past several years, the Parking Utility has contracted with JBM Patrol & Protection Corp. for the provision of security services. In 2012, the Utility has budgeted \$197,000 for its contracted security services (but the projected actual contract cost in 2012 is a bit more at \$200,928).

Recently, employees of the Parking Utility, in conjunction with their local collective bargaining unit (AFSCME Local 60), have proposed that the Utility consider allocating staff resources for security services, rather than employing a private contractor. It bears noting that while the provision of security services conceivably might be met through various formulations involving Utility employees, MPD and/or a private service contractor, the nature of the security function is such that an obvious presence is essential to deterrence; thus, previous explorations as well as this analysis attempt to evaluate the merits of alternative proposals based on an "apples to apples" comparison of the duties and number of hours performed as required by the Utility. As such, following are cost projections and operating implications that examine whether a change in the provision of security services as proposed is feasible and efficient.

Cost

Based on current City wage schedules, estimated benefit costs, and collective bargaining agreements for shift differentials and future wage increases, the estimated annual operating costs for Utility employee wages and benefit expense as compared to the whole of the JBM contract are projected to be about \$9,000 to \$13,000 higher. (Please see attached cost projection detail for more information.)

In addition, there a number of other on-going expenses associated with employee-provided security services, including security vehicles, fuel and maintenance, uniforms, training, computer equipment, radios, and other supplies and equipment. While these costs may vary from year to year, they represent a significant additional expense on the order of approximately \$59,000 per year.

Finally, and perhaps most important, there are potentially significant costs associated with Workers Compensation, liability and risk exposure. The City Risk Manager has evaluated the potential for employee injuries and increased Workers Compensation claims associated with the provision of security services, as well as potential liability claims that might arise from activities involving employees as security providers. The City Risk Manager outlined his concerns in a November 18, 2011 e-mail to the Parking Utility Operations Manager, as follows:

“These [potential] new [security] positions have a significant exposure from a work comp standpoint (injuries from confrontations with other parties, slips and falls, back issues from duty belt, etc.). In addition to the work comp exposure... [w]e not only have exposure to bodily injury claims, but also the potential for Federal lawsuits. While a State bodily injury claim is capped at \$50,000, a Federal lawsuit is not capped and can be very expensive... While one cannot put a number on the cost of claims...they could easily be \$25,000 a year.”

The potential costs to the City arising from liability claims cannot be ascertained, particularly as the City has no prior experience in which it has directly employed security personnel (beyond those under the auspices of the Madison Police Department). One reason the City has not heretofore directly employed security personnel but rather chooses to contract with private security services (at CDA Housing, for example) is due to the potential for large expenses associated with liability damage claims.

Exclusive of potential liability claims expenses, but inclusive of wages, benefits, and all other costs, the estimated additional cost to the City for employee-provided security services as compared to the current private contract ranges from \$68,405 to \$72,500, as seen in the table below:

Year	Parking Utility Employees: Wages and Benefits	Other Costs (Excluding Liability Claims)	Total Projected Parking Utility Costs	JBM Patrol: All Costs	Difference
2013	\$213,606	\$59,000	\$272,606	\$200,928	\$71,678
2014	\$221,812	\$59,000	\$280,812	\$209,664	\$71,148
2015	\$227,805*	\$59,000	\$286,805	\$218,400	\$68,405
2016	\$231,900*	\$59,000	\$290,900	\$218,400	\$72,500

*Figures assume no general wage increase in 2015 and 2016

Implications for Parking Utility Operations

As noted previously, the Parking Utility has contracted for the provision of security services since 1990. Over the course of these past two decades, the Utility has contracted with a variety of private security firms; while the Utility's early experiences with its security contractors were less than ideal, the Utility gives fairly high marks to its current contractor, JBM Patrol and Protection Corp., which has been the Utility's provider since 2000. The current contract allows for one-year extensions by mutual agreement through the year 2014.

Oversight of parking facility security is vested in the Utility's Parking Operations Supervisor; the current Supervisor has indicated that there are few problems with contract oversight, such that resources allocated to contract administration are minimal. However, it is possible that changes in personnel, policies, or contract providers could result in additional administrative challenges in the future. In addition, it is also possible that sometime in the future the costs for contracted services might increase significantly, which would make the provision of security services by Utility employees relatively less costly, but this is speculative.

The impact on Parking Utility Operations resulting from a change in contracted security services to internally provided security services may, excluding cost considerations, yield both positive and negative effects. Both employees and the organization as a whole may benefit as staff likely are more knowledgeable about the whole of Parking operations and perhaps more vested in outcomes than may be a contractor. There may be some operational efficiencies gained as employees may assume additional workloads, including the provision of security services in addition to other duties.

The potential challenges on Parking Utility operations associated with in-house security staff include the necessity to reallocate a significant portion of the Parking Operations Supervisor's time toward security-related issues, including training, day-to-day oversight, staff shift allocations, sick leave coverage, and administration of Workers Compensation and liability claims. Unlike other City services (with the exception of the Madison Police Department), the provision of security requires training in self-defense, use of weapons such as batons and pepper spray, restraint and handcuffing techniques. The nature of the training and later deployment in the field is such that the potential for injuries to employees is much greater than for other Utility employees. As noted previously, the possibility for injuries to employees and customers substantially increases the potential for Workers Compensation or liability claims. Such claims can be mitigated in part by extensive and continuous training, but the City's risk exposure would remain quite high.

Summary and Recommendations

Since 1990, the City's Parking Utility has contracted with private security firms in order to provide security in the Utility's parking garages. Recently, employees of the Utility, under the auspices of the AFSCME Local 60 bargaining unit, have proposed that the Utility consider the provision of security services by its employees, rather than enlisting a private firm.

Based on cost analysis projections by the Utility and Finance Department, provision of security services by employees is relatively more costly than a private contractor, with additional costs to the Utility estimated to range from \$68,405 to \$72,500 annually over the next few years. (These projected costs do not include any employee general wage increase in the years 2015 and 2016.)

While there may be some operational efficiencies that may be gained through the use of in-house security personnel, such efficiencies may be more than offset by the reallocation of the Parking Operations Supervisor's time toward managing an internal security operation, including oversight of training, sick leave coverage and staff shift allocations.

Perhaps most important, the City's potential exposure to large Workers Compensation or liability claims is significantly increased if employees undertake security-related services. With the exception of the Madison Police Department, the City does not employ security personnel, not the least reason of which is potential costs due to injuries and other liabilities.

On balance, therefore, while it is good to continue to explore the manner, costs and alternatives of City services, it appears that, at this time, the provision of security services by employees is more costly and relatively inefficient as compared with the provision of such services by a private firm.

Category	Estimated Cost/Unit	Number of Units	Unit of Measure	Payments Per Year	Total	Useful Life/Depreciation Period (Years)	1st Year Annualized Cost/Year	Subsequent Years Annualized Cost/Year	
Security Analysis: Other Costs									
Security Vehicles									
Security Vehicles (Dedicated)	\$25,000	2			\$50,000	4	\$12,500	\$12,500	
Security Vehicle (Roving)	\$25,000	1			\$25,000	4	\$6,250	\$6,250	
Fuel/Maintenance/Insurance	\$0.28	49500	Mile		\$13,736	1	\$13,736	\$13,736	2012 IRS Standard Business Mileage Rate (16,500 mi/year/vehicle) Official rate is \$0.555/mile, but includes depreciation.
Specialty Supplies									
Utility Belts	\$40	8			\$320	10	\$32	\$32	
Badges	\$40	8			\$320	10	\$32	\$32	
Baton (with case)	\$105	8			\$840	10	\$84	\$84	
Handcuffs (with case)	\$45	8			\$360	10	\$36	\$36	
OC (Pepper) Spray (with holster)	\$35	8			\$280	4	\$70	\$70	OC has a 3-4 year shelf life based on the propellant.
Police-style coats	\$125	8			\$1,000	10	\$100	\$100	
Security Guard									
Training/Certification	\$200	8			\$1,600	1	\$1,600	\$1,600	Based on consultation with Meriter Hospital Security mgr thru David Willis
8 Hours Overtime (Initial Training)	\$390	8			\$3,123	1	\$3,123		
4 Hours Overtime (Continuing Training)	\$195	8			\$1,562	1	\$1,562	\$1,562	
16 Hours Overtime (First-Aid Training)	\$781	8			\$6,247	1	\$6,247	\$6,247	
Workers Compensation	2600				\$0		\$2,600	\$2,600	Per Erik Veum estimate (11/30/2011)
Liability Insurance	Unknown	1			\$0	1	Unknown	Unknown	Per Erik Veum estimate (11/30/2011)
Temporary Additional Staff	Unknown				\$0		Unknown	Unknown	required for Halloween; special events if necessary
Command Center Costs									
Administrative/Supervisory	Unknown				\$0		Unknown	Unknown	
Operator workstation/video computers & monitors/network switch/licensing/installation/VP Phone	\$10,000	1			\$10,000	5	\$2,000	\$2,000	Operator workstations \$700; Video computers with monitors \$3,500; Network switch \$1,400; IP phone \$400; Licensing \$2,000; Installation supplies \$200. Estimated by Scott DeVeer
Rent	\$500	1	per month	12	\$500	1	\$5,000	\$5,000	Based on 25% of current MMB Charges (\$24,000/year).
Utilities	\$300	1	per month	12	\$300	1	\$3,600	\$3,600	24/7 heating/air-conditioning; electricity. Based on booth costs at SS-Campus.
Furnishings	1000	1	per year	1	\$1,000	10	\$100	\$100	Surplus
Radio	\$1,100	4			\$4,400	5	\$880	\$880	David Willis
Radio Warranty/Maintenance	\$151	2	per year	1	\$302	1	\$302	\$302	Per Keith Lippert, Communication Operations Supervisor City of Madison
Phone (Landline)	\$50	2	per month	12	\$1,000	1	\$1,200	\$1,200	Based on current costs
Cell Phone	\$38	2	per month	12	\$75	1	\$900	\$900	Based on current US Cellular contract.
Office Supplies	100	1	per year	1	\$100	1	\$100	\$100	
Total					\$121,165		\$61,492	\$59,950	



Finance Department

David P. Schmiedicke, Finance Director

Room 406
210 Martin Luther King, Jr. Boulevard
Madison, Wisconsin 53703-3345
PH 608 266 4671
FAX 608 267 8705
finance@cityofmadison.com

To: Mayor Soglin
From: Dan Bohrod, Administrative Analyst, Finance Department
CC: Board of Estimates
Tom Woznick, Parking Operations Manager
Date: 8/24/2012
Re: Follow Up Report on the Feasibility of Providing Security Services at Parking Ramps Using Utility Staff

At its meeting of July 30, 2012, the Board of Estimates considered the "Report on the Feasibility of Using In-House Resources for the Provision of Parking Utility Security Services" (Legistar #26883). This report was requested as part of the 2012 adopted City operating budget.

