



WASHOE COUNTY

Integrity Communication Service

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STAFF REPORT

BOARD MEETING DATE: April 24, 2018

DATE: Friday, March 30, 2018

TO: Board of County Commissioners

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THROUGH: Christine Vuletich, Assistant County Manager
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SUBJECT: Recommendation to approve the resolution to augment the Enhanced 911 Fund in the amount of [\$300,000] to increase expenditure authority for reimbursement of portable event recording devices and related expenses for fiscal year 2017-18; and direct the Comptroller to make the appropriate budget amendments (net impact to General Fund is zero).
(All Commission Districts.)

SUMMARY

Approval of the attached resolution to augment the Enhanced 911 (E911) Fund in the amount of \$300,000 is requested. This request is needed to reimburse local agencies in fiscal year 2017-18 for portable event recording devices (body-worn cameras) and related expenses as mandated in Nevada Senate Bill 176. The \$300,000 in available resources will come from an approved increase in the telephone line surcharge (revenues in excess of those budgeted) effective May 1, 2018.

Washoe County Strategic Objective supported by this item: Safe, Secure and Healthy Communities

PREVIOUS ACTION

On March 27, 2018 the Board adopted an ordinance amending Chapter 65 of the Washoe County Code by modifying the permissible maximum 911 telephone line surcharge; by clarifying that the permissible use of the 911 telephone line surcharge includes the purchase and maintenance of portable event recording devices and vehicular event recording devices in accordance with the 2017 Nevada Legislature's enactment of Senate Bill ("SB") 176; and by specifying that the unencumbered fund balance shall not exceed \$5,000,000 at the end of any fiscal year, and all other matters properly relating thereto.

AGENDA ITEM # _____

On March 27, 2018 the Board adopted a resolution to set Washoe County's 911 telephone line surcharge to: \$0.85 per month for each customer access line to the local exchange of a telecommunications provider; \$0.85 per month for each mobile telephone number assigned a customer by a supplier of mobile telephone service; and \$8.50 per month for each customer trunk line to the local exchange of a telecommunications provider, to be effective May 1, 2018; and all other matters properly relating thereto.

On March 13, 2018 the Board adopted the Business Impact Statement for the 911 Surcharge increase with a finding, based on staff's recommendation, that the proposed surcharge increase does not impose a significant economic burden on a business; nor does the proposed fee directly restrict the formation, operation or expansion of a business. As proposed, the 911 Surcharge would be increased by \$0.60 to \$0.85 per month for each customer access line to the local exchange of a telecommunications provider, increased by \$0.60 to \$0.85 per month for each telephone number assigned to a customer of mobile telephone service, and increased by \$6.00 to \$8.50 per month for each customer trunk line to the local exchange of a telecommunications provider.

On March 13, 2018 the Board authorized a Joinder Contract to purchase Body Worn Cameras (BWC) and related supplies through the State of Nevada "3273 - Contract for Services of Independent Contractor" awarded to Axon Enterprise, Inc. (formerly Taser International), 17800 N. 85th St, Scottsdale, AZ, 85255. Estimated expenditures are [\$730,579.25] per the contract term. If approved, authorize Purchasing and Contractors Manager to execute all relevant contract documents and agreements.

On February 20, 2018 the Board adopted the Washoe County Regional 911 Emergency Response Advisory Committee Five Year Master Plan Update, prepared by the Galena Group Incorporated, as recommended by the 911 Emergency Response Advisory Committee ("911 Committee") on January 18, 2018; and approved the 911 Committee's recommendation to increase the 911 telephone line surcharge to \$0.85 per month for each customer access line to the local exchange of a telecommunications provider; \$0.85 per month for each telephone number assigned a customer by a supplier of mobile telephone service; and \$8.50 per month for each customer trunk line to the local exchange of a telecommunications provider.

