

July 17, 2017

MEMORANDUM TO: Sierra Vista City Council

THRU: Charles P. Potucek, City Manager

FROM: Mary Jacobs, Assistant City Manager

SUBJECT: Approval of the Intergovernmental Agreement with Cochise County to establish the Southeastern Arizona Communications Center Joint Powers Authority

On July 17, 2016 the Sierra Vista City Council held a joint work session with the Cochise County Board of Supervisors regarding the status of the Regional Joint Communications Center and to review the draft Intergovernmental Agreement that lays the formal foundation for the establishment of a Joint Powers Authority that will be responsible for managing and overseeing the new Southeastern Arizona Communications Center (SEACOM). Both elected bodies directed that the IGA be placed on the next available agenda for approval.

Staff is recommending two minor changes to the IGA, which are included in the draft presented:

- Initial term of the IGA is through 2022. The IGA is automatically renewable year to year unless cancelled.
- A provision that allows the JPA Board to extend the "merger" status of the JPA for up to one additional year if it makes operational sense to do so. Given the potential for Century Link to delay the formal implementation, this will provide the SEACOM Board with at least a full year's worth of data before finalizing assessments and subscription rates.

What follows is the summary information provided to both bodies in advance of the work session.

Background

For over twelve years, Cochise County and the City of Sierra Vista have discussed and taken steps to establish a Regional Joint Communications Center for the benefit of both organizations, municipalities and fire districts within the county, and our respective residents. Starting with an assessment in 2004, there have been a number of ideas considered, in collaboration with the Cochise County Sheriff.

Several years ago, as a result of generous benefactor, both the County and City were able to upgrade their respective communications systems. New consoles were purchased, new dual band radios deployed for law enforcement personnel, and upgrades to the Spillman software system were made as well. Sheriff Dannels received two grants from Governor Ducey totaling

\$1.5 million dollars, to be applied toward the joint communications center, and additional funds were provided via the Buffett Foundation to purchase a building and fund all improvements for the facility. The building on Paseo San Luis in Sierra Vista is nearing completion, and work is continuing between the City and County to plan for the eventual integration of both dispatching centers and staff into one facility.

Intergovernmental Agreement

Since SEACOM is designed to provide consolidated public safety dispatching services to multiple jurisdictions, it was essential to design a structure that allows for the voices of the participating agencies to have a say in its operation. State law allows for separate governmental entities to exercise their joint powers through a quasi-independent entity for the purposes of public safety and other specific functions. This mechanism has been successfully used in other areas in Arizona, and through extensive discussions among the City and County, a draft IGA has been finalized that we believe covers the outstanding policy issues required to frame the operation of the SEACOM in the future. All other operational issues would then be left in the hands of the SEACOM Board of Directors, which would be made up largely of the local government management professionals of the participating partners, plus limited representation by the fire districts. The following summarizes the major policy points contained within the IGA, which is attached for your review:

- Cochise County and the City of Sierra Vista are identified as "Principals" in the agreement, and all future local governments as "Partners," each of which have one vote on the Board of Directors. Fire districts would have one vote on the board at such time as at least three districts become participants. Certain key decisions require at least one Principal to vote in the affirmative. Other votes require two-thirds when relating to rates, budget and other critical matters impacting each jurisdiction. The IGA specifies the functions and responsibilities of the Board.
- The SEACOM Board is responsible for hiring and overseeing the performance of a Director, who is responsible for all day-to-day operations of the joint communications center. The IGA specifies the authorities of the Director.
- A standing Operations Committee is established in the IGA chaired by the Sheriff, unless the Sheriff declines chairmanship. This committee will include the police and fire chiefs of all participating jurisdictions, and they are tasked with meeting regularly with the SEACOM Director to review the operation of SEACOM, as well as make recommendations on staffing, performance benchmarks, operational efficiencies, and other issues to the SEACOM Board. The Chair of the Operations Committee serves as an ex officio member of the SEACOM Board.
- The Board has the responsibility to establish by-laws that govern operational issues, consistent with the policy direction established in the enabling IGA. A draft set of by-laws is currently in development and will be ready for Board action following approval of the IGA by both bodies.
- The County will serve as the fiscal agent for SEACOM. All employees of SEACOM will be employed by the County as fiscal agent, although recognizing separate salary and benefit structures of current dispatch employees who will be working for SEACOM, the IGA permits those employees to continue their service and obtain the benefits of their current hiring authority.

- Because there are so many unknowns in how best to integrate finances and operations, the first year of the SEACOM operation is designed to serve as a merger rather than on the future fee-based model/assessment. The City and County have separately budgeted the continuation of their dispatching services and will utilize those funds as designated in the transition. Data will then be collected and a cost-sharing formula, and related fee schedule, determined during next year's budget process.
- The IGA specifies that all costs of the SEACOM are the responsibility of the participating jurisdictions, which will collectively pay for SEACOM's cost of operations through the cost-sharing formula. This language ensures that the County, as the fiscal agent, is not unduly burdened with costs beyond their portion as determined by the cost-sharing formula. The model will be based upon a combination of factors as determined by the JPA board, but must include workload, number of calls, and population. The initial model will require the agreement of both Cochise County and the City of Sierra Vista, with subsequent changes voted upon by the governing bodies to account for additional Participants in the SEACOM operation.
- The IGA includes appropriate protections for withdrawal and dissolution, including approval by the affected governing bodies and commitment to the fiscal year assessment.