



# STAFF REPORT

**Report To:** Board of Supervisors

**Meeting Date:** December 17, 2015

**Staff Contact:** Nick Marano, City Manager (nmarano@carson.org)

**Agenda Title:** For Possible Action: To appoint four members to the 9-1-1 Surcharge Advisory Committee. One position to fill an unexpired term on December 31, 2016 and three positions, each for terms that will expire on December 31, 2017.

**Staff Summary:** Pursuant to NRS 244A.7645, CCMC 4.05.030 creates a six member advisory committee called the "9-1-1 Surcharge Advisory Committee." There are four openings, three of which are due to the expiration of current terms and one to fill an unexpired term. Reappoint requests were received from Anne Keast and Denis Bauer. New applications were received from Steve Grundy and Robert Stanford.

**Agenda Action:** Formal Action/Motion

**Time Requested:** 1 hr

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## **Proposed Motion**

I move to appoint \_\_\_\_\_ to the 9-1-1 Surcharge Advisory Committee to fill an unexpired term ending on December 31, 2016 and \_\_\_\_\_, \_\_\_\_\_, and \_\_\_\_\_ to the 9-1-1 Surcharge Advisory Committee, each for a term that will expire on December 31, 2017.

## **Board's Strategic Goal**

Quality of Life

## **Previous Action**

N/A

## **Background/Issues & Analysis**

N/A

## **Applicable Statute, Code, Policy, Rule or Regulation**

NRS 244A.7645, CCMC 4.05.030

## **Financial Information**

Is there a fiscal impact?  Yes  No

If yes, account name/number:

Is it currently budgeted?  Yes  No

Explanation of Fiscal Impact:

## **Alternatives**

Re-open the position for additional applicants

**Board Action Taken:**

Motion: \_\_\_\_\_

1) \_\_\_\_\_

2) \_\_\_\_\_

Aye/Nay

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
(Vote Recorded By)



# Carson City Application for Appointive/Volunteer Position

Title of Board, Committee or Commission and position applying for:

9-1-1 Surcharge Advisory Committee

## CONTACT INFORMATION

FIRST NAME

ANNE

LAST NAME

KEAST

STREET ADDRESS

1801 PYRENEES STREET

STREET ADDRESS LINE 2

CITY

CARSON CITY

STATE

NV

ZIP CODE

89703

PREFERRED CONTACT PHONE NUMBER

775-883-8728

EMAIL ADDRESS

AKK3940@CHARTER.NET

OCCUPATION/BUSINESS

Retired

PREFERRED METHOD OF CONTACT

Phone

Are you currently a registered voter in Carson City?  Yes  No

\*Not required if applying for Convention & Visitors Bureau

Are you currently a member on any Carson City Board, Committee or Commission?  Yes  No

If yes, please list:

9-1-1 Surcharge Advisory Committee

Term expiration:

Dec. 2017

## Conflict of Interest:

Within the past twelve (12) months, have you been employed by Carson City (including as an elected official)?  Yes  No

Do you currently have a contract with Carson City for services/goods?  Yes  No

\*Please refer to the BCC Policies & Procedures page 5 item C for more information

If yes, please provide contract details: i.e. Name of contract, services provided.

[Empty box for contract details]

RECEIVED

DEC 01 2015

CARSON CITY EXECUTIVE OFFICES

Registered voter ✓

**Criminal Record:**

Have you been convicted of a felony, domestic violence or gross misdemeanor involving moral turpitude (conduct contrary to community standards of justice, honesty and good morals)?

Yes  
 No

\*Please refer to the BCC Policies & Procedures page 5 item B for more information

**Education** (note: only complete below if a degree is required for this position)

College, Professional, Vocational or Other Schools attended

Major Subject

Degree Conferred

Briefly describe the qualifications you possess which you feel would be an asset to this Board/Committee/Commission:

*I have chaired the 9-1-1 Surcharge Advisory Committee since it originated in 2007.*

List the community organizations in which you have participated and describe participation:

*P.E.O., a philanthropic Educational Organization and I serve as the Nevada State Vice President - It is an international organization -*

List your affiliation with professional or technical societies, IF required for position:

**Personal/Professional References - Please list three (3)**

Name

Address

Telephone Number

Stacey Gioia  
Susan Lani  
Nancy Yamamoto

2777 EAST CANYON  
2333 QUINCY ROAD, CC  
2687 NORWOOD, CC

721-8636 (c)  
882-9272  
883-2678

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 Board, Committees and Commissions Policies and Procedures (online at [www.carson.org/volunteer](http://www.carson.org/volunteer))

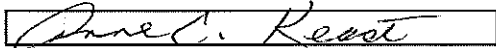
I agree

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

Signature of Applicant

Printed Name

Date



ANNE C. KEAST

12/1/15

You may attach more information.

