

## CITY COUNCIL

For City Clerk's Use:

☐ **APPROVED** ☐ **DENIED**

Reso No. \_\_\_\_\_ File No. \_\_\_\_\_

Ord No. \_\_\_\_\_

**Agenda Item No.: 4**

**Date: January 16, 2013**

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Cory S. Moles, Acting Chief of Police

**SUBJECT:** Amendment to the Regional Communication System Participating Agency Agreement

**RECOMMENDATION:**

It is requested that Council adopt Resolution No. 2013-05 approving an Amendment to the Memorandum of Agreement, dated March 7, 1995, between the County of San Diego and participating cities and jurisdictions to extend the term of the Regional Radio System (RCS) through March 31, 2016.

**FISCAL ANALYSIS:**

The estimated annual cost to operate and maintain the RCS is \$5,841,714. Of the total, the County pays approximately \$1,879,062 and non-County RCS agencies share the \$3,962,652 balance. Under the current agreement, participating agencies contribute a monthly fee to the RCS for each radio in service on the system. Costs may be modified annually.

Approval of Resolution 2013-05 will not change overall costs for the RCS Program, allocations among participating agencies or fiscal terms set in the original agreement.

**PREVIOUS ACTION:**

On March 15, 2000, City Council approved the City's admission into the RCS via Resolution 2000-59. A three-year extension to the agreement was approved on October 28, 2009 via Resolution 2009-159.

**BACKGROUND:**

The Regional Communications System (RCS) Participating Agency Agreement, dated March 7, 1995, formally implemented the RCS and established the governance, administration, method of funding, and costs for a regional radio system to provide communication services for public safety and service agencies in San Diego Imperial Counties. The Agreement was established for 15 years, from March 7, 1995, through March 6, 2010.

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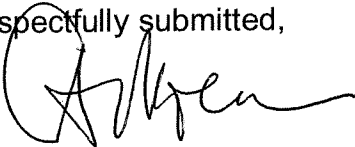
On March 16, 2000, the City joined the RCS as an additional participant to enhance public safety communication capability in Escondido and throughout North San Diego County. At that time, the City paid a one-time fee of \$2,514,814 for proportionate RCS infrastructure costs. The City agreed to co-license its existing 800MHz frequencies with the RCS and release them to the RCS when no longer needed by the City. In addition, the City agreed to pay \$22.10 per radio per month, for radios in service on the RCS system, with an acknowledgement that monthly costs could be changed annually.

On May 5, 2009, the County Board of Supervisors approved an amendment to the RCS Participating Agency Agreement to extend the agreement through March 31, 2013. The new term corresponded to the manufacturer's "end of life" of the Motorola Smartzone 3.0 System, on which the RCS operates. Escondido approved this three-year extension on October 28, 2009.

On August 7, 2012, The County Board of Supervisors approved an additional amendment to the RCS Participating Agency Agreement to extend the term through March 31, 2016, to allow sufficient time to continue planning a replacement system and to develop a new participating agency agreement.

Your action is requested to adopt Resolution 2013-05. Approval of this item will extend the City's participation in the RCS through March 31, 2016, and allow the City to participate in development of a future regional communication system.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "C. Moles", written over a circular stamp or seal.

Cory S. Moles  
Acting Chief of Police

RESOLUTION NO. 2013-05

A RESOLUTION OF THE CITY COUNCIL OF  
THE CITY OF ESCONDIDO, CALIFORNIA,  
AUTHORIZING THE MAYOR AND CITY  
CLERK, TO EXECUTE, ON BEHALF OF THE  
CITY, AN AMENDMENT TO THE  
MEMORANDUM OF AGREEMENT, DATED  
AS OF MARCH 7, 1995, BETWEEN THE  
COUNTY OF SAN DIEGO AND  
PARTICIPATING CITIES REGARDING THE  
REGIONAL RADIO SYSTEM

WHEREAS, the City provides public safety services to the residents of Escondido through Police, Fire and Public Works Departments; and

WHEREAS, radio communications for these departments are critical for day-to-day operations and emergency services within the City and throughout San Diego North County; and

WHEREAS, on March 15, 2000, the City Council adopted Resolution No. 2000-59 authorizing the Mayor and City Clerk to execute an agreement with San Diego County to add the City as an additional participant in the Memorandum of Agreement, dated as of March 7, 1995, between the County of San Diego and Participating Cities and Jurisdictions Regarding the Implementation, Governance, Method of Funding and Costs of a Regional Communications System ("RCS Agreement"); and

WHEREAS, on October 28, 2009, the City Council extended the agreement through March 31, 2012, via Resolution 2009-159, and

WHEREAS, the present parties to the RCS Agreement desire to extend the term of the agreement through March 31, 2016; and

WHEREAS, the City Council desires at this time and deems it to be in the best public interest to approve the amendment to the RCS Agreement to facilitate on-going public safety communication throughout San Diego County;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Escondido, California, as follows:

1. That the above recitations are true.
2. That the City Council authorizes the Mayor and City Clerk to execute on behalf of the City, the Amendment to the RCS Agreement in substantially the form attached as Exhibit "A," which is incorporated by this reference.