The Board of Estimates moved to refer consideration of the report until its next meeting of August 27, 2012 to allow the Mayor's Office to coordinate a review of: 1) Labor's response to the report; 2) whether there may be opportunities to reduce City wide contracted security costs; and, 3) an examination of how other cities provide similar kinds of security services.

This memorandum includes the various findings related to the Labor proposal, City wide security efforts, and examples of security service provision among some other cities. The findings affirm that employees will cost more than contractors, that operational efficiencies gained are unclear, and that a survey of other Wisconsin municipalities yields none that utilize employees as security guards, but instead enlist private contractors for the provision of security guard services.

1) Evaluation of Labor's Response to the Original Feasibility Report

The concerns expressed by the Birkley/Labor response to the Feasibility Report include issues both of process and cost analysis, as follows:

Feasibility Analysis Response (From: Local 60's Response, July 31, 2012)

1. Labor was not included or asked to be involved in the construct of this study at all despite labor been the architect behind the original proposal.
2. I asked for a reduction in 400 hours of the 8,736 hours of service JBM provides through scheduling efficiencies. This is reflected in my adjustments to the study.
3. Overtime for training's in "Other Costs" is not applicable because the employees are not full time and trainings could be scheduled on straight time. This is reflected in my adjustments to the study.
4. Command Center costs in "Other Costs" are unneeded. We have a command center, it is the Sayle street office, it is vacant during the time Security is on duty, and there is a desk area with computer and phone already available. Security spends their time patrolling, not at a desk. It would be beneficial to one day build a command center into a new ramp but is not necessary at this time. This is reflected in my adjustments to the study.

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As requested by the Board of Estimates, the following responds to Labor's concerns and provides additional, clarifying information:

1) Following Labor's initial proposal regarding the provision of security services by Utility employees, offered to the Parking Utility in the late summer/early fall of 2011, the Utility and Labor subsequently considered and exchanged analyses/iterations of the proposal. In November 2011, the Common Council approved an amendment to the 2012 adopted operating budget requiring that the "Parking Utility and the Finance Department...study the feasibility and efficacy of providing security services at Parking Utility facilities utilizing in-house resources rather than private contracting and report its findings to the Council..." Subsequently, staff of the Finance Department and the Parking Utility worked in conjunction to analyze the Labor proposal and produce a report. During this process, Labor was asked to clarify some aspects of its proposal.

2) Labor has suggested that security staffing on Tuesday evenings might be pared down, such that security personnel costs might be trimmed by 400 hours annually, or a reduction of about 4.6% of the total service hours of 8,736. The Utility, however, believes this change might compromise parking garage security. The estimated cost savings of 400 fewer hours on the 2013 JBM contract would be \$9,200 (\$23/hour x 400 hours). The estimated cost savings for employee-provided security would be \$9,826.

3) Regarding overtime costs related to training, Labor has suggested it may be possible to reduce some of the overtime costs, assuming that only permanent part-time and hourly employees would constitute the whole of the potential employee-provided security operation. However, the Parking Utility believes that in order to attract and retain qualified personnel, the Utility may need to consider full-time positions, in which case overtime costs for initial and continuous training would be necessary.

4) With regard to the necessity of a "Command Center," the Utility concurs with Labor's observation that such an establishment, while it may be ultimately desirable, is not immediately essential and may be postponed. The elimination of costs associated with a Command Center will reduce the estimated annual employee-security costs by about \$11,000 annually.

Additionally, the Labor proposal suggests that by utilizing employees for security functions, there may be additional opportunities to generate revenue, as Parking Utility employees may be empowered to enforce parking ordinances, a function which private security contractors cannot perform. Although all parking citation-related fine revenues are deposited in the City General Fund and do not directly impact the Parking Utility, any additional revenue derived from an increase in parking fines would reduce the City's net costs for an employee-provided security operation. The Parking Utility has had additional discussions with Labor about the feasibility of this aspect of its proposal and has determined that, given the duties and specific deployments of security personnel, the potential for additional citations revenue is minimal.

2) Citywide Security Services, Costs and Opportunities for Efficiencies and Cost Savings

City agencies have a variety of security-related needs, some of which are fulfilled by contracting with private security services, some by utilizing employees as security "monitors," and some, a combination of employees and private contractors. There are differences among agencies as to what constitutes their respective "security" needs, and as such there exists a gamut of services and personnel involved in "security" services.

However, there is a critical distinction between security services provided by persons directly employed by the City versus those provided by a private contractor: namely, City employees observe and report only; contractors may intervene directly. For example, persons employed by the

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City as Monona Terrace Command Center Operators monitor building safety and security systems, assist personnel and customers as needed, keep records, and help execute emergency response protocols, among other responsibilities. However, these personnel are not equipped to physically intervene in conflicts; instead, they are instructed to call contracted security services or the Madison Police Department (MPD).

This is also the case with all other "security-related" permanent and City hourly employees. Park Conservation Rangers, which are hourly employees of the City, are directed to "observe and report" and to contact the Madison Police Department in difficult situations. Library Security Monitors, also hourly City employees, patrol library facilities, assist customers and attempt to diffuse potentially volatile situations. As with other monitoring staff, these positions are not trained or equipped to physically intervene and instead will contact MPD if necessary. (Please see attached position descriptions for more detail.)

The use of City employees to monitor, observe and report may be appropriate for certain City operations, but insufficient for other City-related operations requiring a stronger security presence, such as the Parking Utility, CDA Housing, Monona Terrace, and the Municipal Court, generally areas with large facilities and/or where there exists a greater likelihood of heightened conflicts. In addition, certain events in which the City plays an integral role, such as Freakfest, may require additional security measures.

Following are the estimated/budgeted City costs in 2011 for contracted security services and for employee security services (patrolling, monitoring and reporting):

Agency	Contract Cost	# of Contract Service Hours	Contractor	Employee Costs (Salary and Benefits)	Employee Classification
Parking Utility	\$202,200	8,736	JBM Patrol & Protection	N/A	N/A
Monona Terrace	\$53,000	3,000	Per-Mar	\$256,000	Command Center Operators (4.0 FTE)
CDA Housing	\$125,000	8,070	JBM Patrol & Protection	N/A	N/A
Municipal Court	\$45,000	2,375	JBM Patrol & Protection	N/A	N/A
Library	\$3,200	(On-call responses)	Per Mar	\$35,300	Hourly Library Security Monitors
Parks Division	\$4,190	(On-call Alarm Monitoring)	Mid-Wisconsin Security	\$112,000	Recreation Svcs. Ass't (1.5 FTE Perm.) plus Hourly Park Rangers)
Police Dep't	\$21,718	1,215	Pleguar (for Freakfest)	N/A	N/A
TOTAL	\$454,308	23,396	N/A	\$403,300	N/A

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The Mayor has asked whether there might be efficiencies to be gained either through combining City agency contracts with a contractor in order to realize some potential economies of scale, or whether it might be feasible for persons directly employed by the City to provide security services largely in lieu of enlisting contractors.

With regard to the former, City Purchasing has explored whether existing private contracts might be restructured or combined in order to yield savings. However, the needs of the City agencies with regard to security are unique, such that opportunities for "centralizing" are few and impractical.

As for whether the City might formulate its own "security force" comprised primarily of City employees, there are a number of considerations, including costs for employees and materials and operational implications, as follows:

Cost:

As per the table above, the estimated City wide costs for contracted security in 2011 is \$454,308. If one assumes that the average salary and benefit expense of a permanent, full-time City employee/security guard is \$55,000 (based on a preliminary classification by City Human Resources), the City could employ approximately 8.0 FTE positions for a security unit (\$440,000 total estimated cost for salary and benefits). Assuming a standard work year of 2,080 hours, and adjusting for vacation time, holidays, and sick leave, these 8.0 FTE positions could provide a total of approximately 14,720 service hours. This represents about 8,676 hours fewer than the total estimated number of service hours delivered Citywide via contract in 2011. The City, if it were to deliver the same number of service hours by City employees as were contracted in 2011, would likely require an additional 4.5 to 5.0 FTE positions, at an estimated annual cost ranging between \$247,500 to \$275,000 for salaries and benefits. It bears emphasizing that these cost comparisons are estimates, and do not include additional City costs for administration and overhead, as well as expenses associated with liability insurance and claims, which could be quite substantial.

Operational Implications:

The impact on City agency operations if the City were to establish a centralized security unit, with deployments to various City agencies, or, the direct hire by the various agencies of employee/security personnel, is unknown. A centralized security unit that might serve all City agencies could potentially be more flexible in terms of deployments and perhaps offer opportunities for enhanced coverage (to cover special events, for example). Conversely, the provision of security services by employees may prove to be less "nimble" than does contracting for City agencies with varying and dynamic needs relative to security coverage.

3) Security Services in Other Wisconsin Municipalities

Numerous Wisconsin municipalities, including Milwaukee, Appleton, Green Bay, Eau Claire, Racine, Marshfield, West Allis, La Crosse, and others, have been queried about their security-related practices, and all report that they do not directly employ security guards, but instead utilize private contractors (and sometimes off-duty police/sheriff personnel).

Additional inquiries with the League of Wisconsin Municipalities, a private security contracting company, and web searches yielded no existing Wisconsin municipality in which employees serve as security guards.

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Summary of Findings

The 2012 adopted City operating budget provided that the Finance Department and the Parking Utility examine whether it was feasible that Parking Utility employees provide security services for the Utility in lieu of private contractors. The Board of Estimates (BOE) considered the report at its meeting of July 30, 2012. BOE subsequently re-referred the report to the Mayor's office to allow a review of Labor's response to the original report, to examine whether there might be opportunities to realize efficiencies City wide in the provision of security services, and to explore how other cities provide similar kinds of security services.

