

INTRODUCED: June 12, 2017

AN ORDINANCE No. 2017-123

To amend City Code § 2-728, concerning the Division of Emergency Communications, for the purpose of updating the Department’s functions; to amend and reordain ch. 2, art. IV, div. 19 of the City Code by adding therein a new § 2-729, concerning certain emergency communications agreements and fees, for the purpose of authorizing the Chief Administrative Officer to enter into and modify certain agreements with external subscribers who use the City’s emergency communications systems; and to amend Appendix A of the City Code by adding therein for § 2-729(c) new fees applicable to subscribers who use the City’s emergency communications systems and for whom the Department installs, maintains, or repairs equipment in vehicles.

Patron – Mayor Stoney

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: JULY 24 2017 AT 6 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That section 2-728 of the Code of the City of Richmond (2015) be and is hereby **amended** and reordained as follows:

Sec. 2-728. Department of Emergency Communications.

There shall be a Department of Emergency Communications, which shall be headed by the Director of Emergency Communications and shall consist of such officers and employees

AYES: 9 NOES: 0 ABSTAIN: _____

ADOPTED: JULY 24 2017 REJECTED: _____ STRICKEN: _____

organized into such units as may be provided by ordinance or by the orders of the Director of Emergency Communications consistent with this division. The Department of Emergency Communications shall be designated as the public safety answering point (PSAP) for the E-911 telephone system and is charged with the appropriate routing of those E-911 calls received. The Department shall also be responsible for (i) the planning for, operation, maintenance and coordination of all emergency [radio and telephone] communications systems, as defined in section 2-729(a), for the City, (ii) the control and management of all communications towers or sites owned or controlled by the City, and (iii) all functions of the City's radio shop, including, but not necessarily limited to, the installation in vehicles of equipment as defined in section 2-729(a).

§ 2. That Chapter 2, Article IV, Division 19 of the Code of the City of Richmond (2015) be and is hereby amended and reordained by **adding therein a new** section numbered 2-729 as follows:

Sec. 2-729. Certain emergency communications agreements; fees.

(a) As used in this section, the following words, terms and phrases, when used in this subsection, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

(1) *Agreement* means a written agreement between the City and an external subscriber concerning the use of an emergency communications system or the installation, maintenance, or repair of equipment.

(2) *Department* means the Department of Emergency Communications.

(3) *Director* means the Director of Emergency Communications.

(4) *Emergency communications system* means a radio, telephone, or similar system used primarily for communications related to emergencies or public safety for which section 2-278 makes the Department responsible.

(5) *Equipment* means auxiliary lights, cages for K-9 units, computers, radios, sirens, warning lights and other similar devices or improvements customarily installed on public safety or utility vehicles.

(6) *External subscriber* means a governmental or nongovernmental organization that, in the judgment of the Director, should be allowed to use an emergency communications system or equipment for which section 2-728 makes the Department responsible.

(7) *Internal subscriber* means a City department or other agency that uses an emergency communications system or equipment for which section 2-728 makes the Department responsible.

(b) The Chief Administrative Officer, on behalf of the City, may enter into and, from time to time, modify written agreements with organizations for the use of the City's emergency communications systems managed by the Department, provided that:

(1) Any costs that the agreement, and any modification thereof, requires the organization to pay are equal to the City's actual costs incurred in providing the equipment and services the agreement requires the City to provide;

(2) Any fees that the agreement, and any modification thereof, requires the organization to pay are in accordance with subsection (c);

(3) The Director has approved the agreement, and any modification thereof, as to terms; and

(4) The City Attorney or the designee thereof has approved the agreement, and any modification thereof, as to form.

(c) The Department shall charge external subscribers and internal subscribers the rates for the use of emergency communications systems and for the labor involved in installing, maintaining, and repairing equipment in vehicles set forth in Appendix A.

§ 3. That Appendix A to the Code of the City of Richmond (2015) be and is hereby amended and reordained by **adding therein new** fees for section 2-729(c) of the Code of the City of Richmond (2015) as follows:

| <i>Code Section</i> | <i>Description</i> | <i>Fee</i> |
|---------------------|---|------------|
| 2-729(c) | External subscriber rate, per month | \$16.00 |
| | Internal subscriber rate, per month | \$8.00 |
| | Labor rate for vehicle installation, per hour | \$50.00 |

§ 4. This ordinance shall be in force and effect upon adoption.



CITY OF RICHMOND
INTRACITY CORRESPONDENCE

Received

MAY 10 2017
4-6531
Office of the
Chief Administrative Officer

O&R REQUEST

DATE: May 10, 2017
TO: The Honorable Members of City Council
THROUGH: The Honorable Levar M. Stoney, Mayor
THROUGH: Selena Cuffee-Glenn, Chief Administrative Officer
FROM: Stephen M. Willoughby, Director of Emergency Communications
RE: Changes to City Code relating to the Department of Emergency Communications

EDITION: 1
RECEIVED
MAY 19 2017
OFFICE OF CITY ATTORNEY

Handwritten signatures and date 5/16/17

ORD. OR RES. No. _____

PURPOSE: To amend City Code to authorize the Department of Emergency Communications (DEC) to enter into agreements with public safety communications interoperability partners and outline costs and fees for equipment, installation, and operation of agreed up emergency communications equipment.

REASON: Since at least calendar year 2000 multiple interoperability stakeholders have been subscribers on the City's radio system and use other City public safety communications systems. The City charges usage fees and service charges for these external agencies to have use of these systems. This proposed change to City Code will allow the City to enter into the memorandum of understandings with these agencies to formalize these long-lasting critical public safety relationships.

RECOMMENDATION: City Council approval of the proposed City Code change.

BACKGROUND: The City has entered into informal agreements with other public safety agencies to be interoperable communications partners of the city and have access to various public safety communications systems (i.e. radio system and computer aided dispatch system). These agencies have been charged user fees and service fees for this access and services. As more and more partners wish to be interoperable with the City and the City investing in a new radio system, it is good business practice to make these arrangements more formal. This code change will allow the City the flexibility to enter into these routine agreements.

The Department of Emergency Communications worked with the Office of the City Attorney to draft the attached proposed changes to City Code to address this need.

FISCAL IMPACT / COST: N/A

FISCAL IMPLICATIONS: This will allow for formal agreements with the City's emergency interoperability partners allowing for cost recovery and use of city equipment, installation of and system.

BUDGET AMENDMENT NECESSARY: No - these revenues and expenses are already incorporated into the current FY17 budget and the FY18 budget.

REVENUE TO CITY: In FY17 the city is expected to recover \$285,973 from the City's interoperability partners.

DESIRED EFFECTIVE DATE: Upon Adoption.

REQUESTED INTRODUCTION DATE: May 22, 2017

CITY COUNCIL PUBLIC HEARING DATE: June 12, 2017

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: Public Safety

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: N/A

AFFECTED AGENCIES: State Capitol Police, Richmond Ambulance Authority, Richmond City Health District, Richmond Metropolitan Authority, Richmond Public Schools, Richmond City Sheriff's Office, Virginia Commonwealth University, Veterans Affairs, Virginia Alcohol Beverage Control Board, and Virginia Union University. Additional agencies may be added in the future when the city sees a need to partner for public safety interoperability communications.

RELATIONSHIP TO EXISTING ORD. OR RES.: N/A

REQUIRED CHANGES TO WORK PROGRAM(S): N/A

ATTACHMENTS: Recommended modified Code language

STAFF: Stephen Willoughby, Director of Emergency Communications