

911 Emergency Response Advisory Committee

Minutes

THURSDAY ~ MAY 19, 2016 ~ 1:30 P.M.
REGIONAL EMERGENCY OPERATIONS CENTER
5195 SPECTRUM BOULEVARD, RENO, NEVADA

MEMBERS

Suzy Rogers, Chair
Aaron Kenneston, Vice-chair
Duane Meyer, At-Large
Bill Ames
Rob Larson
Chris Maples
Teresa Wiley

1. CALL TO ORDER AND ROLL CALL AND INTRODUCTION OF NEW MEMBER [Non-action item]

Chair Rogers called the meeting to order at 1:33 p.m. A quorum was established.

Chair Rogers introduced William Ames, representing Washoe County.

PRESENT: Bill Ames, Aaron Kenneston, Rob Larson, Chris Maples, Duane Meyer, Suzy Rogers and Teresa Wiley.

ABSENT: None.

Jen Gustafson – Deputy District Attorney, was also present.

2. PUBLIC COMMENTS [Non-action item]

There were no public comments.

3. APPROVAL OF MINUTES [For possible action] – March 17, 2016

Hearing no public comments Chair Rogers asked for Board discussion or a motion.

It was moved by Member Wiley, seconded by Member Larson, to approve the March 17, 2016, minutes, as submitted. The motion carried unanimously.

4. ELECTION OF AT-LARGE REPRESENTATIVE [For possible action] *continued from the March 17, 2016, meeting.*

Chair Rogers noted that Duane Meyer was the only applicant for the position.

Hearing no public comment Chair Rogers asked for Board discussion or a motion.

Member Kenneston commented that Mr. Meyer is well qualified to serve and will be an excellent addition this board.

Member Maples nominated Duane Meyer to serve as the At-Large representative. Member Kenneston seconded the nomination.

Duane Meyer accepted the nomination.

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The nomination to elect Duane Meyer as the At-Large representative carried unanimously.

- 5. REVENUE/PAYABLES AND ENDING FUND BALANCE REPORTS** [For possible action] – *A review, discussion and possible action to accept the Revenue/Payables and Uncommitted Ending Fund Balance reports.*

Craig Betts – Washoe County Technology Services, provided an overview of the current revenue/payables report noting that the projected ending fund balance of \$584,180.00 would allow an additional expenditure of \$81,180.00 if needed while maintaining the ending fund balance of \$500,000.00.

Hearing no public comment, Chair Rogers asked for Board discussion or a motion.

It was moved by Member Maples, seconded by Member Wiley, to accept the Revenue/Payables and Uncommitted Ending Fund Balance reports, as presented. The motion carried unanimously.

- 6. ANNUAL TRAINING/TRAVEL BUDGET REQUEST** [For possible action] – *A review, discussion and possible action to recommend that the BCC (Board of County Commissioners) approve, deny or otherwise modify the annual training and travel request for FY 2016/2017: Travel Budget \$40,000.00 and Seminars and Meeting Budget \$20,000.00 for a total amount not to exceed \$60,000.00.*

Craig Betts – Technology Services, provided an overview of the proposed recommendation for the 2016/2017 Travel/Training budget for BCC (Board of County Commissioners) approval.

Hearing no public comment Chair Rogers asked for Board discussion or a motion.

It was moved by Member Wiley, seconded by Member Meyer, to recommend that the BCC (Board of County Commissioners) approve the annual training and travel budget of \$60,000.00 with \$40,000.00 for travel and \$20,000.00 for seminars and meetings. The motion carried unanimously.

- 7. REQUEST FOR TRAVEL AND TRAINING FOR WASHOE COUNTY SHERIFF'S OFFICE COMMUNICATIONS PSAP (Public Safety Answering Point); CITY OF RENO PSAP; and CITY OF SPARKS PSAP** [For possible action] – *A review, discussion and possible action to approve, deny or otherwise modify funding requests to send two (2) individuals from each agency to the NENA (National Emergency Number Association) June 11 through 16, 2016: 1) Washoe County Sheriff's Office Communications, in an amount not to exceed \$6,000.00; 2) City of Reno Emergency Communications, in an amount not to exceed \$6,000.00; 3) City of Sparks PSAP, in an amount not to exceed \$6,000.00. Total request for all three (3) PSAPs not to exceed \$18,000.00.*

Chair Rogers noted that the City of Reno will not be attending the NENA (National Emergency Number Association) training.

