

Meeting Date: Wednesday, April 13, 2016
Meeting Location: Hilton Garden Inn, 45 PGA Blvd, Ponte Vedra Beach, FL 32082

April 13, 2016:**Board Members, meeting attendance:**

1. Stan Greer, Area Manager, External Affairs, AT&T, Vice Chairman
2. Laurene "Laurie" Anderson, 911 County Coordinator, Charlotte County
3. Carolyn Dill-Collier, 911 County Coordinator, St. Lucie County (by phone)
4. Chesley Dillon, Vice-President, Corporate Tax, Tracfone
5. Ben Guthrie, 911 Coordinator Gulf County
6. Christie Pontis, State Regulatory and Legislative Affairs Manager, CenturyLink
7. David "Dave" Konuch, Attorney, Florida Cable Telecommunications Association (by phone)
8. Sergeant Dale Mitchell, 911 County Coordinator, St. Johns County
9. Tom Nadler, Manager, Sprint
10. Ira Pyles, 911 County Coordinator, Hillsborough County

Staff Members, meeting attendance:

1. Ben Fairbrother, External Affairs Coordinator, DMS-Legislative Affairs
2. Kent Raheb, Technical Support, DMS-Division of Telecommunications
3. Charles Hadley, Interim Chief, Public Safety Bureau, DMS-Division of Telecommunications
4. Diane Guillemette, Legal Counsel, Office of the Attorney General

Staff Members, participating via teleconference:

1. Kim Bickley, Technical Support, DMS-Division of Telecommunications
2. Donald Lamb, Technical Support, DMS-Division of Telecommunications
3. Kristen Brown, Technical Support, DMS-Division of Telecommunications
4. Larry Houff, and Partner, Carr, Riggs & Ingram, LLC (CRI)
5. Daniel Rodriguez, Manager, Carr, Riggs & Ingram, LLC (CRI)

Members of the Public, meeting attendance:

1. Keith Godwin, Alachua County
2. Venessa Thompson, Putnam County
3. Chuck Freeman, Pinellas County
4. Ed Gonzalez, Akimeka, LLC
5. Paul Boynton, CenturyLink
6. Doug Cunningham, CenturyLink

(If meeting participants are not listed, it may be due to a lack of sign-in acknowledging participation.)

Members of the Public, participating via telephone conference:

1. Karl Holtkamp, Okeechobee County
2. Anette Rogers, Orange County

(If teleconference participants are not listed, it may be due to non-receipt of emails acknowledging participation.)

1. Call to Order

- Meeting called to order at approximately 9:00 a.m.
- Staff conducted roll call. Nine of the ten current seated E911 Board Members were present. Ms. Dill-Collier attended by phone.
- Roll call for staff members was conducted.
- Public members attending this meeting or participating in the telephone conference were requested to acknowledge their participation by signing in on the sign-in spreadsheet on the computer in the back of the room or by sending an email to staff to ensure that they would be properly noted in the meeting minutes.
- Public members with issue(s) to be presented to the board for consideration were requested to list their issue(s) on the issue(s) index cards provided, or to send the issue(s) via electronic mail to the staff.
- Mr. Greer welcomed Christie Pontis, a new Florida E911 Board member who was appointed on Monday, April 11, 2016.

2. E911 Fee Adjustment Workshop

- Mr. Greer stated that the Board will begin with the E911 Fee Adjustment Workshop in order to give members of the public an opportunity to provide input to the Board.
- Mr. Greer stated that the Board voted to increase the E911 Fee rate from 40 cents to 45 cents and that was to make up for the shortfall from the revenue neutrality that the Legislature voted on.
- Mr. Greer stated that his intent for the workshop is to gather information regarding whether the Board should increase the fee from 45 cents to 50 cents in order to create funding for Next Generation 911 technology.
- Mr. Greer stated that if the increase of the E911 Fee rate from 40 cents to 45 cents passed, it would be the end of 2017 before the new rate would go into effect.
- Mr. Greer stated that if there are other alternatives such as adjusting the E911 Fee percentage allocations, he welcomes that input.
- Mr. Greer stated that he would like to move toward a Next Generation 911 system.
- Mr. Greer asked if there were any members of the public who would like to provide input regarding the E911 Fee rate adjustment.
 - Ms. Guillemette stated that the current E911 Fee Rate is 40 cents and that the discussion today would be about changing the E911 Fee Rate from 40 cents to whatever amount is appropriate.
 - Mr. Greer stated that the Board had already voted to raise the fee from 40 cents to 45 cents and he is now asking if there is anything the Board should do differently based on looking at the Next Generation 911 processes.
 - Mr. Greer stated that the Board has received a Statement of Estimated Regulatory Costs (SERC) based on a potential 40 cents to 45 cents E911 Fee rate increase.

- Mr. Fairbrother stated that copies of the SERC are available for any member of the public in attendance in person or by phone.
- Ms. Dill-Collier asked if an additional SERC would be required if the Board voted to increase the E911 Fee rate from 45 cents to 50 cents.
 - Mr. Greer stated that the fee amounts contained within the SERC would have to be adjusted to reflect an increase of 40 cents to 50 cents instead of 40 cents to 45 cents.
 - Ms. Guillemette stated that she would have to file a SERC that shows the amount of the new fee when she files the rule with the Joint Administrative Procedures Committee and that it would also have to be included when the rule is sent to the legislature.
 - Mr. Greer stated that since Carr, Riggs and Ingram (CRI) drafted the SERC, CRI would have to make adjustments to the SERC if the Board voted on an E911 Fee rate amount other than 45 cents.
 - Mr. Pyles asked if CRI was selected through a Request for Quotes (RFQ) as the vendor to produce the SERC.
 - Mr. Fairbrother stated that is correct.
 - Mr. Pyles asked if a new RFQ for an additional SERC would have to be conducted if the Board voted on an E911 Fee rate different than 45 cents.
 - Mr. Fairbrother stated that he would have to consult with the Department of Management Services purchasing team in order to provide an answer to that question.
 - Mr. Konuch stated that the current SERC could likely just be adjusted to reflect a different E911 Fee rate amount.
 - Mr. Pyles asked if it would be appropriate to ask CRI what it would take to adjust the current SERC to reflect a different E911 Fee rate amount.
 - Mr. Houff stated that CRI's engagement on the SERC was to provide a draft that would be issued by the Department of Management Services.
 - Ms. Guillemette stated that she does not have input into the SERC.
 - Mr. Greer stated that based on CRI's comments, the Board can work with DMS to adjust the SERC if the Board were to vote to change the E911 Fee rate again.
- Ms. Guillemette stated that she would like the Board to review the considerations required by 365.172 (8) (h) F.S., prior to voting on an adjustment to the E911 Fee rate.