The findings of this follow-up report affirm that the costs to the City for security guard employees (including salary and benefit expense, administration and overhead, and the potentially significant liability risk exposure) instead of private contractors will increase. Depending on how employee security guard services are administered and deployed, there may be some operational efficiencies gained, but it is also possible that City agencies may find private contractors more flexible in the provision of an agency's security needs.

A survey of Wisconsin municipalities has found none that directly employs security guards. Instead, it appears that Wisconsin cities utilize their respective police departments to provide core public safety services, with private contracted security used as an adjunct for special events and other specific needs, such as the patrol of facilities like parking garages.

LIBRARY SECURITY MONITOR (HOURLY)

CLASS DESCRIPTION

General Responsibilities:

This is responsible security and customer service work performed at one of the libraries in the Madison Public Library system, managing individuals and property. The work involves providing security services during times where the library normally experiences problem behaviors and enforcing all facility rules, policies and City Ordinances. In addition, the work includes routine library tasks such as shelving items, straightening shelves, and checking items in. The work is performed under the direction of the Library Community Services Director or a branch supervisor.

Examples of Duties and Responsibilities:

Patrol and secure assigned areas of the facility for patron safety and well being.

Observe behavior and confront patrons or unauthorized personnel to stop unauthorized activities or actions.

Educate library users on appropriate behaviors and enforce the library's behavior policy.

Perform routine library tasks such as shelving, straightening shelves and displays, and checking items in.

Perform related work as required.

QUALIFICATIONS

Knowledges, Skills and Abilities:

Basic knowledge of practices and procedures for dealing with difficult people and difficult situations. Working knowledge of security principles and practices in open public facilities. Ability to interact courteously, effectively, respectfully, and assertively with library customers of various ages, socioeconomic and ethnic groups. Ability to enforce library rules and policies. Ability to communicate effectively, both orally and in writing and to give clear and appropriate directions. Ability to manage or diffuse potentially volatile situations. Ability to find and shelve items, arrange items for displays, check items in using a computer and other similar routine library tasks performed by pages. Ability to rapidly climb stairs and to think clearly and act appropriately in an emergency. Ability to stand for an hour at a time and walk rounds. Ability to maintain adequate attendance.

Training and Experience:

One year of responsible experience involving significant contact with the public in the enforcement of rules and regulations. Such experience would normally be gained after graduation from high school or equivalent. Other combinations of training and/or experience which can be demonstrated to result in the possession of the knowledges, skills and abilities necessary to perform the duties of this position will also be considered.

Department/Division	Comp. Group	Range
Library	16	hourly

Approved: _____ Date
Brad Wirtz
Human Resources Director



Madison

MADISON, CITY OF (WI)
invites applications for the position of:
Parks Ranger

SALARY: \$13.98 /Hour

COMP. GROUP/RANGE: 16/00

JOB TYPE: Hourly

DEPARTMENT: Parks

OPENING DATE: 05/07/12

CLOSING DATE: 05/17/12 11:59 PM

GENERAL DESCRIPTION:

This recruitment will be used to filled multiple positions in the Parks Division.

This is responsible customer service and enforcement work performed in the City Parks Division. The work involves patrolling park sites and facilities to provide visitor service and to enforce park policies and regulations as appropriate. The work also includes routine building and grounds maintenance. Work is performed under the supervision of the Weekend Supervisor.

Approximately 6 to 40 hours per week that may include afternoons, evenings, holidays and or weekends.

EXAMPLES OF DUTIES AND RESPONSIBILITIES:

Monitor and collect user registration fees at lake access sites and dog parks; replenish registration kiosks, and maintain sites to ensure that they are free of graffiti and litter. Patrol and monitor park shelters and recreation sites. Enforce specific park ordinances related to lake access permits, dog parks, and parking. Issue citations when necessary. Check for valid permits for all field users and large picnics and events. Provide information, including maps and brochures, to visitors of Madison Parks Division facilities. Respond to visitor complaints and attempt to resolve immediate problems if possible. Report vandalism and maintenance problems as needed. Perform grounds maintenance including litter and trash control; light mowing and string trimming when time permits. Clear park facility at closing time. Clean and lock restrooms. Related work as required.

MINIMUM QUALIFICATIONS:

Knowledge, skills and abilities:
Knowledge of park policies and regulations. Knowledge of park locations and facilities. Ability to

interact courteously, effectively, and assertively with park visitors. Ability to maintain detailed records. Ability to communicate effectively, both orally and in writing and to give clear and appropriate directions. Ability to enforce park and park facility rules, policies and City Ordinances. Ability to remain calm and to initiate resolutions to situations that are presented after business hours. Ability to drive a park vehicle and operate equipment such as string trimmers and push mowers. Ability to administer first aid. Ability to work under adverse weather conditions. Ability to deal with alcohol and drug related issues. Ability to work with Madison homeless population. Ability to maintain adequate attendance.

Training and Experience:

One year experience which included contact with the public in the enforcement of rules and regulations. Other combinations of training and/or experience which can be demonstrated to result in the possession of the knowledge, skills and abilities necessary to perform the duties of this position will also be considered.

SPECIAL REQUIREMENTS:

Possession of a valid driver's license.

*The payroll title for this position is Conservation Ranger.

It is the applicant's responsibility to list all related jobs, correct dates of employment, number of hours per week, etc. Be sure to place the complete job title on your application. If you wish to provide additional or supplemental information, please provide a resume in addition to the formal application. If the applicant is still employed please indicate this. Failure to provide accurate and complete information may result in not being considered for this position.

All applicants are notified of the status of their application in each selection process. Those applicants invited to exams will receive notice of the date, time, and location. Alternate exam dates/times are not available except in the case of an emergency. Emergency situations are reviewed on an individual basis. Conflicting work hours is not considered an emergency. Exams are job specific and are developed based on the duties to be performed and the criteria listed under Knowledge, Skills and Abilities section of the job announcement. Study guides for general Civil Service exams may be available at the Public Library. Exam results will be available within 3-4 weeks. Due to the volume of exams given by our office, exam scores will not be available by the telephone. Thank you for your cooperation.

As an employer, the City of Madison places a strong emphasis on customer service and strives to provide a working environment where: Diversity and differing opinions are valued; Creativity is encouraged; Continuous learning and improvement is fostered; Teamwork and open and honest communication is encouraged; Meeting customer needs through quality service is a common goal. Come join us in this effort!

APPLICATIONS MAY BE FILED ONLINE Position #2012-00109
AT: PARKS RANGER
<http://www.cityofmadison.com/hr> EA

MONONA TERRACE COMMAND CENTER OPERATOR

CLASS DESCRIPTION

General Responsibilities:

This is responsible work involving the staffing and operations of the Monona Terrace Community and Convention Center's centralized security and monitoring center. The work includes monitoring and operating computerized building safety and security systems and executing the Monona Terrace emergency response plan procedures, including the monitoring of inclement weather. In addition, the work includes oversight of the building's shipping and receiving areas. Employees in this class are required to work with limited supervision on various shifts, follow established procedures, act calmly and appropriately in emergencies, pay close attention to detail, and provide direction to contracted security staff. The work is performed under the supervision of the Monona Terrace Operations Manager and Assistant Operation Managers.

Examples of Duties and Responsibilities:

Check in all persons who enter through the "back of the house" areas.

Monitor fire life safety system panel and dispatch staff to the area of the devices identified by alarm. Monitor the surveillance camera equipment and door card access to ensure the safety and security of Monona Terrace Community and Convention Center. Communicate with and dispatch mobile security staff to problem areas. Determine appropriate action depending on feedback in accordance with established procedures. Coordinate emergency and security issues with the local fire and law enforcement agencies.

Receive internal calls from customers via house telephones and external calls (during non-business hours) relating to persons attending events at the Convention Center and other issues. Determine the nature of the call, deal courteously with the customer or member of the general public, take appropriate action to deal with the situation, and follow-up to verify that action was taken. Answer questions from the Information Booth staff and locate appropriate persons. Utilize the telephone or radio to relay information and, in some cases, directions, to the proper staff throughout the building. Use the public address system to communicate with building occupants in cases of emergency.

Receive, log, and ensure proper delivery of all incoming and outgoing shipments to the Monona Terrace Convention Center. Coordinate shipping and receiving with proper events or departments. Check materials into locked storage area, secure, and maintain proper records. Lift and move boxes and materials of various sizes and shapes weighing up to 50 pounds. Operate freight moving equipment such as handcarts, pallet jacks, dock doors and dock leveler, and forklifts. Complete reports and activity logs, as well as perform record keeping and limited filing.

Assist supervisor in coordinating staff schedules by calling in staff or to provide other information. Coordinate necessary building activities in the absence of other staff.

Execute the Monona Terrace Emergency Response Plan procedures, including evacuation of building, crowd control, bomb threat analysis, inclement weather and medical emergencies. Assist in training new employees on the Monona Terrace emergency plan procedures and conduct mock emergency evacuation drills. Under the direction of management, perform periodic vulnerability assessments to identify potential security threats and appropriate responses.

Maintain the organization and cleanliness of the Command Center and Dock areas. Operate standard floor cleaning equipment as needed.

Perform related work as required.

QUALIFICATIONS

Knowledge, Skills and Abilities:

Working knowledge of building security practices and procedures. Working knowledge of customer service practices and techniques. Knowledge of record keeping such as it relates to shipping and receiving. Ability to remain calm during stressful and emergency situations. Ability to learn to operate fire life safety monitoring equipment and security surveillance equipment. Ability to transmit and relay information and dispatch staff using voice communication equipment (e.g., telephone, radio, public address system, etc.). Ability to keep basic records, prepare simple reports, and perform routine clerical tasks, both manually and using a computer and applicable software. Ability to make simple mathematical calculations. Ability to deal tactfully and establish and maintain effective working relationships with customers, the general public, contractors, vendors, employees, delivery persons, and others using and contacting the facility. Ability to communicate effectively both orally and in writing and to give clear and appropriate directions to others. Ability to pay close attention to detail and remain alert at all times during work shifts. Ability to learn and follow Monona Terrace Community and Convention Center policies and procedures relative to building security; safety; shipping and receiving; and other related areas and to explain them to others in a clear and effective manner. Ability to maintain adequate attendance.

