

**Carson City
Agenda Report**

Date Submitted: 11/24/2014

Agenda Date Requested: December 6, 2014
Time Requested: 5 mins

To: Mayor and Board of Supervisors

From: Nick Marano, City Manager

Subject Title: For Possible Action: To appoint two members to the 9-1-1 Surcharge Advisory Committee, each for terms that will expire on December 31, 2016. *(Nick Marano)*

Staff Summary: Pursuant to NRS 244A.7645, CCMC 4.05.030 creates a five member advisory committee called the "9-1-1 Surcharge Advisory Committee." There are two openings due to the expiration of current terms. Reappoint requests were received from Denise Stewart, Wendy Talavera.

Type of Action Requested: (check one)
 Resolution Ordinance
 Formal Action/Motion Other (Specify)

Does This Action Require A Business Impact Statement: Yes No

Recommended Board Action: I move to appoint Denise Stewart and Wendy Talavera to the 9-1-1 Surcharge Advisory Committee, each for a term that will expire on December 31, 2016.

Explanation for Recommended Board Action: See Staff Summary

Applicable Statute, Code, Policy, Rule or Regulation: NRS 244A.7645, CCMC 4.05.030

Fiscal Impact: None

Explanation of Impact: n/a

Funding Source: n/a

Alternatives: Re-open the position for additional applicants

Supporting Material: Announcement, Current roster, Re-appointment requests, NRS 244A.7645, CCMC 4.05.030

Prepared By: Rachael Porcari, Executive Offices

Reviewed By:

Reviewed By: Nicholas Myer
(City Manager)
[Signature]
(District Attorney)
[Signature]
(Finance Director)

Date: 11/24/14
Date: 11/24/14
Date: 11/24/14

Board Action Taken:

Motion: _____

- 1) _____
- 2) _____

Aye/Nay

(Vote Recorded By)



9-1-1 Surcharge Advisory Committee

The Carson City Board of Supervisors is seeking applications from individuals who may be interested in serving on the 9-1-1 Surcharge Advisory Committee.

There are three (3) open positions to fill a term that expires December 31, 2016.

Applicants must be:

- **A resident of Carson City**
- **Possess knowledge concerning telephone systems for reporting emergencies**
- **NOT an elected public officer**

The purpose of the 9-1-1 Surcharge Advisory Committee is to serve as the official advisor to the Carson City Board of Supervisors in developing a 5-year master plan for the enhancement or improvement of the telephone system for reporting an emergency in Carson City and to oversee any money allocated for that purpose.

The Committee meetings are held at least quarterly. Applicants should be prepared for a minimum commitment of less than 2 hours a month. The positions shall serve without compensation.

Volunteer applications may be obtained from and returned to the Carson City Executive Offices. *Let it be known that all applications submitted to this office will be considered public information.*

Applications will be accepted until November 21, 2014. Interviews for this volunteer position are *tentatively* scheduled for the Board of Supervisors meeting on December 4, 2014.

Thank you for your interest in assisting Carson City.

CARSON CITY EXECUTIVE OFFICES
201 N. Carson Street #2
Carson City, Nevada 89701
(775) 887-2100 FAX 887-2286
E-Mail: rporcari@carson.org
Web Page: <http://www.carson.org/volunteer>
AN EQUAL OPPORTUNITY EMPLOYER

