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ACTION FORM
BRYAN CITY COUNCIL

Meeting Date (?) 09/13/2016

Subject Matter* (?) 911 Dispatch Agreement 2017
This must match rolling agenda entry

Department of Origin* POLICE

Submitted By* Eric Buske

Type of Meeting* ○ BCD ○ Special ◉ Regular

Classification* ○ Public Hearing ○ Consent ◉ Statutory ○ Regular

Ordinance* ◉ None ○ First Read ○ Second Read ○ First & Only Read

Strategic Initiative* ☑ Public Safety ☐ Service ☐ Economic Development ☐ Infrastructure ☐ Quality of Life

Agenda Item Description* Consideration of an agreement between the City of Bryan and the Brazos County Emergency Communications District (a.k.a. 911 District or 911) to provide emergency communications dispatching services, in the amount of $1,755,670, for the City of Bryan for Fiscal Year 2017.

Summary Statement* This Council Action Form and related resolution is one of two 911 District agenda items for the City Council to consider on the same agenda. This item relates to the emergency communications dispatching services agreement for the services the 911 District provides to the City of Bryan. The other agenda item is the 911 District Fiscal Year 2017 proposed budget, which includes the funding for the dispatch services to the City of Bryan, dispatch services to Brazos County, and the 911 operations.

Under the terms of the proposed agreement, the Brazos County Emergency Communications District (a.k.a. 911 District or 911) will serve as the "Emergency Communications Dispatching Authority" for the City of Bryan for the period of October 1, 2016, through September 30, 2017. In consideration for the services provided by the Brazos County Emergency Communications District, the City agrees to provide compensation in the amount of $1,755,670. The 911 District has provided dispatch service to the City of Bryan for over twenty-five (25) years.

The requested FY2017 funding amount of $1,755,670 reflects an increase of $145,845 (or about 9.06%), which is mostly attributed to increases in personnel and benefit costs and the addition of one call-taker/dispatcher, and a new Emergency Fire Dispatching Protocol service ($63,939) when compared to amounts allocated in the Fiscal Year 2016 City of Bryan budget.

Historical agreement costs for services provided to the City of Bryan by the Brazos County Emergency Communications District are:

Historic 911 District Dispatch Agreement, COB Budget, and Actual Amounts are:

-Year -911 Total Budget -COB Agreement -COB Budget(1) -COB Actual(1)
-FY2010 -$3,293,250 -$1,295,248 -$1,297,114 -$1,274,692(2)
-FY2011 -$3,318,593 -$1,287,033 -$1,287,033 -$1,325,702(3)
-FY2012 -$3,428,087 -$1,343,721 -$1,352,492 -$1,346,138(4)
-FY2013 -$3,466,965(5) -$1,381,763 -$1,381,763 -$1,381,763(6)
-FY2014 -$4,663,970(7) -$1,456,959 -$1,456,959 -$1,456,959(6)
-FY2015 -$3,818,320 -$1,528,981 -$1,528,981 -$1,556,824
-FY2016(8) -$4,032,634 -$1,582,564 -$1,582,564 -na
-FY2017(8) -$4,383,804 -$1,755,670 -$1,755,670 -na
(1) Budget amount and Agreement amounts may differ based on when the two were finalized
(2) at year end, the 911 District made a true-up payment of $20,556
(3) at year end, the City of Bryan made a true-up payment of $38,669
(4) at year end, the City of Bryan made a true-up payment of $2,417.44
(5) adjusted in FY2014 to reflect approved budget change not previously captured
(6) a true-up was not in the agreement
(7) includes capital costs: facility improvements (~$250K) & 911 equipment upgrades (~$1M)
(8) Proposed (a true-up is not in the agreement)

The agreement remains essentially unchanged from the previous year, including the non-inclusion of a true-up provision, which was in several previous years' agreements. While a true-up provision may result in the City of Bryan being reimbursed, historically this provision results in the City more likely making a year-end payment to the 911 District; that is, a cost greater than the original agreement amount. By not including a true-up provision, the 911 District is held

original agreement amount. By not including a true-up provision, the 911 District is held accountable to a specific funding level or a baseline amount. The City of Bryan and Brazos County are the two (2)entities that the 911 District provides dispatch services, and agreements both entities have with the 911 District closely mirror one another.

The following is a summary of the proposed agreement between the City of Bryan and the Brazos County Emergency Communications District (a.k.a. 911 District):

• Section 1 (Services): States that the 911 District shall serve as the City's "Emergency Communications Dispatching Authority." The term is from October 1, 2016, through and including September 30, 2017.