Training and Experience:

Two years of responsible experience involving public contact, including at least 6 months of experience in building security or related areas, and at least 6 months of experience working in a position involving the use of computers. Other combinations of training and/or experience which can be demonstrated to result in the possession of the knowledge, skills and abilities necessary to perform the duties of this position will also be considered.

Physical Requirements:

Employees in this classification must be able to lift and carry up to 25 pounds on a regular basis, and 50 pounds occasionally. In addition, employees must be able to access all areas of the facility in order to perform physical inspections. Finally, employees may be required to work varied shifts between the hours of 5 a.m. and 2 a.m., seven days a week.

Department/Division	Comp. Group	Range
Monona Terrace Community & Convention Center	16	07

Approved: _____
Brad Wirtz
Human Resources Director

_____ Date

OPEN TO ALL QUALIFIED CITY EMPLOYEES IN POSITIONS REPRESENTED BY LOCAL 60
SECURITY OFFICER LEAD (HOURLY)
OVERTURE CENTER

NO CITY OF MADISON RESIDENCY IS REQUIRED FOR THIS POSITION

SALARY: \$15.10 per hour

HOURS: Evening and weekend hours required. Hours will vary from 10-20 hours per week based on events scheduled.

GENERAL RESPONSIBILITIES: This is responsible security and lead work performed at the Overture Center. The work involves overseeing and performing security services before, during, and after events and enforcing all facility rules and policies and City Ordinances. The work is performed under the direction of a security coordinator or other higher level position.

EXAMPLES OF DUTIES AND RESPONSIBILITIES: In the absence of the Security Coordinator, serve as the primary person responsible for coordinating the activities necessary to ensure patron and artist security at events in the facility. Schedule and oversee the activities of other hourly security officers on duty. Provide liaison with outside and/or extra security personnel that may be provided by event promoters. Decide when on-duty City Police Officers need to be called to provide assistance. Secure backstage and other areas of the facility requiring controlled access for authorized personnel only. Provide property protection for equipment and personal property and escort artists or special guests through public areas of the facility and from building to vehicle when requested. Patrol and secure assigned areas of the facility for patron safety and well being. Ensure patron enjoyment and sense of comfort while attending facility events. Confront patrons or unauthorized personnel and stop unauthorized activities or actions. Provide back up to ushers and other facility staff when confronted by uncooperative or unauthorized patrons or visitors. Provide security at banquets, parties, meetings or other gatherings in various meeting rooms of the facility when requested by renter or determined by management to be necessary based on the nature or potential risks associated with the events. Perform related work as required.

MINIMUM QUALIFICATIONS REQUIRED AT TIME OF APPLICATION

KNOWLEDGE, SKILLS AND ABILITIES: Basic knowledge of security principles and practice in the entertainment industry and in public facilities. Basic knowledge of crowd control practices and procedures. Ability to learn and enforce facility rules and policies and City Ordinances pertaining to facility operations/activities. Ability to understand and carry out directions. Ability to issue directions in a clear and concise manner. Ability to handle diverse sets of circumstances and activities. Ability to deal effectively and communicate with customers of various ages, socioeconomic and ethnic groups. Ability to deal tactfully and effectively with large groups of people and to enforce rules and regulations. Ability to communicate effectively, both orally and in writing. Ability to learn computer operations applicable to the program area. Ability to maintain a professional appearance (uniform will be provided). Ability to rapidly climb stairs and to think clearly and act appropriately in an emergency. Ability to maintain adequate attendance.

TRAINING AND EXPERIENCE: Two years of responsible experience in security services in the entertainment, hospitality industry, and/or a closely related area which included experience in the enforcement of rules and regulations and at least six months of lead work experience. Such experience would normally be gained after graduation from high school or equivalent. Completion of academic training in police science or a closely related area can be substituted on a year-for-year basis for all but the six months of lead experience. Other combinations of training and/or experience which can be demonstrated to result in the possession of the knowledge, skills and abilities necessary to perform the duties of this position will also be considered.

APPLICATIONS: Are available at the City Human Resources Department, 210 Martin Luther King, Jr. Blvd., Room 501, Madison, WI 53703; (608) 266-6500; FAX (608) 267-1115; TTY/Textnet (866) 704-2340; www.cityofmadison.com/employment/employmentListings.cfm. Resumes received without formal application will not be considered. Applications will be accepted until 4:30 p.m. on March 24, 2010.

Reasonable accommodations for persons with a known disabling condition will be considered in accordance with State and Federal law. Persons needing assistance with examinations should contact the City of Madison Occupational Accommodations Specialist at (608) 267-1156.

REPRESENTATION: Local 60

CERT 2010104.DOC; JFC 4G; COMP GROUP 16; RANGE 00; PCN 3553; DEPT #10; 3/16/2010; SD:15

THE CITY OF MADISON IS AN EQUAL OPPORTUNITY EMPLOYER FUNCTIONING UNDER AN AFFIRMATIVE ACTION PLAN. WE ENCOURAGE MINORITIES, WOMEN AND INDIVIDUALS WITH A DISABILITY TO APPLY.

CITY OF MADISON, WISCONSIN EMPLOYMENT OPPORTUNITIES

THE CITY OF MADISON IS AN EQUAL OPPORTUNITY EMPLOYER FUNCTIONING UNDER AN AFFIRMATIVE ACTION PLAN.
WE ENCOURAGE MINORITIES, WOMEN AND INDIVIDUALS WITH A DISABILITY TO APPLY.

OPEN TO ALL QUALIFIED APPLICANTS
SECURITY OFFICER (HOURLY) - EVENINGS AND WEEKENDS
OVERTURE CENTER

NO CITY OF MADISON RESIDENCY IS REQUIRED FOR THIS POSITION

SALARY: \$13.71 per hour

HOURS: MUST BE AVAILABLE TO WORK EVENING AND WEEKEND HOURS. Approximately 0-20 hours per week. Hours will vary based on events scheduled.

GENERAL RESPONSIBILITIES: This is responsible security work performed in the Overture Center. The work involves providing security services before, during, and after events and enforcing all facility rules and policies and City Ordinances. The work is performed under the direction of the Overture Center Security Coordinator or security leadworker.

EXAMPLES OF DUTIES AND RESPONSIBILITIES: Secure backstage and other areas of the facility requiring controlled access for authorized personnel only. Provide security for artists' dressing rooms. Provide property protection for artists' equipment and personal property and escort artists or special guests through public areas of the building and from building to vehicle when requested. Secure assigned areas of the facility for patron safety and well being. Ensure patron enjoyment and sense of comfort while attending Overture Center events. Confront patrons or unauthorized personnel and stop unauthorized activities or actions. Provide back up to ushers and other facility staff when confronted by uncooperative or unauthorized patrons or visitors. Provide security at banquets, parties, meetings or other gatherings in various meeting rooms of the facility when requested by renter or determined by Overture Center management to be necessary based on the nature or potential risks associated with the events. Perform related work as required.

MINIMUM QUALIFICATIONS REQUIRED AT TIME OF APPLICATION

KNOWLEDGE, SKILLS AND ABILITIES: Knowledge of security principles and practice in the entertainment industry and in public facilities. Knowledge of crowd control practices and procedures. Ability to learn and enforce facility rules, policies and City Ordinances pertaining to facility operations/activities. Ability to understand and carry out directions and procedures. Ability to deal effectively and communicate with customers of various ages, socioeconomic and ethnic groups. Ability to deal tactfully and effectively with large groups of people and to enforce rules and regulations. Ability to communicate effectively, both orally and in writing. Ability to maintain a professional appearance (uniform will be provided). Ability to rapidly climb stairs and to think clearly and act appropriately in an emergency. Ability to maintain adequate attendance.

TRAINING AND EXPERIENCE: One year of responsible experience in a public contact position which included experience in the enforcement of rules and regulations. Such experience would normally be gained after graduation from high school or equivalent. Other combinations of training and/or experience which can be demonstrated to result in the possession of the knowledges, skills and abilities necessary to perform the duties of this position will also be considered.

APPLICATIONS: Are available at the City Human Resources Department, 210 Martin Luther King, Jr. Blvd., Room 501, Madison, WI 53703; (608) 266-6500; FAX (608) 267-1115; TTY/Textnet (866) 704-2340; www.cityofmadison.com/employment/employmentListings.cfm. Resumes received without formal application will not be considered. Applications will be accepted until 4:30 p.m. on July 20, 2010.

Reasonable accommodations for persons with a known disabling condition will be considered in accordance with State and Federal law. Persons needing assistance with examinations should contact the City of Madison Occupational Accommodations Specialist at (608) 267-1156.

NOTE: The City of Madison Benefit Package is not included/offered with hourly positions. Employment in an hourly Local 60 position, combined with employment in any other hourly job category, shall be limited per calendar year to 1007.5 total working hours for office personnel or 1040 total working hours for field personnel with the City of Madison.

REPRESENTATION: Local 60

CERT 2010262.DOC; JFC 4G; COMP GROUP 16; RANGE 00; PCN 120; DEPT #10; 07/09/2010; SD:13

THE CITY OF MADISON IS AN EQUAL OPPORTUNITY EMPLOYER FUNCTIONING UNDER AN AFFIRMATIVE ACTION PLAN. WE ENCOURAGE MINORITIES, WOMEN AND INDIVIDUALS WITH A DISABILITY TO APPLY.

IN ACCORDANCE WITH THE IMMIGRATION REFORM AND CONTROL ACT OF 1986, THE CITY OF MADISON WILL HIRE ONLY UNITED STATES CITIZENS AND ALIENS LAWFULLY AUTHORIZED TO WORK IN THE UNITED STATES. ALL APPLICANTS OFFERED A CITY OF MADISON POSITION WILL BE REQUIRED TO PERSONALLY PRESENT DOCUMENTATION, BOTH TO IDENTIFY THEMSELVES AND TO PROVE THAT THEY ARE ELIGIBLE FOR EMPLOYMENT IN THE UNITED STATES (NOTE - THIS ALSO APPLIES TO U.S. CITIZENS). THIS MUST BE DONE BEFORE EMPLOYMENT BEGINS. FURTHER INFORMATION CAN BE OBTAINED FROM THE HUMAN RESOURCES DEPARTMENT. THIS INFORMATION WILL BE KEPT CONFIDENTIALLY, IN A SEPARATE FILE, IN THE HUMAN RESOURCES DEPARTMENT.

