COURT ORDER NO. 2009- 365 -05-27

THE STATE OF TEXAS

COUNTY OF COLLIN

Subject: Interlocal Agreement, North Central Texas Council of Governments (NCTCOG), Tower Site – Sheriff

On **May 27, 2009,** the Commissioners Court of Collin County, Texas, met in **regular session** with the following members present and participating, to wit:

Keith Self	**County Judge, Presiding**
Matt Shaheen	**Commissioner, Precinct 1**
Jerry Hoagland	**Commissioner, Precinct 2**
Joe Jaynes	**Commissioner, Precinct 3**
Kathy Ward NOT PRESENT	**Commissioner, Precinct 4**

During such session the court considered a request for approval of an Interlocal Agreement with the North Central Texas Council of Governments (NCTCOG).

Thereupon, a motion was made, seconded and carried with a majority vote of the court for approval of an Interlocal Agreement with the North Central Texas Council of Governments (NCTCOG) for use of a Collin County Tower Site to help provide effective regional interoperable communications and further authorize the County Judge to finalize and execute same. Same is hereby approved in accordance with the attached documentation.

Keith Self, County Judge

Matt Shaheen, Commissioner, Pct. 1

Jerry Hoagland, Commissioner, Pct. 2

Joe Jaynes, Commissioner, Pct. 3

Not Present

Kathy Ward, Commissioner, Pct. 4

COMMISSIONERS COURT COLLIN COUNTY TEXAS

ATTEST:

Stacey Kemp, Ex-Officio Clerk
Commissioners' Court
Collin County, T E X A S

INTER-LOCAL AGREEMENT BETWEEN COLLIN COUNTY AND THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENT FOR USE OF A COLLIN COUNTY TOWER SITE TO PROVIDE EFFECTIVE REGIONAL INTEROPERABLE COMMUNICATIONS

The purpose of this Inter-local Agreement is to provide is to establish an arrangement for the use of the Collin County (hereafter COUNTY) Communications Wilmeth Road Tower for the Regional 700 Mhz Interoperable Communications Overlay System. Funding for the use of this site will be from the Public Safety Interoperable Communications Grant Program from the United States Department of Commerce. The purpose of this site will be to help implement an effective Region-wide Interoperable Command and Control Communications System for use by local, state, and federal public safety agencies in times of major emergencies or other agreed upon instances.

Whereas, an inter-agency radio communications capability is important to the safety of the citizens of the North Central Texas region, including citizens residing in COUNTY, and to the safety of public safety personnel who serve these citizens by protecting them and their property, and,

Whereas, each Public Safety Agency (hereafter, Agency) in the North Central Texas Council of Governments' (hereafter, NCTCOG) region desires to improve the quality, timeliness, simplicity, and overall effectiveness of inter-agency communications during daily interagency and mutual aid operations and,

Whereas, each Agency relies on the others to assist it in times where local public safety and government assets may be overwhelmed by natural or man-made catastrophe, and,

Whereas, the state of Texas has requested NCTCOG to assist local agencies in initiating a standards-based radio interoperable communications system that will provide effective communications among public safety agencies' personnel, and,

Whereas, NCTCOG will receive a grant from the U.S. Department of Commerce through the Department of Homeland Security and the Texas Division of Emergency Management to pay for services and equipment to be used for standards-based interoperability, and,

Whereas, NCTCOG is requesting by this Inter-local Agreement that COUNTY pledge and provide the site for communications equipment that will be used for interoperability and,

NOW THEREFORE; COUNTY and NCTCOG agree to the following terms and conditions of this agreement.

I. OBLIGATIONS

NCTCOG's Obligations:

1. Provide for review and approval a Technical Services document provided by NCTCOG's consultant that will specify all equipment and services that will be performed at the Collin County Wilmeth Road Tower site.
2. Upon COUNTY's approval of the Technical Services document, procure communications equipment dedicated to Interoperable Communications, in a timely manner, based upon the approved Technical Services documents.
3. Purchase equipment following all rules established in the grant requirements as set forth in the GDEM Sub-Recipient Agreement signed by the North Central Texas Council of Governments. (Sub-recipient agreement is attached as a separate document).

