



# STAFF REPORT

**Report To:** Board of Supervisors

**Meeting Date:** July 6, 2017

**Staff Contact:** Ken Furlong, Sheriff (kfurlong@carson.org)

**Agenda Title:** For Possible Action: To approve the five year draft "911 Surcharge Master Plan" for fiscal years 2018 through 2022 in accordance with NRS 244A.7641 through NRS 244A.7647, as presented by the 911 Surcharge Advisory Committee.

**Staff Summary:** The updated 911 Surcharge Master Plan achieves three primary goals: 1) To provide a stable and adequate funding source for the operation of the 911 emergency communications systems and infrastructure; 2) To avoid the need for future allocations from the General Fund for those same operational costs; and, 3) To provide funding for the implementation of audio/video recording devices statewide for law enforcement personnel required by the passage of SB 176.

**Agenda Action:** Formal Action/Motion

**Time Requested:** 10 minutes

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## **Proposed Motion**

I move to approve the five year draft "911 Surcharge Master Plan" for fiscal years 2018 through 2022 in accordance with NRS 244A.7641 through NRS 244A.7647, as presented by the 911 Surcharge Advisory Committee.

## **Board's Strategic Goal**

Safety

## **Previous Action**

The 911 surcharge was implemented in 2008. As part of that process a 911 surcharge committee and a 5 year master plan were created.

## **Background/Issues & Analysis**

SB 176, proposed during the 2017 legislative session, introduced revisions to the Nevada Revised Statutes related to public safety. It was signed into law by Governor Sandoval. The result is that law enforcement agencies (as defined by NRS 289.830) must require their uniformed peace officers who routinely interact with the public to wear portable event recording devices ("body cameras") by July 1, 2018. These body cameras will be worn while on duty.

The legislators recognized that funding body cameras for law enforcement officers will be a challenge. To fund implementation by July 2018, SB 176 included a revision to NRS 244A.7643 that allows the 911 surcharge fund to be increased up to \$1.00 per access line and \$10.00 per trunk line, with this money to be used for this public safety enhancement.

The surcharge amount is currently set at .25 cents per access line, and \$2.50 per trunk line. CCMC 4.05.070. The revenue that will be generated as a result of the current surcharge amount is estimated at \$208,000 per year. This amount is inadequate to fulfill the requirements of SB 176, and it is also insufficient to meet the

current line item needs of reporting and responding to emergencies. Even without taking into consideration the requirements of the new law, it is estimated that \$285,726 in revenue will be needed from the general fund for FY 2018 to meet the pre SB 176 needs.

Therefore, the 911 Surcharge Committee recommends the surcharge be increased to \$1 for each access line, and \$10 for each trunk line in order to remedy these shortages and provide sufficient revenue for the surcharge to effectively fund the requirements of the new law and existing 911 costs.

The updated 911 Surcharge Master Plan achieves three primary goals: 1) To provide a stable and adequate funding source for the operation of the 911 emergency communications systems and infrastructure; 2) To avoid the need for future allocations of the General Fund for those same operational costs; and, 3) To provide funding for the implementation of audio/video recording devices for law enforcement personnel required by the passage of SB 176.

The 911 surcharge increase is accomplished through an ordinance change. Approval of the draft 911 Surcharge Master Plan is a prerequisite to the ordinance change. Additionally, approval of the draft Master Plan will provide enough information so an accurate "Business Impact Statement" can be drafted and disseminated. Once all are completed, staff will return to the Board of Supervisors for final consideration of an appropriate surcharge amount to be incorporated into Carson City Municipal Code 4.05.

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

SB 176; NRS 289.830; NRS 244A

**Financial Information**

Is there a fiscal impact?  Yes  No

If yes, account name/number:

Is it currently budgeted?  Yes  No

Explanation of Fiscal Impact: There will be a fiscal impact if the Board of Supervisors approves an increase to the 911 Surcharge, but that Fiscal Impact will occur by the ordinance going into effect.

**Alternatives**

Decline to approve the Revised Master Plan; Suggest Edits to the Revised Master Plan.