CITY OF MADISON HUMAN RESOURCES DEPARTMENT
210 Martin Luther King, Jr. Blvd., Room 501, Madison, WI 53703
(Job Information Line) 608-266-6500 • FAX 608-267-1115 • TTY/Textnet (Hearing Impaired) 866-704-2340
www.cityofmadison.com/jobs.html

Local 60's Response to the Analysis of the "Feasibility of using In-House Resources for the Provision of Parking Utility Security Services"

Intent and History

In 2011 our Mayor asked departments and labor to look into contracted services and see if we could provide the services "in house" at reduced costs and more efficiently. At the Parking Utility Local 60 proposed a plan to provide Parking Utility Security by City of Madison workers. The Board of Estimates asked for a feasibility study to be completed by June 2012. The intent of L60 to internalize said security services was to:

1. To provide security services at the PU by City of Madison workers at a similar or reduced cost to what the private, for-profit security service currently provides.
2. To expand the duties of security personnel to include parking enforcement, minor maintenance (fix broken gates, unclog coin jams at Pay-On-Foot stations), provide customer service and assistance, direct traffic, and answer the helpline (three duties which JBM provides now which we consider bargaining unit duties), and cashier in emergencies. These duties would generate revenue and decrease maintenance costs and were not included in the feasibility study. For example if the Security Officers are City employees they would be able to enforce parking ordinances. This would reasonably produce 5-10 citations issued per night for an annual total of revenue to the **General fund of \$45,000 - \$91,250**. This is based on a \$25 citation and 365 days per year. This revenue could be appropriated to cover the liability insurance and to offset the "Other Costs".
3. **To eliminate the profit motive from public safety**. The feasibility study shows (without our recommended adjustments) a 25% increase in costs for the City to internalize the service, yet that incorporates more than a 200% increase in the pay and benefits to the workers who provide the service. The study shows the administrative costs are much greater with JBM than if the City provided the service, and much of the current contract costs are attributed to admin costs and profit. At the TPC in July I informed the commission JBM was not adhering to the City of Madison's Living Wage ordinance, effectively short changing the employees who provide the service. JBM, to the best of my knowledge has corrected this, is now paying their employees the living wage, and that it was a "clerical error". JBM's fees were also due to increase from \$23/hr - \$24/hr in 2012. JBM froze the cost at \$23/hr for 2012, in my opinion, due to the order of this feasibility study.
4. Parking Utility employees value the service provided by the JBM workers, but are troubled by the fact that they work side by side with workers who are only paid

110% above the poverty level to provide security for the cashiers and the public, while gross amounts of the contract is profit off of providing public safety.

5. JBM is instructed not to be "friendly or chatty with booth operators". This makes for an uncomfortable work environment for the PU employees and the contracted security. We feel you should be friendly with your coworkers.

Feasibility Analysis Response

1. Labor **was not** included or asked to be involved in the construct of this study at all despite labor been the architect behind the original proposal.
2. I asked for a reduction in 400 hours of the 8,736 hours of service JBM provides through scheduling efficiencies. This is reflected in my adjustments to the study.
3. Overtime for training's in "Other Costs" is not applicable because the employees are not full time and trainings could be scheduled on straight time. This is reflected in my adjustments to the study.
4. Command Center costs in "Other Costs" are unneeded. We have a command center, it is the Sayle street office, it is vacant during the time Security is on duty, and there is a desk area with computer and phone already available. Security spends their time patrolling, not at a desk. It would be beneficial to one day build a command center into a new ramp but is not necessary at this time. This is reflected in my adjustments to the study.
5. It is unclear to me if the step increases in the analysis reflects that these proposed positions are not full time, and do not receive step increases at the same rate. This should be adjusted in the analysis.

With these adjustments, minus the change to the step increases and not incorporating potential revenue generation through expanded duties, the study shows a more comparable cost to the current contract with JBM at +18% 1st year, +17% 2nd year, +15% 3rd year. Once further adjustments are made to incorporate citations issued, deferred maintenance costs, and adjusting the date of step increases due to potential positions being percentage positions, the cost will be less for the City to provide the staff internally compared to current JBM contractual costs, at the least, -26% - -1%. **Please see the attached adjusted analysis and comparison.**

Liability concerns at this point are speculative. Supervisory duty allocation is questioned, but our current manager has a history in security management and we were without a supervisor for six months this year at Parking and the retirement of said supervisor is scheduled for the end of 2012. The ability to generate revenue through ordinance enforcement would offset these costs We should not shy away from providing our own security personnel due to these two issues. We can provide a high level of public safety service internally at a similar cost to the current contracting of JBM. We can ensure our security officers are properly trained, multifaceted, able to be friendly with their

coworkers and the public, generate revenue, performing duties not in dispute with current bargaining unit duties, paid a true living wage, and remove the profit motive from public safety, all at a similar cost to what we are charged now by JBM. If we truly believe in top level public service, treating City of Madison workers fairly, and do not promote for-profit public safety, we should be working to find out how to make this a reality. It will take all parties participation, Labor, PU, Finance, and Labor Relations working under this premise to make it work.

Explanation of Adjustments Made to Feasibility Study

The adjustments proposed to the "Compensation" and "Other Costs" pages of the analysis are proposed by L60, and reflect either what we believe to be errors or unnecessary expenditures that require adjustment. They are highlighted yellow in the accompanying spreadsheet along with explanations below and in the margins of the spreadsheet itself. The report also does not point to the potential revenue generated through the ability enforce Parking Ordinances which would reasonably produce 5-10 citations issued per night for an annual total of revenue to the **General fund of \$45,000 - \$91,250**. This revenue could be appropriated to cover the liability insurance and to offset the "Other Costs" and an example is provided at the end of this document.

Adjusted Salary Costs (without adjustment of step increases)

The adjustments to salary costs are due to the proposed reduction of hours on L60's behalf. On Monday nights the PU contracts two security officers and on Tuesday they staff three. There is the same amount of cashiers on duty on Monday and Tuesday, and no significant change to the activity of consumers of the night establishments who utilize the PU garages. Our proposal hence eliminates the third officer on Tuesday nights, reducing the total number of hours annually from 8,736 to 8,320. This is reflected in the study by the reduction of the proposed permanent staff from 75% - 70%.

Original Analysis 1st year salary and benefits: \$213,606 Adjusted: \$202,278

Original Analysis 2nd year salary and benefits: \$221,812 Adjusted: \$210,024

Original Analysis 3rd year salary and benefits: \$227,805 Adjusted: \$215,617

Adjusted, Annualized "Other Costs"

The majority of "Command Center Costs", in the "Other Costs" page, are not necessary at this time. While it would be logical to build a command center into a new garage construction, at this time it is not feasible. There is ample space already in existence at the Traffic Engineering Sayle street offices, equipped currently with vacant workstations, computers, landlines, and furnishings. Rent would also therefore not be applicable. We also currently provide JBM with a helpline cell phone and its costs should be accounted for in the current operating budget. Overtime costs are also not applicable due to the fact the proposed positions are

permanent part time and hourly therefore trainings would occur at straight time rate during the 40 hour work week.

Original: \$59,930

Adjusted: \$42,442

Adjusted Salary Costs plus Adjusted "Other Costs"

1st year salary plus "other costs" = \$244,360 for city, \$200,928 JBM, cost difference +18%.

2nd year salary plus "other costs" = \$252,306 for city to provide service internally, \$209,664 JBM, cost difference +17%.

3rd year projected salary plus "other costs" = \$257,699 for city to provide service internally, \$218,400 JBM, cost difference +15%.

Adjusted Salary Costs plus Adjusted "Other Costs" Incorporating Potential Revenue From Citations Issued (+\$45k - \$91k). Applying Said Revenue to the Total Cost of Security Personnel, showing the City Could Potentially Save and Generate Revenue Compared To the Current Costs of JBM Contract.

1st year salary plus "other costs" = \$153,110 - \$199,360 -for city, \$200,928 JBM, cost difference -14 - -1%.

2nd year salary plus "other costs" = \$161,056 - \$207,306 for city to provide service internally, \$209,664 JBM, cost difference -26% - -1%.

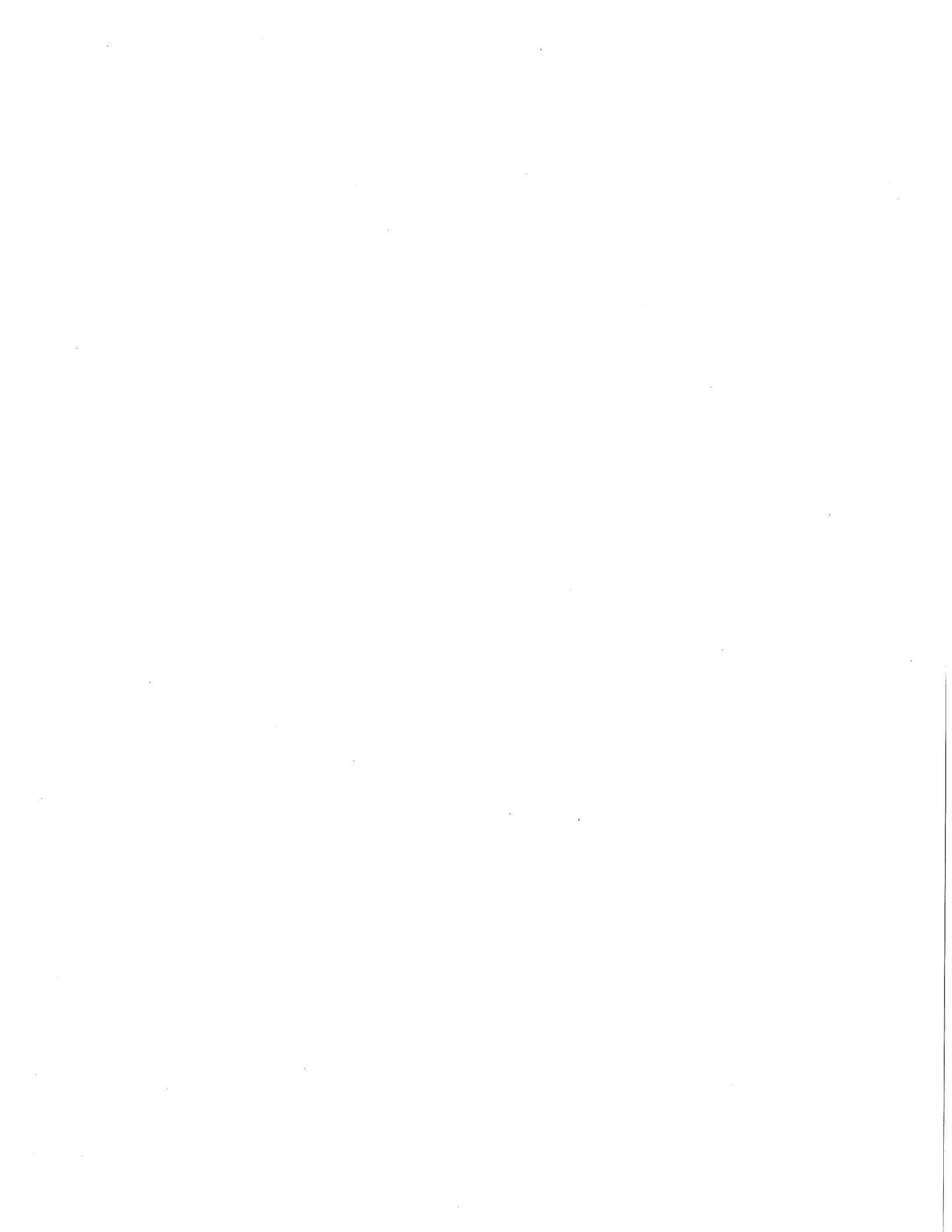
3rd year projected salary plus "other costs" = \$166,449 - \$207,306 for city to provide service internally, \$218,400 JBM, cost difference -24% - -5%.