AMENDMENT TO THE MEMORANDUM OF AGREEMENT DATED AS OF  
MARCH 7, 1995, BETWEEN THE COUNTY OF SAN DIEGO AND  
PARTICIPATING CITIES AND JURISDICTIONS REGARDING THE  
IMPLEMENTATION, GOVERNANCE, METHOD OF FUNDING AND COSTS OF A  
REGIONAL RADIO SYSTEM PROVIDING COMMUNICATION SERVICES TO  
PUBLIC SAFETY AND PUBLIC SERVICE AGENCIES OPERATING IN SAN  
DIEGO COUNTY AND IMPERIAL COUNTY

THIS AMENDMENT to that Memorandum of Agreement dated as of March 7, 1995, providing for the establishment, governance and funding of a regional radio system providing communication services to public safety and public service agencies operating in San Diego County and Imperial County is entered into as of August 7, 2012, between the County of San Diego and the parties listed in Exhibit A as follows:

RECITALS

Whereas, pursuant to a Memorandum of Agreement ("RCS Agreement") dated as of March 7, 1995, the parties established the Regional Communications System ("RCS") and provided for its governance and funding; and

Whereas, other jurisdictions have become parties to the RCS Agreement; and

Whereas, the term of the RCS Agreement is 15 years from March 7, 1995, and will therefore expire March 6, 2010; and

Whereas, the term of the RCS Agreement was extended for three years from March 6, 2010 to March 31, 2013; and

Whereas, the present parties to the RCS Agreement desire to extend the term of the RCS Agreement for another three more years to terminate March 31, 2016;

NOW THEREFORE, THE PARTIES AGREE AS FOLLOWS:

1. Section 20 of the RCS Agreement is amended by substituting the following language:

This Agreement shall terminate March 31, 2016.

2. In all other respects, the RCS Agreement shall remain the same.

IN WITNESS THEREOF, the parties hereto have affixed their signature on the attached Exhibit A.

**Exhibit "A"**  
**Amendment to the RCS Participating Agency Agreement**

**IN WITNESS WHEREOF, the party hereto does affix his/her signature.**

**COUNTY OF SAN DIEGO**  
**Board of Supervisors Approval**

Date: 8.8.12

By Thomas J. Pastuszka  
Thomas J. Pastuszka  
Clerk of the Board of Supervisors

**CITY OF CARLSBAD**  
**Council Approval**

Date: \_\_\_\_\_

By \_\_\_\_\_  
Mayor

**CITY OF CHULA VISTA**  
**Council Approval**

Date: \_\_\_\_\_

By \_\_\_\_\_  
Mayor

**CITY OF CORONADO**  
**Council Approval**

Date: \_\_\_\_\_

By \_\_\_\_\_  
Mayor

**CITY OF DEL MAR**  
**Council Approval**

Date: \_\_\_\_\_

By \_\_\_\_\_  
Mayor

Approved and/or authorized by the Board of Supervisors of the County of San Diego.	
Meeting Date: <u>8/7/12</u>	Minute Order No. <u>1</u>
By: <u>Angela Vinyard</u>	Date: <u>8/8/12</u>
Deputy Clerk of the Board Supervisors	

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**Exhibit "A"**  
**Amendment to the RCS Participating Agency Agreement**

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**CITY OF EL CAJON**  
**Council Approval**

**Date:** \_\_\_\_\_

**By** \_\_\_\_\_  
**Mayor**

**CITY OF ENCINITAS**  
**Council Approval**

**Date:** \_\_\_\_\_

**By** \_\_\_\_\_  
**Mayor**

**CITY OF ESCONDIDO**  
**Council Approval**

**Date:** \_\_\_\_\_

**By** \_\_\_\_\_  
**Mayor**

**CITY OF IMPERIAL BEACH**  
**Council Approval**

**Date:** \_\_\_\_\_

**By** \_\_\_\_\_  
**Mayor**

**CITY OF LA MESA**  
**Council Approval**

**Date:** \_\_\_\_\_

**By** \_\_\_\_\_  
**Mayor**