**Board Action Taken:**

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

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

Aye/Nay

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

\_\_\_\_\_

\_\_\_\_\_

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\_\_\_\_\_

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





# 911 SURCHARGE MASTER PLAN

July 6, 2017

## **Introduction**

A mature, robust, and reliable public safety communications center is the heart of any community's public safety infrastructure. To accomplish this, there must be adequate funding to ensure that the proper equipment and technology are in place to support not only the public safety user, but the community as well. To provide for this, the community, along with the Board of Supervisors, has chosen to support the 911 infrastructure via a surcharge pursuant to NRS 244A.

As time and technology have developed, expanded services and networks are needed to provide 911 services for wireless and Voice over Internet Protocol (VoIP) users who subscribe to services on today's telephone networks. In addition to currently existing services, emerging technologies continue to challenge the 9-1-1 systems in our community. The City must prepare for the impact that changing technology has on our 9-1-1 services. In order to ensure funding is available and adequate, a service fee is imposed by the Board of Supervisors on telephone lines in accordance with NRS 244A.7641 through NRS 244A.7647. Additionally this five-year master plan has been developed to comply with NRS 244A.7643.

This document serves a dual purpose as the Board of Supervisors Master Plan, and the 9-1-1 Surcharge Advisory Committee Plan.

## **Purpose**

The purpose of this document is to ensure that the Carson City 911 system and the associated dispatch and radio infrastructure systems will remain current and reliable so that all the citizens and visitors of Carson City may connect to 911 emergency services using any device from any location, and that public safety entities are equipped as required by law.

## **Mission**

The mission of this advisory committee is to develop a five-year master plan for the enhancement or improvement of the systems for reporting emergencies in Carson City and to oversee 911 surcharge funds in accordance with **Carson City Municipal Code Chapter 4.05, and equipment in accordance with NRS 289.830 inclusive.**

## **Goals: To maintain the 911 surcharge fund with sufficient stable funding to:**

1. To assess the technical needs of the 911 system on a regular basis.
2. To ensure that the 911 equipment is meeting an adequate and proper level of service.
3. To ensure that the associated radio and dispatch systems are meeting an adequate and proper level of service to ensure delivery of emergency response personnel to 911

calls for service.

4. To ensure that the technology and equipment are supporting the operations within the communications center and meeting the needs of those using the equipment.
5. To ensure the proper use of funds collected under the surcharge.
6. To ensure compliance with NRS 289.830 for equipping of audio/video devices to public safety entities.

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### **Attainment of Goals**

The goals of the Master Plan will be attained by utilizing staff available through the Fire Department, Sheriff's Department, and other appropriate city agencies. The staff members will work with industry experts and utilize their own knowledge, skills and abilities to assess technical needs and equipment utilization and needs. Staff will report to the 9-1-1 Surcharge Advisory Committee as needed to keep committee members informed.

### **Review and Update**

This plan will be reviewed and updated once each calendar year or at other times when the committee deems appropriate. The Emergency Management Director and the Sheriff are responsible for making recommendations to the committee as they relate to the 911, dispatch, radio systems, audio/video recording devices, and the applicable surcharge to the fund.

### **Revenues / Expenditures**

Critical to this plan are accurate funding projections on which to build a budget. At each meeting of the committee, city staff will provide the committee with a current budget indicating the revenue that has been collected and the expenses that have been charged against this revenue fund. The five (5) year budget plan is attached and incorporated into this Master Plan as Exhibit A.

## Carson City Municipal Code

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

#### 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 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 systems for reporting emergencies 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.

#### 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.

“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.

“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.

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

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1. The board hereby creates an advisory committee called the “9-1-1 surcharge advisory committee” to develop a plan to enhance or improve the telephone system for reporting an emergency in Carson City and to oversee any money allocated for that purpose. The advisory committee shall be comprised of a minimum of five (5) members and a maximum of seven (7) members.
  - 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. In order to stagger the terms, the board must set the appointed members’ terms to provide for terms of three of the appointed members to end in odd numbered years. 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.

