



# **East Bay Regional Communications System Authority**



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

## MINUTES

### **BOARD OF DIRECTORS MEETING**

### **REGULAR MEETING – FEBRUARY 20, 2009**



1. **CLOSED SESSION:** *None*

2. **CALL TO ORDER/ROLL CALL** (Regular Session):

*A regular meeting of the East Bay Regional Communications System Authority Board of Directors was held on Friday, February 20, 2009, in the Assembly Room at the Alameda County Office of Homeland Security and Emergency Services, 4985 Broder Boulevard, Dublin, California. The meeting was called to order at 10:10 a.m. by Chair Shinn.*

#### **PRESENT:**

County Representatives: Boardmembers Ahern, Casten (Alternate for Bm. Rupf), Muranishi, Roderick (Alternate for Bm. Haggerty), and Whittington (Alternate for Bm. Twa)

City Representatives: Boardmembers Arner, Barton, Calabrigo, Catalano, Cheeves, Hosterman, Johnson (arrived at 10:17 a.m.), McNeil, O’Keeffe (Alternate for Bm. Pollard arrived at 10:20 a.m.), Santos, Shinn and Wilson

Public Safety Representatives: Boardmembers Cody, Dunbar (Alternate for Bm. Kirkland), and McQuiston

Special District Representative: Boardmember Anderson

**ABSENT:** Boardmembers Bonilla (County Rep) and Richter (Public Safety Rep)

Staff Present:

Executive Director Bill McCammon, Authority Counsel Robin Donoghue, and Secretary Fawn Holman

**3. REPORT ON CLOSED SESSION:** *None*

**4. COMMENTS FROM THE PUBLIC**

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

**5. PRESENTATIONS**

**5.1 Introduction of New Boardmembers**

*Chair Shinn introduced the following new Boardmembers: Albany Police Chief Mike McQuiston, representing Alameda County Police Chief; and San Leandro Mayor Tony Santos, representing Alameda County Mayors Conference. It was noted that Supervisor John Gioia had advised the Executive Director after the posting of the agenda that he would not be representing the Contra Costa County Board of Supervisors as Boardmember, as was indicated on the agenda.*

**6. APPROVAL OF MINUTES**

**6.1 Minutes of Regular Meeting of January 16, 2009.**

*On motion of Bm. Calabrigo, seconded by Bm. Cody, and by unanimous vote, the Board approved the minutes of the January 16, 2009, Board of Directors meeting.*

**7. WRITTEN COMMUNICATIONS:** *None*

**8. PUBLIC HEARINGS:** *None*

**9. ACTION ITEMS:**

**Item Added to the Agenda**

Bm. Wilson requested that an item be added to the agenda to discuss and consider an issue related to obtaining funds for the EBRCSA.

Authority Counsel Donoghue advised that, in order to add an item to the agenda, the Board needed to make two findings: 1) immediate need; and 2) the item came

to Staff's attention after the posting of the agenda. The motion needed a 2/3 affirmative roll call vote of the members present in order to add it to the agenda.

Bm. Wilson advised that the item came to his attention after the agenda was posted, and the item required action to be taken before the date of the next Board meeting.

On motion of Bm. Barton, seconded by Bm. Catalano and unanimous roll call vote, the Board approved the addition to the agenda.

## **9.0 Consider Requesting Funds from the Federal Stimulus Package in Order to Obtain Funds for the EBRCSA**

*Note: Bm. Johnson entered the meeting at 10:17 a.m.*

*Alt. Bm. O'Keeffe entered the meeting at 10:20 a.m.*

Bm. Wilson advised that, after the JPA was formed, only \$3 million in federal grant monies were requested, even though the known outstanding debt was close to \$34 million. After the release of the contents of the federal stimulus package, it became apparent to him that the JPA should be asking for the entire \$34 million from the stimulus package instead of only \$3 million. The Mayors of San Francisco and Oakland were currently in Washington, D.C. requesting funds for their programs. He was requesting that each member agency sign a letter to present to our representatives asking for the full \$34 million. The letters would need to be signed and delivered as soon as 75 days, and it would take that much time to get the letter developed and signed by all member agencies.

The Board and Staff discussed the recommendation, and the best way to prepare and present the letters for ultimate impact and show of unity. The EBRCSA had data to support a request of \$34 million, and it was a number familiar to the legislators. An EBRCSA delegation should hand deliver the letters to legislators in Washington, D.C.