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Jenn Felter – Washoe County, noted that she had submitted a late request to approve funding for the upcoming APCO (Association of Public Safety Communication Officials) training in August 2016. However, it is her understanding that the APCO request was not received in time for proper noticing. Ms. Felter deferred Member Meyer's inquiry about seeking reimbursement to Member Ames.

Member Ames commented that he believes having the item on the July meeting agenda would be appropriate.

Member Wiley noted that the City of Sparks would also be attending the NENA training and would submit a request for reimbursement.

Responding to Member Maples inquiry about an amount not to exceed \$8,000.00 compared to the agenda request for an amount not to exceed \$6,000.00, Ms. Felter explained that the agenda item was based on previous requests for travel/training funding and that her report had been sent after the agenda had been posted. Typically, Ms. Felter increases the not to exceed amount so that any unexpected costs can be covered if necessary. In the event that the \$6,000.00 cap is exceeded Washoe County may submit a request for reimbursement after the conference.

Member Wiley explained that the individual responsible for submitting the staff report and documentation had been unable to complete the task due to other duties and that the City of Sparks would seek reimbursement after the conference.

Member Maples reminded those present of the need to submit supporting documentation in a timely manner.

Responding to Member Meyer's inquiry about which fiscal year the travel expense would be deducted from for this training session. Mr. Betts explained that the fiscal year ends on June 30 with the new fiscal year commencing on July 1. Typically Technology Services staff monitors the two different funds (travel and training)

It was moved by Member Wiley, seconded by Member Meyer, to approve the Washoe County Sheriff's Office and the City of Sparks requests for travel/training to attend the NENA conference in an amount not to exceed \$6,000.00 per agency and a total amount not to exceed \$12,000.00. The motion carried unanimously.

- 8. FUNDING REQUEST - PRO-QA AND PRIORITY DISPATCH** [For possible action] – *A review, discussion, and possible action to approve, deny or otherwise modify a funding request for the Washoe County Sheriff's Office for the ProQA-Priority Dispatch Extended Service Plan/Annual Maintenance for July 1, 2016, through June 30, 2017, in an amount not to exceed \$19,573.00.*

Hearing no public comment, Chair Rogers asked for Board discussion or a motion.

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Responding to Member Kenneston's inquiry about whether the Cities of Reno and Sparks would need funding for a similar program, Chair Rogers stated that the Reno PSAP (Public Safety Answering Point) did not.

Member Wiley noted that while the City of Sparks PSAP is considering the use of the program it is not currently in use and would, when appropriate, be brought back as a funding request.

Jenn Felter – Washoe County PSAP, commented that she believes the platinum package cost remains the same and includes educational component that she would seek funding for in the future.

It was moved by Member Meyer, seconded by Member Ames, to approve the funding request for the Washoe County Sheriff's Office for the ProQA-Priority Dispatch Extended Service Plan/Annual Maintenance for July 1, 2016, through June 30, 2017, in an amount not to exceed \$19,573.00. The motion carried unanimously.

- 9. DISPATCH CONSOLE PRIORITY MARKER TONE** [For possible action] – *A review, discussion and possible action to approve, deny or otherwise modify a request to purchase seventeen (17) Priority Marker Tone Function licenses, one for each Dispatch Console in each of the three (3) PSAPs. Cost per license \$328.50 for a total cost not to exceed \$5,584.50.*

Shawn Tayler – Regional Communications Coordinator, outlined the request noting that the Priority Marker Tone had not been available when the consoles were initially purchased. This request will retrofit the seventeen (17) consoles located in the three (3) primary PSAP's (Public Safety Answering Point). Mr. Tayler noted that the Sparks consoles will be fitted with the Marker Tone before installation.

Hearing no public comment Chair Rogers asked for Board discussion or a motion.