#### **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.

#### **4.05.050 Rules, regulations and bylaws.**

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

#### **4.05.060 Quorum.**

A majority of members of the advisory 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.

**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.

**4.05.080 Imposition of telephone surcharge.**

1. For the duration of the imposition of the surcharges, the Board of Supervisors shall, at least annually,

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review and if necessary, update the master plan.

2. The board imposes surcharges for the enhancement of the telephone system for reporting an emergency in Carson City 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 is twenty-five cents (\$0.25) per month per line.

4. The surcharge on trunk lines to the local exchange of a telecommunications provider is 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 is 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. The committee or city manager may adopt procedures as necessary to effectuate the provisions of this section.

#### **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, 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.

(5) For the purpose of purchasing and maintaining portable event recording devices and vehicular event recording devices, as applicable and as provided for in NRS 244A.7643(3).

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2. If the balance in the fund created pursuant to subsection 1 of this section which has not been committed for expenditure exceeds \$1,000,000 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 \$1,000,000.

#### **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.

#### **4.05.110 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 he first complies with this section.

## **NRS 244A.7641 911 SURCHARGE**

**(this will be modified to reflect the current changes in the chapter)**

### **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.

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:

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(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.

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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.

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:

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(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 400,000, 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.

NRS 244A.76455 Requiring deposit of business license fees imposed in county whose population is less than 100,000 on providers of personal wireless service into special revenue fund; exceptions. Repealed. (See chapter 165, [Statutes of Nevada 2007, at page 562.](#))

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;

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(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 he first complies with this section.

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.

### 911 Surcharge Budget

					Proposed Rate:						
					\$1.00	\$1.00	\$1.00	\$1.00	\$1.00	\$1.00	
		FY 15 Actuals	FY 16 Actuals	FY 17 Estimated	FY 18 Final	FY 18 Revised	FY 19 Projected	FY 20 Projected	FY 21 Projected	FY 22 Projected	FY 23 Projected
<b>Beginning Balance</b>		<b>1,477,020</b>	<b>778,235</b>	<b>408,490</b>	<b>48,500</b>	<b>48,500</b>	<b>36,042</b>	<b>82,455</b>	<b>62,226</b>	<b>31,954</b>	<b>41,140</b>
Revenue											
40-36	Franchise Fees	216,574	212,164	215,000	215,000	430,000	860,000	860,000	860,000	860,000	860,000
01-00	Interest Income	4,504	3,114	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500
Total Revenues		221,078	215,278	217,500	217,500	432,500	862,500	862,500	862,500	862,500	862,500
Expenditures											
03-09	Professional Services		525			-	-	-	-	-	-
04-31	Service Agreements	106,093	111,303	130,500	113,728	178,940	174,600	174,600	174,600	174,600	174,600
04-32	Maintenance Service Contracts	12,274	16,319	16,319		98,059	389,785	391,427	401,470	412,012	388,586
06-27	Supplies - Reserves	45,688	81,812	18,188		-	-	-	-	-	-
06-75	Small Furnishings					65,687	5,000	5,000	5,000	5,000	66,256
06-99	Undesignated Projects			154,931		-	50,000	50,000	50,000	-	-
09-01	Internal Service Charge					-	9,430	9,430	9,430	9,430	9,430
70-40	Capital Projects/Construction		61,636			-	-	-	-	-	-
new	Radio Infrastructure					-	-	100,000	100,000	100,000	100,000
77-27	Equipment Reserves					-	-	40,000	40,000	40,000	40,000
77-43	Furniture and Fixtures	653,113	210,298	154,329		-	85,000	10,000	10,000	10,000	10,000
Total Expenditures		817,168	481,893	474,267	113,728	342,686	713,815	780,457	790,500	751,042	788,872
Other Financing Sources (Uses)											
01-00	Bond Issue Costs					-	-	-	-	-	-
72-66	Debt Service	102,695	103,130	103,223	102,272	102,272	102,272	102,272	102,272	102,272	102,272
03-00	Debt Issued					-	-	-	-	-	-
Total Charges to the Fund		919,863	585,023	577,490	216,000	444,958	816,087	882,729	892,772	853,314	891,144
<b>Ending Fund Balance</b>		<b>778,235</b>	<b>408,490</b>	<b>48,500</b>	<b>50,000</b>	<b>36,042</b>	<b>82,455</b>	<b>62,226</b>	<b>31,954</b>	<b>41,140</b>	<b>12,496</b>