- Mr. Fairbrother stated that before any adjustments are made to the current SERC, a consultation with the Department of Management Services' purchasing team should be performed in order to avoid violation of any state rules or regulations.
 - Mr. Greer stated that he does not see the Board doing anything else with CRI. Mr. Greer also stated that the Board can modify the SERC to fit whatever the circumstances are and that a new RFQ would not be required.
- Mr. Guthrie asked Ms. Guillemette what was contained in the statute she mentioned regarding the criteria that must be considered prior to voting on an adjustment to the E911 Fee rate.
 - Ms. Guillemette read 365.172 (8) (g) 1-3, F.S.
- Mr. Greer stated that an E911 Fee rate of 45 cents covered the shortfall from the revenue neutrality piece that the Legislature was looking at when they did the legislation on prepaid.
 - Mr. Greer also stated that his concern is the funding for Next Generation 911 systems and he expects that will be a big dollar ticket item in the range of \$20 to \$25 million per year.
 - Mr. Greer stated that as the E911 Trust Fund currently contains about \$40 million. Mr. Greer also stated that the Board generally keeps about \$10 million in the fund for emergencies. Mr. Greer stated there is approximately another \$10 million that is encumbered with various grants or carrier cost recovery so the Board has approximately \$20 million in the hopper available to fund a project somewhere down the road assuming the Board can get spending authority from the Legislature to do so.
 - Mr. Greer stated that the Board should examine a potential change in the E911 Fee rate and start working on backup plans in the event that an increased fee rate is not approved by the Legislature.
- Mr. Nadler asked if a rule that is ratified by the Legislature goes to the Governor's office for approval.
 - Mr. Greer stated that is correct.
 - Mr. Nadler stated that the Governor is against raising any taxes and asked what would happen if the rule is rejected by the Governor.
 - Ms. Guillemette stated that rules have made it to the Legislature very few times. Ms. Guillemette also stated that ratification by the Legislature does not include the signature of the Governor.
 - Mr. Pyles asked if the rule making process includes signature by the Governor.
 - Ms. Guillemette stated no, but because the recent rule change that was approved by the E911 Board to increase the E911 Fee has a financial impact, there is the extra step of sending it to the Legislature for ratification.

- Mr. Greer stated that the Board does not have a lot of numbers on Next Generation 911 implementation costs.
- Mr. Greer stated that he feels very comfortable with a 45 cent rate because the Board has a good basis for it. Mr. Greer also stated that he is concerned that the Board may run into the issue of trying to get too much if the Board attempts to go to 50 cents.
 - Mr. Nadler stated that if the Board raises the E911 Fee rate to 45 cents, the Legislature would consider it, but if the Board was to raise the rate to 50 cents, the Legislature may reject it outright.
 - Mr. Nadler stated that if the Legislature rejected the rule change that increases the E911 Fee rate, the Board would not have additional options at that time.
 - Mr. Greer stated that even if the rule change raising the E911 Fee rate to 45 cents is ratified, it would be the end of 2017 before that fee rate was implemented. Mr. Greer also stated it would then likely be 2019 before a 50 cent E911 Fee rate could be implemented.
- Mr. Freeman stated that a 45 cent E911 Fee rate would not bring the state to a Next Generation 911 system. Mr. Freeman stated that even a 50 rate would be difficult to bring the state into that kind of system.
 - Mr. Freeman stated that a 45 cent rate would just make the counties whole to where they were prior to the fee rate reduction by the Legislature.
 - Mr. Freeman stated that the Board is making supplemental disbursements for some counties right now to make the counties whole.
 - Mr. Freeman stated that there are a lot of counties that are already moving in the direction of Next Generation 911 systems so their costs are already going up.
 - Mr. Freeman stated that once the Board obtained the funding for a statewide Next Generation 911 system, they would have to go out to bid for an RFQ or RFI to determine what the state needs to do to go to a Next Generation 911 solution. Mr. Freeman then stated the Board would be required to go out for bid on that solution, at which time it would take at least 2-3 years just to implement the networks alone.
 - Mr. Freeman stated that the Board should also examine E911 Fee allocation percentages in order to bring relief to the counties.
 - Mr. Greer asked if there are other alternatives than a DMS managed statewide Next Generation 911 system.
 - Mr. Freeman stated that he is not an expert on Next Generation 911 or networks, but the idea for Next Generation 911 networks is that they can be tied together. Mr. Freeman stated since one county's network could be tied to another, the statewide network does not have to be single sourced.

- Mr. Freeman stated that North Florida has smaller regions that are moving toward being on a single network.
- Mr. Freeman stated that he does not know if the Next Generation 911 network needs to be state run or not, but he would be willing to bet that there will be quite a few counties and/or regions that will be on a Next Generation 911 network before the state is ever able to do anything.
 - Mr. Nadler asked if the Board could encourage counties to tie their networks together through grants or other programs.
- Mr. Pyles stated that was a question he also had because the Board has not started the strategic planning sessions yet. Mr. Pyles asked if the business case is meant to create a state run system or for the state to support the counties in creating their own networks.
 - Mr. Greer stated that the original plan for a statewide routing system that Wink Infinger put together years ago was a system piggybacked off the MyFlorida Network.
 - Mr. Freeman stated that for Pinellas County it took approximately two years to get all of the circuits installed in order to bring their network into operation. Mr. Freeman stated that considering that timeframe for Pinellas County, the Board should likely look at encouraging regional networks as opposed to building a statewide network.
 - Mr. Pyles stated that a statewide routing system is likely five years away, so the state should be looking at creating the local Emergency Services IP Networks (ESInets) that moves from the analog circuits to the IP circuits.
 - Mr. Konuch asked if Mr. Pyles would explain the difference between ESInets and a statewide network.
 - Mr. Pyles stated that an example would be how Hillsborough County will have all their Public Safety Answering Points (PSAPs) connect to one network and Pinellas County will have their network that connects all of their PSAP's together. But at the end of this partnership development project, the Hillsborough and Pinellas County network will be connected.
 - Mr. Pyles also stated if a statewide routing system were in place, an emergency call would first go to the statewide routing system, which would then tell it to go to the Hillsborough County network.
 - Mr. Konuch asked if you have the ESInet locally, are you already on a Next Generation 911 system.
 - Mr. Pyles stated that having an ESInet only means that you have moved from analog circuits to IP circuits in order to move your traffic around. Mr. Pyles stated that it is the first step.