4. Report to the Texas Governor's Division of Emergency Management as required and according to the program requirements and accounting standards and rules set forth by the funding agency.
5. Provide for review and approval by the State of Texas all costs and services for installation and procurement of said communications equipment and services PRIOR to the purchase of any equipment to ensure that all requirements for funding have been met.
6. Maintain communications with COUNTY's designated Project Manager to keep the person fully informed of the projects' progress throughout the duration of the grant and implementation period, which begins upon signing of this agreement and ends April 30, 2010.
7. Cause examination of installation and operation of COUNTY'S equipment during and after installation to assure proper operation of equipment, and report findings of the examination to COUNTY'S Project Manager
8. Provide a transfer of title to COUNTY for all installed equipment in accordance with the grant requirements established in the Sub-recipient agreement between the North Central Texas Council of Governments and the Governor's Division of Emergency Management

9. Report to the Texas Governor's Division of Emergency Management as required and according to the program requirements and accounting standards and rules set forth by one or all.

Collin County Obligations

1. Designate a Project Manager who will coordinate with NCTCOG's principal project manager and consultant.
2. Review and approve all guidelines and requirements set forth in the Technical Services Document provided by the North Central Texas Council of Governments' Consultant (RCC Communications) for equipment to be procured and placed at the EOC site.
3. Allow authorized parties, including but not limited to, equipment providers, consultant, NCTCOG designated , others as may be required to assure timely installation and check-out of equipment. County Project Manager will provide approval to authorized persons to access the site; and provide a safe and secure environment in which to work.
4. Provide a secure site for the protection of installed equipment, and provide inventory of all equipment purchased with PSIC grant funds.
5. Report to NCTCOG at the earliest possible time any destruction or theft of equipment purchased with Public Safety Interoperable Communications grant funds, and take steps to investigate the circumstances of theft, and safeguard the equipment in the future.

II. TERMINATION

Both parties agree that they may terminate this Agreement by providing thirty (30) days written notice to the other party. Such notice shall be given to the other party at the address set forth under its signature below.

IN WITNESS WHEREOF, the parties have executed this Agreement on the dates indicated below.

NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS

Mike Eastland 6/10/09
Mike Eastland — Date
Executive Director
616 Six Flags Drive
Arlington, Texas 76011

COLLIN COUNTY

5/27/09
Signature — Date

APPROVED AS TO FORM:

_____

COMMISSIONERS' COURT AGENDA REQUEST FORM

REQUESTS MUST BE RECEIVED NO LATER THAN 12:00 PM

ON THE TUESDAY PRIOR TO THE MONDAY MEETING.

INSTRUCTIONS ON THE REVERSE

This space for Court Clerk

AGENDA NUMBER:
REGULAR
CONSENT 30094
AD 5/7/09

REQUESTING DEPARTMENT

Date: 5/5/09 Court Date: 5/27/09 Phone/Ext: 5110 Department: Sheriff/Support Svcs

Description of Agenda Item: Participation in the Regional 700 Radio System Overlay program headed by NCTCOG, funded through a Grant. Use of the Wilmeth Road Tower will be required.

DEPARTMENT HEAD SIGNATURE:

BUDGET RELATED INFORMATION
MUST COMPLETE FOR ALL EXPENDITURES/RFP'S

This item is part of the current budget: Yes No

Amount Budgeted: (or needed)

Account Number:

PURCHASING DEPARTMENT ACTION & COMMENTS

Enter "not to exceed" cost estimate(s) for the requested item(s):

CHECK TWO OF THE BELOW			
ADVERTISE		BIDS	
AWARD		PROPOSALS	

BOND REQUIRED:
ANNUAL ACTION:
AD DATES:

INS. REQ'D:
EFFECTIVE:
OPEN DATE/TIME:

Item Description for Agenda:

Remarks:

PURCHASING AGENT SIGNATURE:

AUDITOR'S OFFICE ACTION & COMMENTS

BUDGET/FUNDING VERIFICATION			
BUDGETED		FUNDS AVAILABLE	
UNBUDGETED		ACCOUNT NUMBER FOR AVAILABLE FUNDS	
FUNDS NOT AVAILABLE		(Needed for Agenda Submission)	