911 Surcharge Expenditures by Vendor

items in yellow are approximate

Acct	Vendor	Status	FY18	FY19	FY20	FY21	FY22	FY23	Comments
04-31	AT&T	Current	122,040	122,040	122,040	122,040	122,040	122,040	based on \$10,170 per month
04-31	AT&T	New in FY18	52,560	52,560	52,560	52,560	52,560	52,560	increase of \$4,380 per month - paid by General Fund
04-31	AT&T one time charge	New in FY18	4,340						one-time charge - paid by General Fund
04-32	Body Cameras	New in FY18	55,040	95,040	95,040	95,040	95,040	60,544	new contract needed in FY23 - added 10% to FY18 amount
04-32	MDC Connection	New in FY19		19,800	19,800	19,800	19,800	19,800	currently paid by General Fund - 101-2017-421.07-10
04-32	MDC Connection	New in FY19		11,103	11,103	11,103	11,103	11,103	currently paid by General Fund - FD's Budget
04-32	AT&T - Frame Relay	New in FY19		6,000	6,000	6,000	6,000	6,000	currently paid by General Fund - 101-2017-421.07-10
04-32	Internet Connection for Body Cameras	New in FY18	3,000	3,000	3,000	3,000	3,000	3,000	waiting for Eric to provide amount
04-32	Internet Connection one time charge	New in FY18	5,000						waiting for Eric to provide amount current agreement ends March 2019, however, maintenance will still be needed -- new quote from vendor 6/7/17 July - March 2019 based on \$16,319 per year April - June 2019 based on \$21,759 per year
04-32	NICE Maintenance	Current	16,319	17,679	21,759	21,759	21,759	21,759	
04-32	Priority Dispatch	New in FY18	7,200	7,200	7,200	7,200	7,200	7,200	have been paying from surcharge but was never included in the budget
04-32	Smart911	New in FY18	11,500	7,500	7,500	7,500	7,500	7,500	
04-32	Text to 911	New in FY19		19,200	19,200	19,200	19,200	19,200	\$200 for each 911 line (8 lines total)
04-32	Text to 911 one time charge	New in FY19		12,000					\$1,500 for each 911 line (8 lines total)
04-32	Tiburon - Brazos Interface	New in FY19		905	950	998	1,048	1,100	5% increase per year - paid by General Fund - IT's Budget
04-32	Tiburon - Command CAD	New in FY19		91,325	95,891	100,686	105,720	111,006	5% increase per year - paid by General Fund - IT's Budget
04-32	Tiburon - ICS Interface	New in FY19		1,436	1,508	1,583	1,662	1,745	5% increase per year - paid by General Fund - IT's Budget
04-32	Tiburon - JailRecords	New in FY19		43,343	45,510	47,786	50,175	52,684	5% increase per year - paid by General Fund - IT's Budget
04-32	Tiburon - LawRecords	New in FY19		41,743	43,830	46,022	48,323	50,739	5% increase per year - paid by General Fund - IT's Budget
04-32	Tiburon - Mapping	New in FY19		8,441	8,863	9,306	9,771	10,260	5% increase per year - paid by General Fund - IT's Budget
04-32	Tiburon - Mobility	New in FY19		3,065	3,218	3,379	3,548	3,725	5% increase per year - paid by General Fund - IT's Budget
04-32	Tiburon - VINE Interface	New in FY19		1,005	1,055	1,108	1,163	1,221	5% increase per year - paid by General Fund - IT's Budget
06-75	Body Cameras	New in FY18	55,687					61,256	new contract needed in FY23 - added 10% to FY18 amount
06-75	Equipment Replacement	New in FY18	5,000	5,000	5,000	5,000	5,000	5,000	includes items such as headsets, monitors, UPS batteries, keyboards, etc - paid by the General Fund - 101-2017-421.06-75
06-75	Smart 911 Server Equipment	New in FY18	5,000						waiting for Eric to provide amount
06-99	Undesignated Projects	New in FY19		50,000	50,000	50,000	-	-	
09-01	Internal Service Charge	New in FY19		9,430	9,430	9,430	9,430	9,430	per Sheri
72-66	Bond Payment	Current	102,272	102,272	102,272	102,272	102,272	102,272	
new	Radio Infrastructure	New in FY20			100,000	100,000	100,000	100,000	
77-27	Equipment Reserves	New in FY20			40,000	40,000	40,000	40,000	
77-43	Workstation Replacement	New in FY19		85,000	10,000	10,000	10,000	10,000	
			444,958	816,087	882,729	892,772	853,314	891,144	

