

SUMMARY: Amends Chapter 65 of the Washoe County Code by modifying the permissible maximum 911 telephone line surcharge, by clarifying that the permissible use of the 911 telephone line surcharge includes the purchase and maintenance of portable event recording devices and vehicular event recording devices; and by specifying that the unencumbered fund balance shall not exceed \$5,000,000 at the end of any fiscal year.

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 65 OF THE WASHOE COUNTY CODE BY MODIFYING THE PERMISSIBLE MAXIMUM 911 TELEPHONE LINE SURCHARGE; BY CLARIFYING THAT THE PERMISSIBLE USE OF THE 911 TELEPHONE LINE SURCHARGE INCLUDES THE PURCHASE AND MAINTAINANCE OF PORTABLE EVENT RECORDING DEVICES AND VEHICULAR EVENT RECORDING DEVICES IN ACCORDANCE WITH THE 2017 NEVADA LEGISLATURE'S ENACTMENT OF SENATE BILL ("SB") 176; AND BY SPECIFYING THAT THE UNENCUMBERED FUND BALANCE SHALL NOT EXCEED \$5,000,000 AT THE END OF ANY FISCAL YEAR.

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF WASHOE DO ORDAIN:

SECTION 1. Section 65.450 of the Washoe County Code is hereby amended to read as follows:

65.450 Telephone line surcharge; duties of telephone companies; special revenue fund; commencement date; implementation.

1. Surcharge. There is hereby imposed a fee upon access lines **and/or** trunk lines of customers receiving telephone service within Washoe County ~~as follows~~. **This fee shall not exceed:**

(a) ~~Twenty-five cents~~ **One dollar** per month for each customer access line to the local exchange **of a telecommunications provider;**

(b) ~~Two~~ **Ten** dollars ~~and fifty cents~~ per month for each customer trunk line to the local exchange **of a telecommunications provider;**

(c) ~~Twenty-five cents~~ **One dollar** per month per telephone number assigned a customer by a supplier of mobile telephone service.

2. Commencement date. The surcharge imposed pursuant to

subsection 1 above shall be imposed and collected by a telephone company commencing with the first full monthly billing cycle on or after January 1, 1996.

3. Setting the surcharge amount by resolution. The surcharge imposed pursuant to subsection 1 may be changed by the board of county commissioners by the adoption of a resolution in accordance with this section. The amount of the surcharge set by such resolution shall **not exceed the amounts listed in subsection 1.**

~~(a) Not exceed twenty five cents per month for each customer access line to the local exchange;~~

~~(b) For each customer trunk line to the local exchange, an amount per month not to exceed, but which must be equal to, 10 times the amount of the surcharge imposed for each access line to the local exchange as set forth in 3(a) above;~~

~~(c) Not exceed twenty five cents per month per telephone number assigned a customer by a supplier of mobile telephone service.~~

4. Commencement date of change in surcharge set by resolution. The resolution adopted by the board pursuant to subsection 3 hereof shall set the actual amount of surcharge to be imposed and collected. The amounts so established by resolution shall take effect on the first billing period of the telephone company following the effective date of the resolution.

5. Deposit. All money collected by a telephone company pursuant to this section shall be deposited into a special revenue fund ~~and~~. **These monies** shall be expended solely for purposes of 911 emergency telephone enhancements and improvements **and/or for the purchase and maintenance of portable event recording devices and vehicular event recording devices in accordance with state law.**

6. Fund Balance. If the unencumbered balance in the special revenue fund exceeds \$5,000,000 at the end of any fiscal year, the board of county commissioners shall reduce the surcharge amount imposed during the next fiscal year by the amount necessary to ensure that the unencumbered balance at the end of the next fiscal year does not exceed \$5,000,000.

67. Retention. A telephone company may retain an amount of the collected surcharge equal to the cost to collect the surcharge.

78. Implementation. The county manager shall adopt procedures necessary to effectuate the provisions of this section, including, but not limited to a schedule for transfer of the surcharge by telephone companies to the county and review of costs for collection.

