ALAMEDA COUNTY

East Bay Regional Communications System Authority

CONTRA COSTA COUNTY

Participating agencies include Alameda and Contra Costa Counties and the following cities and special districts: Alameda, Albany, Antioch, Brentwood, Clayton, Concord, Danville, Dublin, El Cerrito, Emeryville, Fremont, Hayward, Hercules, Lafayette, Livermore, Martinez, Moraga, Newark, Oakley, Pinole, Pittsburg, Pleasant Hill, Pleasanton, Richmond, San Leandro, San Pablo, San Ramon, Union City, Walnut Creek, East Bay Regional Park District, Kensington Police Community Services District, Rodeo-Hercules Fire Protection District and San Ramon Valley Fire Protection District

AGENDA ITEM 10.1

(For discussion purposes only.
Not subject to approval at this meeting.)

DRAFT MINUTES

FINANCE COMMITTEE MEETING

REGULAR MEETING – FEBRUARY 6, 2009

1. Call to Order/Roll Call:

A regular meeting of the East Bay Regional Communications System Authority Finance Committee was held on Friday, February 6, 2009, in Room 1013 of the Alameda County Office of Homeland Security and Emergency Services, 4985 Broder Boulevard, Dublin, CA. The meeting was called to order at 11:18 a.m. by Chair Shinn.

Present: *Committee members Collins (Alt for Cm. Anderson), Haggerty (arrived at 11:39 a.m.), Hosterman (Alt for Cm. Johnson, who arrived at 11:40 a.m.), Shinn, Wilson, and Whittington (Alt for Cm. Twa)*

Absent: *Committee members Arner and Cheeves*

Staff Present: *Executive Director Bill McCammon and Secretary Fawn Holman*

2. Comments from the Public

No comments were made by any member of the public at this time.

3. Approval of Minutes

On motion of Cm. Wilson, seconded by Alt. Cm. Hosterman and by unanimous, the Committee approved the minutes of the December 5, 2008, Regular Finance Committee meeting.

4. Discuss Boardmember Travel Reimbursements as it Relates to AB 1234, Review Draft Travel Reimbursement Policy and Make Recommendation for Board Approval as Mandated in EBRCSA Bylaws

Executive Director distributed a draft Travel Reimbursement Policy and advised that the EBRCSA did not have a travel reimbursement policy and, based on the bylaws, a policy was to be adopted based on something similar to Alameda County's policy. Because the Authority's bylaws allow for the reimbursement for any actual expenses incurred for travel directly related to the business of the authority, the Authority must adopt a travel policy that conforms to the requirements and restrictions mandated in Assembly Bill 1234 (AB 1234). Authority Counsel would review the draft policy before it was presented to the Board for approval.

On motion of Alt. Cm. Hosterman, seconded by Cm. Wilson and by unanimous vote, the Committee agreed to recommend approval of the Travel Reimbursement Policy to the Board of Directors after review by Authority Counsel.

5. Consider Authorizing the Reimbursement of Travel Expenses to Kody Kerwin, Contra Costa County Fire District, to Attend the International Wireless Communications Exposition in Las Vegas, NV on March 18-20, 2009 on Behalf of the EBRCSA

Executive Director McCammon advised that this item had been included on the Finance Committee agenda in error, as the Operations Committee was the only committee that currently had the authority to approve expenditures. The Operations Committee made findings at its earlier meeting to add this item onto its agenda and approved the request. Because it was appropriate for these types of requests to go through the Finance Committee, it was suggested that a staff report be prepared for Board approval amending the bylaws to authorize the Finance Committee to make expenditures up to $25,000 without Board approval.

By consensus, the Committee concurred.

6. Review and Discuss Letter from City of Antioch regarding Further Radio Subscriber Fee Contributions to the EBRCSA

Executive Director McCammon distributed a copy of a letter from the City of Antioch which stated that Antioch would not contribute any additional funds to the EBRCSA because of unanswered questions. The letter included misinformation, Executive Director McCammon said he would call Antioch's City Manager to clear up the misinformation and answer any questions. Antioch was in severe financial difficulties and may not be in the position to pay the assessment.

The Committee and Staff agreed that a policy for nonpayment would have to be developed in the future, but not do anything at this point. They felt it was important to continue to have Antioch as a member.

The Committee and Staff discussed some of the misinformation included in Antioch's letter, and the Committee directed Staff to follow up with Antioch's City Manager to clear up the misinformation. There should also be follow up at the Contra Costa Mayors Association meeting in March.

7. Receive Report and Discuss Progress of CTA Communication's Revised Scope of Work for Phases II-V and Provide Direction, if Necessary

Executive Director McCammon advised there was a clerical error on the agenda and noted the revised scope pertained to Phases II-IV only. When CTA initially responded to the RFP issued by the EBRCSA, they had no detailed understanding of the state of completion of the EBRCSA, and provided a scope of work for Phases II, III and IV that was not totally appropriate given the progress the Authority had made to date. At its January 16, 2009 meeting, the Board directed the Executive Director to work with the original RFP evaluation committee and CTA staff to redefine the scope of Phases II, III, and IV of the existing contract and bring a revised scope back to the Operations and Finance Committees for consideration. Executive Director McCammon distributed a copy of CTA's draft revised scope and advised that the new pricing, in Section 2, was $562,000, which was down from the original price of $635,000.

