

South Sound 911

Proposed Transition of Organizational and Governance Structure

Community Vitality and Safety Committee

June 13, 2019

Overview

- Potential transition of South Sound 911's corporate structure from an interlocal agency formed under the Interlocal Cooperation Act to a Municipal Corporation ("Public Development Authority") chartered by the City of Tacoma
- These recommendations have been developed by a team drawn from all 6 governments party to the current South Sound 911 Interlocal Agreement, with input from member agencies:
 - Pierce County -- Don Anderson, County Executive's Office Senior Counsel
 - City of Tacoma -- Steve Victor, Deputy City Attorney
 - City of Lakewood -- John Caulfield, City Manager
 - City of Fife -- Hyun Kim, City Manager
 - West Pierce Fire & Rescue -- Jim Sharp, Chief
 - City of Puyallup -- Kevin Yamamoto, City Manager

What is South Sound 911?

- South Sound 911 provides emergency communication call taking and dispatch to all police and fire agencies in Pierce County, and law enforcement records services.
- South Sound 911 is currently formed as a joint administrative agency by an interlocal agreement among jurisdictions that formerly operated emergency call and dispatch centers:
 - Pierce County
 - City of Tacoma
 - City of Lakewood
 - West Pierce Fire District
 - City of Puyallup
 - City of Fife

Need for a new governance model

- Under the current structure South Sound cannot own property, contain liability or issue debt, and lacks other legal authority possessed by a true municipal corporation.
- All jurisdictions served by South Sound 911 are not represented on the governing board.
- Selection and oversight of Executive Director is by an Operations Board primarily comprised of appointed officials rather than the Policy Board which is comprised of elected officials.
- Current structure does not reflect members relative usage of or contribution to SS 911.

Governance review process:

- Looked at what other 911 agencies have done
- Identified alternative structures that provided better legal protection, representation and oversight of operations.
- Developed agreed goals and principles for governance.
- Reviewed alternate structures consistent with identified goals and principles.
- Selected (unanimously) a preferred recommended structure.
- Prepared recommended draft documents recommendations for review and consideration.

Why select the Public Authority (PDA) model?

- Limited number of options available under State law that can provide joint oversight and management by multiple governments of a single governmental operation.
- Limited number of such options that are also clearly a separate legal entity. (nonprofit corporation or PDA)
- PDAs have been in existence in Washington since the 1970s. Tacoma currently has two active PDAs. (Tacoma Community Redevelopment Authority, and Foss Waterway Redevelopment Authority.
- Some other regional communications centers have also chosen this model.

Key points about the PDA form:

- PDAs do not have eminent domain or taxing authority.
- PDAs are separate legal entities under State law with the ability to own property, enter into contracts, and provide statutory protection from liability from the chartering entity. PDAs must be chartered by a single City or County.
- The chartering agency retains right to approve changes to the charter, and to approve dissolution of agency.
- PDAs can issue debt – typically secured by program or operating revenues.
- South Sound 911 finances – Communication tax revenues, and services fees paid by member agencies— does not change.
- Tacoma asked to Charter because of our experience with PDAs no additional cost or liability to Tacoma.

Current SS911 governance structure

Policy Board		
10 Members—representatives from the 6 ILA signatories, plus 1 rep for cities with population under 50,000		
County – 3 seats <i>Executive, Council, Sheriff</i>	Lakewood, Fife, Puyallup, West Pierce Fire & Rescue – 1 seat each <i>Mayors, Fire Commissioner</i>	Cities under 50K – 1 seat appointed by Policy Board
Tacoma –2 seats <i>Mayor, Council</i>		
Operations Board		
Law Enforcement Services Committee 5 voting members – County, Tacoma, Lakewood, Fife, Puyallup	Fire Services Committee 2 voting members – Tacoma, West Pierce	
Both Committees must agree on any recommendation to Policy Board. Executive Director is appointed by Operations Board, subject to confirmation.		

