



CITY OF HARRISONBURG CITY MANAGER

409 SOUTH MAIN STREET, HARRISONBURG, VA 22801

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TO: Ande Banks, City Manager

FROM: Chris Brown, City Attorney

DATE: December 1, 2022

RE: Amended and Restated Ordinance for the Joint Exercise of Powers by the City of Harrisonburg and Rockingham County, Virginia for the operation of an Emergency Communications Center

Summary: This is an amended and restated ordinance to continue the operation and governance of the City and County's joint Emergency Communications Center (ECC). This ordinance sets out the agreement between the City and County on the continued operation of the ECC and replaces the existing ordinance. The Rockingham County Board of Supervisors will adopt an identical ordinance.

Background: In September of 2003 the City and County each adopted identical ordinances to jointly establish the ECC. Such joint exercises of powers are specifically permitted by Va. Code Section 15.2-1300. The ordinance allowed the City and County to partner in construction and equipping of the ECC's communications center at the Harrisonburg Public Safety Building (then still known as Harrison Plaza), the purchase and operation of a two-way radio system, including communications towers, to be used by public safety agencies in the City and County, and to operate and maintain the system. The ordinance also set forth the financial responsibilities of the City and County and permitted the parties to finance the capital costs necessary for setting up the ECC. The Ordinance established an Administrative Board made up of the County Administrator and City Manager to oversee the operation of the ECC. The ordinance also established a Communications Advisory Board made up of the heads of County and City public safety agencies to assist in establishing operations policies for the ECC.

The ECC has been successfully operated by the City and County for nearly 20 years. The ECC Board has recommended that the Joint Exercise of Powers Ordinance be updated to better reflect the current operations of the ECC. Also, when the ECC significantly updated its system several years ago, James Madison University became a financial participant in the ECC and the JMU Chief of Police became a member of the Communications Advisory Board. The ECC Board wishes to formalize the JMU Chief of Police as a member of that Advisory Board.

The Amended and Restated Ordinance broadens the description of the purpose of the ECC to better reflect that it no longer just operates a two-way radio system. It also changes the name of the ECC from the Rockingham-Harrisonburg ECC to the Harrisonburg-Rockingham ECC since that's what it is commonly called. The new ordinance formalizes the appointment of the JMU Police Chief to the



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Communications Advisory Board. The new ordinance affirmatively states the ECC can enter into agreements with other governmental agencies, such as JMU and neighboring jurisdictions when deemed appropriate by the ECC Board.

The Amended and Restated Ordinance eliminates some language that was focused on the creation of the new system to be operated by the ECC. It retains all of the substantive provisions regarding governance and financial responsibility. The City and County split equally the capital and other cost associated with the ECC, except that each locality pays for its own non-fixed equipment (radios). The ECC Board approves the budget, which is submitted to the City and County as budget line items and continues to oversee the operation of the ECC.

Key Issues: Adoption of Amended and Restated Joint Exercise of Powers Ordinance for the operation of the ECC.

Environmental Impact: None

Fiscal Impact: None

Prior Actions: Adoption of Joint Exercise of Powers Ordinance in September, 2003.

Alternatives: (a) Adopt the ordinance as presented, or
(b) Decline to adopt ordinance.

Community Engagement: None

Recommendation: Staff recommends adoption of the Amended and Restated Ordinance.

Attachments: 1) Amended and Restated Joint Exercise of Powers Ordinance.
2) Joint Exercise of Powers Ordinance from 2003.

Review:

The initiating Department Director will place in Legistar, in sequence of transmittal, the names of each department that must initial their review in order for this item to be placed on the City Council agenda. The completion of review only addresses the readiness of the issue for Council consideration. This does not address the recommendation for approval or denial of the issue.