BUDGET AMENDMENT REQUIRED	
NON-EMERGENCY, Sec 111.011 LGC	
EMERGENCY, Sec 111.010 LGC	

FUNDS TRANSFER RECOMMENDATION

AMOUNT		DEPARTMENT NAME	ACCOUNT NUMBER
$	From		
$	From		
$	To		
$	To		

Remarks:

COUNTY AUDITOR SIGNATURE:

BUDGET DEPARTMENT ACTION & COMMENTS

COMMENTS RELATED TO BUDGET AMENDMENT JUSTIFICATION SUBMITTED BY DEPARTMENT

BUDGET OFFICER SIGNATURE:

COLLIN COUNTY

Terry G. Box, Sheriff

OFFICE OF THE SHERIFF
4300 Community Avenue
McKinney, TX 75071

TO: Commissioners' Court

FROM: Terry G. Box, Sheriff

DATE: May 7, 2009

RE: Use of Wilmeth Road Tower

I am requesting that Commissioners' Court approve our participation in the Regional 700 Radio System Overlay program headed by NCTCOG, funded through a Grant. Use of the Wilmeth Road Tower will be required.

Thank you.

ds

Sheriff's Office (972) 547-5100 Metro (972) 424-4797 FAX (972) 547-5304
Detention (972) 547-5200 Metro (972) 424-1433 FAX (972) 547-5301

COLLIN COUNTY

OFFICE OF THE SHERIFF
4300 Community Avenue
McKinney, TX 75071

MEMORANDUM

DATE: May 5, 2009

TO: Chief Rick Allen

FROM: Major Pam Palmisano

RE: Use of the Wilmeth Road Tower

During the past several months I have worked on the Public Safety Communications Governance Committee at NCTCOG. The goal of this committee was to develop a plan that would introduce and enable, for the region, a digital two-way radio system using the open technical standards of Project 25 (P25). This P25 System is to be funded via the Public Safety Interoperable Communications (PSIC) grant Program. This plan provides an "Overlay" or layer of interoperable communications capability for a defined portion of the NCTCOG region. To create this system we chose agencies to host Master Network Sites (2) and agencies to host the Overlay using their current tower(s) (9).

The Wilmeth Road Tower site was chosen as one of the Overlay Hosting sites. The location and size of the tower made it a prime site for system. This is an excellent opportunity for our Public Safety Radio System to move towards digital operation. As you are aware, Plano/Allen/Wylie/Murphy, McKinney and Frisco radio systems will be moving into full digital operations within the next year.

Our site will be connected to the new City of Dallas Master site and will give us digital radio capability over Dallas, Tarrant, Denton and Collin Counties. The long range plan will be to include the other counties within the NTCOG region. This type of interoperability is far beyond what we have in place today. Each tower will have four repeaters which will be trunked. Agencies across the four counties will have access to these channels (4); in a large scale event, agencies will have immediate interoperability without needing to program or have an external switch to go through.

The use of Wilmeth Road Tower is dependant upon the results of a Tower Loading Analysis. Since additional Antennas will be added to the tower we have to ensure it will be able to support the load. I recommend we participate in this project and allow placement of the equipment on the tower. It will benefit public safety throughout the county(s).

Sheriff's Office (972) 547-5100 Metro (972) 424-4797 FAX (972) 547-5304
Detention (972) 547-5200 Metro (972) 424-1433 FAX (972) 547-5301

The cost of this project is covered 100% through the PSIC grant. It does require a match which has already been met by one of the participates involved in the project (DFW Airport). The equipment will became the County property upon install. The value of this equipment with labor cost is $264,500.

On going costs that would be handled by the hosting agencies would include Maintenance Cost and the leasing of one T-1 line. The maintenance cost would be included with our current maintenance contract through Motorola. The approximately yearly cost of maintenance would be $27,000 and the T-1 line is anywhere between $300 - $1,500 per month. Currently there is a House Bill (HB 2507) being reviewed by the 2009 Session of the Texas Legislature that will provide funds for the maintenance and on going costs of Interoperable Communications Systems like this. Attached you will find the details of that bill.

I recommend that we participate in this project.