• Section 2 (Fee): States that the City shall compensate the 911 District for the services with a flat fee of $1,755,670. This section also requires the 911 District to encumber and hold in reserve a fund equal to one month of operating expenses. Additionally, the 911 District will provide the City a quarterly report of actual revenues from installment payments by the City, expenditures, and a balance sheet for dispatch operations. This section states that the 911 District shall make its current year and at least three (3) prior fiscal years' financial records available to the City for review upon its request.

• Section 3 (Records): States that the 911 District is not the custodian of record for records such as those created by the Computer Aided Dispatch (CAD); those records are the City of Bryan's and public requests for such will be processed through the City of Bryan's Open Records process.

• Section 4 (Employees): States that 911 District employees are not City employees.

• Section 5 (Governing Law): States that the City and the District understand and agree to be subject to all the laws, ordinances and regulations which govern and affect Emergency Communication Districts and National Crime Information Computer network telecommunications as promulgated by the State of Texas or the United States Government or any of its appropriate Agencies, such as the Texas Department of Public Safety or the Federal Bureau of Investigation.

• Section 6 (Hold Harmless): This section is the Hold Harmless clause.

• Section 7 (Authority): This section empowers and authorizes the Chief Administrative Officer of each party to have signatory authority for required documentation to implement the proposed agreement.

• Section 8 (Entire Agreement): Denotes that this proposed agreement is the entire agreement. The agreement may only be modified or amended in writing by mutual consent of the parties.

• Section 9 (Termination): This section provides a termination process, which allows either party upon 90 days advance written notice to terminate the agreement. If the agreement is terminated, the City is responsible for fees on a pro-rated basis to the date of termination.

• Section 10 (Notices): This section provides notification information for both parties.

At the July 21, 2016, Brazos County Emergency Communications District Board Meeting, the Board approved forwarding the 911 District's FY2017 proposed budget to each entity covered by the 911 District. The Board also discussed the proposed agreement terms, including the funding levels for the two entities in which the 911 District provides dispatch services.

At the July 12, 2016, City Council Workshop, the City of Bryan's Fiscal Year 2016 budget was reviewed. This review included the requested funding to the 911 District.

Since the City of Bryan relies on the 911 District to provide dispatch services, the City is not equipped to operate a dispatch center. If the City of Bryan does not approve the agreement, the City will need to develop a plan to address dispatch services, including identifying a location, the purchase of equipment, and hiring personnel or negotiating terms with an entity that can provide such services. The City of Bryan's FY2017 proposed budget includes the proposed agreement amount $1,755,670.

Staff Analysis & Recommendation*

STAFF ANALYSIS AND RECOMMENDATION: Staff recommends approval of the agreement between the City of Bryan and the Brazos County Emergency Communications District, and funding for emergency communications dispatching services for Fiscal Year 2017. The funding for the emergency dispatching services agreement reflects an increase over the previous year's agreement; however, operating a dispatch center internally would likely cost the City considerably more than the agreement amount.

The agreement provides for quarterly reports of revenues and expenses. The agreement provides emergency dispatching services at a cost below that estimated for a City-operated emergency dispatching and communications center. The operation of emergency dispatching services through an agreement with the Brazos County Emergency Communications District limits the City's liability and provides resources only available through a combined communications center. However, an agreement limits the City's direct control over emergency dispatching operations.

The Brazos County Emergency Communications District Board has approved the District's FY2017 proposed budget, which includes the City of Bryan's funding amount, pending the City's approval of the dispatching services agreement. During the July 12 City Council Workshop, the 911 District's funding request was shared with the City Council. If the City of Bryan does not approve the proposed dispatch service agreement, the City will need to immediately develop a strategy to provide dispatch services, especially for public safety personnel.

Options*

(In Suggested Order of Staff Preference)

1. Approve the proposed emergency communications dispatching services agreement.

2. Modify the services agreement and/or funding amount and then approve, which may require City Council consideration at a future City Council meeting and additional negotiations with the Brazos County Emergency Communications District.

3. Do not approve the services agreement and provide direction to staff. Note, without an agreement, the City will need to determine a strategy to provide dispatch service.

Funding Source*

General Fund

Attachments

Attachment 2-FY2017 Budget 072216.pdf	1.54MB
Dispatch_Agreement_911_FY2017.docx	18.45KB

Please detail attachments and note attachments available for viewing in City Secretary's Office:

1. FY17 Proposed Agreement (Word document)

2. FY17 911 Proposed Budget Summary (pdf)

Dept. Head Signature

Eric W. Buske

Deputy City Manager Signature

Hugh R. Walker

City Manager Signature

City Attorney Signature

Janis K. Hampton