

**TOWN OF PONCHA SPRINGS
RESOLUTION #2014-3**

Providing for an Increase in the Emergency Telephone Charge, Approving Certain Amendments to the Intergovernmental Agreement Dated August 15, 2006 Concerning the Implementation of an E9-1-1 Emergency Telephone Service, and Approving an IGA Concerning the Chaffee County Emergency Telephone Service Authority's Sharing of Chaffee County Dispatch Services

FINDINGS AND CONCLUSIONS:

- A. Pursuant to C.R.S. § 29-11-102(2), an emergency telephone charge on telephone users within Chaffee County's (the "County") jurisdiction in excess of \$.70 per month per line requires approval from the Colorado Public Utilities Commission (the "PUC") before imposition.
- B. Town of Poncha Springs desires to pursue an application to the PUC to increase the emergency telephone service rate charge from \$1.25 to \$1.50 per month per exchange access facility, per wireless communications access, and per interconnected voice-over-internet-protocol service to address the Authority's increased costs of providing continued and adequate emergency telephone service in the County to be effective as of July 1, 2014.
- C. Pursuant to an Intergovernmental Agreement dated September 22, 1989 ("1989 IGA") concerning the implementation of an E9-1-1 emergency telephone service among Town of Poncha Springs, the County, and other governmental entities in the County, the Chaffee County Emergency Telephone Service Authority Board (the "Authority") was established and authorized to fund emergency telephone service in the County.
- D. The 1989 IGA was revised pursuant to the "Amended Intergovernmental Agreement concerning the implementation of an E911 Emergency Telephone Service" ("2006 IGA") which enabled a rate increase to the E911 emergency telephone service surcharge ("surcharge") and modified the selection process, administrative cost cap and reporting requirements set forth in the 1989 IGA. The 2006 IGA was further modified pursuant to the "First Amendment to the Intergovernmental Agreement concerning the implementation of an E911 Emergency Telephone Service" which enabled a rate increase and amended the formula for payment of operating costs and the return of any surplus operating revenue and provided a mechanism for the Authority to borrow money.
- E. The Authority recommends further amending the IGA to: (i) allow the Authority to enter into and execute contracts with third parties so long as the Authority's governing bodies have an opportunity to approve or reject such contracts; and (ii) increase the ceiling for annual administrative costs from \$5,000 to \$10,000, excluding costs for insurance and bonding.

- F. The Authority also recommends formalizing the cost sharing arrangement for dispatch personnel by entering into an Intergovernmental Agreement with Chaffee County on behalf of the Chaffee County Sheriff's Office ("Sheriff's IGA"). The Sheriff's IGA limits the cost sharing to an amount not to exceed the Authority's net revenue (excluding personnel expenses) less an annual \$25,000 cushion for capital reserve funding.
- G. The proposed rate increase, IGA amendment and Sheriff's IGA will help support E9-1-1 Emergency Telephone Service and are in the best interests of the constituents of Town of Poncha Springs.

RESOLUTION:

Poncha Springs resolves as follows:

1. Subject to approval of the PUC, the E-9-1-1 surcharge rate shall be increased to \$1.50 per month per exchange access facility, per wireless communications access, and per interconnected voice-over-internet-protocol service; if approved by PUC to be adopted by town ordinance.
2. If approval is not obtained, the E-9-1-1 surcharge rate shall remain at \$1.25 per month per exchange access facility, per wireless communications access, and per interconnected voice-over-internet-protocol service.
3. The "Second Amendment to 2006 Intergovernmental Agreement Concerning the Implementation of an E9-1-1 Emergency Telephone Service," as recommended by the Authority, is hereby approved and the Mayor or other authorized representative of Poncha Springs is authorized to execute such Second Amendment.
4. The Sheriff's IGA, as recommended by the Authority, is hereby approved and the Mayor or other authorized representative of Poncha Springs is authorized to execute the Sheriff's IGA.
5. This Resolution shall not be effective until all other governmental entities, or their successors, which executed the 2006 IGA, have adopted a resolution or ordinance that similarly amends such 2006 IGA and approves the Sheriff's IGA.

ADOPTED AND [UNANIMOUSLY] APPROVED [by a 6-0 vote] as of this **25th** day of **February, 2014.**

TOWN OF PONCHA SPRINGS

By: _____
Richard Furton, Mayor

ATTEST:

Diana K. Heeney, Town Clerk