9-1-1 SURCHARGE ADVISORY COMMITTEE

<u>MEMBER</u>	<u>APPOINTMENT</u>	<u>TERM EXPIRES</u>
<u>Local Exchange Carrier</u>		
Tina Petersen 645 E. Plumb Ln. Rm. A103 Reno, NV 89502 688-5199 (w) 882-7668 (h) 762-5116 (c) tinap@att.com	Initial Term 07/08 Reappt. 12/09; 12/11; 12/13	12/2015
Denise Bauer 3073 N Lompa Ln Carson City, NV 89706 882-0624 (h) 315-0114 (c) dbauer@carson.org	Initial Term 12/13	12/2015
Anne Keast (Chair, elected 03/2013) 1801 Prenees St. Carson City, NV 89703 883-8728 (h) ark3940@charter.net	Initial Term 07/08 Reappt. 12/09; 12/11; 12/13	12/2015
Denise Stewart 602 Pat Lane Carson City, NV 89701 882-9455 (h) 721-1351 (c) stewartdenise@sbcglobal.net	Initial Term 12/13	12/2014
Bernard Sease 1314 E. Telegraph St. Carson City, NV 89701 882-8244 (h) 720-8244 (c) lyon1008@aol.com	Initial Term 07/08 Reappt. 12/08; 12/10; 11/12	12/2014
Wendy Talavera 1261 Figuero Way Carson City, NV 89701 887-2013 (w) 220-6341 (c) wtalavera@carson.org	Initial Term 1/14	12/2014

AUTHORITY: CCMC Chapter 4.05.030 provides for creation of a five member advisory committee appointed by the Board of Supervisors. Members must be residents of Carson City and shall be appointed to a 2-year term which commences and ends on December 31st (reappointment OK).

MEETINGS: The committee must hold a public meeting not less than quarterly per CCMC Chapter 4.05.070. Meetings are held at Fire Station 51 (777 Stewart St.).

Continued next page...

PURPOSE: Pursuant to NRS 244A.7641 through 244A.7647, CCMC Chapter 4.05.010 establishes that the primary purpose of the advisory committee is to:

- A. Develop a 5-year master plan for the enhancement or improvement of the telephone system for reporting emergencies in CC and to oversee any money allocated for that purpose
- B. To impose a surcharge for the enhancement or improvement of the telephone system for reporting an emergency in CC on:
 - 1. Each access line or trunk line of each customer to the local exchange of any telecommunications provider providing those lines in CC.
 - 2. The mobile telephone service provided to each customer of that service whose place of primary use is in CC.

Liaison: Stacey Giomi, Fire Chief 283-7150 sgiomi@carson.org *Copy to Judy Dietrich also: jdietrich@carson.org

Attorney Assignment: Jennifer Mayhew 283-7050 jmayhew@carson.org

- END DATA -

Please print legibly or go online to www.carson.org/volunteer to submit a writable document

Title of Board, Committee or Commission: 911 Surcharge Advisory Committee

Name: Stewart Denise L
Last First Middle Initial

Home Address: 602 Pat Ln Carson City NV 89701
Street City State Zip

Mailing Address (if different):
PO Box 31881 Carson City NV 89702
PO Box/Street City State Zip

Occupation/Business: Public Safety Dispatcher V

Contact: Work _____ Home 775-882-9455
Cell 775-721-1351 E-mail STEWART DENISE@SBEGlobal.net
Preferred method of contact: email

Are you currently an active registered voter in Carson City*? Yes ___ No
(*Not required for the Convention & Visitors Bureau)

Conflict of Interest:

- a. Within the past twelve (12) months, have you been employed by Carson City (including as an elected official)? ___ Yes No
- b. Do you currently have a contract with Carson City for services and/or goods? ___ Yes No
- c. Are you currently on any other Boards, Committees or Commissions?
 Yes ___ No State of Nevada Amber Alert as part of my job; however, I don't believe it is a conflict.

Criminal Record: Have you been convicted of a felony, domestic violence or a gross misdemeanor involving moral turpitude (conduct contrary to community standards of justice, honesty and good morals)? ___ Yes No

I understand that my submitted application is considered public information. I understand the Board of Supervisors may require a pre-appointment background check for any position if deemed warranted.

I have read and understand the Carson City's Boards, Committees, and Commissions Policies and Procedures (online at www.carson.org/volunteer).

I hereby declare that all statements given by me on this form are truthful and complete to the best of my knowledge.