- Mr. Freeman stated that county costs are rising due to these system improvements.
 - Mr. Nadler stated that he is concerned that raising the E911 Fee rate to 50 cents would cause the Legislature to reject the rule altogether, leaving the rate at 40 cents.
 - Mr. Freeman stated that the Board and the E911 Coordinators need to have a clear plan on why the rate needs to be raised to 50 cents that includes dollars and spreadsheets that outline justifications for the potential rate increase.
 - Mr. Freeman stated that the Board needs to have a specific idea of how much the Next Generation 911 systems will cost and how much costs have increased now in order to make the case for a higher E911 Fee rate.
 - Mr. Greer stated that he feels very comfortable with the E911 Fee Rate of 45 cents that the Board approved because they can show a good basis for the increase.
 - Mr. Greer stated that he does not have a lot of information regarding cost for Next Generation 911 systems in Florida and he would like to get it. Mr. Greer stated that he feels a little less comfortable raising the E911 Fee rate from 45 cents to 50 cents due to that lack of information.
 - Mr. Freeman stated that the Board could go to vendors in Florida such as Intrado Solacom, and others to find out what the increase in cost will be.
 - Mr. Freeman stated he is concerned that if the E911 Fee rate of 45 cents is approved, the Legislature will not allow another increase in the years immediately following 2017.
 - Mr. Freeman stated that he believes the Board should vote to increase the E911 Fee Rate to 50 cents, but include a full explanation of why that amount is needed.
 - Mr. Guthrie stated the Board should vote to increase the E911 Fee rate to 50 cents and that many counties in Florida are pushing for the rate to be \$1.00.
 - Mr. Nadler reiterated that raising taxes and fees is a big discussion and if the Legislature rejects a 50 cent E911 Fee rate, the rate will remain at 40 cents.
 - Mr. Greer stated that when the rule to increase the E911 Fee rate is presented to the Legislature for ratification, they will be made aware that the E911 Trust Fund contains \$40 million and there is risk that they will sweep those dollars.
 - Mr. Greer stated that he believes the Board should pursue additional spending authority from the Legislature in order to spend down some of the funds left in the E911 Trust Fund.
 - Mr. Konuch asked how the spending authority works.
 - Ms. Guillemette stated that she sent a memo to the Board that outlines the E911 Fee reallocation authority.
 - Ms. Guillemette stated that the Board has the authority to change the allocation percentages of the E911 Fee, but that they would have to explain why the Board wants

- to allocate those percentages other than the way the Legislature originally outlined them in statute.
- Ms. Guillemette stated that in order to change these allocations, the Board would have to open a rule for development.
 - Mr. Greer asked if a SERC would be necessary when adjusting the E911 Fee allocation percentages.
 - Ms. Guillemette stated that the funds are being reallocated, so a SERC may not be necessary.
 - Ms. Guillemette also stated that the rule adjusting allocation percentages could still be attacked through the JAPC process or be challenged, but it appears that the Board can adjust the allocation.
 - Mr. Konuch stated that adjusting the percentage allocation may address Mr. Greer's concern that the Board is not adequately using the money in the E911 Trust Fund.
 - Mr. Greer stated that even adjusting the E911 Fee allocations is different than spending authority granted to the Board from the Legislature. Mr. Greer stated that even if you have money in the Trust Fund, you may not spend it unless you have spending authority from the Legislature.
 - Ms. Guillemette stated that if the Board were to adjust the allocation percentages through rule, the rule itself would be contrary to statute. Ms. Guillemette stated that the Board appears to have the authority to do that.
 - Ms. Guillemette also stated that the workshop today was noticed to discuss the E911 Fee rate, but not the fee allocation percentages. Ms. Guillemette stated that discussion regarding the fee allocations is permissible but a vote would not be appropriate.
 - Mr. Greer asked if the correct E911 Fee allocation percentages are in rule or in statute.
 - Mrs. Guillemette stated that the Board does not have any rules that talk about fee allocation percentages.
 - Mr. Freeman asked if the Board could open a rule for development that potentially changes the fee allocation percentages.
 - Mr. Konuch asked Mr. Fairbrother for a status update regarding the strategic planning workshop.
 - Mr. Fairbrother stated that the Strategic Planning Facilitator RFQ was reposted and DMS received multiple responses. Mr. Fairbrother also stated that DMS is currently in the process of reviewing the responses and staff will alert the Board when a selection is made.
 - Mr. Freeman asked if the fee allocation percentages are adjusted, would the spending authority automatically be adjusted, as well.