On February 20, 2018 the Board approved a request pursuant to WCC 2.030 and 2.040 to initiate proceedings to amend WCC Chapter 65 in accordance with Senate Bill 176 from the 79th Legislative Session; and directed the County Clerk to submit the request to the District Attorney for preparation of a proposed ordinance to set the new E911 surcharge fee for phone lines/mobile service not to exceed \$1.00 per month and trunk lines not to exceed \$10.00 per month, and to specify that the allowable balance of the surcharge fund shall not exceed \$5,000,000.00. The Board also authorized the District Attorney to set the 911 surcharge rate by resolution in the amount of \$0.85 per month for each customer access line to the local exchange of a telecommunications provider; \$0.85 per month for each telephone number assigned a customer by a supplier of mobile telephone service; and \$8.50 per month for each customer trunk line to the local exchange of a telecommunications provider, as recommended by the 911 Committee, and as supported by the information and data provided in the Five Year Master Plan Update.

On January 16, 2018, the Board adopted the Washoe County Board of County Commissioners' Policy on the Use of 911 Surcharge Funds for the Body Camera Mandate Set Forth in Nevada Senate Bill 176 (2017).

On October 10, 2017 the Board adopted an ordinance amending Chapter 65 of the Washoe County Code ("WCC") by expanding the permissible use of the 911 telephone line surcharge to include the purchase and maintenance of portable and vehicular event recording devices, and all other matters properly relating thereto.

BACKGROUND

During the 2017 State of Nevada Legislative session, Senate Bill 176 (NV SB 176) was passed, amending Nevada Revised Statute (NRS) 289.830 to require uniformed peace officers who routinely interact with the public to wear portable event recording devices (body-worn cameras) while on duty. The City of Reno, the City of Sparks, and Washoe County have subsequently initiated portable event recording device programs within each of their respective law enforcement organizations. The portable event recording device programs must be in place and operational no later than July 1, 2018. With NV SB 176, the 2017 Legislature also amended NRS 244A.7643 to allow for the use of 911 telephone line surcharge revenues for the purpose of paying the costs associated with the acquisition and maintenance of portable event recording devices and vehicular event recording devices.

Those law enforcement agencies required by NRS 289.830 to utilize portable event recording devices (body-worn cameras) need to purchase the body-worn camera equipment in the current fiscal year (FY 2017-18). The fiscal year 2017-18 E911 Fund budget was approved prior to the body-worn camera mandate and does not include the required budget authority to comply with NV SB 176. Therefore, the E911 Fund budget must be augmented to cover these expenses in the current fiscal year.

Nevada Revised Statute (NRS) 354.598005 and Nevada Administrative Code 354.410 set for the requirements for budgetary augmentations. Available resources for a mid-year budget augmentation are:

- An opening balance which is larger than anticipated;
- Revenues in excess of those budgeted;
- Revenues generated from previously unbudgeted sources; or
- An unappropriated ending balance of a fund for capital projects.

FISCAL IMPACT

If approved, \$300,000 of additional surcharge revenue is available in fiscal year 2017-18 due to an increased telephone line surcharge effective May 1, 2018. Approval of the resolution will result in an increase in expenditure appropriation in C800802 E911 Public Safety Cameras, 710400 – Payments to Other Agencies:

Cost Object	G/L Account	Amount
Revenue:		
C800802 E911 Public Safety Cameras	460351 – Surcharge Cellular	\$196,032.24
C800802 E911 Public Safety Cameras	460352 – Surcharge Land	96,156.23
C800802 E911 Public Safety Cameras	460353 – Surcharge Resale	7,811.53
Expenditures:		
C800802 E911 Public Safety Cameras	710400 – Payments to Other Agencies	\$300,000.00

RECOMMENDATION

It is recommended that the Board of County Commissioners approve the attached resolution to augment the Enhanced 911 Fund in the amount of [\$300,000] to increase expenditure authority for reimbursement of portable event recording devices and related expenses for fiscal year 2017-18; and direct the Comptroller to make the appropriate budget amendments. (net impact to General Fund is zero).

POSSIBLE MOTION

Should the Board agree with staff's recommendation, a possible motion would be:
“Move to approve the resolution to augment the Enhanced 911 Fund in the amount of [\$300,000] to increase expenditure authority for reimbursement of portable event recording devices and related expenses for fiscal year 2017-18; and direct the Comptroller to make the appropriate budget amendments. (net impact to General Fund is zero).”