**Revenue:**

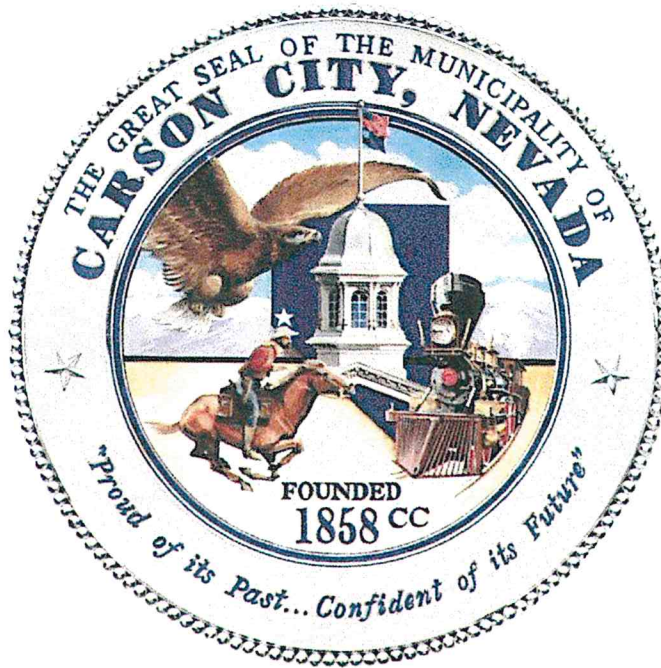
FY 18 includes revenue from 01/01/18-06/30/18

**General Fund Savings:**

	FY18	FY19	FY20	FY21	FY22	FY23
AT&T Increase	56,900	52,560	52,560	52,560	52,560	52,560
AT&T - MDC Connection		30,903	30,903	30,903	30,903	30,903
AT&T - Frame Relay		6,000	6,000	6,000	6,000	6,000
Equipment Replacement	5,000	5,000	5,000	5,000	5,000	5,000
Tiburon Maintenance		191,263	200,825	210,868	221,410	232,480
	61,900	285,726	295,288	305,331	315,873	326,943

**Recap by Account Number:**

Acct	Description	FY18	FY19	FY20	FY21	FY22	FY23
01-00	Bond Issue Costs	-	-	-	-	-	-
03-00	Debt Issued	-	-	-	-	-	-
03-09	Professional Services	-	-	-	-	-	-
04-31	Service Agreements	178,940	174,600	174,600	174,600	174,600	174,600
04-32	Maintenance Service Contracts	98,059	389,785	391,427	401,470	412,012	388,586
06-27	Supplies - Reserves	-	-	-	-	-	-
06-75	Small Furnishings	65,687	5,000	5,000	5,000	5,000	66,256
06-99	Undesignated Projects	-	50,000	50,000	50,000	-	-
09-01	Internal Service Charge	-	9,430	9,430	9,430	9,430	9,430
70-40	Capital Projects/Construction	-	-	-	-	-	-
72-66	Debt Service	102,272	102,272	102,272	102,272	102,272	102,272
77-27	Equipment - Reserves	-	-	40,000	40,000	40,000	40,000
new	Radio Infrastructure	-	-	100,000	100,000	100,000	100,000
77-43	Furniture and Fixtures	-	85,000	10,000	10,000	10,000	10,000
		444,958	816,087	882,729	892,772	853,314	891,144