- Mr. Greer stated that spending authority is not easily adjustable, but the Board should examine a potential change in the E911 fee allocations while adhering to the statutes.
- Mr. Greer asked if the Next Generation 911 system should be a statewide system or if it should be driven by tying together existing regional systems.
 - Mr. Freeman stated that he believes regional systems is the direction the state is going.
 - Mr. Greer asked what the Board can do to make that transition quicker, considering the fact that many of the rural counties will be requesting system replacements soon.
 - Mr. Pyles stated that he would like to ask the counties if funding is the only thing holding them back from implementing new equipment and IP networks.
 - Mr. Freeman stated that funding is a large part of the holdup, but equipment can also be a holdup. Mr. Freeman stated that in Pinellas County, the hardware was Next Generation 911 capable, but the software needed to be upgraded.
 - Mr. Freeman stated that the networks are what takes the time and cost.
 - Mr. Pyles stated that most equipment that a county can purchase is IP capable, so replacing a system with equipment that is not Next Generation 911 capable should not be a problem.
 - Mr. Freeman stated that the Board should reach out to counties and ask about their current systems, their plans for the future and whether funding is holding them back. Mr. Freeman also stated that there is a lot of information that the Board should pull from the counties prior to drafting the strategic plan.
 - Mr. Konuch stated that it will be interesting to speak with counties like Mr. Guthrie's in order to get some economies of scale as the Board moves through the strategic planning process.
 - Mr. Godwin stated that Alachua County is in the investigative phase of creating an emergency services network in North Florida including Putnam, Levy, Marion, Flagler and possibly Clay and Columbia counties.
 - Mr. Godwin stated that legacy networks are working right now and counties cannot get rid of those systems without a transition period.
 - Mr. Godwin stated that they are looking to move forward with creating the emergency services network in North Florida with the revenue he has available to him right now.
 - Mr. Greer stated that having a request for funding from the county matches with the statutes better than having a funded statewide system that did not have a request from the county.
 - Ms. Guillemette stated that having actual numbers that you can present to the Legislature as justification for an E911 Fee rate increase would be helpful.

- Ms. Pontis asked how many counties possess a Next Generation 911 network.
 - Sgt. Mitchell stated that most counties have the hardware to support Next Generation 911 systems, but additional software is needed to make those systems operational.
- Mr. Greer asked how many counties have Next Generation 911 systems operational.
 - Mr. Guthrie stated there are probably no counties in Florida that are operational.
 - Mr. Konuch stated that it is difficult to say exactly what a Next Generation 911 system is.
 - Mr. Pyles stated that Next Generation 911 is a concept that is broken down into a lot of pieces.
 - Ms. Anderson stated that there are capabilities such as Text to 911, i3 components that make up an i3 system, and IP networks that can make up a 911 system, but new technology that arises will always be a “Next Generation” solution.
 - Mr. Pyles stated that the use of the term “Next Generation 911” is not a standard, but a concept that all PSAP’s should be able to accept information from any device out there.
 - Sgt. Mitchell stated she is concerned that IP systems are not as reliable as analog systems.
 - Mr. Konuch stated that is something they should discuss during the strategic planning process.
 - Ms. Anderson stated that IP networks provide capabilities that analog networks do not provide, so there is a give and take.
 - Mr. Guthrie stated that the provider networks must be upgraded because they are still running on an antiquated backbone.
- Ms. Pontis asked if the state currently has a strategic plan in place to move all counties to a Next Generation system.
 - Mr. Konuch stated that the Board is about to begin the strategic planning process.
- Ms. Dill-Collier stated that she is in favor of raising the E911 Fee rate to 50 cents because it would leave room for negotiation.
 - Mr. Greer stated that the Board must have a basis for why the E911 Fee rate should be raised from 45 cents to 50 cents.
 - Mr. Pyles asked if negotiation is part of the process.

- Ms. Guillemette stated that the Board must vote on a rule that specifies what the amount of the E911 Fee should be.
- Mr. Pyles asked if the amount of the E911 Fee increase contained in the rule could be negotiated when it reached the Legislature.
 - Mr. Greer stated that he does not know because there is little precedent for rules being ratified by the Legislature.
- Mr. Konuch stated that his recommendation is to examine a potential change in the E911 Fee allocations.
- Mr. Konuch stated that he is not in favor of raising the E911 Fee rate higher than what the Board already voted on (45 cents).
- Mr. Konuch stated that the counties have made it clear that raising the E911 Fee rate is a priority, so they may go to the Legislature and make the case for an increase. Mr. Konuch also stated that if the counties were able to persuade the Legislature, a fee rate increase may be included in statute, which would be a process much faster than the rule making process the Board must use to change the fee rate.
- Mr. Greer asked Ms. Guillemette if the Board may vote on this issue since the statutes require all Board members participate in a vote to adjust the amount of the E911 Fee rate and the Chair is a currently a vacant position.
 - Ms. Guillemette stated that the Board may vote on this issue.
 - Ms. Guillemette stated that the Board is currently in a rule workshop, which is designed to give the public an opportunity to provide input.
 - Ms. Guillemette stated that after the potential rule change is noticed with language, the Board may conduct a rule hearing, which is like a rule workshop but the rule hearing happens at a different stage.
 - Ms. Guillemette stated that the Board may consider scheduling a rule hearing in order to give the counties an opportunity to provide further justification for raising the E911 Fee rate.
 - Ms. Guillemette stated that anyone from the public may request a rule hearing, so the Board may consider scheduling that hearing to prevent delays in the rule making process.
- Mr. Greer asked Ms. Guillemette if she was saying that if the Board took a vote today, the Board should schedule a rule hearing to prevent a delay in the rule making process if someone was to request a rule hearing later.
 - Ms. Guillemette confirmed that is what she is suggesting.