On motion of Bm. Santos, seconded by Bm. Johnson and by unanimous vote, the Board directed Executive Director McCammon to prepare a letter for Chair Shinn to sign on behalf of the EBRCSA requesting \$34 million from the Federal Stimulus Package and immediately mail it to our legislators. The Board further directed the Executive Director to prepare a similar letter with signature blocks for all member agency elected officials to sign. This letter, along with any individual letters prepared by member

agencies, would be presented to legislators in Washington, D.C. by Chair Shinn and other EBRCSA representatives.

**9.1 Appoint One (1) Alameda County Police Chief to Fill the Vacancy on the Operations Committee Due to Retirement of Bm. Attarian**

*Executive Director McCammon presented the staff report and advised that, with the retirement of San Leandro Police Chief Dale Attarian, there was one Police Chief (Alameda County) vacancy on the Operations Committee.*

*On motion of Bm. Arner, seconded by Alt. Bm. Dunbar and by unanimous vote, the Board appointed Bm. McQuiston to the Operations Committee.*

**9.2 Consider Adoption of a Resolution Adopting a Public Information & Media Relations Policy as Recommended by the Ad-Hoc Media Policy Committee**

*Executive Director McCammon presented the staff report and advised that, at its January 16, 2009 meeting, the Board of Directors established an Ad Hoc Committee to develop a media policy. The Committee, which included Bms. Hosterman, McNeil, and Calabrigo, and Contra Costa Sheriff's Department Communications Officer Lee, recommended that the Board approve the Public Information & Media Relations Policy as presented and provide the Executive Director with additions to the media list.*

*On motion of Alt. Bm. Casten, seconded by Bm. Muranishi and by unanimous vote, the Board adopted Resolution No. 09-1, adopting the Public Information & Media Relations Policy, and directed the Executive Director to develop a media kit to go along with the policy.*

**9.3 Adopt the Resolution adopting the Travel Reimbursement Policy and the Ethics Training Policy as set forth in AB 1234**

*Executive Director McCammon presented the staff report and advised that, because the Authority's bylaws allowed for the reimbursement of any actual expenses incurred for travel directly related to the business of the authority, the Authority must adopt a travel policy that conformed to the requirements and restrictions mandated in Assembly Bill 1234. AB 1234 also required that each local agency official receive at least two hours of training every two years in general ethics principles or ethics law relevant to his/her public service. Under AB 1234, if the Authority provided compensation or reimbursement to a member of the legislative body, than all local agency officials must comply.*

*On motion of Bm. Hosterman, seconded by Bm. Catalano and by unanimous vote, the Board adopted **Resolution No. 09-2**, adopting the Travel Reimbursement Policy and the Ethics Training Policy as set forth in AB 1234; and directed all Boardmembers and Alternate Boardmembers to provide proof of current ethics training to the Executive Director by April 1, 2009.*

**9.4 Review CTA Communications' Revised Scope for Phases II, III, and IV and Consider Authorizing the Board Chair to Execute a Contract with CTA to proceed with the Revised Scope for Phases II and III of their Contract with the EBRCSA**

*Executive Director McCammon presented the staff report and advised that, at its January 16, 2009 meeting, the Board directed the Executive Director to work with CTA and the RFP Evaluation Committee to develop an alternative scope for the next phases of the project, take the revised scope back to the Operation and Finance Committees for review and approval, and then forward the approved revised scope back to the Board for consideration. The Operations and Finance Committees reviewed the draft revised scope and recommended that the Board authorize Chair Shinn to execute a contract with CTA Communications for Phases II and III. The cost of Phase IV was extrapolated from the total and would be put on hold until determined if necessary.*

*The Board and Staff engaged in a brief question and answer session regarding the next phases of the contract. It was noted that CTA Communications anticipated completing Phases II and III within two to three months.*

*On motion of Bm. Anderson, seconded by Bm. Calabrigo and by unanimous vote, the Board authorized Chair Shinn to execute a contract amendment with CTA Communications to proceed with the revised scope of work for Phases II and III of their contract with the EBRCSA.*

**9.5 Discuss the Operations Committee's Recommendation to Develop a Business Plan and Consider Directing the Executive Director to Work with the Operations and Finance Committees to Develop an RFP to Hire a Consultant to Develop a Business Plan for the EBRCSA**

*Executive Director McCammon presented the staff report and advised that, at its February 6, 2009 meeting, the Operations Committee discussed the*

*need to develop a detailed business plan to address future funding, operational, and maintenance issues. CTA Communications' contract work would produce a budget and subscriber fees, but would not provide the more detailed information required for the day-to-day operations of the EBRCSA in the future. It was never intended that the EBRCSA have a large staff, but instead utilize existing personnel working for the member agencies.*