# 911 SURCHARGE MASTER PLAN

June 19, 2014 July 6, 2017

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**Introduction**

A mature, robust, and reliable public safety communications center is the heart of any community’s public safety infrastructure. To accomplish this, there must be adequate funding to insure that the proper equipment and technology are in place to support not only the public safety user, but the community as well. To provide for this, the community, along with the Board of Supervisors, has chosen to support the 911 system infrastructure via a surcharge pursuant to NRS.

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As time and technology have moved forward developed, expanded services and networks are needed to provide 911 services for wireless and Voice over Internet Protocol (VoIP) users who subscribe to services on today’s telephone networks. In addition to currently existing services, emerging technologies will continue to challenge the our community 9-1-1 systems in our community. The City must prepare for the impact that changing technology has on our 9-1-1 services. In order to ensure funding is available and adequate, and must be planned for. The Board of Supervisors chose in 2008 to imposes a service fee is imposed by the Board of Supervisors on telephone lines in accordance with NRS 244A.7641 through NRS 244A.7647. Additionally to insure adequate funding availability. This five-year master plan has been developed to comply with that law NRS 244A.7643.

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The 9-1-1 Surcharge Advisory Committee must also adopts a plans for the accomplishment of the Goals as established in this Master Plan. This document shall serves a dual purpose ass both the Board of Supervisors Master Plan, and as well as the 9-1-1 Surcharge Advisory Committee Plan.

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**Vision Purpose**

The purpose of this document is to ensure that he vision of this document is to insure that the Carson City 911 system and the associated dispatch and radio infrastructure systems will remain current and reliable so that all the citizens and visitors of Carson City may connect to 911 emergency services using any device from any location, and that public safety entities are equipped as required by law.

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**Mission**

The mission of this advisory committee is to develop a five-year master plan for the enhancement or improvement of the telephone systems for reporting emergencies in Carson City and to oversee 911 surcharge funds in accordance with Carson City Municipal Code Chapter 4.05, and equipment in accordance with NRS 289.830 inclusive.

**Goals:** To maintain the 911 surcharge fund with sufficient stable funding to:

1. To assess the technical needs of the 911 system on a regular basis.
2. To ~~insure~~ensure that the 911 equipment is meeting an adequate and proper level of service.
3. To ~~ensure~~insure that the associated radio and dispatch systems are meeting an adequate and proper level of service to ensure delivery of emergency response personnel to 911 calls for service.
4. To ~~insure~~ensure that the technology and equipment ~~is~~are supporting the operations within the communications center and meeting the needs of those using the equipment.
5. To ~~insure~~ensure the proper use of funds collected under the surcharge.
6. To insure compliance with NRS 289.830 for equipping of audio/video devices to public safety entities.

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**Attainment of Goals**

The goals of the Master Plan will be attained by utilizing staff available through the Fire Department, Sheriff's Department, and other appropriate city agencies. The staff members will work with industry experts and utilize their own knowledge, skills and abilities to assess technical needs and equipment utilization and needs. Staff will make reports to the 9-1-1 Surcharge Advisory Committee as needed to keep committee members informed.

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**Review and Update**

This plan will be reviewed and updated once each calendar year or at other times when the committee deems appropriate. The Emergency Management Director and the Sheriff are responsible for making recommendations to the committee as they relate to the 911, dispatch, and radio systems, audio/video recording devices, and the applicable surcharge to the fund.