- Mr. Greer asked if the Board would like to hold off on making a decision regarding raising the E911 Fee rate from 45 to 50 cents until more input is received.
- Ms. Anderson asked how the rule making process would be affected if the Board does not make a decision today.
 - Mr. Greer stated that the Board needs to make edits to the SERC before the process can move forward.
 - Ms. Guillemette stated that she needs a SERC that reflects the changes made by the proposed rule before she can file the rule.
- Ms. Anderson asked when the rule must be filed.
 - Ms. Guillemette stated JAPC typically considers a rule “stale” 1 year after being opened for development. Ms. Guillemette also stated that since the Board can demonstrate that they have been consistently working on the rule since this rule development was opened, they may have some flexibility.
- Mr. Greer stated that his hope is that each Board member take a look at the current SERC that reflects an increase in the E911 Fee rate from 40 to 45 cents and make any suggested changes by tomorrow, April 14, 2016.
- Mr. Greer stated that if the Board decides to change the E911 Fee rate to 50 cents, the SERC will have to be updated to reflect that change. Mr. Greer stated this would cause a longer delay in finalizing the SERC.
- Mr. Dillon stated that the Board has approved the E911 Fee rate increase from 40 to 45 cents. Mr. Dillon stated that the Board should come to a resolution regarding whether or not to move forward with an increase as soon as possible to prevent a delay in the rule making process.
- Mr. Dillon stated that changing the allocations is a good idea that the Board should pursue.
- Mr. Dillon stated that he is concerned that “Next Generation 911” is not defined yet and the Board needs to understand what Next Generation 911 is and what the Board is pursuing prior to asking the Legislature for additional funding.
 - Mr. Guthrie stated the E911 Coordinators will be discussing the NG911 issue at the E911 Coordinators Conference – National Emergency Number Association (NENA) Florida Conference on April 25 or 26, 2016.
 - Mr. Konuch stated that he is very interested in attending the cyber security meeting during the conference.
 - Ms. Guillemette stated that if the Board members are attending together, they should not meet in an official Board capacity without noticing an official meeting.

- Ms. Anderson stated that there are five members of the E911 Board who will be attending the meeting and asked if that would be a problem.
 - Ms. Guillemette stated that county coordinators would be attending the conference in that capacity, not as a Board member, so that is a different distinction.
- Mr. Greer asked if a staff member from DMS would be attending the NENA Florida Chapter conference.
 - Mr. Lamb stated that he originally scheduled to attend, but he cannot attend due to medical reasons. Mr. Lamb stated that a replacement from DMS has not been selected.
- Mr. Pyles stated that Board members may provide updates to the conference regarding business already discussed by the Board in an open forum.
 - Ms. Guillemette stated that is correct.
 - Mr. Pyles stated that Board members are just members of the audience and they do not work on Board business.
- Ms. Dill-Collier stated that in the past at NENA conferences like this, whenever E911 Board business was discussed, Wink Infinger would ask the Board members to leave.
- Ms. Guillemette stated that she will research the sunshine law and send it out to the Board.
- Mr. Dillon stated that the term "Next Generation 911" should be well defined and understood by the Board.
- Mr. Konuch stated that historically, Florida has been a national leader when it comes to development of many telecommunications issues. Mr. Konuch stated that moving forward with the development of a strategic plan is important because the Board should examine what Next Generation 911 should look like for Florida.
- Mr. Greer asked Ms. Dill-Collier if she would like to move forward with a motion to increase the E911 Fee rate to 50 cents.
- Ms. Dill-Collier moved that the E911 Board raise the E911 Fee rate to 50 cents instead of 45 cents. Ms. Anderson seconded the motion.
 - Ms. Pontis stated that she does not have enough information to raise the E911 Fee rate from 45 cents to 50 cents if the Board is basing the increase strictly on moving forward with "Next Generation 911". Ms. Pontis stated that she would like to abstain from the vote.
- Mr. Greer stated that Ms. Pontis could not abstain from the vote.

- Ms. Guillemette stated that based on what Ms. Pontis said, she should vote either yay or nay.
- Mr. Pyles requested that he is hesitant to move the E911 Fee rate to 50 cents because of some concerns regarding whether or not it's 50 cents or nothing. Mr. Pyles stated that he is comfortable moving forward with a 45 cent E911 Fee rate.
- Mr. Pyles stated that without seeing numbers to justify the increase from 45 cents to 50 cents, he is hesitant to support the increase. Mr. Pyles stated that he would not want to get shot down by the Legislature if the Board moved forward with a 50 cent E911 Fee rate without proper justification.
- Sgt. Mitchell asked if there was any way to negotiate with the Legislature once the rule is being considered for ratification.
 - Mr. Greer stated that since the Legislature would be considering whether or not to ratify the rule change, the ratification would be an up or down vote.
 - Ms. Guillemette stated that is her understanding, as well.
- Mr. Nadler stated that he feels comfortable moving forward with an increase in the E911 Fee rate to 45 cents, but not 50 cents. Mr. Nadler stated that he is concerned the Legislature will reject a 50 cent E911 Fee rate.
- Mr. Pyles stated that if an E911 Fee rate of 50 cents was approved, there would be an increase of approximately \$28 million in revenue per year. Mr. Pyles stated that the Board needs to be able to explain how that money would be spent.
- Mr. Pyles stated that without justification, a 50 cent E911 Fee rate could be rejected by the Legislature and the rate would stay at 40 cents at least through 2018.
- Mr. Konuch stated that there is already \$20 million in the E911 Trust Fund that could be reallocated, as well. Mr. Konuch stated that he shares Mr. Pyles' concern.
- Mr. Godwin stated that he agrees with Mr. Pyles and that a 45 cent E911 Fee rate is the appropriate next step.
- Mr. Godwin stated that there is not a dollar figure justification for why the E911 Fee rate should be 50 cents.
- Mr. Godwin stated that the SERC has been completed for the 45 cent E911 Fee rate. Mr. Godwin also stated that moving forward at the 45 cent rate is the safe way to go.
- Mr. Godwin stated that increasing the E911 Fee rate to 50 cents just two years after it was reduced to 40 cents would not fly with the Legislature.