Denise Stewart
Signature of Applicant

11/9/14
Date

NOV 10 2014

CARSON CITY
EXECUTIVE OFFICES

Deliver, mail, fax or email signed and completed form to:

Carson City Executive Offices
201 N. Carson Street Suite 2
Carson City, NV 89701
(775) 887-2100 or 283-7125
FAX (775) 887-2286
ccco@carson.org

Rachael Porcari

From: Wendy Talavera
Sent: Saturday, November 22, 2014 9:04 AM
To: Rachael Porcari
Subject: RE: 911 Surcharge Advisory Committee

Thank you for sending this. I misplaced the first one. I'll send it back to you.

Wendy Talavera
Carson City Sheriff's Office
911 E Musser St
Carson City, NV 89701
775.887.2013

From: Rachael Porcari
Sent: Wednesday, November 19, 2014 1:16 PM
To: Wendy Talavera
Subject: 911 Surcharge Advisory Committee

Hi Wendy,

I'm sending a follow up to a letter I mailed you a couple weeks back. Your term on the 911 Surcharge Advisory Committee will come to an end in December, the letter was to find out if you are still interested in sitting on the committee and would like to be reappointed.

I have attached a copy of the reappointment request, if you are still interested please fill it out and send it back, if you are no longer interested please respond to this email.

Thank you,

RACHAEL PORCARI | Management Assistant
Executive Office | Carson City, A Consolidated Municipality
201 N. Carson Street, Suite 2, Carson City, NV 89701
Direct: 775-283-7125 | Office: 775-887-2100 | Fax: 775-887-2286

CHAPTER 244A - COUNTIES: FINANCING OF PUBLIC IMPROVEMENTS

COUNTY BOND LAW

SURCHARGE FOR ENHANCEMENT OR IMPROVEMENT OF TELEPHONE SYSTEM USED FOR REPORTING EMERGENCY

NRS 244A.7641 Definitions. As used in NRS 244A.7641 to 244A.7647, inclusive, unless the context otherwise requires:

1. "Mobile telephone service" means cellular or other service to a telephone installed in a vehicle or which is otherwise portable.
2. "Place of primary use" has the meaning ascribed to it in 4 U.S.C. § 124(8), as that section existed on August 1, 2002.
3. "Supplier" means a person authorized by the Federal Communications Commission to provide mobile telephone service.
4. "Telephone system" means a system for transmitting information between or among points specified by the user that does not change the form or content of the information regardless of the technology, facilities or equipment used. A telephone system may include, without limitation:
 - (a) Wireless or Internet technology, facilities or equipment; and
 - (b) Technology, facilities or equipment used for transmitting information from an emergency responder to the user or from the user to an emergency responder.

(Added to NRS by 1995, 1056; A 1999, 1686, 2715; 2001, 621, 622, 1642, 2124; 2003, 69; 2009, 639)

NRS 244A.7643 Surcharge: Imposition; master plan required in certain counties; amount; collection; penalties for delinquent payment.

1. Except as otherwise provided in this section, the board of county commissioners in a county whose population is 100,000 or more but less than 400,000 may by ordinance, for the enhancement of the telephone system for reporting an emergency in the county, impose a surcharge on:

- (a) Each access line or trunk line of each customer to the local exchange of any telecommunications provider providing those lines in the county; and
- (b) The mobile telephone service provided to each customer of that service whose place of primary use is in the county.

2. Except as otherwise provided in this section, the board of county commissioners in a county whose population is less than 100,000 may by ordinance, for the enhancement or improvement of the telephone system for reporting an emergency in the county, impose a surcharge on:

- (a) Each access line or trunk line of each customer to the local exchange of any telecommunications provider providing those lines in the county; and
- (b) The mobile telephone service provided to each customer of that service whose place of primary use is in the county.

