

ABILENE / TAYLOR COUNTY 9-1-1 DISTRICT

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The Abilene / Taylor County 9-1-1 District Board met in regular session on May 24, 2021 at 10:00 AM at City Hall, 555 Walnut Street, City Council Chambers, Abilene, TX.

Members Present:

DeWayne Bush, County Representative and Chairman
Tommy Pope, County Representative
Vincent Cantu, Municipal Representative

Staff Present:

Bob von Wolffrad, 9-1-1 Program Director
Ed Boyle, 9-1-1 Assistant Director
Mike Saxton, 9-1-1 Program Coordinator
Blake Tulloch, GIS Tech
Evan Ellis, GIS Tech

Others Present:

Michael Rice, Abilene Assistant City Manager
Marcus Dudley, APD Chief
Becky Mackiewicz, Abilene Police Department
Kelley Messer, City of Abilene, Legal
Nate Lester, City of Abilene, Office of Emergency Management
Nellie Doneva, City of Abilene Communications
Ricky Bishop, Taylor County Sheriff
Jodi Dyer, Taylor County Sheriff's Office
Chuck Statler, Taylor County
Rebecca Eidson, County IT
Robin Davidson, Vexus Fiber, Compliance Officer
Keith Davidson, Vexus Fiber, CFO
Megan Wells, Pregnancy Resources

Item 1 – Call to Order

Chairman Bush called the Abilene / Taylor County Emergency Communications Board meeting to order at 10:00 a.m. and led the invocation.

Item 2 – Pledge to the United States Flag and the Texas Flag

Item 3 – Public Comments on Any Item on the Agenda

Chairman Bush noted that there were No Public Comments.

Item 4 – Approval of Board Minutes from September 23, 2020 Board Meeting

Boardmember Cantu motioned to approve the item as presented. Boardmember Pope seconded the motion. Motion carries.

AYES (3): Boardmembers: Bush, Pope, and Cantu

NAYS (0): None

September 23, 2020 Board Meeting Minutes **Approved.**

A copy of the minutes will be posted on: <http://abilenetx.gov/714/Agendas-Minutes> and a voice recording of all minutes is on file at the City of Abilene.

Item 5 – Discussion, Consideration and Action Regarding Taylor County Sheriff's Office Request for Certification Pay Increase for Telecommunicators

Director von Wolfradt began by explaining being a Tabled Item from the last meeting, the budget has since been reviewed. Adjustments and allocations were made based on the reimbursement strategy from last year. He noted that there would be additional expenses this year. Chairman Bush clarifies that APD funds their own Certification pay through City funds, and the 9-1-1 budget does not fund or reimburse.

Sheriff Bishop states that 9-1-1 Board is already reimbursing TCSO, this is an increase to the current amount.

The Administration does not recommend adding additional reimbursements until after complete review of the budget, which should be by the next Board meeting, in September.

Boardmember Pope motioned to Table the item until further review; Boardmember Cantu seconded the motion. Motion tabled.

AYES (3): Boardmembers: Bush, Pope, and Cantu

NAYS (0): None

Item 6 – Swearing in of Appointed and Re-Appointed Board Members

Chairman Bush stated it had already been done.

Item 7 – Discussion, Consideration and Action Regarding Taylor County Sheriff's Office Uninterrupted Power Supply (UPS)

Asst. Director Boyle began by stating TCSO is getting refresh in July to CPE (Customer Premises Equipment) from AT&T. Their UPS (Uninterruptible Power Supply) is out of warranty and obsolete. It does need to be replaced to continue to operate. He stated that it is located upstairs at the LEC. 25% of the UPS will be used for purposes other than dispatch. 75% will be

utilized by dispatch. He goes on to state that the Board did fund the same percent for the PD's UPS at the new PD. The requested amount of 75% of \$115,000 = \$86,250.00 for TCSO.

Boardmember Cantu motioned to approve the item as presented; Boardmember Pope seconded the motion. Motion carried.

AYES (3): Boardmembers: Bush, Pope and Cantu

NAYS (0): None

Item 8 – Discussion, Consideration and Action Regarding Taylor County Sheriff's Office Request for Furniture

Asst. Director Boyle stated that historically the Board has funded purchases for both PSAP's. He quotes from **Sec. 772.317. ALLOWABLE EXPENSES** from the **Health and Safety Code**.