COMPENSATION-4 PERMANENT AND 4 HOURLY EMPLOYEES

Year	Position	Type	Position Pct	Hours/Week (Max=40/wk)	Compensation Group	Base Hourly Rate	Base Rate Up 2% for 2013	Base Rate Up 3% for 2014	Step Increase (2.99% after 6 mos)	Shift Differe ^{nt} al ^t \$0.75/hr	Benefit Rate	Salary Exp./hr (Jan-Jun)	Benefits Exp./hr (Jan-Jun)	Total Compensation/hr (Jan-Jun)	Salary Exp./hr (Jul-Dec)	Total Compensation/hr (Jul-Dec)	Total Weekly Compensation (Jan-Jun)	Total Weekly Compensation (Jul-Dec)	Annual Employee Compensation (52 weeks)	Total Annual Hours	JBM Hourly Rate	Annual JBM Compensation (52 weeks)
2013	1	Permanent	0.70	28.00	16-7 Step 1, then 2	\$18.63	\$19.00	\$19.57	\$0.45	\$0.75	0.363	\$19.75	\$7.17	\$26.92	\$20.21	\$77.17	\$73.84	\$771.47	\$59,650	1,456	\$23.00	\$33,880
2013	2	Permanent	0.70	28.00	16-7 Step 1, then 2	\$18.63	\$19.00	\$19.57	\$0.45	\$0.75	0.363	\$19.75	\$7.17	\$26.92	\$20.21	\$77.17	\$73.84	\$771.47	\$59,650	1,456	\$23.00	\$33,880
2013	3	Permanent	0.70	28.00	16-7 Step 1, then 2	\$18.63	\$19.00	\$19.57	\$0.45	\$0.75	0.363	\$19.75	\$7.17	\$26.92	\$20.21	\$77.17	\$73.84	\$771.47	\$59,650	1,456	\$23.00	\$33,880
2013	4	Permanent	0.70	28.00	16-7 Step 1, then 2	\$18.63	\$19.00	\$19.57	\$0.45	\$0.75	0.363	\$19.75	\$7.17	\$26.92	\$20.21	\$77.17	\$73.84	\$771.47	\$59,650	1,456	\$23.00	\$33,880
2013	5	Hourly	0.30	12.00	16-7 Step 1, then 2	\$15.40	\$15.71	\$16.18	\$0.45	\$0.75	0.114	\$15.71	\$1.79	\$17.50	\$1.79	\$19.29	\$20.98	\$209.98	\$10,919	624	\$23.00	\$14,352
2013	6	Hourly	0.30	12.00	16-7 Step 1, then 2	\$15.40	\$15.71	\$16.18	\$0.45	\$0.75	0.114	\$15.71	\$1.79	\$17.50	\$1.79	\$19.29	\$20.98	\$209.98	\$10,919	624	\$23.00	\$14,352
2013	7	Hourly	0.30	12.00	16-7 Step 1, then 2	\$15.40	\$15.71	\$16.18	\$0.45	\$0.75	0.114	\$15.71	\$1.79	\$17.50	\$1.79	\$19.29	\$20.98	\$209.98	\$10,919	624	\$23.00	\$14,352
2013	8	Hourly	0.30	12.00	16-7 Step 1, then 2	\$15.40	\$15.71	\$16.18	\$0.45	\$0.75	0.114	\$15.71	\$1.79	\$17.50	\$1.79	\$19.29	\$20.98	\$209.98	\$10,919	624	\$23.00	\$14,352
Total				160.00		\$136.12	\$138.84	\$141.66	\$0.47	\$0.75	0.363	\$20.79	\$7.55	\$28.34	\$20.79	\$78.45	\$79.45	\$799.45	\$41,259	1,456	\$24.00	\$37,440
2014	1	Permanent	0.70	28.00	16-7 Step 2	\$18.63	\$19.00	\$19.57	\$0.47	\$0.75	0.363	\$20.79	\$7.55	\$28.34	\$20.79	\$78.45	\$79.45	\$799.45	\$41,259	1,456	\$24.00	\$37,440
2014	2	Permanent	0.70	28.00	16-7 Step 2	\$18.63	\$19.00	\$19.57	\$0.47	\$0.75	0.363	\$20.79	\$7.55	\$28.34	\$20.79	\$78.45	\$79.45	\$799.45	\$41,259	1,456	\$24.00	\$37,440
2014	3	Permanent	0.70	28.00	16-7 Step 2	\$18.63	\$19.00	\$19.57	\$0.47	\$0.75	0.363	\$20.79	\$7.55	\$28.34	\$20.79	\$78.45	\$79.45	\$799.45	\$41,259	1,456	\$24.00	\$37,440
2014	4	Permanent	0.70	28.00	16-7 Step 2	\$18.63	\$19.00	\$19.57	\$0.47	\$0.75	0.363	\$20.79	\$7.55	\$28.34	\$20.79	\$78.45	\$79.45	\$799.45	\$41,259	1,456	\$24.00	\$37,440
2014	5	Hourly	0.30	12.00	16-7 Step 2	\$15.40	\$15.71	\$16.18	\$0.47	\$0.75	0.114	\$16.18	\$1.84	\$18.02	\$1.84	\$19.86	\$21.68	\$216.28	\$11,247	624	\$24.00	\$14,976
2014	6	Hourly	0.30	12.00	16-7 Step 2	\$15.40	\$15.71	\$16.18	\$0.47	\$0.75	0.114	\$16.18	\$1.84	\$18.02	\$1.84	\$19.86	\$21.68	\$216.28	\$11,247	624	\$24.00	\$14,976
2014	7	Hourly	0.30	12.00	16-7 Step 2	\$15.40	\$15.71	\$16.18	\$0.47	\$0.75	0.114	\$16.18	\$1.84	\$18.02	\$1.84	\$19.86	\$21.68	\$216.28	\$11,247	624	\$24.00	\$14,976
2014	8	Hourly	0.30	12.00	16-7 Step 2	\$15.40	\$15.71	\$16.18	\$0.47	\$0.75	0.114	\$16.18	\$1.84	\$18.02	\$1.84	\$19.86	\$21.68	\$216.28	\$11,247	624	\$24.00	\$14,976
Total				160.00		\$136.12	\$138.84	\$141.66	\$0.47	\$0.75	0.363	\$20.79	\$7.55	\$28.34	\$20.79	\$78.45	\$79.45	\$799.45	\$41,259	1,456	\$24.00	\$37,440
2015	1	Permanent	0.70	28.00	16-7 Step 3	\$18.63	\$19.00	\$19.57	\$1.17	\$0.75	0.363	\$21.50	\$7.80	\$29.30	\$21.50	\$79.30	\$80.34	\$803.34	\$42,658	1,456	\$25.00	\$39,000
2015	2	Permanent	0.70	28.00	16-7 Step 3	\$18.63	\$19.00	\$19.57	\$1.17	\$0.75	0.363	\$21.50	\$7.80	\$29.30	\$21.50	\$79.30	\$80.34	\$803.34	\$42,658	1,456	\$25.00	\$39,000
2015	3	Permanent	0.70	28.00	16-7 Step 3	\$18.63	\$19.00	\$19.57	\$1.17	\$0.75	0.363	\$21.50	\$7.80	\$29.30	\$21.50	\$79.30	\$80.34	\$803.34	\$42,658	1,456	\$25.00	\$39,000
2015	4	Permanent	0.70	28.00	16-7 Step 3	\$18.63	\$19.00	\$19.57	\$1.17	\$0.75	0.363	\$21.50	\$7.80	\$29.30	\$21.50	\$79.30	\$80.34	\$803.34	\$42,658	1,456	\$25.00	\$39,000
2015	5	Hourly	0.30	12.00	16-7 Step 3	\$15.40	\$15.71	\$16.18	\$0.47	\$0.75	0.114	\$16.18	\$1.84	\$18.02	\$1.84	\$19.86	\$21.68	\$216.28	\$11,247	624	\$25.00	\$15,600
2015	6	Hourly	0.30	12.00	16-7 Step 3	\$15.40	\$15.71	\$16.18	\$0.47	\$0.75	0.114	\$16.18	\$1.84	\$18.02	\$1.84	\$19.86	\$21.68	\$216.28	\$11,247	624	\$25.00	\$15,600
2015	7	Hourly	0.30	12.00	16-7 Step 3	\$15.40	\$15.71	\$16.18	\$0.47	\$0.75	0.114	\$16.18	\$1.84	\$18.02	\$1.84	\$19.86	\$21.68	\$216.28	\$11,247	624	\$25.00	\$15,600
2015	8	Hourly	0.30	12.00	16-7 Step 3	\$15.40	\$15.71	\$16.18	\$0.47	\$0.75	0.114	\$16.18	\$1.84	\$18.02	\$1.84	\$19.86	\$21.68	\$216.28	\$11,247	624	\$25.00	\$15,600
Total				160.00		\$136.12	\$138.84	\$141.66	\$0.47	\$0.75	0.363	\$20.79	\$7.55	\$28.34	\$20.79	\$78.45	\$79.45	\$799.45	\$41,259	1,456	\$24.00	\$37,440
2016	1	Permanent	0.70	28.00	16-7 Step 4	\$18.63	\$19.00	\$19.57	\$1.65	\$0.75	0.363	\$21.98	\$7.98	\$29.95	\$21.98	\$80.34	\$81.38	\$813.84	\$43,613	1,456	\$25.00	\$39,000
2016	2	Permanent	0.70	28.00	16-7 Step 4	\$18.63	\$19.00	\$19.57	\$1.65	\$0.75	0.363	\$21.98	\$7.98	\$29.95	\$21.98	\$80.34	\$81.38	\$813.84	\$43,613	1,456	\$25.00	\$39,000
2016	3	Permanent	0.70	28.00	16-7 Step 4	\$18.63	\$19.00	\$19.57	\$1.65	\$0.75	0.363	\$21.98	\$7.98	\$29.95	\$21.98	\$80.34	\$81.38	\$813.84	\$43,613	1,456	\$25.00	\$39,000
2016	4	Permanent	0.70	28.00	16-7 Step 4	\$18.63	\$19.00	\$19.57	\$1.65	\$0.75	0.363	\$21.98	\$7.98	\$29.95	\$21.98	\$80.34	\$81.38	\$813.84	\$43,613	1,456	\$25.00	\$39,000
2016	5	Hourly	0.30	12.00	16-7 Step 4	\$15.40	\$15.71	\$16.18	\$0.47	\$0.75	0.114	\$16.18	\$1.84	\$18.02	\$1.84	\$19.86	\$21.68	\$216.28	\$11,247	624	\$25.00	\$15,600
2016	6	Hourly	0.30	12.00	16-7 Step 4	\$15.40	\$15.71	\$16.18	\$0.47	\$0.75	0.114	\$16.18	\$1.84	\$18.02	\$1.84	\$19.86	\$21.68	\$216.28	\$11,247	624	\$25.00	\$15,600
2016	7	Hourly	0.30	12.00	16-7 Step 4	\$15.40	\$15.71	\$16.18	\$0.47	\$0.75	0.114	\$16.18	\$1.84	\$18.02	\$1.84	\$19.86	\$21.68	\$216.28	\$11,247	624	\$25.00	\$15,600
2016	8	Hourly	0.30	12.00	16-7 Step 4	\$15.40	\$15.71	\$16.18	\$0.47	\$0.75	0.114	\$16.18	\$1.84	\$18.02	\$1.84	\$19.86	\$21.68	\$216.28	\$11,247	624	\$25.00	\$15,600
Total				160.00		\$136.12	\$138.84	\$141.66	\$0.47	\$0.75	0.363	\$20.79	\$7.55	\$28.34	\$20.79	\$78.45	\$79.45	\$799.45	\$41,259	1,456	\$24.00	\$37,440