3. A board of county commissioners may not impose a surcharge pursuant to this section unless the board first adopts a 5-year master plan for the enhancement or improvement, as applicable, of the telephone system for reporting emergencies in the county. The master plan must include an estimate of the cost of the enhancement or improvement, as applicable, of the telephone system and all proposed sources of money for funding those costs. For the duration of the imposition of the surcharge, the board shall, at least annually, review and, if necessary, update the master plan.

4. The surcharge imposed by a board of county commissioners pursuant to this section:

- (a) For each access line to the local exchange of a telecommunications provider, must not exceed 25 cents each month;
- (b) For each trunk line to the local exchange of a telecommunications provider, must equal 10 times the amount of the surcharge imposed for each access line to the local exchange of a telecommunications provider pursuant to paragraph (a); and
- (c) For each telephone number assigned to a customer by a supplier of mobile telephone service, must equal the amount of the surcharge imposed for each access line to the local exchange of a telecommunications provider pursuant to paragraph (a).

5. A telecommunications provider which provides access lines or trunk lines in a county which imposes a surcharge pursuant to this section or a supplier which provides mobile telephone service to a

customer in such a county shall collect the surcharge from its customers each month. Except as otherwise provided in NRS 244A.7647, the telecommunications provider or supplier shall remit the surcharge it collects to the treasurer of the county in which the surcharge is imposed not later than the 15th day of the month after the month it receives payment of the surcharge from its customers.

6. An ordinance adopted pursuant to subsection 1 or 2 may include a schedule of penalties for the delinquent payment of amounts due from telecommunications providers or suppliers pursuant to this section. Such a schedule:

(a) Must provide for a grace period of not less than 90 days after the date on which the telecommunications provider or supplier must otherwise remit the surcharge to the county treasurer; and

(b) Must not provide for a penalty that exceeds 5 percent of the cumulative amount of surcharges owed by a telecommunications provider or a supplier.

7. As used in this section, "trunk line" means a line which provides a channel between a switchboard owned by a customer of a telecommunications provider and the local exchange of the telecommunications provider.

(Added to NRS by 1995, 1056; A 1997, 2212; 1999, 1686; 2001, 621, 1643, 2124; 2003, 152, 153; 2007, 559; 2009, 640)

NRS 244A.7645 Establishment of advisory committee to develop plan to enhance or improve telephone system; creation of special revenue fund; use of money in fund.

1. If a surcharge is imposed pursuant to NRS 244A.7643 in a county whose population is 100,000 or more but less than 400,000, the board of county commissioners of that county shall establish by ordinance an advisory committee to develop a plan to enhance the telephone system for reporting an emergency in that county and to oversee any money allocated for that purpose. The advisory committee must consist of not less than five members who:

(a) Are residents of the county;

(b) Possess knowledge concerning telephone systems for reporting emergencies; and

(c) Are not elected public officers.

2. If a surcharge is imposed pursuant to NRS 244A.7643 in a county whose population is less than 100,000, the board of county commissioners of that county shall establish by ordinance an advisory committee to develop a plan to enhance or improve the telephone system for reporting an emergency in that county and to oversee any money allocated for that purpose. The advisory committee must:

(a) Consist of not less than five members who:

(1) Are residents of the county;

(2) Possess knowledge concerning telephone systems for reporting emergencies; and

(3) Are not elected public officers; and

(b) Include a representative of an incumbent local exchange carrier which provides service to persons in that county. As used in this paragraph, "incumbent local exchange carrier" has the meaning ascribed to it in 47 U.S.C. § 251(h)(1), as that section existed on October 1, 1999, and includes a local exchange carrier that is treated as an incumbent local exchange carrier pursuant to that section.