- Ms. Anderson stated that her county's costs have been rising significantly.
- Ms. Anderson stated that even with Board supplements, her county is likely to experience a \$150,000 deficit in 2018.
- Ms. Anderson stated that once the Board raises the E911 Fee rate to 45 cents, there will be no supplement from the Board to her county because the 45 cent rate would erase the need for the supplement. Ms. Anderson stated she would still experience a \$150,000 deficit.
- Mr. Nadler stated that costs for services procured by counties are going to continue to rise. Mr. Nadler stated that counties should look at putting out better Requests for Proposals and pushing back with vendors.
- Mr. Greer stated that if the 45 cent rate was ratified by the Legislature, the Board may consider continuing to make supplemental disbursements to the counties, especially if the funds are available.
- Mr. Nadler stated that the Legislature will consider the fact that Prepaid Wireless providers were included in the E911 Fee rate after the rate was reduced to 40 cents.
- Mr. Greer stated that his bigger concern is that the E911 Trust Fund contains \$40 million right now and the Board should consider changing the allocation percentages to reduce that amount.
- Sgt. Mitchell asked if the Board moved forward with a change in the fee allocation and a change in the E911 Fee rate, would both of those changes reach the Legislature at the same time.
 - Ms. Guillemette stated that if the Board decided to move forward with an allocation percentage change, the Board would have to decide if a SERC was necessary.
 - Ms. Guillemette stated that she does not believe a SERC is necessary to change the E911 Fee allocations and would not require legislative ratification.
 - Sgt. Mitchell stated that changing the E911 Fee allocations would prove that the Board was doing everything it could with the money that is available to them. Sgt. Mitchell stated that would help justify an E911 Fee rate increase.
 - Mr. Konuch stated that he agrees that a SERC would not be necessary for a change in the E911 Fee allocations.
- Mr. Greer stated that increasing the E911 Fee rate to 45 cents will still be an uphill battle.
- Mr. Greer stated that Governor Scott considers this fee a tax increase and the Governor is not in favor of raising the E911 Fee rate.

- Mr. Greer stated that even if the Governor does not have to approve the increased E911 Fee rate, he still has influence over the issue.
 - Mr. Greer stated that changing the E911 Fee allocations is something the Board will consider because it may be a faster process than changing the E911 Fee rate.
 - Ms. Dill-Collier withdrew her motion to increase the E911 Fee rate to 50 cents.
 - Mr. Greer asked if there were any more comments regarding the E911 Fee rate workshop.
 - Ms. Guillemette asked the Board to approve the SERC that reflects the 45 cent E911 Fee rate. Ms. Guillemette also stated that she wants the Board to vote to approve the 45 cent E911 Fee rate.
 - Mr. Greer stated that his plan is to give the Board members an opportunity to review the SERC tonight and bring it back up for discussion when the Board reconvenes tomorrow, April 14, 2016.
 - Ms. Guillemette suggested that a rule hearing be set for the next monthly meeting to discuss the rule change increasing the E911 Fee rate to 45 cents.
 - Mr. Pyles asked if the Board needs to revote on raising the E911 Fee rate from 40 to 45 cents.
 - Ms. Guillemette stated that she would like the Board to vote to approve the SERC and vote to raise the E911 Fee rate to 45 cents.
 - Mr. Greer stated that he is not sure a vote to raise the fee to 45 cents is necessary since the Board already made that vote.
 - Ms. Guillemette stated that is fine and a vote to raise the fee to 45 cents is not necessary.
 - Mr. Greer stated the E911 Fee rate workshop is closed.
3. Review and Prioritize Spring 2016 Rural County Grant Applications
- Mr. Dillon stated that the Board will review and prioritize the grant applications today and vote on the applications tomorrow.
 - Mr. Dillon presented a review of Baker County's grant application.
 - Priority 2a and 2c were assigned to this grant.
 - Mr. Dillon presented a review of Bradford County's grant application.

- This grant was placed on hold until a Bradford County representative contacts the Board.
- After further review and assistance from Bradford County Personnel Priority 2a and 2c were assigned to this grant.
- Mr. Dillon presented a review of Calhoun County's grant application.
 - After discussion regarding prioritization for this grant, Mr. Guthrie stated the grant request would be withdrawn and Calhoun County would reapply at a later date.
- Mr. Dillon presented a review of Columbia County's grant application.
 - Priority 2a was assigned to this grant.
- Mr. Dillon presented a review of Dixie County's grant application.
 - Priorities 2a and 2c were assigned to this grant.
- Mr. Dillon presented a review of Franklin County's grant application.
 - The Board determined Franklin County should submit a state grant request for this project and tabled discussion of the current grant request.
- Mr. Dillon presented a review of Franklin County's second grant application.
 - Priority 2a was assigned to this grant.
- Mr. Dillon presented a review of Gilchrest County's grant application.
 - Priority 2a was assigned to this grant.
- Mr. Dillon presented a review of Gulf County's grant application.
 - The Board determined Gulf County should submit a state grant request for this project and tabled discussion of the current grant request.
- Mr. Dillon presented a review of Gulf County's second grant application.
 - Priorities 2a and 2c were assigned to this grant.
- Mr. Dillon presented a review of Hamilton County's grant application.
 - Priority 2a was assigned to this grant.
- Mr. Dillon presented a review of Hendry County's grant application.
 - Priority 5b was assigned to this grant.
- Mr. Dillon presented a review of Holmes County's grant application.

- Priorities 2a and 2c were assigned to this grant.
- Mr. Dillon presented a review of Jackson County's grant application.
 - Priority 2a was assigned to this grant.
- Mr. Dillon presented a review of Lafayette County's grant application.
 - Priorities 2a and 2c were assigned to this grant.
- Mr. Dillon presented a review of Levy County's grant application.
 - Priority 2a was assigned to this grant.
- Mr. Dillon presented a review of Levy County's second grant application.
 - Priorities 2a and 2c were assigned to this grant.
- Mr. Dillon presented a review of Liberty County's grant application.
 - Priorities 2a and 2c were assigned to this grant.
- Mr. Dillon presented a review of Madison County's grant application.
 - Priorities 2a and 2c were assigned to this grant.
- Mr. Dillon and Mr. Holtkamp presented a review of Okeechobee County's grant application.
 - Priority 1 was assigned to this grant.
- Mr. Dillon presented a review of Okeechobee County's second grant application.
 - Priority 2a was assigned to this grant.
- Mr. Dillon presented a review of Putnam County's grant application.
 - Priority 2a was assigned to this grant.
- Mr. Dillon presented a review of Putnam County's second grant application.
 - Priority 3a was assigned to this grant.
- Mr. Dillon presented a review of Suwannee County's grant application.
 - Priorities 2a and 2c were assigned to this grant.
- Mr. Dillon presented a review of Union County's grant application.
 - Priority 2a was assigned to this grant.

