

1. Agenda And Packet

Documents:

[JANUARY 17, 2023 WORK SESSION AGENDA.PDF](#)  
[JANUARY 17, 2023 WORK SESSION PACKET.PDF](#)

City of Excelsior  
Notice of Work Session  
of the Excelsior City Council

NOTICE IS HEREBY GIVEN that the City Council of the City of Excelsior will hold its work session on Tuesday, January 17, 2023 at 5:30 P.M. at the Excelsior City Council Chambers, 339 Third Street, Excelsior, MN 55331.

Members of the public may attend the work session either in person, at City Hall or by joining via Zoom either online or by telephone at:

Join Zoom Meeting

<https://us02web.zoom.us/j/82005928757>

Meeting ID: 820 0592 8757

Dial by your location

+1 312 626 6799 US

+1 301 715 8592 US (Germantown)

Meeting ID: 820 0592 8757

City of Excelsior  
City Council Work Session

Agenda

Tuesday, January 17, 2023

5:30 P.M.

1. Call to Order/Roll Call
2. Agenda Approval
3. SLMPD Joint Powers Agreement
4. Adjournment

Note:

The purpose of a Work Session is for the Council to discuss matters informally and in greater detail than is allowed at formal Council meetings. All meetings of the Council including Work Sessions will be open to the public. While the privilege of participating in these discussions is generally limited to the Council, staff, and consultants, the Mayor may open a discussion from the floor.

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# MEMORANDUM

Work Session Item 3

**Re:** SLMPD Joint Powers Agreement

**Date:** January 17, 2023

**To:** City Council

**From:** Kristi Luger, City Manager

In October, the Council reviewed a draft of the Joint Powers Agreement (JPA) for the South Lake Minnetonka Police Department (SLMPD) and informed the Coordinating Committee that they needed the Mayor's background on the JPA discussions before they felt comfortable proceeding.

The purpose of this work session item is to update the Mayor on the Council's discussion and provide him with comments that can be relayed to the Coordinating Committee. The Council's comments are summarized in the table below and on the following page:

Section	Subd.	Excelsior's Comments
5 – Powers & Duties	4	Unanimous approval should be required on all new positions due to their financial impact.
	5	Anything that impacts the budget should require unanimous approval, not just the union contract (such as fees).
7 – Financial Matters	1	Agree with Shorewood's Attorney that 'Committee funds' should be defined.
	2B	The language states that the funding percentages will be adjusted in five-year increments, but there is no reference to using the arbitration allocation. Exhibit A shows a Column D (arbitration allocation), but there is no reference to where this information comes from and why it is being used in the reallocation formula.
	2D	Agree with Shorewood's Attorney that the Chief's internal spending policy should be stated in the agreement.
	2E	Supplemental services should be based on the actual costs for providing the service and not capped at 115% of the actual costs.
	2F	Need more information on why the Capital Improvement Fund would only be used for new buildings/facilities or the expansion of existing buildings/facilities and not for the replacement of carpets, roofs, HVAC systems, etc.
8 – Duration		The Agreement should have a deadline to ensure it reflects the current practices of the SLMPD and to give all parties an opportunity to thoroughly review it.
9 – Adding Parties	2	There is no incentive for other parties to join when it is uncertain how much they will pay for the service (Subdivision 2), and they have no ownership interest in the building (Subdivision 3). They would be expected to make improvements to a building that they don't have a vested interest in.

<b>Section</b>	<b>Subd.</b>	<b>Excelsior's Comments</b>
10 – Withdrawal	1C	Budget approval should remain unanimous and not move to a majority of the parties. Note: Shorewood's version does not have this language.
11 – Dissolution		Define what constitutes and what triggers a dissolution.
General		An attorney should review the JPA to ensure the language reflects the Coordinating Committee's intentions.