3. If a surcharge is imposed in a county pursuant to NRS 244A.7643, the board of county commissioners of that county shall create a special revenue fund of the county for the deposit of the money collected pursuant to NRS 244A.7643. The money in the fund must be used only:

(a) In a county whose population is 40,000 or more but less than 400,000, to enhance the telephone system for reporting an emergency, including only:

(1) Paying recurring and nonrecurring charges for telecommunication services necessary for the operation of the enhanced telephone system;

(2) Paying costs for personnel and training associated with the routine maintenance and updating of the database for the system;

(3) Purchasing, leasing or renting the equipment and software necessary to operate the enhanced telephone system, including, without limitation, equipment and software that identify the number or location from which a call is made; and

(4) Paying costs associated with any maintenance, upgrade and replacement of equipment and software necessary for the operation of the enhanced telephone system.

(b) In a county whose population is less than 40,000, to improve the telephone system for reporting an emergency in the county.

4. If the balance in the fund created in a county whose population is 40,000 or more but less than 400,000 pursuant to subsection 3 which has not been committed for expenditure exceeds \$1,000,000 at the end of any fiscal year, the board of county commissioners shall reduce the amount of the surcharge imposed during the next fiscal year by the amount necessary to ensure that the unencumbered balance in the fund at the end of the next fiscal year does not exceed \$1,000,000.

5. If the balance in the fund created in a county whose population is less than 40,000 pursuant to subsection 3 which has not been committed for expenditure exceeds \$500,000 at the end of any fiscal year, the board of county commissioners shall reduce the amount of the surcharge imposed during the next fiscal year by the amount necessary to ensure that the unencumbered balance in the fund at the end of the next fiscal year does not exceed \$500,000.

(Added to NRS by 1995, 1056; A 1999, 1686; 2001, 621, 2125; 2007, 561; 2009, 641)

NRS 244A.7646 Dispute of amount of surcharge or designation of place of primary use by customer of supplier of mobile telephone service: Notice by customer; review by supplier; refund, credit or explanation.

1. If a customer of a supplier of mobile telephone service believes that the amount of a surcharge imposed pursuant to NRS 244A.7643 or the designation of a place of primary use is incorrect, the customer may notify the supplier of mobile telephone service in writing of the alleged error. The notice must include:

(a) The street address for the place of primary use of the customer;

(b) The account number and name shown on the billing statement of the account for which the customer alleges the error;

(c) A description of the alleged error; and

(d) Any other information which the supplier of mobile telephone service may reasonably require to investigate the alleged error.

2. Within 60 days after receiving a notice sent pursuant to subsection 1, the supplier of mobile telephone service shall review the records that the supplier of mobile telephone service uses to determine the place of primary use of its customers.

3. If the review indicates:

(a) That the alleged error exists, the supplier of mobile telephone service shall correct the error and refund or credit the customer for the amount which was erroneously collected for the applicable period, not to exceed the 24 months immediately preceding the date on which the customer notified the supplier of mobile telephone service of the alleged error.

(b) That no error exists, the supplier of mobile service shall provide a written explanation to the customer who alleged the error.

4. A customer may not bring a cause of action against a supplier of mobile telephone service for surcharges incorrectly imposed pursuant to NRS 244A.7643 unless the customer first complies with this section.

(Added to NRS by 2001, 1642)

NRS 244A.7647 Recovering cost of collecting surcharge. A telecommunications provider or supplier which collects the surcharge imposed pursuant to NRS 244A.7643 is entitled to retain an amount of the surcharge collected which is equal to the cost to collect the surcharge.

(Added to NRS by 1995, 1057; A 1999, 1686; 2001, 621; 2007, 562)

Chapter 4.05 SURCHARGE FOR ENHANCEMENT OR IMPROVEMENT OF TELEPHONE SYSTEM USED FOR REPORTING EMERGENCIES

Sections:

4.05.010 Authority and purpose.

4.05.020 Definitions.

4.05.030 Establishment of an advisory committee to develop a plan to enhance or improve telephone system for reporting emergency.