I recommend,
5-6-09

PP/th

North Central Texas Council Of Governments

April 13, 2009

Major Pam Palmisano
Collin County Sheriff's Office
4300 Community Avenue
McKinney, TX 75071

Dear Major Palmisano

NCTCOG continues to move forward with the implementation of the Project 25 Overlay Project. In our meeting of January 29, 2009 Jim Baron and I met with you to discuss the possible use of the Wilmeth Road radio tower and its associated facilities. If approved, it would be used as the location for a 700 MHz, four channel trunked radio site, that is, a P25 Overlay Site. This equipment, operating in conjunction with other P25 Overlay sites located in NCTCOG's region, will provide interoperable command and control communications for two-way radio units equipped to support the open standards P25 technology.

NCTCOG would like to take the next step in confirming that the Collin County Sheriff's Office is willing to allow the use of the Wilmeth Road facility as the location for a P25 Overlay Site.

In the event Collin County is agreeable in moving forward with the project, the following information is being offered to further define the scope of the project.

The P25 Overlay Site will be controlled by a defined Master Site. Currently the candidate Master Site operators are DFW Airport and the City of Dallas, and as an alternate to the City of Dallas, Parker County (Weatherford). Connectivity between an Overlay Site and its associated Master Site will be via a leased digital circuit, unless another more functional means is determined when developing the Requirements Document.

The purchase of the equipment and the services to install and test the equipment will be funded via a Public Safety Interoperable Communications (PSIC) grant. Additionally, pending the successful passing of House Bill 2507 by the 2009 session of the Texas Legislature, funds for the maintenance of the equipment will be available as well.

The Master Site operator/owner will purchase the equipment and services for the Overlay Site via the current H-GAC contract, or, if a more favorable outcome can be reached, via an existing vendor contract. NCTCOG will provide a Technical Requirements Document to the Master Site operator and to Collin County, via its consultant, RCC Consultants, Inc. (RCC) that will outline the necessary equipment, systems and services needed to complete the implementation of the Overlay Site and the associated Master Site. RCC Consultants will work with the County to ensure that the Requirement Document addresses the concerns of the County in regards to the integration of the Overlay Site at the Wilmeth Road facility. Once the Master Site owner and the County approve the Requirements Document, the procurement, via H-GAC, or via a vendor contract can take place. Alternately, Collin County may wish to purchase the Overlay Site.

Additionally, RCC will assist in the FCC licensing of the 700 MHz Overly Site, with the license being held by Collin County, or alternately by the Master Site operator. RCC will provide oversight during the procurement phase, as well as in the implementation phase to help ensure the project is completed in a timely fashion.

616 Six Flags Drive, Centerpoint Two
P. O. Box 5888, Arlington, Texas 76005-5888
(817) 640-3300 FAX: 817-640-7806 ⊗ recycled paper
http://www.dfwinfo.com

From a technical standpoint equipment at the P25 Overlay Site will include:

1. A single 19" wide 7 ½ to 8 foot high equipment rack (plan for a 2' by 2' foot print) that will contain:
   a. Four (4) 700 MHz P25 trunked repeaters
   b. Site controller as needed
   c. Network equipment (LAN switch and router)
   d. Transmitter combiner
   e. Receiver multicoupler
   f. Alarm panel
   g. UPS if needed – see below
2. Receive Antenna – placed at highest available point on the radio tower
3. Tower mounted amplifier – placed at the base of the receive antenna
4. Receive Antenna RF transmission line and associated mounting hardware
5. Tower mounted amplifier RF transmission line (if needed for TTA testing)
6. Transmit Antenna – Placed at highest available point on the radio tower separated by 20 vertical feet from receive antenna
7. Transmit Antenna RF transmission line and associated mounting hardware
8. Lightning and AC surge protection equipment

Note that a tower loading analysis will be performed, as necessary, to ensure that the existing radio tower can support the P25 Overly Site antenna system.

Preliminary plans call for the Overlay Site equipment to housed in the existing Wilmeth Road electronic equipment shelter, with the equipment powered by site's AC power and by the site's emergency power generator, and if possible by the site's UPS, if sufficient capacity is available. Otherwise a dedicated UPS will be provided.

The equipment will be installed per the County's requirements consistent with the manufacturer's requirements and the site's standards. All implementation details will be addressed to the County's satisfaction and included in the Requirements Document noted above.

Once in operation, the Overlay Site will be monitored by the Master Site operator and repair and maintenance will be addressed by a maintenance agreement for the first year, and subject to an extension for additional coverage. Once again, pending successful passage of House Bill 2507 (or its substitute bill), maintenance costs would be reimbursed via funds provided as a result of the legislation.