- Mr. Dillon presented a review of Wakulla County's grant application.
 - Priority 2a was assigned to this grant.
 - Mr. Dillon presented a review of Walton County's grant application.
 - Priority 2a was assigned to this grant.
 - Mr. Dillon presented a review of Washington County's grant application.
 - Priorities 2a and 2c were assigned to this grant
 - Mr. Dillon stated that this concludes the grant presentations.
4. Approve Meeting Minutes from March 16, 2016
- Mr. Guthrie moved to approve the meeting minutes. Sgt. Mitchell seconded the motion which was approved (10-0).
5. Review and Vote on Items for Cost Recovery Disbursements
- Ms. Dill-Collier moved to disburse \$2,078,242.45 out of current year funds for Item #1. Mr. Guthrie seconded the motion which carried (10-0). Mr. Greer stated he will file a form 8A.
 - Ms. Dill-Collier moved to disburse \$18,354.82 out of current year funds for Item #2. Mr. Guthrie seconded the motion which carried (10-0). Mr. Greer stated he will file a form 8A.
 - Ms. Dill-Collier presented a review of the cost recovery payments for the current year.
6. E911 Board Rule Development and Status Report
- Ms. Guillemette presented a review of current E911 rule changes to grant applications.
 - Ms. Guillemette stated that she was unable find any additional information regarding the Public Telecommunications Advisory Board.
7. Other Business
- Mr. Lamb presented the Board with a summary document that Frontier Communications passed along for the Board.
 - Mr. Lamb stated that billing would still come from Verizon this upcoming month and possibly one additional month. Mr. Lamb stated that the billing name will change to Frontier Communications after that time.
 - Mr. Lamb stated that all of the billing numbers would remain the same until the current contract runs out.
 - Mr. Greer asked if there were any public comments remaining for the day. There were no responses.

*****The Florida E911 Board adjourned until April 14, 2016 at approximately 9am*****

Meeting Date: Thursday, April 14, 2016
Meeting Location: Hilton Garden Inn, 45 PGA Blvd, Ponte Vedra Beach, FL 32082

April 14, 2016:

Board Members, meeting attendance:

1. Stan Greer, Area Manager, External Affairs, AT&T, Vice Chairman
2. Laurene "Laurie" Anderson, 911 County Coordinator, Charlotte County
3. Carolyn Dill-Collier, 911 County Coordinator, St. Lucie County (by phone)
4. Chesley Dillon, Vice-President, Corporate Tax, Tracfone
5. Ben Guthrie, 911 Coordinator Gulf County
6. Christie Pontis, State Regulatory and Legislative Affairs Manager, CenturyLink
7. David "Dave" Konuch, Attorney, Florida Cable Telecommunications Association (by phone)
8. Sergeant Dale Mitchell, 911 County Coordinator, St. Johns County
9. Tom Nadler, Manager, Sprint
10. Ira Pyles, 911 County Coordinator, Hillsborough County

Staff Members, meeting attendance:

1. Ben Fairbrother, External Affairs Coordinator, DMS-Legislative Affairs
2. Kent Raheb, Technical Support, DMS-Division of Telecommunications
3. Charles Hadley, Interim Chief, Public Safety Bureau, DMS-Division of Telecommunications
4. Diane Guillemette, Legal Counsel, Office of the Attorney General

Staff Members, participating via teleconference:

1. Kim Bickley, Technical Support, DMS-Division of Telecommunications
2. Donald Lamb, Technical Support, DMS-Division of Telecommunications
3. Kristen Brown, Technical Support, DMS-Division of Telecommunications
4. Larry Houff, and Partner, Carr, Riggs & Ingram, LLC (CRI)
5. Daniel Rodriguez, Manager, Carr, Riggs & Ingram, LLC (CRI)

Members of the Public, meeting attendance:

1. No members were recorded.

(If meeting participants are not listed, it may be due to a lack of sign-in acknowledging participation.)

Members of the Public, participating via telephone conference:

1. No members were recorded.

(If teleconference participants are not listed, it may be due to non-receipt of emails acknowledging participation.)

1. Call to Order

- Meeting called to order at approximately 9:00 a.m.
- Staff conducted roll call. Nine of the ten current seated E911 Board Members were present. Ms. Dill-Collier attended by phone.
- Roll call for staff members was conducted.
- Public members attending this meeting or participating in the telephone conference were requested to acknowledge their participation by signing in on the sign-in spreadsheet on the computer in the back of the room or by sending an email to staff to ensure that they would be properly noted in the meeting minutes.
- Public members with issue(s) to be presented to the board for consideration were requested to list their issue(s) on the issue(s) index cards provided, or to send the issue(s) via electronic mail to the staff.
- Mr. Greer stated that he made significant edits to the SERC and would like to postpone discussion of those changes until the next Board meeting in order to give Board members time to review.

2. Review Accountant's Financial Statement

- Mr. Houff presented an overview of the Financial Statement.
- Mr. Houff presented the trend analysis of the E911 Trust Fund Balance.

3. Review and Vote on Disbursements to the Counties

Wireless

Wireless financial reports for the period ending January 31, 2016, were reviewed and discussed by the Board. Mr. Guthrie moved to authorize distribution of wireless revenues in the amount of \$3,808,920.50 to the counties. Sgt. Mitchell seconded the motion which carried (10-0).

Non-wireless

Non-wireless financial reports for the period ending January 31, 2016, were reviewed and discussed by the Board. Ms. Anderson moved to authorize the distribution of non-wireless revenues in the amount of \$2,543,876.96 to the counties. Mr. Dillon seconded the motion which carried (10-0).

Prepaid Wireless

The county allocations of the fee in the Prepaid Wireless category for the period ending January 31, 2016, were reviewed and discussed. Mr. Guthrie moved to distribute \$1,064,736.58 to the counties. Ms. Anderson seconded the motion which carried unanimously (10-0).

- Mr. Guthrie moved to make a special disbursement in the amount of \$259,110.43 to the counties. Mr. Konuch seconded the motion which carried (10-0).

4. Review Accountant's Financial Statement

- Mr. Houff presented an overview of the Financial Statement.
- Mr. Houff presented the trend analysis of the E911 Trust Fund Balance.