*The Board and Staff discussed whether or not it would be best to defer the development of this type of plan until after CTA Communications had completed their Phase II and III work and the results were analyzed.*

*Executive Director McCammon suggested that he ask CTA Communications to identify which items need to be addressed separately from their work, and then, concurrent with CTA Communications' work on Phases II and III, the Operations Committee could use an existing Operational Plan developed by CTA Communications for Pima County, Arizona, to identify the types of elements that needed to be addressed in a Business/Operational Plan.*

*The Board discussed the issue and, by consensus, directed the Executive Director to take the Pima County Operations Plan to the Operations and Finance Committees in order to determine the best way to move forward. Questions that needed to be answered included: an actual name for the plan, and determine if CTA Communications was the appropriate consultant to complete this plan.*

#### **9.6 Consider Adoption of a Resolution Amending the Bylaws to Give the Finance Committee Authority to Spend up to \$25,000 without Board Approval**

*Executive Director McCammon presented the staff report and advised that, when the Board of Directors adopted the Bylaws, a provision was included to allow the Operations Committee to authorize expenditures up to \$25,000 for equipment and/or services without Board approval. It was originally intended that each committee would be given the same authorization; the omission from the bylaws was an oversight. It was brought to light when the travel reimbursement policy was drafted that only one of the Committees has the authorization. It is recommended that the Board amend the bylaws to authorize the Finance Committee the same spending authorization as the operations Committee of \$25,000.*

*On motion of Bm. Santos, seconded by Bm. Cheeves and by unanimous vote, the Board adopted **Resolution No. 09-3** amending the bylaws to authorize*

*the Finance Committee to approve certain expenditures without Board approval.*

**9.7 Consider Executive Director's Recommendation to Cancel the March 20, 2009 Regular Board Meeting Due to Lack of Actionable Items**

*Executive Director McCammon recommended, due to lack of actionable items, that the March 20<sup>th</sup> meeting be cancelled.*

*Bm. Hosterman registered her continuing opinion that the Board should be held regularly regardless of actionable items.*

*On motion of Bm. Muranishi, seconded by Bm. Santos and by unanimous vote, the Board cancelled the March 20, 2009 Board of Directors meeting.*

**10. Committee Updates:**

**10.1 Receive Informational Update on Recent Finance Committee Activities**

*Executive Director McCammon referred to the February 6, 2009, Finance Committee meeting draft minutes, which had been included in the Board's agenda packet, and provided a brief overview of Finance Committee's recent activities.*

**10.2 Receive Informational Update on Recent Operations Committee Activities**

*Executive Director McCammon referred to the February 6, 2009, Operations Committee meeting draft minutes, which had been included in the Board's agenda packet, and provided a brief overview of Operations Committee's recent activities.*

**11. Reports:**

**11.1 Receive Status Update of Grant Funding (PSIC, COPS, SUASI)**

*Executive Director McCammon stated that the SUASI had advised him that the City of Oakland would receive \$1 million of the \$4.9 million in PSIC grants allocated to the East Bay. Alameda and Contra Costa Counties would split the remaining \$3.9 million to purchase infrastructure or services. The Federal stimulus package also included public safety broadband funds, and Staff would follow up on the grant requirements.*

## **11.2 Receive Status Update on Various EBRCSA Projects**

*Executive Director McCammon provided an update on CTA Communications' Solano County and City of Oakland studies. The Solano study's Phase I had been completed, and made recommendations to consider partnering with the EBRCSA. Additional funding for further phases would come directly from the SUASI. The Oakland study was nearing completion. The Oakland funding piece, which addressed the operational maintenance and subscriber fees, was waiting for the completion of the EBRCSA's Phase II budget issues, so the two studies could be compared. The Oakland study would make a recommendation as to whether it would be in Oakland's best interest to partner with the EBRCSA.*

*In regards to the EBRCSA system, site development in both counties was continuing. The system was almost ready to turn on in the Tri-Valley, at which time begin real life testing would be done to see if the Motorola coverage projections were accurate.*

## **12. BOARD COMMENTS**

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

## **13. ADJOURNMENT**

*The meeting was adjourned at 11:20 a.m. The next regular Board meeting will be held on April 17, 2009, at 10:00 a.m., in the Assembly Room at the Alameda County Office of Homeland Security and Emergency Services, 4985 Broder Boulevard, Dublin, CA 94568. Per Board direction, no regular Board meeting will be held in March 2009.*

APPROVED BY A MOTION OF THE EAST BAY REGIONAL COMMUNICATIONS SYSTEM AUTHORITY THIS 17th DAY OF April, 2009.

Respectfully submitted,

Fawn Holman  
Secretary