Governance Recommendations Overview

Board of Directors
11 members -- 8 representing cities and the County; 3 representing fire districts
<i>Policy rationale:</i> <ul style="list-style-type: none"> • <i>More inclusive of South Sound 911 customers</i> • <i>Based generally on workload generated by agencies for SS911</i> • <i>All governance authority vested in Board of Directors, rather than shared with Ops Board</i>
Operations Committee
Up to 20 members – 10 appointed by Agencies; small fire rep appointed by Pierce County Chiefs Assn. Up to 9 additional members nominated by Exec Director in consultation with the PCFCA and PCPCA, confirmed by Board of Directors
<i>Policy rationale: clearer lines of responsibility, retain avenue to receive operational advice from customers</i>

PDA Board of Directors

11 Members	
Cities/County: 8 seats	Fire Districts: 3 seats
<i>Based on relative size of communications assessments:</i>	
2 largest jurisdictions each get 2 seats	2 largest districts each get 1 seat
3 rd & 4 th largest jurisdictions each get 1 seat	All other fire districts share 1 seat (<i>appointed by Pierce County Fire Commissioners Assn.</i>)
5 th , 6 th and 7 th largest jurisdictions share 2 seats <i>These members also represent all smaller cities</i>	

**PDA Board of Directors composition in 2019
based on 2019 SSg11 Communications
Assessments:**

<i>As among City and County Contract Agencies</i>	<i>Board Seats</i>	<i>As among Fire District Contract Agencies</i>	<i>Board Seats</i>
Tacoma City Council	2	Central Pierce Fire District Board of Commissioners	1
Pierce County Council	2	West Pierce Fire District Board of Commissioners	1
Lakewood City Council	1	Pierce County Fire Commissioners Association Board	1
Puyallup City Council	1		
Joint agreement of legislative authorities of Fife, Sumner and Bonney Lake	2		

Additional proposed terms for Board of Directors

- Selection of members by legislative bodies, unless local rules dictate otherwise.
 - Small fire district board seat selected by Pierce County Fire Commissioners Association.
 - Joint resolution for joint representation.
- Board members must be elected officials.
- Each Board member has one designated Alternate.
- Alternates must be an elected official **or** chief admin. officer or police or fire chief or someone directly reporting to these individuals.
- 3-year terms; no term limits.
- Each board member has one vote except on supermajority vote items.

Proposed supermajority vote items:

- Issuing debt (by the PDA or a Member Agency on behalf of the PDA).
- Appointment of the Executive Director (but not firing).
- Amending the PDA charter or bylaws.
- Expanding the scope of services to be provided by the PDA.
- Merger, consolidation or dissolution of the PDA or sale of all or substantially all of its assets.
- Acquisition or long-term (20 or more years) lease of real property.

Supermajority Voting

- A "Supermajority Vote" requires approval of not less than two-thirds/66% of the Weighted Vote of all Members of the Board.
- A "Weighted Vote" is one in which each Board Member's vote is counted according to the proportion his or her appointing agency's communications assessment (per the then current SSg11 budget), bears to the total communications assessments payable for such year by all Contract Agencies.

Next steps: Path to Implementing the Proposal

- Consideration by the governing bodies of each of the six member agencies of a Resolution agreeing to sunset the existing interlocal agency agreement when the new PDA structure is created and operational. (Already approved by Fife, Puyallup and Lakewood). Scheduled for Study Session and consideration June 25th.
- Consideration by the Tacoma City Council of establishing the new South Sound 911 PDA by ordinance. Scheduled for consideration July 2.

Radio System Update

- Tacoma and Pierce County examining technical scope and cost of aligning their radio systems into a single countywide system.
- Puyallup and SS 911 participating as owner/operator respectively of the Puyallup subsystem which rides entirely on the Tacoma Radio system.
- Technical assessment, including customer surveys is nearly complete. Cost analysis and joint governance and accounting discussions to follow.

New SS 911 Facility Update

- Two Facility approach includes new building at the former Puget Sound Hospital site including call taking, dispatch, records management, EOC and offices, and a second fully updated 24 hour staffed back up call taking and dispatch facility at the existing 35th Street location.
- Construction is funded through the emergency communication tax, a portion of which will service bonds issued by Pierce County as General Obligation debt.
- Bonds will be fully paid on the date the emergency communication tax expires, and both the building and land will transfer to SS 911 on that date.