THE CITY OF ASHEVILLE

Staff Report

Council Meeting Date: January 28, 2020

Subject: Addendum #3 to the Intergovernmental Agreement between the City and County dated September 2, 2003 (9-1-1 funds)

Staff Resource(s): Jim Baumstark, Deputy Chief, Asheville Police Department
Daniel Lemley, Police Administrative Services Manager

Action Requested: Adoption of Addendum #3 to the 2003 Intergovernmental Agreement between the City and County dated September 2, 2003.

Background:

- The City and County executed an Intergovernmental Agreement on September 2, 2003, outlining the obligations between the County, as the Primary Public Safety Answering Point (PSAP), and the City, as the secondary PSAP. The purpose is to create a County and City consolidated call center; and provide clarity around the call center's expenditures.
- On December 13, 2005, the County and City executed an addendum to the 2003 Intergovernmental Agreement establishing a new completion date for the consolidated public safety communication center paid for by the County.
- On September 25, 2009, the City and County executed Addendum #2 to the 2003 Intergovernmental Agreement creating a joint agreement for the operation of the communication center.
- Since then, the State's 911 Board has determined that the City's operation meets the definition of a Secondary PSAP, and requires an agreement between the City and County for the County to receive and disburse the City's secondary PSAP funds for the City's benefit.

Council Goal(s):

- Smart City

Committee(s):

- None

Pro(s):

- Maintains the status quo regarding current 911 operations.

Con(s):

- None.

Fiscal Impact:

- No changes to the distribution of existing funds.

Suggested Motion:

- Motion to approve the resolution authorizing Addendum #3 to the Intergovernmental Agreement between the City and Buncombe County dated September 2, 2003 (9-1-1 funds)

Attachment(s)

- Resolution

RESOLUTION NO. 20-____

RESOLUTION AUTHORIZING ADDENDUM #3 TO THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY AND COUNTY DATED SEPTEMBER 2, 2003 (9-1-1 FUNDS)

WHEREAS, the City and County executed an Interlocal Agreement on September 2, 2003 outlining the County and City obligations for the City forgoing becoming a Primary PSAP, creating a consolidated call center ("the 2003 Agreement"), and how the expenses for the center will be paid; and

WHEREAS, on December 13, 2005, the City and County executed an addendum to the 2003 Interlocal Agreement establishing a new completion date for the consolidated public safety communication center paid for by the County; and

WHEREAS, on September 25, 2009, the City and County executed a second addendum to the 2003 Interlocal Agreement creating a joint agreement for the operation of the communication center; and

WHEREAS, pursuant to the 2009 Addendum, the County is responsible for purchasing and maintaining the equipment used to receive and dispatch 911 calls for service with the exception of radios; and

WHEREAS, the State of North Carolina never designated the City as a Primary PSAP and the City never received any funds from the 911 Board; and

WHEREAS, the 911 Board informed the County that it believes that the City meets the definition of a secondary PSAP; and

WHEREAS, the parties have the authority pursuant to Article 20 of N.C. Gen. Stat. Chapter 160A to enter into this Interlocal Agreement; and

WHEREAS, pursuant to N.C. Gen. Stat. § 1438-1400 *et seq.,* Buncombe County 911 Communications Center is a "Primary PSAP," defined in G.S. § 143B-1400 as the first point of reception of a 911 call by a public safety answering point; and,

WHEREAS, Buncombe County has or is about to enter into an "Agreement For 911 Fund Allocations to a Secondary PSAP" ("the State Agreement") with the North Carolina 911 Board (herein "911 Board"); and

WHEREAS, pursuant to that statute, the City through the Asheville Police Department maintains a secondary PSAP as defined by the State Agreement;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

The City Manager is hereby authorized to enter into and sign addendum #3 to the intergovernmental agreement between the City and County dated September 2, 2003 (9-1-1 funds)

Read, approved and adopted this the 28th day of January, 2020.

_____ _____

City Clerk Mayor

Approved as to form:

_____

City Attorney