Executive Director McCammon informed the Committee that the SUASI was in the process of developing an RFP for all the infrastructure in the Bay RICS system. In the interim, while the RFP process is moving forward to select a vendor, the SUASI has received a guarantee from Motorola for the

Bay Area guaranteeing the Riverside pricing for subscriber units and infrastructure. The Riverside process was a competitive process between Tyco and Motorola, which resulted in excellent pricing, the EBRCSA can purchase off of the Riverside contract while the SUASI completes the RFP process.

Because the SUASI had been able to get Motorola to guarantee the Riverside pricing, and is completing an RFP process for the enter Bay RICS system, the Executive Director recommended that the Committee direct him and the RFP evaluation group to meet with CTA to break out the price for the Motorola contract negotiations, as it may not be needed.

The Executive Director advised that the most important part of the CTA contract was Phase II, the analysis of the design, the schedule and the cost of the proposed system. It was recommended that he and the RFP evaluation group be directed to work with CTA to split out the Motorola contract negotiations (Phase IV) and get pricing for Phases II and III. Staff would then prepare a report for Board consideration at its February meeting to approve the contract for Phases II and III. Phase IV would stay on the back burner and be used in case the SUASI's negotiations with Motorola fell through.

On motion of Alt. Cm. Hosterman, seconded by Alt. Cm. Whittington and by unanimous vote, the Committee directed the Executive Director and RFP evaluation team to separate out and solidify the prices for Phases II, III and IV and prepare a staff report for Board consideration for approval of the Phases II and III of the contract.

8. Review and Discuss Backgrounds of Potential Auditing Firms as Provided by the Alameda County Auditor's Office, and Provide Direction to the Executive Director as to How to Proceed with Auditing Firm Selection for the FY 2007-08 and FY 2008-09 Audit

Executive Director McCammon distributed the prospectuses of three potential auditing firms and advised that, at its January 16, 2009 meeting, the Board had directed the Executive Director to work with the Alameda County Auditor Controller's Office to develop a list of proposed auditors. Once the list was established, the Finance Committee was directed to review the firms. Once proposals had been accepted and reviewed by the Finance Committee, a recommendation of a firm to complete the audit was to be

presented to the Board of Directors for approval. The Alameda County Auditor Controller's office developed a scope to be distributed with a RFP for competitive bids and recommended limiting it to the three firms identified by the Alameda County Auditor's Office.

The Committee discussed the potential auditing firms and agreed that Contra Costa County's Auditor Controller should review the three auditing firms recommended by Alameda County, as well as provide recommendations for two other potential auditing firms. The Finance Committee would then review a total of four RFPs, two recommended from each county if possible.

9. Review Draft Letter Advising that No Radio Subscriber Fee Will be Assessed for FY 2009-10, Per Board Direction, and Authorize the Executive Director to Mail to Member Agencies

The Executive Director distributed a draft letter to member agencies advising that there would not be a FY09-10 radio fee assessment, and requested Committee authorization to mail the letters. Agencies were in the process of preparing their new budgets and this letter would be helpful.

The Committee discussed the draft letter and authorized the Executive Director to mail the letters.

10. Receive Verbal Update of Grant Status (PSIC, COPS, SUASI

Executive Director McCammon advised that the COPS grants for both counties were in process. Regarding the PSIC funds, initial reports show that Oakland would receive $1 million and $3.9 million would come to the two counties to split equally to spend on infrastructure.

Note: Cm. Haggerty entered the meeting at 11:39 a.m.

Note: Cm. Johnson entered the meeting at 11:40 a.m., at which time Alt. Cm. Hosterman stepped down.

11. Receive Verbal Update on Status of the Various EBRCSA Projects

Executive Director McCammon reported on Alameda County updates and advised that a price on a tower extension for the East Dublin BART station was in process; an RFP for an environmental consultant for Patterson Pass was in process; a partnership with BART for the Warm Springs site was in process; and the FAA approved the structural analysis of their tower and the legal process of putting antennas on the tower was in process.

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Executive Director McCammon reported on Contra Costa County updates and advised that microwave installment had commenced in central Contra Costa County sites; Pearl Ridge had been held up due to leasing rights issues; Nichol Knob was waiting for Motorola hardware and microwave equipment; and Turquoise was waiting for a private company to leave the existing shelter.

12. Discuss and Set Meeting Schedule through July

Executive Director McCammon advised that, due to scheduling conflicts, the Operations Committee rescheduled its June 5th meeting to June 12th, and rescheduled the July 3rd meeting to July 10th, and recommended that the Finance Committee reschedule its meetings as well, so that both Committee meetings could be held on the same days. Regular meeting times and location would apply.

By consensus, the Committee concurred with the recommendation.

11. Agenda Items for Next Meeting

No agenda items were identified at this time.

12. Adjournment

The meeting was adjourned at 11:47 a.m. The next regular Finance Committee meeting is scheduled to be held on March 6, 2009, at 11:00 a.m., at the Alameda County Office of Homeland Security and Emergency Services, 4985 Broder Boulevard, Dublin, CA 94568.

APPROVED BY A MOTION OF THE EAST BAY REGIONAL COMMUNICATIONS SYSTEM AUTHORITY FINANCE COMMITTEE THIS xxTH DAY OF xx, 2009.

Respectfully submitted,

Fawn Holman
Secretary

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