



STAFF REPORT

DATE: July 6, 2021

FROM: Kent Cagle, City Manager

SUBJECT: Amendments to the Communications System Agreement

BACKGROUND AND FINDINGS:

In May 1998 pursuant to Texas Local Government Code Ann. 791.001 et seq (Vernon Supp. 1992) the cities of Belton, Harker Heights, Killeen, and Temple, along with Bell County, Texas entered into a system agreement for the purpose of operating and maintaining a consolidated communications system. The system agreement services to establish the terms, conditions, and expectation by which the Bell County Communications Center is to be operated and maintained. The Bell County Communications System Board of Directors (E-Board), consists of the County Judge and the City Managers from each member city. Over the course of more than a year, the E-Board has been meeting to discuss amendments to the System Agreement. On April 23, 2021, by unanimous vote, the E-Board recommend the following amendments to the agreement:

- Table of Contents - Multiple changes to reflect wording changes in body of agreement.
- Removal of Exhibit A and B from Table of Contents.
- AMENDMENT (pg1:9-14) - Changed date of amendment and restatement to current effective date.
- Section 1 (pg2:13-14) - Added members of the RBO as Parties to the agreement.
- Section 1 (pg2:18) - Added the County as being provided services by the System.
- Section 3.A.1.a (pg4:33-38) - Changed order of rotation of Vice-Chair.
- Section 3.B (pg5:18) - Changed wording from "Comptroller" of System to "Auditor" of System.
- Section 3.D (pg6:8-9) - System Director-Added language "...the County Judge shall seek the advice and counsel of the Board before making an appointment."
- Section 3.D.6 (pg6:29-33) - System Director/Reports to the Board-Added specifics "(a)...Notice...of any emergency expenditures...within 7 days, or as soon as practicable." (b) Monthly member event count reports (c) Notifications ...required by Section 4.F.
- Section 3.E (pg6:49-7:42) - RBO-Updated list of member agencies.
- Section 3.E (pg7:45-47) - RBO Entities-Added language "The Fort Hood Public Safety and Fire Departments and Bell County Communications Center Medical Director may also attend as a contributor (non-voting) to the RBO".
- Section 3.E.1.a (pg8:6-16) - RBO Board-Changed the number of voting RBO members from 7 to 11 with each member city having both the Police Chief and Fire Chief now listed as voting members.
- Section 3.E.1.d (pg9:3-11) - RBO Secretary/System Director Minutes/Agendas-Agendas and supporting documents for meetings will be sent out at least 7 calendar days in advance. This was changed from 3 calendar days.

- Section 3.F.1 (pg9:17-18) - Updated System Board meeting schedule to "last Thursday of every odd numbered month".
- Sections 3.F.2 (pg10:3-10) - Updated RBO Board meeting schedule to "bi-monthly of the last Monday of each odd numbered month". Included statement that additional meetings may be requested by the Chair "or by any two members of the RBO Board".
- Section 3.F.2 (pg10:21-22) - Defined quorum for RBO Board voting purposes.
- Section 3.F.2 (pg10:26-29) - Added language to define role of RBO subcommittees.
- Section 3.F.7 (pg11:11-15) - Added voting section and defined "per capita" and "majority interest".
- Section 4.C.1 (pg12:49-13:3) - Included due date of System Budget to the Cities and County of May 1st for FY beginning October 1st.
- Section 4.C.4 (pg13:13-15) - Added language that the County Judge "shall" seek advice and counsel from the System Board in the appointment of the System Director.
- Section 4.F (pg13:39-45) - Added "Duty to Notify Protocol Changes" section.
- Section 6.A (pg14:24-25) - Removed exception to effective date of fiscal year.
- Section 6.B.7 (pg15:25-40) - Defined "Capital Costs".
- Section 8 (pg18:27) - Specified dollar threshold of more than \$100,000 for equipment expenses or equipment that is part of the backbone as County expenses.
- Section 8 (pg18:35-36) - Added wording for System Components approval by System Director to confirm compatibility.
- Section 10.E (pg20:22-24) - Added "Review of Agreement" section.
- Section 14.A (pg21:21-30) - The System will approve the capital cost buy-in of a new party to the agreement.
- Section 17 (pg22:33) - Removed "Tax Exempt bonds" section.
- Exhibit "B(1)" (pgB-1:4-14) - Established definition of "Events" and updated estimated assessment percentages.

THE ALTERNATIVES CONSIDERED:

1. Decline the amendments and be out of compliance with Bell County Communications.
2. Approve the amendments to the Bell County Communications System Agreement.

Which alternative is recommended? Why?

Staff recommends approving the amendments as written.

CONFORMITY TO CITY POLICY:

Conforms to City policy.

FINANCIAL IMPACT:

What is the amount of the expenditure in the current fiscal year? For future years?

There is no fiscal impact.

Is this a one-time or recurring expenditure?

N/A

Is this expenditure budgeted?

N/A

If not, where will the money come from?

N/A

Is there a sufficient amount in the budgeted line-item for this expenditure?

N/A

RECOMMENDATION:

Staff recommends approval of the amendments to the Communications System Agreement with Bell County.

DEPARTMENTAL CLEARANCES:

Purchasing
Finance
Legal

ATTACHED SUPPORTING DOCUMENTS:

Redlined Amended Agreement
Agreement