

COUNCIL COMMUNICATION

Meeting Date: September 22, 2009	1 st Reading _____ 2 nd Reading _____	Legal Review:	Agenda Location: Consent Calendar	Agenda Item: 8D
Subject: A RESOLUTION APPROVING THE FIRST AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE ADAMS COUNTY COMMUNICATIONS CENTER, INC. AND THE CITY OF THORNTON FOR THE JOINT DEVELOPMENT AND OPERATION OF A SIMULCAST DISPATCHING SYSTEM. [400-AG]				
Prepared by: Michael Wallace		Approved by: Jack Ethredge		Ordinance previously introduced by: _____
Reviewed by: Jim Nursey		Presented by: Jim Nursey Executive Director – Police Chief		

KEY CONSIDERATIONS:

- The City and Adams County Communication Center, Inc. (ADCOM) entered into an Intergovernmental Agreement (IGA) to jointly develop and operate a Simulcast Radio Dispatching System in August of 2005. As a result, the City and ADCOM currently own and operate the Simulcast System.
- This System currently is comprised of three radio towers which simultaneously broadcast radio transmissions in the 700 MHz range for use by ADCOM and its members and the City of Thornton. The City and ADCOM developed and jointly own and ADCOM operates this Simulcast Dispatching System.
- Thornton currently uses this radio system as the City’s primary radio communications for Police, Fire, and all other non-public safety users.
- The IGA is being amended for the following reasons:
 - Thornton now operates its own Communication Center and is no longer a member of ADCOM and needs to be reflected as its own entity as a partner on the IGA. Given the establishment of the City’s own 911 Authority and Communication Center, it was no longer necessary to be included with ADCOM’s 911 Authority and Board.
 - So that the parties may undertake efforts to enhance the System and/or add users to the System by mutual agreement as these opportunities arise.
 - To allow the City and ADCOM staff to provide the necessary administration required to properly operate the Simulcast System on a day to day basis.

BUDGET/STAFF IMPLICATIONS:

- None

RECOMMENDATION:

Staff recommends approval of the resolution. This recommendation is based on the following findings:

- This Amendment will allow Thornton and ADCOM to effectively decide on System improvements and the addition of users, and will provide a contractual means to bring about any such action.
- This Amendment addresses the fact that Thornton is no longer a member of ADCOM and provides for the administration of the Simulcast System.

HISTORY: (includes previous City Council action)

- Thornton was a member of ADCOM from April 1993 to April 1, 2009 and served on its Board of Directors.
- City Council entered into the Intergovernmental Agreement for the joint development and operation of a Simulcast Dispatching System on August 9, 2005.
- The City terminated dispatching services with ADCOM effective April 1, 2009, when Thornton's Communication Center became fully operational.

RESOLUTION

A RESOLUTION APPROVING A FIRST AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE ADAMS COUNTY COMMUNICATIONS CENTER, INC. AND THE CITY OF THORNTON FOR THE JOINT DEVELOPMENT AND OPERATION OF A SIMULCAST DISPATCHING SYSTEM.

WHEREAS, on August 9, 2005, the City and ADCOM entered into an Intergovernmental Agreement for the Joint Development and Operation of a Simulcast Dispatching System ("Simulcast IGA"); and

WHEREAS, pursuant to the Simulcast IGA, the City and ADCOM developed and jointly own and ADCOM operates a Simulcast Dispatching System ("Simulcast System") through the establishment of new radio broadcasting towers and antenna locations throughout the City and Adams County; and

WHEREAS, the parties agree that the amendment of the Simulcast IGA is necessary to allow either party to add additional users to the Simulcast System to enhance the Simulcast System for the benefit of all users and to assign costs associated with such users.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF THORNTON, COLORADO, AS FOLLOWS:

1. The First Amendment to that Intergovernmental Agreement between the Adams County Communications Center Inc. and the City of Thornton for the joint development and operation of the Simulcast System, as attached hereto and incorporated herein by this reference, is hereby approved.
2. The City Manager is hereby authorized to execute and the City Clerk to attest said First Amendment to the Intergovernmental Agreement on behalf of the City of Thornton.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Thornton, Colorado, on _____, 2009.

CITY OF THORNTON, COLORADO

Erik Hansen, Mayor

ATTEST:

Nancy A. Vincent, City Clerk