



NORTH CENTRAL TEXAS EMERGENCY COMMUNICATIONS DISTRICT
9-1-1 BOARD OF MANAGERS MEETING
Minutes – June 6, 2019
9-1-1 Training Center Room A
600 Six Flags Drive
Arlington, Texas

President Stephen Terrell called the meeting of the NCT9-1-1 Board of Managers to order at 12:34 PM on June 6, 2019.

Members of the Board Present:

1. Stephen Terrell – President, Mayor, City of Allen
2. Jerry Stringer – Vice-President, Commissioner, Johnson County
3. Roger Deeds – Secretary, Sheriff, Hood County
4. N. Lane Akin – Sheriff, Wise County
5. Jennifer Berthiaume – Mayor Pro Tem, City of Murphy
6. Danny Chambers – County Judge, Somervell County
7. Kerry Crews – Justice of the Peace #2, Hunt County
8. Harold Eavenson – Sheriff, Rockwall County
9. Jeff Hodges – Councilmember, City of Prosper
10. Shane Long – County Judge, Palo Pinto County
11. Hal Richards – County Judge, Kaufman County
12. La'Shadion Shemwell – Councilmember, City of McKinney
13. Jim Skinner – Sheriff, Collin County
14. Will Sowell – Councilmember, City of Frisco
15. Randy Stinson – Commissioner, Ellis County

Members of the Board Absent:

16. Matt Coates – Sheriff, Erath County
17. Pat Deen – County Judge, Parker County
18. Steven Gorwood – Mayor, City of Balch Springs

Members of the Staff Present:

19. Christy Williams – Director of 9-1-1
20. Monte Mercer – NCTCOG Deputy Executive Director
21. David Dean – 9-1-1 GIS Data Supervisor
22. Sherry Decker – 9-1-1 Operations Manager
23. Clay Dilday – 9-1-1 Technology Manager
24. Ken Kirkpatrick – Counsel for NCT9-1-1
25. Rodger Mann – 9-1-1 GIS Manager

26. Marti Mason – NCTCOG Fiscal Analyst
27. Amelia Mueller – 9-1-1 Communications Coordinator
28. Hilaria Perez – 9-1-1 Administrative Program Coordinator
29. James Powell – Deputy Counsel for NCT9-1-1
30. Josh Rawls – 9-1-1 Project Specialist
31. Molly Rendon – NCTCOG Director of Administration
32. Norman Marquart – NCTCOG Fiscal Manager
33. Randy Richardson – NCTCOG Senior Fiscal Manager
34. LeAnna Russell – 9-1-1 Database Supervisor
35. Jessie Shadowens-James – 9-1-1 Strategic Services Manager

Visitors Present:

36. Rebecca Charles – GIS Specialist/9-1-1 Addressing Coordinator, Ellis County

REGULAR SESSION

Action:

Item 1 Approval of March 7, 2019, Minutes

President Stephen Terrell stated the first item on the agenda was approval of the minutes from the March 7, 2019, Board meeting.

Attachment A

Upon a motion from Sheriff N. Lane Akin (seconded by Councilman La'Shadion Shemwell), and by unanimous vote of all members present, the Board approved the minutes of the March Board of Managers meeting.

Item 2 Resolution Authorizing NCTCOG to Invest Funds on Behalf of NCT9-1-1

Randy Richardson asked for authorization for the North Central Texas Council of Governments (NCTCOG) to invest funds on behalf of the North Central Texas Emergency Communications District (NCT9-1-1). When the District was formed in December of 2018, NCTCOG was established as the fiscal and administrative agent in accordance with Chapter 772 of the Texas Health and Safety Code.

The investment of funds on behalf of NCT9-1-1 is consistent with the role of fiscal and administrative agent. Funds will be invested in accordance with NCTCOG's investment policy. The Board initially set a reserve amount of 120 days and 25%, however, based on future data, NCT9-1-1 staff may bring modification recommendations to the Board. A separate and distinct account will be established and funds will be tracked separately from NCTCOG funds. An outside audit firm has been engaged to complete an annual audit on the NCT9-1-1 accounts.