~~Note: This subsection 5 became effective on December 1, 1995.~~

~~Sections 65.400 to and including 65.460, except as otherwise provided, became effective on January 1, 1996.~~

[Business Impact Note: In accordance with NRS 237.080, notice of the proposed 911 telephone line surcharge increase was provided to business owners who will be affected by the proposed fee increase, with the invitation to provide written comments regarding whether the proposed fee increase would impose a direct and significant economic burden upon a business, or directly restrict the formation, operation or expansion of a business. Notification of the proposed 911 telephone line surcharge increase was provided to telecommunications providers operating in Washoe County and other business owners through a number of outlets, including: On or about November 17, 2017, a mailed notice of the proposed 911 telephone line surcharge increase was provided to telecommunications providers who will be affected by the proposed increase; on November 21, 2017 and November 27, 2017, legal notice of the proposed 911 telephone line surcharge increase was published in the Reno Gazette Journal; and notice of the proposed 911 telephone line surcharge increase was prominently posted on Washoe County's webpage and social media sites. The notice indicated that data and arguments should be sent to the Washoe County Technology Services department not later than December 15, 2017, which is more than 15 business days after the notice was sent. Further, on December 11, 2017, Washoe County staff conducted two workshops to provide notice of the proposed 911 telephone line surcharge increase and collect public response.

By the deadline indicated in the notice, no comments were received from telecommunications providers or other business owners. A business impact statement was prepared in accordance with NRS 237.090 and was made available for public inspection prior to or at the time the agenda for the first reading proceeding was first posted. During the first reading proceeding, a public hearing was held and the business impact statement was considered and adopted by the Board. The Board of County Commissioners determined that the proposed ordinance and the resolution setting the 911 surcharge amount would not impose a direct and significant economic burden upon a business, nor would it directly restrict the formation, operation or expansion of a business.]

Proposed on the _____ day of _____, 2018.

Proposed by Commissioner _____.

Passed on the _____ day of _____, 2018.

Vote:

Ayes:

Nays:

Absent:

Chairman
Washoe County Commission

ATTEST:

County Clerk

This ordinance shall be in force and effect from and after
_____, 2018.

RESOLUTION

A RESOLUTION SETTING WASHOE COUNTY'S 911 TELEPHONE LINE SURCHARGE AND OTHER MATTERS PROPERLY RELATED THERETO.

WHEREAS, in accordance with NRS 244A.7643, Washoe County Code ("WCC") Section 65.450 imposes a monthly fee upon customer access lines and trunk lines to the local exchange of a telecommunications provider providing those lines in Washoe County, and mobile telephone service provided to each customer of that service whose place of primary use is in Washoe County; and

WHEREAS, WCC 65.450 provides that the surcharge is collected by the customer's telephone company and remitted to the county treasurer for deposit in the 911 special revenue fund; and

WHEREAS, WCC 65.450(3) provides that the Board of County Commissioners may change the surcharge amount by the adoption of a resolution; and

WHEREAS, the surcharge was previously set at:

- Twenty-five cents per month for each customer access line to the local exchange of a telecommunications provider
- Twenty-five cents per month per telephone number assigned a customer by a supplier of mobile telephone service
- Two dollars and fifty cents per month for each customer trunk line to the local exchange of a telecommunications provider; and

WHEREAS, Washoe County's 911 Emergency Response Advisory Committee ("911 Committee") recently recommended to the Board of County Commissioners that the surcharge increase from twenty-five cents per month for access lines and mobile telephone service to eighty-five cents per month for such service, and that the surcharge increase from two-dollars and fifty cents per month for trunk lines to eight dollars and fifty cents per month for such service; and

WHEREAS, the 911 Committee's recommendation for the increase in the surcharge is based on the projected needs of the 911 emergency response telephone system and the costs associated with purchasing and maintaining portable event recording devices (body cameras) and vehicular event recording devices (in-vehicle cameras) for the City of Reno, City of Sparks and Washoe County;

Now, therefore, be it RESOLVED by the Washoe County Board of Commissioners as follows:

1. The surcharge authorized by NRS 244A.7643, as amended by NV SB 176 (2017) and WCC 65.450 is as follows:
 - Eighty-five cents per month for each customer access line to the local exchange of a telecommunications provider;
 - Eight dollars and fifty cents per month for each customer trunk line to the local exchange of a telecommunications provider;
 - Eighty-five cents per month per telephone number assigned a customer by a supplier of mobile telephone service.

2. The rate of the surcharge imposed by this resolution is effective May 1, 2018.

ADOPTED this _____ day of _____ 2018.

Chair

Washoe County Clerk