5. Vote on Spring 2016 Rural County Grant Applications

- Mr. Dillon presented a review of the priorities assigned to each Spring 2016 Rural County Grant Application still up for consideration at this time.
- Mr. Dillon stated that there is a total of \$1,015,371.21 in grant requests.
- Mr. Dillon moved to approve the \$295,443.05 in Priority 1 grant requests. Mr. Guthrie seconded the motion which carried (10-0). Ms. Pontis stated she will file a Form 8A.
- Mr. Dillon moved to approve the \$615,884.16 in Priority 2A grant requests. Mr. Nadler seconded the motion which carried (10-0).
- Mr. Dillon moved to approve the \$21,444.00 in Priority 2C grant requests. Mr. Guthrie seconded the motion which carried (10-0).
- Mr. Dillon moved to approve the \$70,000.00 in Priority 3A grant requests. Sgt. Mitchell seconded the motion which carried (10-0).
- Mr. Dillon moved to approve the \$12,600.00 in Priority 5B grant requests. Mr. Guthrie seconded the motion which carried (10-0).

6. Other Business

- Mr. Greer thanked Ms. Khazraee for her years of distinguished service on the Florida E911 Board. Mr. Konuch and Mr. Guthrie also thanked Ms. Khazraee for her service.
- Ms. Guillemette stated that her understanding is the Board would like to open a rule for development regarding the E911 Fee allocation percentages.
 - Mr. Konuch asked if the Board needs to open a rule to take this action.
 - Mr. Greer stated that the Board would need a rule, but probably would not need a SERC or ratification.
 - Mr. Konuch moved to open a rule for development to change the E911 Fee allocation percentages. Sgt. Mitchell seconded the motion which carried (10-0).
 - Ms. Guillemette asked if the Board would like to conduct a workshop for the rule changing the E911 Fee allocation percentages.
 - Mr. Greer stated that he would like to see numbers regarding the changing of the E911 Fee allocations prior to conducting a workshop.
 - Mr. Pyles stated that he agrees that the Board should examine some numbers regarding possible changes to the E911 Fee allocations prior to conducting a workshop.
 - Mr. Konuch stated that he also agrees that the Board should discuss some numbers prior to conducting a workshop.

- Mr. Guthrie stated that he also agrees.
- Sgt. Mitchell asked if the Board should conduct the workshop in order to satisfy any possible need for a workshop in the future.
 - Mr. Greer stated that his concern would be that he would not have any numbers to discuss at the workshop.
 - Mr. Greer stated that the Board should have specifics about what actions it would like to take on the E911 Fee allocation percentages before inviting the public to comment on those actions.
- Ms. Guillemette asked the Board if there is any information they would like DMS to compile prior to the next Board meeting.
 - Mr. Greer stated that he thinks the Board should examine different scenarios such as adjusting one percent from one category to another while ensuring that enough spending authority is available to take action with that revenue after it is adjusted.
 - Mr. Pyles stated that he would like staff to look at adjusting the Wireless allocations, but he is not sure he would like to adjust the Prepaid dollars.
 - Mr. Greer stated that he would like to look at Wireless, Nonwireless and Prepaid categories.
- Mr. Nadler stated that the Board should go ahead and set a workshop for the second day of the May 2016 Board meeting just in case the Board makes a decision to take action on the rule during the first day of that meeting.
 - Ms. Guillemette stated that the Board is not limited to one workshop.
 - Ms. Guillemette stated that if the Board notices a workshop to discuss the E911 Fee allocation percentages, they should only discuss that topic during the workshop.
 - Mr. Nadler stated that the Board could notice the workshop for both days of the next meeting just to be safe.
 - Ms. Guillemette stated that she would notice the workshop to begin at 2pm the first day of the May 2016 meeting to conclude when business is complete. Ms. Guillemette also stated that she would mention the second day of the May 2016 Board meeting in the notice to ensure that the workshop could continue through the second day.
- Mr. Greer asked when Ms. Dill-Collier's last meeting with the E911 Board would be.
 - Ms. Dill-Collier stated that she is willing to continue to serve until a replacement is identified.
 - Ms. Guillemette stated that Ms. Dill-Collier can continue to serve until a replacement is identified even if she is retired.

- Mr. Nadler asked if he was to leave Sprint tomorrow, would he continue to be eligible for service on the Board.
 - Ms. Guillemette stated that Mr. Nadler would continue to serve until a new Board member was appointed by the Governor.
- Mr. Greer asked if any Board members who would like to attend the NENA Florida Chapter conference.
 - Mr. Konuch stated that he would like to at least attend the Cyber Security class.
 - Mr. Guthrie stated that county coordinators serving on the Board would have their expenses paid by their counties.
 - Mr. Guthrie moved that the Board pay for any Board members who are not county coordinators to attend the conference. Ms. Anderson seconded the motion which carried (10-0).
 - Ms. Guillemette stated that she would send out some information regarding the sunshine laws surrounding the attendance of Board members to a nonBoard meeting that has not been noticed.
- Ms. Anderson asked for a status update regarding the hiring of Wink Infinger's replacement.
 - Mr. Hadley stated that once the new Bureau of Public Safety Chief is hired, he/she will begin the process of selecting Wink Infinger's replacement.
 - Mr. Hadley stated that once the top 2-3 candidates are identified, Mr. Guthrie will be involved in the selection.
- Mr. Greer asked if there were any additional comments from the public. There were no responses.
- Mr. Guthrie stated that the June 2016 E911 Board meeting dates conflict with the national NENA conference.
 - Mr. Greer stated that the contract is already set.
 - Mr. Fairbrother stated that he can contact the hotel and ask if the dates can be adjusted in order to avoid a conflict with the NENA conference.

7. Adjourn

- Mr. Greer stated that since there are no additional comments, the E911 Board Meeting for April 13-14, 2016 is now adjourned.

Next scheduled meeting:

DATE: May 11-12, 2016

LOCATION: Meeting Information:
Embassy Suites

225 Shorecrest Drive
Altamonte Springs, FL 32701

Hotel Information:

Embassy Suites
225 Shorecrest Drive
Altamonte Springs, FL 32701

DRAFT