This worksheet assumes a step 1 level for the 16-7 compensation group, initially, then moving to Step 2 after 6 months and Steps 3, 4, and 5 each 12 months thereafter. Additionally, it includes a COLA of 2% effective in 2013 and 3% in 2014, as per collective bargaining agreements.

Category	Estimated Cost/Unit	Number of Units	Unit of Measure	Payments Per Year	Total	Useful Life/Depreciation Period (Years)	1st Year Annualized Cost/Year	Subsequent Years Annualized Cost/Year	
Security Analysis: Other Costs									
Security Vehicles									
Security Vehicles (Dedicated)	\$25,000	2			\$50,000	4	\$12,500	\$12,500	
Security Vehicle (Roving)	\$25,000	1			\$25,000	4	\$6,250	\$6,250	
Fuel/Maintenance/Insurance	\$0.28	49500	Mile		\$13,736	1	\$13,736	\$13,736	2012 IRS Standard Business Mileage Rate (16,500 mi/year/vehicle) Official rate is \$0.555/mile, but includes depreciation.
Specialty Supplies									
Utility Belts	\$40	8			\$320	10	\$32	\$32	
Badges	\$40	8			\$320	10	\$32	\$32	
Baton (with case)	\$105	8			\$840	10	\$84	\$84	
Handcuffs (with case)	\$45	8			\$360	10	\$36	\$36	
OC (Pepper) Spray (with holster)	\$35	8			\$280	4	\$70	\$70	OC has a 3-4 year shelf life based on the propellant.
Police-style coats	\$125	8			\$1,000	10	\$100	\$100	
Security Guard									
Training/Certification	\$200	8			\$1,600	1	\$1,600	\$1,600	Based on consultation with Meriter Hospital security mgr thru David Wills
8 Hours Overtime (Initial Training)	\$180.00	8			\$1,440	1	\$1,440		Trainings would be held on straight time within the 40 hour work week due to the permanent employees proposed being (70%) and the remaining staff comprised of hourlies.
4 Hours Overtime (Continuing Training)	\$90	8			\$720	1	\$720		
16 Hours Overtime (First-Aid Training)	\$360	8			\$2,880	1	\$2,880	\$2,880	
Workers Compensation	2600				\$0		\$2,600	\$2,600	Per Erik Veum estimate (11/30/2011)
Liability Insurance	Unknown	1			\$0	1	Unknown	Unknown	Per Erik Veum estimate (11/30/2011)
Temporary Additional Staff	Unknown				\$0		Unknown	Unknown	required for Halloween; special events if necessary
Command Center Costs									
Administrative/Supervisory	Unknown				\$0		Unknown	Unknown	
Operator workstation;video computers & monitors;network switch;licensing;installation;IP Phone	\$0	0			\$0	0	\$0	\$0	While it would be beneficial to one day have a "command center" built into a new garage, at this time it is not feasible or necessary. The command center can be the Sayle street parking offices. There are vacant workstations with computers and monitors in it. The Sayle street office itself is vacant during the proposed shift hours of the security staff.
Rent	\$0	0	per month	0	\$0	0	\$0	\$0	
Utilities	\$20	1	per month	12	\$20	1	\$240	\$240	The proposed Security staff will spend the majority of their time in the field, with less than an hour spent per shift at the command center if stationed at the Sayle street offices. Any electrical or gas use would be minimal.
Furnishings	0	0	per year	0	\$0	0	\$0	\$0	Sayle street is equipped with furniture.
Radio	\$1,100	2			\$2,200	5	\$440	\$440	David Wills
Radio Warranty/Maintenance	\$151	2	per year	1	\$302	1	\$302	\$302	Per Keith Uppert, Communication Operations Supervisor City of Madison
Phone (Landline)	\$0	0	per month	0	\$0	0	\$0	\$0	Sayle street has existing landlines.
Cell Phone	\$0	0	per month	0	\$0	0	\$0	\$0	Parking currently provides a cell phone for IBM, the existing line can be used.
Office Supplies	100	1	per year	1	\$100	1	\$100	\$100	
Total					\$101,118		\$42,442	\$41,722	



**CITY OF MADISON
OFFICE OF THE CITY ATTORNEY
Room 401, CCB
266-4511**

Date: April 1, 2013

MEMORANDUM

TO: Board of Estimates

FROM: Patricia A. Lauten, Deputy City Attorney
Eric Veum, Risk Manager

RE: Risk and Liability Analysis For Providing Security
Using City Staff

As part of the Board of Estimates directive to "further study the concept of in-housing Parking Utility security," the City's Risk Manager and I were charged with analyzing the City's potential risk and liability should it decide to bring these security services in house. This analysis is meant as an overview only and does not present every defense the City could assert to successfully defend against these types of claims in court. Finally, this analysis is limited to those claims the City could face as a direct result of providing security services in its parking garages.

The City's Risk And Liability Under State Law

Governmental bodies like the City of Madison as well as the City's officers, agents and employees may be sued by citizens for various claims in tort ranging from damage to vehicles parked in City ramps, motor vehicle accidents and personal injury arising from negligence or a failure to train. In addition to tort claims, citizens may sue the City for constitutional violations including false arrest, false imprisonment, excessive use of force or failure to provide a safe place. In addition to these potential claims, the Report identifies a variety of incidents at the parking ramps including incidents involving intoxicated patrons, disorderly conduct, loitering, fights, property damage and assaults, including sexual assaults all of which could lead to claims against the City. Report, page 6.

Currently, any risk arising from the types of incidents/claims mentioned above is borne by JBM. This means that if a claim is brought by a citizen, JBM assumes the responsibility, and the cost, to investigate and defend against the claim. If the citizen is successful in court and obtains a judgment, JBM is responsible for paying that judgment. The City is not involved and even if it is sued, it can be dismissed from the litigation

because of its contract with JBM and JBM's obligation to defend and hold the City harmless. None of this would be true if the City provided security services.

Claims Against The City Or Its Officers Or Employees¹

In most cases, suits against the City must follow the notice of claim procedures found in §893.80 of the Wisconsin Statutes². A claimant would have to notify the City of the claim using the statutorily accepted procedure and give the City 120 days to investigate and either approve or deny the claim. If the City denies the claim, a claimant may file suit in either State or Federal court. If the claimant obtains a judgment against the City or against any of the City's officers or employees, the City is obligated to pay the judgment. The analysis below applies regardless of whether the City provides security services at Level 2, Level 3 or Level 4.

Limit Of Liability – The Statutory Damage Cap

With certain exceptions that will be discussed below, claims for damages, injuries or death in an action founded in tort (generally a negligence or failure to train claim) are subject to the statutory cap of \$50,000 per claim found in §893.80(3) Wis. Stats. A spouse's loss of consortium claim is a separate claim that is also subject to the \$50,000 cap. Punitive damages are not available. However, the City may be liable for the claimant's attorney's fees which could add significantly to the City's liability.