NCTCOG would like very much to discuss, at your convenience, these items, and thank you in advance for your prompt consideration of this important project. Please let me know your intentions regarding this matter, or call Jim Baron, RCC, at 972-644-5280, or contact him via email at jbaron@rcc.com . The Governance Committee is scheduled to meet Thursday, April 30, 9:30 AM, at NCTCOG's offices. I truly hope that you can make the meeting.

Appreciate you and what you do for the region.

Sincerely,

Fred Keithley
Director of Community Services and
Public Safety Communications

May 1, 2009

Major Pam Palmisano
Collin County Sheriff's Office
4300 Community Avenue
McKinney, TX 75071

Dear Pam,

The budgetary pricing for the P25 700 MHz Trunked Overlay Site that is tentatively to be located at Collin County's Wilmeth Road radio site is shown to the right.

Equipment costs reflect currently known H-GAC pricing. An estimation of the engineering, program management, technical support and installation services and other ancillary items has been included as well.

A UPS has been included for the repeater equipment but the site's UPS, if available, could be used in place of this item.

The site is assumed to meet the current R56 Standards of Motorola and no pricing is included for any upgrades or improvements in this area.

Other details concerning the site are noted in Fred Keithley's letter of April 13, 2009.

Please limit the distribution of the pricing information in order to protect the procurement process.

NCTCOG P25 Overlay Trunked Site Equipment & Services
Budgetary Estimate for the Collin County
Wilmeth Road Radio Tower Site

EQUIPMENT	QTY	TOTAL
P25 700/800 MHz Trunked Repeater Station with/	4	$152,850
Site Router		
Site Controller/Ethernet Switch_Dual		
P25 Software		
7.5' Equipment Rack		
Power Distribution/Surge Protection		
Lightning Protection Devices		
Four (4) Port TX Combiner Expandable to 6 Ports		
Transmitter Filter		
Receiver Multicoupler/TTA - Mimimum 6 Ports		
Alarm Panel RTU		
UPS for Trunked Repeater Equipment		
Transmit and Receive Antenna System with/	**LOT**	$30,000
Transmit Antenna & Mounting Hardware	1	
Receive Antenna & Mounting Hardware	1	
1 1/4" LDF Transmission Line Kit - TX (350')	1	
7/8" LDF Transmission Line Kit - RX (350')	1	
1/2" LDF Transmission Line Kit - TTA TP (350')	1	
RF Jumper Cable Kits	Lot	
RF Line Kit Mounting Hardware & Accessories	Lot	
Lightning Arrestors & Grounding Kits	Lot	
Total Equipment		$182,850
Estimated Implementation Services		$73,140
FCC Licensing & Frequency Coordination		$2,000
T1 Connectivity Service Start-Up		$1,510
Tower Loading Analysis		$5,000
Budgetary Grand Total		**$264,500**

Please give me a call if you have any questions, and thank you again for participating in this very important project.

Sincerely,

Jim Baron

Jim Baron
RCC Consultants, Inc.
972-644-5280

By: Chisum, Gallego, Merritt, Gonzales, Corte, et al. H.B. No. 2507

A BILL TO BE ENTITLED

AN ACT

relating to the establishment of an interoperable statewide emergency radio infrastructure and the establishment of an emergency radio infrastructure account.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 771, Health and Safety Code, is amended by adding Subchapter F to read as follows:

SUBCHAPTER F. INTEROPERABLE STATEWIDE EMERGENCY RADIO INFRASTRUCTURE

Sec. 771.151. DEFINITION. In this subchapter, "emergency radio infrastructure" means radio frequency hardware, software, or auxiliary equipment that:

(1) provides dispatch communications for this state and local governments to public safety agencies; and

(2) permits interoperable communication between different public safety agencies.

Sec. 771.152. USE OF REVENUE. (a) Fees collected under Section 133.102(e)(7), Local Government Code, may only:

(1) be used for the planning, development, provision, enhancement, or ongoing maintenance of an interoperable statewide emergency radio infrastructure;

(2) be used in accordance with the state communications interoperability plan;

(3) be used for the development of a regional or state

interoperable radio communication system; or

(4) be distributed as grants by the commission to:

(A) regional councils of government that have entered into interlocal agreements authorized under state law; and

(B) state agencies requiring emergency radio communications infrastructure.