Upon a motion from Councilmember Jeff Hodges (seconded by Mayor Pro Tem Jennifer Berthiaume) and by unanimous vote of all members present, the Board approved the resolution as presented.

Item 3 Resolution Approving a Contract with 911Datamaster, Inc. for Automatic Location Database Software Services

LeAnna Russell requested approval of a contract with 9-1-1Datamaster, Inc. for Automatic Location Database Software Services. In 2015, NCTCOG's Executive Board authorized a contract with 911Datamaster, Inc. that was three years with a possible one-year extension and was procured through Greater Harris County 9-1-1. With the creation of the district, staff is bringing forward a new request to enter into an agreement. The request is to enter into a maximum five-year agreement for a not-to-exceed amount of \$850,000.

Upon a motion from Justice of the Peace Kerry Crews (and seconded by Judge Hal Richards) and by unanimous vote of all members present, the Board approved the resolution as presented.

Item 4 Resolution Approving the GIS Disbursement Maintenance Model

Rodger Mann asked for approval of the updated GIS Disbursement Maintenance Model which was reached by consensus with the member county addressing coordinators. He presented information to the Board including a brief history of the model, the meetings with the counties, the model methodology, and the recommended model which includes five performance tiers and a "fix-it period." The current budget for GIS county addressing disbursements is currently approximately 45% of the NCT9-1-1 GIS budget. NCT9-1-1 staff works closely with the county addressing coordinators to give them as much information as possible to aid in the improvement of errors.

Attachment B

Upon a motion from Mayor Pro Tem Jennifer Berthiaume (seconded by Councilman La'Shadion Shemwell) and by unanimous vote of all members present, the Board approved the resolution as presented.

Item 5 Resolution Authorizing Agreements with Public Safety Answering Points (PSAPs) for 9-1-1 Service and Counties for Local Addressing and GIS Services

Christy Williams asked the Board to authorize agreements with member PSAPs for 9-1-1 service and with member counties for local addressing and GIS services. Prior to district creation, these were combined into one agreement. Due to increasing complexity, it was determined that separate agreements were necessary. These agreements outline the responsibilities of each party and NCT9-1-1 staff worked with programmatic PSAP and GIS staff to develop one uniform agreement for each group. Workshops were held with each group and time for programmatic and legal review was allotted. As much feedback as possible was incorporated. The agreements will have a term of October 1, 2019-September 30, 2021.

Attachment C and Attachment D

Justice of the Peace Kerry Crews (and seconded by Sheriff N. Lane Akin) made a motion to approve the resolution and attached agreements as presented. A vote was taken and the resolution passed as presented. Seventeen members voted yay. Commissioner Jerry Stringer abstained.

Item 6 Resolution Adopting NCT9-1-1 Policy on Third-Party Access to Telecommunications Towers

Christy Williams requested the Board adopt the NCT9-1-1 policy on third-party access to telecommunications towers. Over the past two years, NCT9-1-1 built a microwave network for 9-1-1 call delivery which included the construction of telecommunications towers. Interlocal agreements were executed for each of these towers and included the ability for third-party vendors to add equipment to the NCT9-1-1 towers. The revenue generated from the third parties would be for cost recovery and to cover maintenance of the towers.

Attachment E

Councilmember Jeff Hodges asked if there is a maximum number of third-party items that can be placed on a tower. Christy Williams responded that although there is no maximum number, there is a maximum load. Staff would work with the service provider to determine if the request meets the load requirements. Local requests would be given priority.

Councilmember La'Shadion Shemwell asked about the engagement of third parties and which side is engaging the other. Christy Williams clarified that NCT9-1-1 is not actively seeking third parties to add equipment to the NCT9-1-1 towers. Requests come from third parties and are often made directly to NCT9-1-1, although requests occasionally are presented to the local jurisdiction.

Judge Hall Richards asked how rates are determined. Christy Williams and James Powell explained that staff would be leaning on the service provider to determine rates because there are several factors to consider including market fluctuations, geography, amount of load placed on the tower, etc. There would not be a standard rate for all requests.