**Revenues / Expenditures**

Critical to this plan are accurate funding projections on which to build a budget. At each meeting of the committee, city staff will provide the committee with a current budget indicating the revenue that has been collected and the expenses that have been charged against this revenue fund. The five (5) year budget plan is attached and incorporated into this Master Plan as exhibit A.d. Annual revenues are estimated to be at \$220,000. This amount is anticipated to be static since there is little population growth in Carson City. The projected use of these funds is listed below for a five year period.

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Budget Year	Use of Funds	Estimated Cost
FY 2015	911 phone system charges	\$ 110,500.00
	Hardware & Software maintenance	\$ 1,500.00
	Hardware/software upgrades (CAD-System)	\$ 300,000.00
	Debt service payment on Bond	\$ 108,000.00
FY 2016	911 phone system charges	\$ 110,500.00
	Hardware & Software maintenance	\$ 1,500.00

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	Debt service payment on Bond	\$ 108,000.00	
FY 2017	911 phone system charges	\$ 110,500.00	
	Hardware & Software maintenance	\$	
		<del>1,500.</del>	
		00	
	Debt service payment on Bond	\$ 108,000.00	
FY 2018	911 phone system charges	\$ 110,500.00	
	Hardware & Software maintenance	\$	
		<del>1,500.</del>	
		00	
	Debt service payment on Bond	\$ 108,000.00	

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FY 2019	911 phone system charges	\$ 110,500.00
	Hardware & Software maintenance	\$ 1,500.00
	Debt service payment on Bond	\$ 108,000.00

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~~In the event revenues surpass projected funding or if surplus funds are identified, those funds may be used for any purpose authorized by ordinance or NRS, with the approval of the 911 Surcharge Advisory Committee, to enhance the operation and effectiveness of the 911 system.~~

Capital and Major Project Timeline

~~No major projects or capital expenditures are anticipated beyond those currently underway.~~



## Carson City Municipal Code

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

Comment [IY1]: Changes will be made within this chapter consistent with the changes to the ordinance as presented and hopefully approved by the Board of Supervisors.

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#### 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 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 systems~~ 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.

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#### 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.

“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.

“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.

**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 an advisory committee called the "9-1-1 surcharge advisory committee" to develop a plan to enhance or improve the telephone system for reporting an emergency in Carson City and to oversee any money allocated for that purpose. The advisory committee shall be comprised of a minimum of five (5) members and a maximum of seven (7) members.

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. In order to stagger the terms, the board must set the appointed members' terms to provide for terms of three of the appointed members to end in odd numbered years. 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.

#### **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.

#### **4.05.050 Rules, regulations and bylaws.**

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

#### **4.05.060 Quorum.**

A majority of members of the advisory 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.

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**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.

**4.05.080 Imposition of telephone surcharge.**

1. For the duration of the imposition of the surcharges, the Board of Supervisors shall, at least annually,

review and if necessary, update the master plan.

2. The board imposes surcharges for the enhancement of the telephone system for reporting an emergency in Carson City 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 is twenty-five cents **(\$0.25)** per month per line.

4. The surcharge on trunk lines to the local exchange of a telecommunications provider is 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 is 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. The committee or city manager may adopt procedures as necessary to effectuate the provisions of this section.

**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, including, without limitation, equipment and software that

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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.

(5) For the purpose of purchasing and maintaining portable event recording devices and vehicular event recording devices, as applicable and as provided for in NRS 244A.7643(3).

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2. If the balance in the fund created pursuant to subsection 1 of this section which has not been committed for expenditure exceeds \$1,000,000 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 \$1,000,000.

**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.

**4.05.110 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 he first complies with this section.

**NRS 244A.7641 911 SURCHARGE**

(this will be modified to reflect the current changes in the chapter)

**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.

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

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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.

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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.

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:

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- (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:

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- (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:

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(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:

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(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 400,000, 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.

NRS 244A.76455 Requiring deposit of business license fees imposed in county whose population is less than 100,000 on providers of personal wireless service into special revenue fund; exceptions. Repealed. (See chapter 165, [Statutes of Nevada 2007, at page 562.](#))

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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:

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- (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 he first complies with this section.

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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.

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