It was moved by Member Larson, seconded by Member Wiley, to approve the purchase of seventeen (17) Priority Marker Tone Function licenses, one for each Dispatch Console in each of the three (3) PSAPs at a cost per license of \$328.50 and a total cost not to exceed \$5,584.50. The motion carried unanimously.

- 10. UPDATE ON INTRADO GREAT MIGRATION PROJECT FOR NextGen E911** [Non-action item] – *An informational progress report on GIS (Geographical Information System) activities related to Intrado's Great Migration Project for NextGen E911 compliance of the Washoe County MSAG (Master Street Address Guide).*

Matt Lawton – Technology Services, provided an update on the Intrado Great Migration GIS NextGen project. As of May 6, 2016, a 98.3-percent match for ALI (Automatic Location Indicator) to the GIS (Geographical Information System) address point had been achieved thus exceeding the 98-percent requirement. Mr. Lawton noted that there are 3,997 mismatched records out of the 198,217 records. Currently, there is a 99-percent match rate for the Street Centerline database. Validations were completed on May 9, 2016. Mr. Lawton noted that West Communications (formerly Intrado)

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continues to develop the EGDMS portal web interface for MSAG (Master Street Address Guide). It is thought that the web portal will be operational in late 2016. Although Ben Goodloe was invited to attend Mr. Goodloe did not confirm his attendance at this meeting.

There were no public comments.

Responding to Member Meyer's on the impact of the project on the region's GIS, Mr. Lawton explained that the data will move from its current tabular based format and validate all information in the future from ALI directing calls to the correct PSA and will replace the current 911 process.

- 11. REQUEST TO CLOSE AT&T ACCOUNT FOR EMERGENCY CELLULAR DEVICES FOR THE RENO, SPARKS AND WASHOE COUNTY PUBLIC SAFETY ANSWERING POINTS**
[For possible action] – *An ongoing review, discussion and possible action to direct that Washoe County Technology Services initiate action to eliminate specified Reno, Sparks and Washoe County PSAPs AT&T supported cellular devices associated with antiquated equipment.* (Continued from March 17, 2016)

David Erickson – Technology Services, commented that service had been suspended on the existing cellular devices and pointed out that the existing Nokia 2660 devices were released in 2007 and purchased in February 2010. At the end of 2016 these devices will need replacement if not discontinued.

Hearing no public comment Chair Rogers asked for board discussion or a motion.

Member Wiley commented that the City of Sparks would like to keep one cellular device.

Responding to Chair Rogers inquiry about monthly charges, Mr. Erickson explained that the current plan is \$14.00 per month depending on the type of devices. Discussions with Verizon indicated a higher monthly rate that offered by AT&T. Mr. Erickson pointed out that the device would not be a smart phone but a flip style phone as smart phone plans were different.

Member Wiley noted that there had been up to six (6) cellular devices that had only been used once perhaps twice. Therefore, the request is for a free device at the lowest monthly cost.

Mr. Erickson noted that a pay-as-you-go was not, in his opinion, a good choice given the expiration dates on cards provided for pay-as-you-go services.

Jen Felter – Washoe County suggested that a few of the cellular devices be retained in the event the dispatch center must be abandoned.

Chair Rogers recalled that the Reno center had not used the devices and that the City has provided two cellular devices one for the administrator and one for the on-call supervisor.

Ms. Felter suggested that Washoe County be allotted four (4) devices.

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It was moved by Member Kenneston, seconded by Member Wiley, to direct staff to retain five (5) free cellular devices: four (4) for Washoe County and one (1) for the City of Sparks with all other equipment being returned to the vendor.

- 12. REVIEW AND POSSIBLE UPDATE OF THE FIVE-YEAR FUNDING PLAN –** *A review, discussion and possible action to form a working group to review the 5-year Funding Plan approved by the BCC (Board of County Commissioners) on June 25, 2013. The 5-year Funding Plan is part of the Washoe County Regional 911 Emergency Response Advisory Committee Five Year Master Plan on pages 27 and 28 of the document. The intent of the study group will be to review the future expenses and make recommendations on any needed funding and/or other modifications that will be taken to the BCC for approval.*

Craig Betts – Technology Services, summarized his review of the 5-year Funding Plan noted that the last update was completed by The Galena Group in 2013. Additionally his research indicates that no further action has been undertaken since that time and that there has been some discussion about forming a small review group or contract with an outside agency to review and make recommendations for updates.