(b) Fees collected and distributed as provided by this subchapter may not be used to purchase or maintain radio subscriber equipment.

Sec. 771.153. EMERGENCY RADIO INFRASTRUCTURE ACCOUNT. (a) The emergency radio infrastructure account is an account in the general revenue fund.

(b) The account consists of:

(1) fees deposited in the fund as provided by Section 133.102(e)(7), Local Government Code; and

(2) notwithstanding Section 404.071, Government Code, all interest attributable to money held in the account.

(c) Money in the account may be appropriated to:

(1) the commission for the planning, development, provision, enhancement, or ongoing maintenance of an interoperable statewide emergency radio infrastructure; and

(2) the Department of Public Safety for communications interoperability and other public safety services.

(d) Section 403.095, Government Code, does not apply to the account.

SECTION 2. Section 133.102(e), Local Government Code, is amended to read as follows:

(e) The comptroller shall allocate the court costs received under this section to the following accounts and funds so that each receives to the extent practicable, utilizing historical data as applicable, the same amount of money the account or fund would have received if the court costs for the accounts and funds had been collected and reported separately, except that the account or fund may not receive less than the following percentages:

(1) abused children's counseling 0.0088 percent;

(2) crime stoppers assistance 0.2581 percent;

(3) breath alcohol testing 0.5507 percent;

(4) Bill Blackwood Law Enforcement Management Institute 2.1683 percent;

(5) law enforcement officers standards and education 5.0034 percent;

(6) comprehensive rehabilitation 5.3218 percent;

(7) emergency radio infrastructure account [~~operator's and chauffeur's license~~] 23.2330 [~~11.1426~~] percent;

(8) criminal justice planning 12.5537 percent;

(9) an account in the state treasury to be used only for the establishment and operation of the Center for the Study and Prevention of Juvenile Crime and Delinquency at Prairie View A&M University 1.2090 percent;

(10) compensation to victims of crime fund 37.6338 percent;

(11) [~~fugitive apprehension account 12.0904 percent;~~

[~~(12)~~] judicial and court personnel training fund 4.8362 percent;

(12) [~~(13)~~] an account in the state treasury to be used for the establishment and operation of the Correctional Management Institute of Texas and Criminal Justice Center Account 1.2090 percent; and

(13) [~~(14)~~] fair defense account 6.0143 percent.

SECTION 3. This Act takes effect September 1, 2009.

BILL ANALYSIS

C.S.H.B. 2507
By: Chisum
Public Safety
Committee Report (Substituted)

BACKGROUND AND PURPOSE

In preparation for Hurricane Ike, 64,000 residents of Galveston were evacuated to other parts of Texas. The Department of Public Safety (DPS), first responders, and many other organizations were called on to assist in the evacuation process. In September 2007, Operation Border Star was initiated and involved efforts of law enforcement agencies from around the state to assist with border security. These events brought together many different emergency personnel from all over Texas to serve Texans at great personal risk. However, both of these events have made it apparent that the technology and instruments used for communication among emergency response agencies and their respective personnel are not compatible. As a result, many officers and responders are isolated without the technology needed to communicate with other responders. It is necessary to provide a centralized communication system for these Texas public servants and to protect and provide them with tools to be effective and efficient as emergency response providers.

C.S.H.B. 2507 creates the interoperable statewide emergency radio infrastructure to be funded by fees collected by the comptroller of public accounts on the conviction of a criminal offense. The bill dedicates the fees collected to be used only for the planning, development, provision, enhancement, or ongoing maintenance of the interoperable statewide emergency radio infrastructure.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 2507 amends the Local Government Code to require the comptroller of public accounts to allocate 23.2330 percent of the court costs collected on the conviction of a criminal offense to the emergency radio infrastructure account. The bill removes the operator's and chauffeur's license and the fugitive apprehension account from the list of accounts and funds to which the comptroller is required to allocate the court costs collected on the conviction of a criminal offense.