Exceptions To The Statutory Damage Cap

Several exceptions to the \$50,000 statutory cap of §893.80 exist which can significantly increase the City's potential liability. If a City employee operating a City owned vehicle has a car accident in which the City employee causes injuries or death to a person, the \$50,000 statutory damage cap of §893.80 does not apply. Damages resulting from the car accident are capped at \$250,000 per person, per claim. See §345.05 Wis. Stats. However, in cases where the initial tort causes injury that leads to death (not necessarily a car accident) additional claims from the estate of the deceased (survival action) and the deceased's immediate heir (wrongful death) can be brought against the City. In those instances, the claims are capped at \$500,000 per occurrence in the case of a deceased minor, or \$350,000 per occurrence in the case of a deceased adult, for loss of society and companionship. See §895.04 Wis. Stats.

1 The City, its officers or employees are collectively referred to as "the City" since the City is obligated to defend its officers and employees under §62.115, §895.35 and §895.46(1)(a) Wis. Stats.

2 An exception are claims arising from a violation of federal constitutional rights ("§1983 claims") discussed in greater detail below.

Discretionary Immunity & Ministerial Duty³

When the City is sued, it can usually mount a successful defense to the claim by asserting "discretionary immunity" for "quasi-judicial" and "quasi-legislative acts". Case law interpreting discretionary immunity holds that any act involving discretion or judgment is "quasi-judicial" or "quasi-legislative" and thus subject to immunity. *Stann v. Waukesha County*, 161 Wis. 2d 808, 818-818, 468 N.W.2d 775 (Ct. App. 1991). Discretionary immunity protects the City when it, or its agents, make policy decisions. To be protected, the act, omission, or decision must involve an exercise of basic policy evaluation, judgment and expertise by the governmental agency, or agent, involved.

On the opposite end of the spectrum from discretionary immunity is the City's obligation to perform its ministerial duties. Immunity does not exist if a duty is ministerial. A duty is ministerial when it involves the performance of a specific task such that with time, place and performance there is such certainty that nothing remains for judgment or discretion. *Umansky v. ABC Insurance Co., et al.*, 2009 WI 82; 319 Wis. 2d 622; 769 N.W.2d 1 (2009).

Examples of discretionary immunity and ministerial duty are: (1) The City's act of installing a stop sign at an intersection is discretionary but once the City puts the sign in, it has to maintain the sign which could include trimming foliage so the sign is not covered; (2) The City has discretion to design a sanitary sewer system and come up with a maintenance program but once the maintenance program is developed, the City has a ministerial duty to follow the maintenance program; (3) The City has discretion to install video cameras in its parking ramps but once it installs the video cameras, the City has a ministerial duty to maintain the video system.

The City's Risk And Liability Under Federal Claims

Unlike the municipal statutory caps found in Wisconsin law, federal law contains no such caps so the City's exposure is unknown and substantial. The most common cause of action is a civil rights violation brought under 42 U.S.C. §1983 for a deprivation of any right, privilege or immunity secured by the Federal Constitution. The most common federal violations are Fourth Amendment (search and seizure) violations and Fourteenth Amendment (due process) violations. Most excessive use of force claims allege violations of these two Amendments. While the City itself is not liable for wrongs committed by its employees against other persons, the City is legally obligated to defend its officers and pay any judgment. The City itself would only be subject to liability under §1983 if it has a policy, ordinance, regulation, or decision which is unconstitutional and violates federal law.

³ Municipal officers or employees also have immunity for discretionary actions while acting within the scope of their authority. However, municipal officers and employees can be held personally liable for: (1) negligence in performing a ministerial act; (2) negligence in executing a governmental act where imminent injury to a specific individual was foreseeable; and (3) wanton, willful, or malicious misconduct (acts manifesting a reckless disregard of the consequences or rights and safety of others).

See *Monell v. Dept. of Social Services*, 436 U.S. 658 (1978). The reason §1983 claims are a favorite of plaintiff's attorneys is because there is no limit to the compensatory damage award, punitive damages are also available and, most importantly, the fee shifting provision of §1983 awards reasonable attorney's fees and costs. Because the damages are outside of the statutory caps, these claims can be an enormous cost to taxpayers.

Failure To Train Claims

If the City is to provide security services and take on the liability discussed above, specialized training is critical to deter a failure to train claim. The workgroup discussed 80 hours of training on topics directly related to providing security services and annual re-training. There is no technical college, group or facility the City could send employees where they would receive this type of specialized training. JBM had to develop its training program over many years. Likewise, the City would have to create its own training program. Training is crucial from a risk and liability perspective because the City would have direct liability for a failure to train claim.

Typically, in §1983 claims, the cause of action is against the individual employee. The City is not a party. One exception to this is if the City has an illegal policy. The other exception is if it fails to properly train its employees. In that case, liability can attach if the failure to train amounts to a deliberate indifference to the claimant's rights. See *City of Canton, Ohio v. Harris*, 489 U.S. 378, 388 (1989). A claimant may be successful if they can show that their injury resulted from a violation of their civil rights and that the injury would not have occurred if the City employee had been properly trained or supervised. The focus is on the adequacy of the training program in relation to the tasks the employees must perform. This is why it is particularly important to correctly train new employees and provide yearly follow up training to current employees.

Finally it is worth noting that §1983 can also impose liability on the City itself if the City's policy causes a constitutional violation and a direct link exists between the policy and the deprivation of rights. If the City has a current security force at Level 3 with various options (pepper spray, handcuffs, baton) available to protect citizens and property and it steps down to a Level 2 with less options (no baton or handcuffs) to protect citizens and property then the City's decision to do so, if someone is injured, could trigger a situation in which the City has direct liability under §1983.

Safe Place Claims

In addition to assuming risk and liability for claims involving citizens, the City also assumes the risk and liability under the Worker's Compensation Law. While the City has a duty now to maintain its premises in compliance with OSHA, Wisconsin law imposes an additional duty on the employer to do everything reasonably necessary to have a safe place to work and to protect the life, health, safety and welfare of its employees. If an employer fails to meet this standard, and the employee is injured as a result, an additional 15% penalty may be added to the compensation claim.

Conclusion

From a risk and liability perspective, JBM is the preferred method to provide security services for the Parking Utility. If the City determines the City is the best provider for these services, then it must commit the manpower and money to design and implement an effective security training program for the Parking Utility.



Cost Reductions Proposed by AFSCME Local 60

We believe cost should not be an overriding factor in deciding who provides public safety services for the City of Madison and the Parking Utility, but quality in regards to level of training, ability to deal with diverse populations, commitment to the City and its mission, and communication skills are more prevalent factors. We also recognize constraints of departmental budgets and offer the following suggestions to reduce a likely cost increase would the Parking Utility discontinue use of a private contractor.

1. Parking enforcement is needed on nights as well as days within the Parking Utility owned ramps and lots. Non-compliance of parking regulations lead can to issues such as obstruction of driving lanes causing safety hazards and an inability for customers to find adequate parking during high occupancy times.

When security was first contracted by Parking hours of the security officers shifts were designated to issuing PFN's (Parking Fee Notices). At this time before the installation of pay stations, just a few years ago, when cashiers were finished for the night the gates were raised at Lake and Francis street ramps and the vehicles remaining were issued PFN's. There was a period of time to pay the fee and then it increased to a fine. The JBM security officers were issued an officer ID to issue the PFN's on behalf of the City of Madison. With the installation of the pay stations this form of fee collection was no longer needed.

By delegating as little as 15min of a security officer's current night shift to Parking enforcement of Parking utility Owned ramps and multi space metered lots while already patrolling the area, and designating the fees collected from the citations issued by the security officers back to the parking utility, could return significant revenue back to Parking without impacting the general fund. It is new revenue and it promotes compliance of parking regulation and increases parking availability. Please see the table below.

Citations Issue Per Night	Average Fee	Total (citations per night * fee * 365nights)
2	\$25	\$18,250
4	\$25	\$36,500

2. When a customer is unable to pay the parking fee owed in a City of Madison owned ramp a Failure To Pay citation is issued, or FTP. The citation simply gives the customer 10 days to pay the fee owed plus a \$2 processing fee. If the customer fails to pay within 10 days the fee becomes a \$25 citation and is eventually turned over to MPD and once collected the \$25 charge is placed in the general fund with the Parking Utility not reimbursed for its lost revenue. This is a disadvantage for the Parking Utility as an enterprise agency dependent on the collection of fees owed to support itself. We offer the following suggestions:

(a) Re-write the governing ordinance so that if a customer refuses to pay the fee owed after the 10 day grace period the FTP becomes a \$25 citation plus the original fee owed to the Parking Utility. This is "new" revenue and does not affect the general fund. With hundreds of FTP's issued by Parking Utility employees annually this would generate thousands of dollars in "new" revenue that could be applied to security officers as a public safety service.

(b) Calculate the number of FTP's issued by the Parking Utility and collected by MPD and return the fees owed to the Parking Utility.

3. The Parking Utility pays in excess of \$400,000 annually to MPD to employ Parking Enforcement Officers to ensure parking law compliance at its meters and ramps, a needed service. The fees collected by MPD through citation are returned to the general fund, the fees lost to the Parking Utility because of unpaid parking fees at the meters are not returned to Parking. The Parking Utility also employs its own sub cashiers who enforce parking law and issue citations at Parking Utility ramps and lots. The fees collected by citations issued by these Parking Utility employees are returned to the general fund. We offer the following suggestion:

a) Return the entirety of the fees collected by citations issued by Parking Utility employees, or a portion thereof to the Parking utility to recoup the labor costs to the Parking Utility. Conservatively Parking Utility Employees issue 500-1,000 citations annually at \$25 for the lowest charge of a citation issued. This would equal \$13,000 - \$26,000 annually. This number has not been quantified but a request simply could be made to provide the amount of citations issued by Parking Utility employees by officer ID number and their collection value.

Summary

As stated AFSCME Local 60 representatives believe cost should not be an overriding factor in deciding who provides public safety services for the City of Madison and the Parking Utility, yet recognize the constraints of departmental budgets. The suggestions outlined above would return anywhere between \$20,000 - \$100,000+ annually to the Parking Utility dependent on which measures were enacted. Regardless if the Parking Utility is to employ its own Union represented Security Officers, or continue to outsource 5 full time positions to a nonunion contractor, these suggestions should be strongly considered to allow the Parking Utility to recoup lost fees it is owed and operate more efficiently as an enterprise agency.