Boardmember Pope motioned to approve the item as presented; Boardmember Cantu seconded the motion. Motion carried.

AYES (3): Boardmembers: Bush, Pope and Cantu

NAYS (0): None

Item 9 – Discussion, Consideration and Action Regarding Abilene Police Recorder Integration

Asst. Director Boyle invited Becky Mackiewickz with the Abilene Police Department to speak. Becky began by stating that APD has recently begun using a service called Rapid SOS. It utilizes GPS information from mobile devices. It supplements the location ability through triangulating with cell towers, and gives very accurate caller locations within 5 meters. The service itself is free to all public safety entities and most integrations are already built and available at no extra cost. However, the recorder does have a fee to retain records. SOS only retains the location data for 10 hours after the call. She goes on to say that we have a duty to Government Code to retain information for its legal and historical value.

Becky states that as soon as a call within their GeoFence (City Limits) is placed to 9-1-1, the location data is sent from their cell phone to their PSAP through Rapid SOS. A ping is usually received before the 9-1-1 line rings, and will continue to plot as the device moves/changes locations throughout the call and for an additional 5 minutes after the call disconnects. Rapid SOS purges the information after 10 hours unless recorded. It is only device-initiated, and cannot ping like a normal cell phone coordinate. For the time it is only for incoming calls from mobile, cellular devices. In the future, alarm companies can push through subscriber information if an alarm is activated.

It is the Administration's recommendation to approve this item.

Boardmember Pope motioned to approve the item as presented; Boardmember Cantu seconded the motion. Motion carried.

AYES (3): Boardmembers: Bush, Pope and Cantu

NAYS (0): None

Item 10 – Discussion, Consideration and Action Regarding Taylor County Sheriff's Office Request for Hardware Move

Asst. Dir. Boyle stated that TCSO is moving all CPE (Customer Premises Equipment) upstairs. This request is for their recorder to be moved by the company that installs and maintains it. **It is the Administration's recommendation to approve this item.**

Boardmember Pope motioned to approve the item as presented; Boardmember Cantu seconded the motion. Motion carried.

AYES (3): Boardmembers: Bush, Pope and Cantu

NAYS (0): None

Item 11 – Discussion and Approval of Adjusting the Emergency Service Fee for FY2021

Director von Wolffradt began by stating that the rate increase by our service provider, AT&T, forced a re-look at the amount of money collected at 6%. He states that it is the obligation under statute, that we affirm to, collect enough money to operate the district, but not to overcollect. He goes on to say the reason for Agenda Item 11, is that we are on track to continue to overcollect. They are trying to adjust it by reducing the percentage of the 9-1-1 fee from the service provider rate. He notes that we are approaching our September meeting, and that telecommunication carriers have up to 4 months to get rate change implemented before they start actually paying for rate change. This is a reaction to the increase in AT&T services rates, which then applies to all communication providers and the amount they're collecting on our behalf.

Asst. Dir. Boyle states that the board hasn't changed its rate since 2006, and it's been in the operating budget. He goes on to say that AT&T is the principal service provider. They set their base rate for residential lines, business lines and trunk lines. In the past 2 years, they have increased their business lines from \$145 to \$279, and trunk lines from \$145 to \$370. By leaving our collection percentage the same, it reflects those costs back down to the citizens.

Chairman Bush states that he called Taylor Telecom and Taylor County (spoke with Auditor and Accounting) and none had a 300% increase. He asks why it is only happening with Vexus and Suddenlink, but none of the others.

Chairman Bush asks Vexus reps to comment, and states it is open to Public Comments.

Vexus rep, Robin Davidson, Compliance Officer, begins by directing attention to the (handout) County Comparison - Abilene/Taylor County is \$16.74 flat rate. She states that she's unsure if Vexus and Suddenlink were the only carriers that changed their fee. They used the Rate Increase letter received, and calculated 6% of the new \$294 rate to get \$16.74. She goes on to say that Vexus received "huge pushback" from customers. She points out on actual invoice (handout) New Service Charges = \$588.00 mo, with taxes = \$488.00.