C.S.H.B. 2507 amends the Health and Safety Code to authorize fees collected by the comptroller and allocated to the emergency radio infrastructure account to only be used for the planning, development, provision, enhancement, or ongoing maintenance of an interoperable statewide emergency radio infrastructure; used in accordance with the state communications interoperability plan; used for the development of a regional or state interoperable radio communication system; or distributed as grants by the Commission on State Emergency Communications to regional councils of government that have entered into interlocal agreements authorized under state law and to state agencies requiring emergency radio communications infrastructure. The bill prohibits fees collected and distributed for emergency radio infrastructure purposes from being used to purchase or maintain radio subscriber equipment.

C.S.H.B. 2507 provides that the emergency radio infrastructure account is an account in the general revenue fund and that the account consists of fees collected on the conviction of a criminal offense and deposited by the comptroller into the fund and all interest attributable to money held in the account. The bill authorizes the money in the account to be appropriated to the commission for the planning, development, provision, enhancement, or ongoing maintenance of an interoperable statewide emergency radio infrastructure and to the Department of Public Safety for communications interoperability and other public safety services. The bill makes state law on the use of dedicated revenue inapplicable to the account.

C.S.H.B. 2507 defines "emergency radio infrastructure."

EFFECTIVE DATE

September 1, 2009.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 2507 differs from the original by authorizing a portion of certain fees collected by the comptroller of public accounts on the conviction of a criminal offense to be used for the planning, development, provision, enhancement, or ongoing maintenance of an interoperable statewide emergency radio infrastructure, whereas the original establishes a separate emergency radio infrastructure fee for those purposes, and by making conforming changes. The substitute removes provisions from the original relating to the imposition and collection of the separate emergency radio infrastructure fee.

C.S.H.B. 2507 adds a provision not in the original authorizing the money in the emergency radio infrastructure account to be appropriated to the Department of Public Safety for communications interoperability and other public safety services.

C.S.H.B. 2507 adds provisions not in the original providing for the allocation of 23.2330 percent of the court costs collected on the conviction of a criminal offense to the emergency radio infrastructure account and removing the operator's and chauffer's license and the fugitive apprehension account from the list of accounts and funds to which the comptroller is required to allocate such court costs.

HOUSE
RESEARCH
ORGANIZATION bill analysis 4/27/2009

HB 2507
Chisum, et al.
(CSHB 2507 by Frost)

SUBJECT: Funding an interoperable statewide emergency radio infrastructure

COMMITTEE: Public Safety — committee substitute recommended

VOTE: 7 ayes — Merritt, Frost, Burnam, Driver, P. King, Rodriguez, Vo

0 nays

2 absent — Lewis, Mallory Caraway

WITNESSES: (*On original version:*)
For — Gary Chandler, Texas Department of Public Safety Officers Association; (*Registered, but did not testify*: Hector Gonzalez, City of Laredo; Matt Phillips, Brazos River Authority)

Against — Thomas Ratliff, Alltel, T-Mobile; Russell Sarazen, T-Mobile USA, Inc.; (*Registered, but did not testify*: Velma Cruz, Sprint; Ron Hinkle, Verizon Wireless)

On — Paul Mallet, Commission on State Emergency Communications; Joe Peters, Sheriff's Association of Texas, Texas Radio Coalition; Betty Voights, Capitol Area Council of Governments; (*Registered, but did not testify*: Todd Early, Department of Public Safety)

BACKGROUND: In 2005, the 79th Legislature required the Governor's Office to develop and administer a strategic plan to design and implement a statewide integrated public safety radio communications system.

In 2008, the Texas Radio Coalition (TxRC) provided recommendations so that Texas could meet Department of Homeland Security (DHS) standards for a statewide network of interoperable radio systems.

Local Government Code, sec. 133.102(a) requires payment of court costs of $133 on conviction of a felony, $83 on conviction of a Class A or Class B misdemeanor, and $40 on conviction of a nonjailable misdemeanor offense. Local Government Code, sec. 133.102(f) requires the comptroller to allocate money received from these costs to be allocated on a basis of a specified percentage to various criminal justice programs.

DIGEST:

CSHB 2507 would amend Health and Safety Code, ch. 711 to create an interoperable statewide emergency radio infrastructure fund. It would amend Local Government Code, sec. 133.102 (e) to delete allocation of court cost funds for the fugitive apprehension and operator's and chauffer's license accounts and allocate 23.23330 percent of the funds to the newly created emergency radio infrastructure account. The funds would be provided from court costs and interest collected money held in the account.

