



South Sound 911 Governance Transition

City of Tacoma | City Attorney's Office

City Council Study Session

June 25, 2019

ITEM #1



Overview



- Proposal to change South Sound 911's corporate structure from an interlocal agency to a "Public Development Authority" chartered by the City
- Why a PDA is proposed
- Terms for Board of Directors
- Next Steps

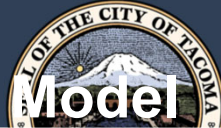
Overview



- South Sound 911 is a joint administrative agency formed by an interlocal agreement among jurisdictions that provides emergency communication call taking and dispatch to all police and fire agencies in Pierce County
 - Pierce County
 - City of Tacoma
 - City of Lakewood
 - West Pierce Fire District
 - City of Puyallup
 - City of Fife

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Need for New Governance Model



- SS 911 cannot own property, contain liability or issue debt, and lacks other legal authority possessed by a true municipal corporation.
- 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.
- All jurisdictions served by South Sound 911 are not represented on the governing board.
- Current structure does not reflect members relative usage of or contribution to SS 911.

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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.

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Why the Public Authority 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.

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Key Points about PDAs



- 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 can issue debt – typically secured by program or operating revenues.

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Key Points about PDAs



- The chartering agency retains right to approve changes to the charter, and to approve dissolution of agency.
- SS 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.

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Current SS911 Governance



Policy Board

10 Members—representatives from the 6 ILA signatories, plus 1 rep for cities with population under 50,000

County – 3 seats

Executive, Council, Sheriff

Tacoma –2 seats

Mayor, Council

Lakewood, Fife, Puyallup, West

Pierce Fire & Rescue – 1 seat

each

Mayors, Fire Commissioner

Cities under 50K – 1

seat appointed by Policy

Board

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.

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New Model Proposal



Board of Directors

11 members -- 8 representing cities and the County;
3 representing fire districts

Policy rationale:

- *More inclusive of South Sound 911 customers*
- *Based generally on workload generated by agencies for SS911*
- *All governance authority vested in Board of Directors, rather than shared with Ops Board*

Operations Advisory 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

Policy rationale: clearer lines of responsibility, retain avenue to receive operational advice from customers

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PDA Board of Directors



11 Members

Cities/County: 8 seats

Fire Districts: 3 seats

Based on relative size of communications assessments:

2 largest jurisdictions each get 2 seats

2 largest districts each get 1 seat

3rd & 4th largest jurisdictions each get 1 seat

All other fire districts share 1 seat
(appointed by Pierce County Fire Commissioners Assn.)

5th, 6th and 7th largest jurisdictions share 2 seats
These members also represent all smaller cities

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PDA Board of Directors composition in 2019 based on 2019 SS911 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		

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Proposed terms for Board Members

- 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.

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Proposed terms for Board Members

- 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.

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Proposed Super Majority Vote Items

- Issuing debt
- 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 lease of real property.

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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 SS911 budget), bears to the total communications assessments payable for such year by all Contract Agencies.

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Next Steps



- Consideration by member agencies of a Resolution agreeing to sunset the existing ILA when the new PDA structure is created and operational.
 - Already approved by Fife, Puyallup and Lakewood and West Pierce Fire.
 - Scheduled for consideration tonight.
- Consideration by the Tacoma City Council of establishing the new South Sound 911 PDA by ordinance. Scheduled for consideration July 2.

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