Robin states that her job is to ensure all taxes and fees are input into their system, collect, then remit those fees, with correct rate, to state, local and federal government.

Megan Wells, Pregnancy Resources, Office Manager, states they are a non-profit organization that operates from donations. She goes on to detail their actual invoices. She states that she called Suddenlink, and was told they cannot control this, to call local. (Prior years = ~\$43.50, Mar & Apr = \$83.40, May = \$167.40 -- 911 fees).

Vexus rep, Keith Davidson, CFO, states they can equalize the bill for 6%, but need OK/blessing to move forward with it.

Asst. Dir. Boyle states that by statute we're required to use the base rate of the principal service provider, AT&T, for our county. The only thing we can do is adjust our percentage based on their base rate.

Chairman Bush asked how much would the bill be with 2%?

Asst. Dir. Boyle states that it will reduce fees from \$16.74 to \$5.58 on business lines, and from \$22.20 to \$7.40 for trunk lines.

Chairman Bush asks how there's such a big discrepancy between each company.

Boardmember Pope asks (referring to handout) how Baird Co. is only \$.50 and we are \$16.74?

Boardmember Cantu asks if the \$16.74 is per business line, not per entity?

Asst. Dir. Boyle answers "Yes, at the moment, with our 6% fee."

Chairman Bush asks if Pregnancy Resources has 4 lines, then each line is getting charged \$16.74, but that doesn't equal \$300.00+? He then states that a rep. from AT&T needs to be present to explain all fees and charges.

Boardmember Pope states that @ 2% amount is still high = 25%. He asks if amount is lowered to 2%, can the amount be increased again?

Chairman Bush states that the amount is set by the board, so it is temporary. He goes on to say that the rate is based on the rate set by the board by projected income every year. There has to be enough to fund the things voted on by the board plus enough for unforeseen expenses/issues so that citizens do not lose 9-1-1 services. He states that the board is not to impose an undue tax on the citizens, but to fulfill the requirement that all citizens have access to 9-1-1. Asst. Dir. Boyle states that the Administration reached out to AT&T to invite members to come and explain. They never received a reply.

Boardmember Pope motioned to approve the item as presented; Boardmember Cantu seconded the motion. Motion carried.

AYES (3): Boardmembers: Bush, Pope and Cantu

NAYS (0): None

Item 12 – Discussion. Consideration and Action Regarding Consent and Waiver of Conflict of Interest

Kelley Messer, 1st Assistant Attorney, City of Abilene, Legal, begins by stating that the agreement with the City is that the City will provide staff for the Board. With this, comes city Legal, who reviews all agendas before they're posted to verify each is legal. This is done for all non-city boards. 9-1-1 Board is different in that City employees also work for this board. There is some uncertainty with this Board, City Legal is trying to have this in-place for all non-city boards they advise to give clarity if there is any ethical conflict-of-interest. The Agreement states the Board will accept/waive the conflict until the Board asks the City to withdraw or the City says they will withdraw. Being that they go to most board meetings, and the Board does ask them for representation, they can provide that.

Chairman Bush asks if there is some issue legally, who will they represent.

Legal states that the City is their 1st priority, City Council is their customer, they must represent them first. She does include that they, as other boards often do, can hire their own attorney.

Boardmember Cantu motioned to approve the item as presented; Boardmember Pope seconded the motion. Motion carried.

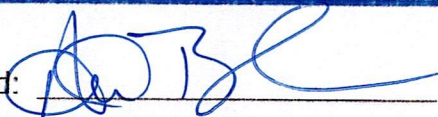
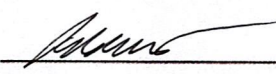
AYES (3): Boardmembers: Bush, Pope and Cantu

NAYS (0): None

Adjournment

Boardmember Pope motioned to adjourn. Boardmember Cantu seconded the motion. Motion carried.

Board Chairman, DeWayne Bush, Adjourned meeting at 10:51 am.

Approved: 
Chairman: _____
Date: _____
Attested by: 
Board Secretary
Date: <u>9/22/2021</u>