The fund could be used for:

- planning, development, provision, enhancement, or ongoing maintenance of an interoperable statewide emergency radio infrastructure;
- implementation of the state communications interoperability plan;
- development of a regional or state interoperable radio communications system; or
- grants to regional council of governments or state agencies requiring emergency radio communications infrastructure.

Funds in the account could not be allocated for purchase or maintenance of SDR radio subscriber equipment.

The bill would take effect September 1, 2009.

SUPPORTERS SAY:

CSHB 2507 would provide a dedicated source of funding to develop, maintain, and replace interoperable communications systems for emergency first responders statewide and allow them to talk within and across agencies and jurisdictions. In Texas, several agencies, including DPS and other jurisdictions, were called out to help with evacuations in preparation for Hurricane Ike in September 2008. In September 2007, several law enforcement agencies participated in the border security effort for Operation Border Star. In both operations, law enforcement officers and other first responders were unable to communicate with each other, including among DPS troopers from different regions. Lack of communication can be a matter of life and death to first responders and citizens.

The bill would help provide for a unified approach to interoperability. Texas has several differing radio systems that are used by federal, state, and local emergency responders and law enforcement officials. These

overlapping systems fail to communicate with each other for several reasons, including frequency variations, age, incompatible vendor equipment, or simple lack of coordination among interested parties. Law enforcement and first responders cannot depend on the commercial systems used for cellular telephones that could become overloaded and unavailable in an emergency.

Development and maintenance of an interoperable communication system serves a law enforcement function and should be funded through court costs. This would be a readily available and reliable source of revenue as the Legislature considers other potential sources of funding.

OPPONENTS SAY:

CSHB 2507 merely would shift the cost burden of the communications systems to the many law enforcement activities funded through the court cost fund. The bill would provide only $44.6 million in yearly funding, which would be less than the $60 million TxRC estimates would be needed for yearly maintenance and operation of the interoperable statewide emergency communication system.

NOTES:

HB 2507 as originally proposed would have funded the interoperable statewide emergency communication system through an additional fee, not to exceed 25 cents per month, on each landline and wireless telephone as part of 9-1-1 service fees and surcharges on intrastate long distance calls.

According to the fiscal note, the bill would have no net effect on the overall general revenue budget. However, expenditures for the operator's and chauffer's license fund would be reduced by $21 million in fiscal 2010 and $23 million in fiscal 2011, and the fugitive apprehension fund would be reduced by $23.6 million in fiscal 2010 and by $26 million in fiscal 2011.

Texas Legislature Online
Bill Stages

Bill: HB 2507 **Legislative Session:** 81(R) **Author:** Chisum

Stage 1	Stage 2	Stage 3	Stage 4	Stage 5
Filed	**Out of House Committee**	**Voted on by House**	**Out of Senate Committee**	**Voted on by Senate**
3/5/2009	4/8/2009	4/28/2009		

Stage 6	Stage 7
Sent to Governor	**Bill Becomes Law**

Legend

Indicates bill passed stage

Indicates bill has not reached stage

Indicates bill failed to complete stage

Helpful Links

Legislative process	Floor action	Diagram - House
Introducing a bill	Governor's action	Diagram - Senate
Referral to a committee	Effective date	
Committee reports	Legislative glossary	

Stage 1 Bill filed by Chisum on 3/5/2009.

Stage 2 Bill reported out of House committee on Public Safety with vote of 7 Ayes, 0 Nays, 0 Present Not Voting, 2 Absent.

Stage 3 Bill passed the House.

Stage 4 Not reached.

Stage 5 Not reached.

Stage 6 Not reached.

Stage 7 Not reached.

Pam Palmisano

To: Pam Palmisano
Subject: RE: Est.

From: Bobby Thompson [mailto:BThompson@dfwcomm.com]
Sent: Tuesday, May 05, 2009 3:31 PM
To: Pam Palmisano
Subject: FW: Est.

Let's try this again. The numbers below are good to use for your budget process.

Warranty Wrap $765.00/month (first year)

After Warranty $2,296.00/month (second year)

*The price includes the same SOW of your current equipment. It covers 24*7 on-site services and includes all parts and labor with one annual PM.*

Let me know if you have any questions.