Responding to Chair Rogers' inquiry about having staff review the document, Mr. Betts noted that the Galena Group had created a "roadmap" that still has outstanding items, which could serve as a good starting point.

Jen Gustafson – Deputy District Attorney, reminded Board members that any group appointed to review and make recommendation for consideration by the Board would be subject to the OML (Open Meeting Law). Ms. Gustafson noted that if the decision is to contract with an outside firm then the RFP (Request for Proposal) process may be needed. Ms. Gustafson noted that her research indicates that there were 7 or 8 companies that submitted proposals with The Galena Group coming in with the lowest bid. Ms. Gustafson suggested that she will check into whether this would meet the criteria for sole source exemptions under existing NRS (Nevada Revised Statutes).

There were no public comments.

Member Wiley concurred that it may be best to seek an outside vendor and continue with a company that has been used in the past if possible.

Ms. Gustafson commented that the current plan will expire in January 2018.

It was moved by Chair Rogers, seconded by Member Ames, to continue the agenda item until the July 21, 2016, meeting to allow an opportunity to research whether an RFP needs to be issued or an exemption is available allowing the use of a previous vendor. The motion carried unanimously.

- 13. AUDIT OF E911 SURCHARGE BILLINGS AND COLLECTIONS** [For possible action]
Review, discussion and possible action to recommend that Washoe County negotiate, and the Board of County Commissioners approve, a contract between Washoe County and Phone

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Recovery Services, LLC/ Expert Discovery Services to work on a contingent fee basis to discover and coordinate collection of unpaid E911 telephone surcharges.

Jen Gustafson – Deputy District attorney, drew attention to her previous legal opinion on how to proceed with this type of action. Ms. Gustafson noted that Cal Dunlap was present on behalf of Phone Recovery Services, LLC. The intent of the agenda item is to have the 911 Emergency Response Advisory Committee determine whether Washoe County should seek BCC (Board of County Commissioners) approval move forward with a contract for this type of service.

Member Kenneston explained that he is a strong proponent of the proposal pointing out that the potential net increase to the 911 surcharge funds at no cost to Washoe County. Based on the prospectus provided it appears that there could be an additional \$1-million or more in unrealized revenue that will help build for the future and increase future revenue streams. Member Kenneston encouraged the board to ask Washoe County Purchasing to ascertain how Phone Recovery Services, LLC can be engaged.

Cal Dunlap noted that a Philadelphia law firm Nonie Blackstone is his partner in the process and recalled his previous involvement in resolution of sales tax being improperly used. Mr. Dunlap noted that by engaging Phone Recovery Services, LLC Washoe County will be removed from the litigation and other processes used to identify and collect unpaid surcharge fees with a flat rate of 40-percent being paid to Phone Recovery Services, LLC. Mr. Dunlap noted that the focus will be on the larger users who may have multiple telephone lines connected to a single trunk line thus avoiding paying the per line charge. Mr. Dunlap emphasized that there are no changes to fees paid by private individuals and that each county has a somewhat different method of collecting the fee. The enhanced revenue stream after the process is complete will improve funding for future needs. Mr. Dunlap provided a handout (copy on file). Mr. Dunlap then explained that the contract would enable Phone Recovery Services, LLC to collect the changes with the fee coming from the amount collected for the County. The risk involved lies solely with Phone Recovery Services, LLC rather than the client.

Member Maples expressed his support for the process.

Responding to Chair Rogers' inquiry about who receives the fees collected, Ms. Gustafson stated that it is her belief that the fund would be remitted directly to the 911 Enhanced Surcharge fund rather than the Washoe County General Fund.

Mr. Dunlap noted that he and Phone Recovery Services, LLC would work with the Washoe County District Attorney's Office on the proper methods of collecting and disbursing identified funds.

