



# **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 – April 18, 2008**



**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, April 18, 2008, 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 Bonilla, Haggerty, Muranishi (arrived at 10:24 a.m.), Roderick (Alternate for Ahern), Rupf, and Whittington (Alternate for Cullen)

City Representatives: Boardmembers Barton, Calabrigo, Catalano (arrived at 10:18 a.m.), Cheeves, Jermanis, Johnson, Lockhart, McNeil, Rodriguez (Alternate for Arner), Shinn, and Wilson

Public Safety Representatives: Boardmembers Cody, Kirkland and Richter

Special District Representative: Boardmember Anderson

**ABSENT:** Boardmembers Attarian (Public Safety Rep), and Hosterman (City Rep)

Staff Present:

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

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

**4. PRESENTATIONS:** *None*

**5. COMMENTS FROM THE PUBLIC**

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

**6. APPROVAL OF MINUTES**

**6.1** Minutes of the March 21, 2008, Board Meeting.

*On motion of Bm. Lockhart, seconded by Bm. Wilson, and by unanimous vote, the Board approved the minutes of the March 21, 2008, Special Board of Directors meeting.*

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

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

**9. ACTION ITEMS:**

9.1 Consider Adoption of a Resolution Authorizing the Executive Director to Post the EBRCSA Conflict-of-Interest Code, as Approved by the Fair Political Practices Commission

*Legal Counsel Robin Donoghue presented the staff report and advised that, at its October 24, 2007 meeting, the Board of Directors approved a proposed Conflict-of-Interest Code for public comment and directed the Interim Executive Director to post the proposed code for 45 days and transmit it to the Fair Political Practices Commission for review and approval. No public comments were received. FPPC staff reviewed the proposed Code and approved it with changes made in keeping with recent policy changes that did not impose additional substantive requirements. The*

*Code became effective on April 17, 2008, and all designated positions would be required to file a Statement of Economic Interests (Form 700) within 30 days of the effective date of the Code.*

*On motion of Bm. Kirkland, seconded by Bm. Cody and by unanimous vote, the Board adopted **Resolution No. 08-6**, authorizing the Executive Director to post on the EBRCSA website the EBRCSA Conflict-of-Interest Code as approved by the Fair Political Practices Commission.*

9.2 Consider Adoption of a Resolution Authorizing the Executive Director to Enter into a Contract to Purchase General Liability, and Public Officials Errors and Omissions Insurance from the Special Districts Risk Management Authority (SDRMA)

*Executive Director McCammon presented the staff report and advised that the Joint Powers Authority agreement required that the Authority acquire such insurance protection as was necessary to protect the interest of the Authority and its Members. Staff worked with the Alameda County Risk Management Division to obtain a quote for general liability and public officials' errors and omissions insurance from SDRMA. Additionally, in order to contract with SDRMA for insurance, an agency must be a member of the California Special Districts Association (CSDA).*

*Note: Bm. Catalano entered the meeting at 10:18 a.m.*

*The Board and Staff discussed insurance coverage and current rates. It was noted that rates would increase as the EBRCSA acquired assets.*

*Bm. Rupf asked that a list of anticipated assets be compiled.*

*Chair Shinn concurred.*

*On motion of Bm. Calabrigo, seconded by Bm. Haggerty and by unanimous vote, the Board of Directors adopted **Resolution No. 08-7**, authorizing the Executive Director to enter into a contract (Contract No. 2008-4) to purchase General Liability and Public Officials Errors and Omissions Insurance from the Special Districts Risk Management Authority (SDRMA); and authorized the Executive Director to enroll the EBRCSA as a member of the California Special Districts Association (CSDA).*

9.3 Consider Adoption of a Resolution Authorizing the Execution and Implementation of a Contract with CTA Communications for Consulting Services to Complete Section I of Design Consultant Statement of Work