4.05.040 Chairman, election and duties.

4.05.050 Rules, regulations and bylaws.

4.05.060 Quorum.

4.05.070 Meetings.

4.05.080 Imposition of telephone surcharge.

4.05.090 Creation of special revenue fund; use of money in fund.

4.05.100 Penalty for failure to remit surcharges

4.05.010 Authority and purpose.

1. This chapter is enacted pursuant to NRS 244A.7641 through 244A.7647 for the following purposes:

- a. To establish an advisory committee to develop a 5-year master plan for the enhancement or improvement of the telephone system for reporting emergencies in Carson City and to oversee any money allocated for that purpose.
- b. To impose a surcharge for the enhancement or improvement of the telephone system for reporting an emergency in Carson City on:
 1. Each access line or trunk line of each customer to the local exchange of any telecommunications provider providing those lines in Carson City; and
 2. The mobile telephone service provided to each customer of that service whose place of primary use is in Carson City.

(Ord. 2008-21 § 3, 2008).

4.05.020 Definitions.

As used in this chapter, the words and terms defined in this section have the meanings ascribed to them unless the context requires otherwise.

"Incumbent local exchange carrier" has the meaning ascribed to it in 47 U.S.C. § 251(h)(1), as that section existed on October 1, 1999, and includes a local exchange carrier that is treated as an incumbent local exchange carrier pursuant to that section.

"Mobile telephone service" means cellular or other service to a telephone installed in a vehicle or which is otherwise portable.

"Place of primary use" has the meaning ascribed to it in 4 U.S.C. § 124(8), as that section existed on August 1, 2002.

"Supplier" means a person authorized by the Federal Communications Commission to provide mobile telephone service.

"Trunk line" means a line that provides a channel between a switchboard owned by a customer of a telecommunications provider and the local exchange of the telecommunications provider.

(Ord. 2008-21 § 4, 2008).

4.05.030 Establishment of an advisory committee to develop a plan to enhance or improve telephone system for reporting emergency.

1. The board hereby creates a five member advisory committee called the "9-1-1 surcharge advisory committee" to develop a 5-year master plan for the enhancement or improvement of the telephone system for reporting an emergency in Carson City and to oversee any money allocated for that purpose. The master plan must include an estimate of the cost of the enhancement or improvement of the telephone system and all proposed sources of money for funding the enhancement or improvement.

a. Members will serve without compensation.

b. A member appointed to the committee must:

(1) Be a resident of Carson City.

(2) Possess knowledge concerning telephone systems for reporting emergencies; and

(3) Not be an elected public officer.

c. As Carson City has a population of less than 100,000, at least one member of the committee must be a representative of an incumbent local exchange carrier which provides service to persons in Carson City.

2. Members will be selected at large by the board at its discretion.

3. The board must appoint members for a term of two years, except for the initial terms. In order to stagger the terms, the board must set the initial appointed members' terms to provide for terms of three of the appointed members to end on December 31, 2009, and for the terms of two of the appointed members terms to end on December 31, 2008. A member may be reappointed to subsequent terms of two years. Any vacancy occurring during a member's term will be filled by the board. A person appointed to fill a vacancy occurring during a term must serve out the unexpired term of the member replaced. (Ord. 2008-21 § 5, 2008).

4.05.040 Chairman, election and duties.

1. The committee must elect from its membership a chairman and vice-chairman.

2. The chairman will preside at meetings and be the signatory of any correspondence necessitated by operation of the committee.

3. The vice-chairman will carry out the duties of the chairman in his/her absence.

(Ord. 2008-21 § 6, 2008).

4.05.050 Rules, regulations and bylaws.

The committee may adopt rules, regulations and/or bylaws regarding its meetings and procedures.

(Ord. 2008-21 § 7, 2008).

4.05.060 Quorum.

Three members of the committee will constitute a quorum. The approval of a majority of all members present to vote is necessary on any action the committee desires to take.

(Ord. 2008-21 § 8, 2008).