**Deliver, mail, fax or email signed and completed application to:**

Carson City Executive Offices  
201 N. Carson St Suite 2  
Carson City, NV 89701  
Office: (775) 887-2100 Fax: (775) 887-2286  
cceo@carson.org



# Carson City Application for Appointive/Volunteer Position

Title of Board, Committee or Commission and position applying for:

reappointment of  
9-1-1 Surcharge Advisory Committee

## CONTACT INFORMATION

FIRST NAME

Denise

LAST NAME

Bauer

STREET ADDRESS

3073 N. Lampa Lane

STREET ADDRESS LINE 2

CITY

Carson City

STATE

NV

ZIP CODE

89706

PREFERRED CONTACT PHONE NUMBER

775-882-0624

EMAIL ADDRESS

dbauer@carsoncity.org

OCCUPATION/BUSINESS

911 Dispatch Supervisor

PREFERRED METHOD OF CONTACT

email

Are you currently a registered voter in Carson City?  Yes  No

\*Not required if applying for Convention & Visitors Bureau

Are you currently a member on any Carson City Board, Committee or Commission?  Yes  No

If yes, please list:

911 Surcharge Advisory Committee

Term expiration:

Dec 2015

## Conflict of Interest:

Within the past twelve (12) months, have you been employed by Carson City (including as an elected official)?  Yes  No

Do you currently have a contract with Carson City for services/goods?  Yes  No

\*Please refer to the BCC Policies & Procedures page 5 item C for more information

If yes, please provide contract details:  
i.e. Name of contract, services provided.

[Empty box for contract details]

RECEIVED

NOV 16 2015

CARSON CITY  
EXECUTIVE OFFICES

Registered Voter ✓

**Criminal Record:**

Have you been convicted of a felony, domestic violence or gross misdemeanor involving moral turpitude (conduct contrary to community standards of justice, honesty and good morals)?

- Yes
- No

\*Please refer to the BCC Policies & Procedures page 5 item B for more information

**Education** *(note: only complete below if a degree is required for this position)*

College, Professional, Vocational or Other Schools attended

Major Subject

Degree Conferred

Briefly describe the qualifications you possess which you feel would be an asset to this Board/Committee/Commission:

already on the committee

List the community organizations in which you have participated and describe participation:

List your affiliation with professional or technical societies, IF required for position:

**Personal/Professional References - Please list three (3)**

Name

Address

Telephone Number

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 Board, Committees and Commissions Policies and Procedures (online at [www.carson.org/volunteer](http://www.carson.org/volunteer))

I agree

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

Signature of Applicant

Printed Name

Date



Denise Bauer

11-16-15

You may attach more information.

**Deliver, mail, fax or email signed and completed application to:**

Carson City Executive Offices  
201 N. Carson St Suite 2  
Carson City, NV 89701  
Office: (775) 887-2100 Fax: (775) 887-2286  
cceo@carson.org





# Carson City Application for Appointive/Volunteer Position

Title of Board, Committee or Commission and position applying for:

9-1-1 Surcharge Advisory Committee

## CONTACT INFORMATION

FIRST NAME

Steve

LAST NAME

Grundy

STREET ADDRESS

868 Sonoma St

STREET ADDRESS LINE 2

CITY

Carson City

STATE

NV

ZIP CODE

89701

PREFERRED CONTACT PHONE NUMBER

883-6496

EMAIL ADDRESS

sgrundy@nvcbell.net

OCCUPATION/BUSINESS

Retired Telecommunications Professional

PREFERRED METHOD OF CONTACT

EMAIL

Are you currently a registered voter in Carson City?  Yes  No

\*Not required if applying for Convention & Visitors Bureau

Are you currently a member on any Carson City Board, Committee or Commission?  Yes  No

If yes, please list:

Term expiration:

## Conflict of Interest:

Within the past twelve (12) months, have you been employed by Carson City (including as an elected official)?  Yes  No

Do you currently have a contract with Carson City for services/goods?  Yes  No

\*Please refer to the BCC Policies & Procedures page 5 item C for more information

If yes, please provide contract details:  
i.e. Name of contract, services provided.