Member Kenneston commented that he believes the best course would be to have Washoe County negotiate a contract with Phone Recovery Services, LLC and have that agreement brought back to this board for review and comment before going to the BCC for final approval.

In response to Chair Rogers' question about the use of the RFP (Request for Proposal) process or sole source, Ms. Gustafson opined that this may fit the criteria for sole source, but would need some

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additional review before moving in that direction. Ms. Gustafson explained that the 911 Emergency Response Advisory Board is an advisory board to the BCC who has final authority.

In response to Member Meyer's comments about how this might affect private citizens, Mr. Dunlap commented that it is not the private citizen line charges that are being reviewed but rather businesses such as VoIP (Voice over Internet Protocol) providers and larger companies using trunk lines that while collecting the surcharge from customers might not be remitting the proper amount to the County.

Chair Rogers opened public comment.

Jen Felter questioned how business could be held accountable so that this type of service is not required in the future.

Mr. Dunlap explained that a process would be established that identifies the number of lines subject to the 911 surcharge. The question does remain of how to validate the number of lines for a new business that begins servicing customers after this contract period. The time in which the fees could be collected must be within the statute of limitations for this initial collection period.

Chair Rogers closed public comment. Chair Rogers commented that it appears the board is supportive of moving forward to assure that the proper funds are being collected and suggested that any motion include a request to bring back the and contract are brought back to the 911 Emergency Response Advisory Board for review and final recommendation to the BCC.

Member Wiley believes that the sole source exemption should be used if possible rather than the RFP process because this vendor has unique experience in this specialized field.

Member Maples commented that there may be some cost savings achieved if the matter went through the RFP process.

Mr. Dunlap stated that is not the usual outcome because this is such a specialized, unique service.

Member Kenneston explained that he believes the motion should be to direct staff to review the matter with the Washoe County Purchasing who would have the expertise to **either sole source or** conduct a search if needed.

Member Ames disclosed that Mr. Dunlap had done some legal work for he and his family in the past and in his opinion will not be a conflict.

It was moved by Member Kenneston to recommend that Washoe County enter into negotiations and seek BCC (Board of County Commissioners) approval to establish a contract between Washoe County and Phone Recovery Services LLC to work on the contingency fee to collect unpaid 911 surcharges.

Member Maples suggested the motion include a provision that allows the RFP process.

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Ms. Gustafson suggested language that directs Washoe County Purchasing to determine if the RFP process would be appropriate.

Member Kenneston restated the motion to direct Washoe County to negotiate and seek BCC (Board of County Commissioners) approval of a contract between Washoe County and a vendor preferably Phone Recovery Services LLC or an RFP (Request for Proposal) for a vendor to work on a contingency fee to discover and collect unpaid 911 surcharges. Member Meyer seconded the restated motion.

Chair Rogers amended the motion to request that any contract come back to the 911 Emergency Response Advisory Committee for review and recommendations to the BCC. Member Meyer seconded the amendment. The amended motion carried unanimously.

14. 911 EMERGENCY RESPONSE ADVISORY COMMITTEE MEMBER AND/OR STAFF ANNOUNCEMENTS, REQUESTS FOR INFORMATION AND SELECTION OF TOPICS FOR FUTURE AGENDAS [Non-action item] – *No discussion among committee members will take place on this item. The next regular meeting is scheduled at 1:30 p.m., July 21, 2016.*

Member Kenneston expressed his appreciation to Clay Griffin for accompanying him on a 14-hour drive through portions of Northern Washoe County and Modoc County Dispatch to discuss dispatch issues in the more remote areas of Washoe County.

The July 21, 2016, agenda may include, but is not limited to: 1) Travel Training for the APCO (Association of Public Safety Communication Officials) conference; 2) Update on the process to update the 5-year Master Plan; and 3) update on the contract for Phone Recovery LLC contract.

15. PUBLIC COMMENT [Non-action item]

There were no public comments.

16. ADJOURNMENT [Non action item]

Chair Rogers adjourned the meeting at 3:08 p.m.

AS APPROVED BY THE 911 EMERGENCY RESPONSE ADVISORY COMMITTEE IN SESSION ON JULY 21, 2016.