Commissioner Jerry Stringer expressed concerns that requests for access to towers located in secure areas pose a security risk. The understanding of Johnson County was that third-party requests were related to governmental services. He was hoping an opt-out would be added to the policy. James Powell explained that NCT9-1-1 spoke with the Johnson County attorney and that there were no legal issues and those interlocal agreements with the tower jurisdictions were executed prior to district creation and allowed for the addition of third-party equipment. Sheriff N. Lane Akin noted that his county has vendors and outside parties visiting their jail and other secure areas regularly and that there are security measures in place to allow for that to happen. The county would continue to follow those policies and measures should a third-party need access to a secure area.

Councilmember La'Shadion Shemwell asked if this agreement supersedes the policies and procedures of the jail. James Powell responded that the interlocal agreement included language on the coordination of access. Councilmember La'Shadion Shemwell further asked if a policy was necessary if the interlocal agreements were already executed. James Powell explained that we do not have any agreements with third-parties at this point. The policy is intended to address the third-party placement and would provide revenue to recoup the initial capital cost and assist with ongoing operations and maintenance costs.

James Powell explained that as currently presented, if the process was consistent with the approved policy, that requests would not come back to the Board for approval.

Councilmember La'Shadion Shemwell asked if the Board wanted to consider requiring the approval of all third-party requests or if authority should be given to staff. Judge Hal Richards stated that he felt this was outside of the Board function and that authority should be given to staff.

Mayor Pro Tem Jennifer Berthiaume asked if locals have first rights, what happens if they make a request after third-party equipment is already on the tower. Christy Williams responded that there would be contracts with the third-parties and that the District would not be allowed to remove the equipment without cause prior to the expiration of that contract. However, staff feels the towers have an allowance for significant equipment and that in the case where there was a full load prior to the local request, staff would consider not extending an agreement with a third-party vendor once the current agreement expired.

Councilmember La'Shadion Shemwell asked if the Board could set the term of the agreements. James Powell responded that yes, as no agreements are currently in place. However, due to the rapid technology changes, the equipment would generally have to be replaced periodically and that the agreements would generally probably be for a two to a five-year term.

Judge Hal Richards (and seconded by Sheriff N. Lane Akin) made a motion to approve the resolution and policy as presented. A vote was taken and the resolution passed as presented. Sixteen members voted yay. Mayor Pro Tem Jennifer Berthiaume voted nay. Commissioner Jerry Stringer abstained.

INFORMATIONAL ITEMS

Item 7 CSEC Funding Closeout Update

Christy Williams provided a briefing on the Commission on State Emergency Communications (CSEC) fund closeout process. As the closeout of NCT9-1-1's relationship with CSEC was in process, there was a discrepancy on what should be paid to the NCT9-1-1. NCT9-1-1 worked diligently with NCTCOG administrative and legal staff on documentation and went through the negotiation process. Ultimately, the compromise was reached that CSEC would provide funding for outstanding invoices which totaled approximately \$4,200,000. This was in opposition to NCT9-1-1's original understanding; however, staff determined it was not in the best interest of the program to escalate the issue and that the best course of action was to move forward.

Item 8 Mitigation Report Overview

As previously reported, there were four service interruptions in the last quarter of 2018. After action reports were completed to memorialize that information and actions taken. Staff is working on a mitigation report with the current strategic consultant within the dollars in our current contract. When the report is completed, it will be provided to the Board. A table of contents is provided for Board reference. The report will include state and federal requirements, actions taken, and proposed future actions. Findings of this report will also be incorporated into NCT9-1-1's Continuity of Operations Plan.

Item 9 Legislative Update

1. Christy Williams and Amelia Mueller presented an update on the classification of Telecommunicators as First Responders, as presented in House Bill 1090. Currently, Telecommunicators are included in

the same category as postal workers, customer service representatives, etc. The governor signed the bill and it will become effective September 1. This is the first step as Texas is the first to pass such a bill. Amelia presented information on future public events including an event honoring Telecommunicators on September 2. Amelia will provide a list of statues that will change to the Board.