4.05.070 Meetings.

The committee must hold a public meeting not less than quarterly. Any member of the committee may request a meeting of the committee for special purposes. Such requests shall be made to the chairman, or in his absence, the vice-chairman. Notice of the meetings and the conduct of the meetings of the committee, including the taking of minutes and their transcription and retention, must comply with the provisions of chapter 241 of NRS, Nevada Open Meeting Law. (Ord. 2008-21 § 9, 2008).

4.05.080 Imposition of telephone surcharge.

1. Imposition of the surcharges set forth in this section will not commence until the board adopts a five year master plan as set forth in CCMC 4.05.030.
 2. When the board imposes a surcharge for the enhancement of the telephone system for reporting an emergency in Carson City, the surcharge will be placed on:
 - (a) Each access line or trunk line of each customer to the local exchange of any telecommunications provider providing those lines in Carson City; and
 - (b) The mobile telephone service provided to each customer of that service whose place of primary use is in Carson City.
 3. The surcharge on access lines to the local exchange of a telecommunications provider will be twenty-five cents (\$0.25) per month per line.
 4. The surcharge on trunk lines to the local exchange of a telecommunications provider will be two dollars and fifty cents (\$2.50) per month per line.
 5. The surcharge for each telephone number assigned to a customer by a supplier of mobile telephone service will be twenty-five cents (\$0.25) per month per telephone number.
 6. A telecommunications provider that provides access lines or trunk lines in Carson City and a supplier that provides mobile telephone service to customers in Carson City must collect the surcharge from its customers each month. Except as otherwise provided in NRS 244A.7647, each telecommunications provider and supplier must remit the surcharge it collects to the treasurer of the county in which the surcharge is imposed not later than the 15th day of the month after the month it receives payment of the surcharge from its customers. In accordance with NRS 244A.7647, a telecommunications provider or supplier which collects the surcharge imposed pursuant to this section is entitled to retain an amount of the surcharge collected which is equal to the cost to collect the surcharge.
 7. Telecommunications providers and mobile telephone service suppliers affected by this ordinance must begin imposing the surcharges described in this section within 60 days after the board approves a 5-year master plan for the enhancement or improvement of the telephone system for reporting emergencies in the county commencing with a full monthly billing cycle.
 8. The committee or city manager may adopt procedures as necessary to effectuate the provisions of this section.
- (Ord. 2008-21 § 10, 2008).

4.05.090 Creation of special revenue fund; use of money in fund.

1. The board hereby creates a special revenue fund for the deposit of any money collected pursuant to NRS 244A.7643 and CCMC 4.05.080. The money in the fund must be used only for the following purposes:

(a) To enhance the telephone system for reporting an emergency so that the number and address from which a call received by the system is made may be determined, including only:

(1) Paying recurring and nonrecurring charges for telecommunication services necessary for the operation of the enhanced telephone system;

(2) Paying costs for personnel and training associated with the routine maintenance and updating of the database for the system;

(3) Purchasing, leasing or renting the equipment and software necessary to operate the enhanced telephone system; and

(4) Paying costs associated with any maintenance, upgrade and replacement of equipment and software necessary for the operation of the enhanced telephone system.

(b) To improve the telephone system for reporting emergencies in the county.

2. If the balance in the fund created pursuant to subsection 1 of this section which has not been committed for expenditure exceeds \$500,000.00 at the end of any fiscal year, the board must reduce the amount of the surcharge imposed during the next fiscal year by the amount necessary to ensure that the unencumbered balance in the fund at the end of the next fiscal year does not exceed \$500,000.00.

(Ord. 2008-21 § 11, 2008).

4.05.100 Penalty for failure to remit surcharges

Any telecommunications provider or mobile telephone service supplier that fails to remit surcharges due within 90 days after the date on which the telecommunications provider or supplier must otherwise remit the surcharges to the county treasurer will be subject to a penalty of 5% of the cumulative amount of surcharges owed by the telecommunications provider or supplier.

(Ord. 2008-21 § 12, 2008).