Registered voter ✓

**Criminal Record:**

Have you been convicted of a felony, domestic violence or gross misdemeanor involving moral turpitude (conduct contrary to community standards of justice, honesty and good morals)?

- Yes
- No

\*Please refer to the BCC Policies & Procedures page 5 item B for more information

**Education** *(note: only complete below if a degree is required for this position)*

College, Professional, Vocational or Other Schools attended

Major Subject

Degree Conferred

Numerous vendor training classes and considerable "hands-on" training.

Briefly describe the qualifications you possess which you feel would be an asset to this Board/Committee/Commission:

49 Year resident of Carson City. Retired Telecommunications Foreman at NV Energy (28+ years), Radio, Telephony, Microwave, Fiber, Trunked radio Master technician. Western Union Telegraph-Maintained transcontinental microwave radio system. Nevada Highway Patrol-Radio Technician. My whole career has been in the field of communications I believe I may bring helpful information to the committee. I have the time to help to the community.

List the community organizations in which you have participated and describe participation:

None

List your affiliation with professional or technical societies, IF required for position:

None

**Personal/Professional References - Please list three (3)**

Name

Address

Telephone Number

Tom Grundy  
Tami Fruhwirth  
Scott Talbot

4520 Apollo Carson City, NV  
15550 Toll Rd Reno, NV  
6100 Neil Rd. Reno, NV

882-1251  
762-3149  
313-7085

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 Board, Committees and Commissions Policies and Procedures (online at [www.carson.org/volunteer](http://www.carson.org/volunteer))

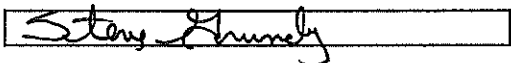
I agree

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

Signature of Applicant

Printed Name

Date



Steve Grundy

08/14/2015

You may attach more information.

**Deliver, mail, fax or email signed and completed application to:**  
Carson City Executive Offices  
201 N. Carson St Suite 2  
Carson City, NV 89701  
Office: (775) 887-2100 Fax: (775) 887-2286  
cceo@carson.org



# Carson City Application for Appointive/Volunteer Position

Title of Board, Committee or Commission and position applying for:

911 Surcharge Advisory Committee

## CONTACT INFORMATION

FIRST NAME

ROBERT

LAST NAME

STANFORD

STREET ADDRESS

3150 SUNRISE DRIVE

STREET ADDRESS LINE 2

CITY

CARSON CITY

STATE

NV

ZIP CODE

89706

PREFERRED CONTACT PHONE NUMBER

775-882-4603

EMAIL ADDRESS

HUNIORBOO@MSN.COM

OCCUPATION/BUSINESS

RETIRED

PREFERRED METHOD OF CONTACT

EMAIL

Are you currently a registered voter in Carson City?  Yes  No

\*Not required if applying for Convention & Visitors Bureau

Are you currently a member on any Carson City Board, Committee or Commission?  Yes  No

If yes, please list:

Term expiration:

### Conflict of Interest:

Within the past twelve (12) months, have you been employed by Carson City (including as an elected official)?  Yes  No

Do you currently have a contract with Carson City for services/goods?  Yes  No

\*Please refer to the BCC Policies & Procedures page 5 item C for more information

If yes, please provide contract details:  
i.e. Name of contract, services provided.

*Registered voter ✓*

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CARSON CITY EXECUTIVE OFFICES

**Criminal Record:**

Have you been convicted of a felony, domestic violence or gross misdemeanor involving moral turpitude (conduct contrary to community standards of justice, honesty and good morals)?