2. Bill 2461 was passed that allowed the City of Richardson to withdraw from Denco 9-1-1. The bill also closed the loop allowing other cities to withdraw. NCT9-1-1 is governed by a different statue so there is no direct effect on the district.
3. The drone bill did not pass. Staff is still completing flyovers under the very limited allowable circumstances which include getting landowner approval. The bill looked positive during the first and second reading the House of Representatives; however, it was combined with several other drone bills which hindered it from passing. Staff will continue to work with the legislators for the next session. In addition, Texas 9-1-1 Alliance is seeking an opinion from the Attorney General on if 9-1-1 falls within the allowable categories.
4. The bill to increase wireless bill fees also did not pass. Although it did not pass, an interim study will be conducted, and a small group of legislators has been identified to complete that study. NCT9-1-1 will be working with the Texas 9-1-1 Alliance to work with our local representative who is serving on the committee. Historically, if 9-1-1 bills do not pass it is due to lack of awareness, not opposition because 9-1-1 bills are nonpartisan.

Item 10 Director's Report

1. Staff has encountered various issues with security settings at member jurisdictions limiting the ability to send out information. While staff is working with those jurisdictions on an individual basis, the Board of Managers' meeting packet will also be posted on NCT911.org. Contact Hilaria Perez with any remaining issues.
2. Unless there are concerns, NCT9-1-1 will continue to model the NCTCOG Executive Board and will not be printing packets. Board members may print the packet or use a personal device to view it.
3. After discussion, it was determined that staff will provide a draft budget during late July. There will be a question period and compiled answers will be distributed to all Board members. It was agreed that August 8 be scheduled as a placeholder in case there is a reason to meet for budget discussions.
4. Received a letter asking for assistance from the city of Glenn Heights, a Municipal ECD. They provide 9-1-1 for their city. They are looking to close their center and contract with the North Ellis Emergency Dispatch (NEED) center for dispatch services. As part of this transition, NCT9-1-1 would need to re-route calls and Glenn Heights would need to use NCT9-1-1 infrastructure. Fees collected by the city would be remitted to NCT9-1-1 in exchange for service. Legislation precludes Glenn Heights from joining the district so it would be a contract for services. Additional considerations are being researched, such as a recommendation for buy-in fees. Staff would likely bring a policy for contract services for board considerations since there is the possibility for future requests.
5. The quarterly performance report was provided to the staff. Any questions may be directed to LeAnna Russell.
Attachment F
6. Recent accomplishments were provided to the Board.
Attachment G

Item 11 Quarterly Financial Report

Randy Richardson presented the quarterly financial report through the month of April 2019. The report included five months, which was one half of the total budget for this condensed fiscal year. Staff are still working on gathering more data to provide projections for the remainder of the year.

Attachment H

Item 12 FY 2020 Proposed Budget Overview

Randy Richardson provided a high-level overview of the proposed budget. Although there are no finalized numbers at this point, staff wanted to start providing information to the Board so that members would know what to expect. With the previous CSEC budget format, there was not much flexibility. Now, staff has the additional latitude to report the numbers in a way that makes sense to the program. This is a time intensive process as it is the first time to use the new format. Projected revenue is still to be determined because there are only five months of historical data to reference. Current estimates put revenue at approximately \$10,500,000, from both wireless and landline; however, this is a conservative number. Additional information will be provided as it becomes available.

Due to the previous CSEC closeout and this being the first year of the program, there is not expected to be contributions to fund balance. Those funds will be added in future years and the goal is to accumulate funds for capital replacement and other long-term needs. Staff will follow the NCTCOG's rules regarding the disposal of assets and until similar purchasing requirements.

Staff is currently working on a strategic plan. This plan will cover larger-scale projects that are outside of daily operations.

Attachment I

OTHER BUSINESS

Item 13 Other Business

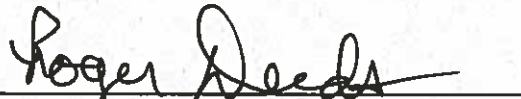
A motion to adjourn was made by Judge Hal Richards (and seconded by Councilmember Jeff Hodges). There being no other business, President Stephen Terrell adjourned the meeting at 2:28 PM.

Approved by:



Stephen Terrell
President, NCT9-1-1 Board of Managers
Mayor, City of Allen

Reviewed by:



Roger Deeds
Secretary, NCT9-1-1 Board of Managers
Sheriff, Hood County