- Yes
- No

\*Please refer to the BCC Policies & Procedures page 5 item B for more information

**Education** (note: only complete below if a degree is required for this position)

College, Professional, Vocational or Other Schools attended

Major Subject

Degree Conferred

P.O.S.T. NV DEPT. OF CORRECTIONS 1981, P.O.S.T. NV HWY PATROL 1984, NV FIREFIGHTER 1 AND 2, HAZ-MAT TECH SPEACIALIST, NV EMT INTERMEDIATE, AMBULANCE+

CRIMINAL JUSTICE  
FIRE SCIENCE

NOT COMPLETED

Briefly describe the qualifications you possess which you feel would be and asset to this Board/Committee/ Commission:

LIFE LONG CARSON CITY RESIDENT  
35 YEARS PUBLIC SERVANT  
FAMILIAR WITH EMERGENCY DISPATCH AND REVERSE 911 CALL BACK  
SENCOND GENERATION TAX PAYER IN CARSON CITY :-)

List the community organizations in which you have participated and describe participation:

WARREN ENGINE COMPANY # 1 , OLDEST CONTINUING OPERATING VOLUNTEER DEPT. ON THE WEST COAST. 1981- PRESENT HELP PRESERVE CARSON CITY PAST WITH THE WARREN ENGINE CO.#1/ CARSON CITY FIRE DEPT. MUSEUM . THE ONLY MUSEUM ABOUT THE HISTORY OF CARSON CITY  
MEMBER AT LARGE WITH LIBERTY ENGINE CO. VOL. FIRE DEPT. OF VIRGINA CITY SUPPORT FOR MUSEUM AND FIREMAN'S CEMETERY.

List your affiliation with professional or technical societies, IF required for position:

**Personal/Professional References - Please list three (3)**

Name	Address	Telephone Number
CHIEF ROBERT SCHREIHANS	777 S. STEWART ST.,C.C.,NV.89701	775-887-2212
UNDERSHERIFF STEVE ALBERTSON	911 E. MUSSER, C.C., NV.89701	775-283-7802
CHRIS ARANYOS	201 CORRAL DR., DAYTON, NV 89403	775-303-7857

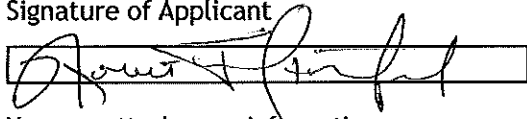
I understand that my submitted application is considered public information. I understand the Board of Supervisors may require a pre-appointment background check for any position if deemed warranted.

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

I agree

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

Signature of Applicant



Printed Name

ROBERT F. STANFORD

Date

11/12/2015

You may attach more information.

**Deliver, mail, fax or email signed and completed application to:**  
Carson City Executive Offices  
201 N. Carson St Suite 2  
Carson City, NV 89701  
Office: (775) 887-2100 Fax: (775) 887-2286  
[cceo@carson.org](mailto:cceo@carson.org)

**9-1-1 SURCHARGE ADVISORY COMMITTEE**

<b><u>MEMBER</u></b>	<b><u>APPOINTMENT</u></b>	<b><u>TERM EXPIRES</u></b>
<b><u>Local Exchange Carrier</u></b>		
Tina Petersen 645 E. Plumb Ln. Rm. A103 Reno, NV 89502 688-5199 (w) 882-7668 (h) 762-5116 (c) <a href="mailto:tinap@att.com">tinap@att.com</a>	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) <a href="mailto:dbauer@carson.org">dbauer@carson.org</a>	Initial Term 12/13	12/2015
Anne Keast (Chair, elected 03/2013) 1801 Prenees St. Carson City, NV 89703 883-8728 (h) <a href="mailto:ark3940@charter.net">ark3940@charter.net</a>	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) <a href="mailto:stewartdenise@sbcglobal.net">stewartdenise@sbcglobal.net</a>	Initial Term 12/13 Reappt. 12/14	12/2016
<b>VACANT POSITION</b>		<b>12/2016</b>
Wendy Talavera 2147 Court Side Cir Carson City, NV 89703 887-2013 (w) 220-6341 (c) <a href="mailto:wtalavera@carson.org">wtalavera@carson.org</a>	Initial Term 1/14 Reappt. 12/14	12/2016

**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 31<sup>st</sup> (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:** Bob Schreihans, Fire Chief 283-7209 [rschreihans@carson.org](mailto:rschreihans@carson.org)

**Attorney Assignment:** Iris Yowell 283-7010 [iyowell@carson.org](mailto:iyowell@carson.org)

**- END DATA -**



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).



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)