*Note: Bm. Muranishi entered the meeting at 10:24 a.m.*

*Executive Director McCammon presented the staff report and advised that, at its March 21, 2008 meeting, the Board authorized the Executive Director, the RFP Selection Committee and Representatives from Alameda County GSA to negotiate a contract with CTA Communications to complete Section I of the RFP Statement of Work, with contract approval at a future meeting. Contract negotiations with CTA included discussions regarding RFP Committee concerns about the makeup of the CTA consulting team. These concerns were subsequently resolved.*

*Executive Director McCammon advised that the contract cost shown in the staff report was incorrect and should reflect a contract total of \$287,184 for Phase I.*

*The Board and Staff discussed CTA Communications' qualifications and agreed that CTA was well-qualified and had the ability to meet the needs of the EBRCSA.*

*On motion of Bm. McNeil, seconded by Bm. Bonilla and by unanimous vote, the Board adopted **Resolution No. 08-8**, authorizing the Chair of the Board of Directors to execute a contract (Contact No. 2008-5) with CTA Communications to perform Phase I consulting work for the EBRCSA; and authorized the Executive Director to take such action as may be necessary to implement said contract.*

9.4 Consider Proposed Revisions to the Board of Directors, Finance Committee and Operations Committee 2008 Meeting Schedules

*Executive Director McCammon presented the staff report and advised that, given the lack of actionable items for the Board to consider in the near future, it was recommended that the Board cancel the Board of Directors meetings for the months of May and June, as well as cancel the Operations and Finance committees meetings for the month of May. The Committees*

would meet in June and early July in preparation for the July 18<sup>th</sup> Board of Directors meeting.

*Bm. Kirkland made a motion to approve the recommendation.*

*Bm. Bonilla asked if a more comprehensive budget would be given to the Board at its July meeting. She would also like the Finance Committee to start dealing with the issue of sustainability, including researching similar agencies as models. Direction from the Board on expectations would help form the need for Committee meetings in the near future.*

*The Board discussed the need for operations and maintenance cost projections to provide to the member agencies, so the agencies really understood the financial commitments in order to plan their own future budgets. The consultant's report would also provide a future cost perspective based on their findings.*

*Executive Director McCammon advised that similar agency models could be reviewed at the June Finance Committee meeting, and a presentation could be made on the Committee's findings at the July Board of Directors meeting. The consultant's perspective on operational costs would also be available at a future meeting, as well as their perspective on how to move forward.*

*On motion of Bm. Kirkland, seconded by Bm. Jermanis and by unanimous vote, the Board cancelled the Board of Directors meetings for the months of May and June 2008 and cancelled the Operations and Finance Committee meetings for the month of May 2008.*

*The Board and Staff noted that the July Operations and Finance Committee meetings would need to be rescheduled as they fall on the Fourth of July holiday.*

## **10. REPORTS**

### **10.1 Review of System Implementation Phasing Plan**

*Executive Director McCammon distributed and reviewed the updated System Implementation Phasing Plan and the work that is currently taking place in conjunction with each phase.*

## 10.2 Verbal Update of Grant Status (PSIC, COPS, SUASI)

*Executive Director McCammon reviewed the various anticipated grant funding and advised that he was working with Congressman McNerney's staff to obtain the \$808,000 Federal earmark. The investment justification for the \$14.9 million PSIC grant coming to the Bay Area SUASI had been approved, but the SUASI had not yet received notification of the approval.*

*Executive Director McCammon distributed a handout regarding the build out of the Bay Area Regional Communications System (BARCS), which was clear in terms of the investment justification that it was to build out three P25 systems in the West, South and East Bays, including Oakland. The City of Oakland has recently made a proposal to the SUASI approval authority to receive \$1.3 million of that PSIC grant. Oakland was also requesting funds through the 2007 and 2008 SUASI grant. Terry Betts, in his new position as Bay Area SUASI Interoperability Project Manager, would be getting an opinion from the State level Office of Homeland Security on whether or not it was an appropriate use of grant funds to pay for infrastructure for a jurisdiction when there was an overlaying regional system.*

*The Board discussed Oakland's request for grant funding intended for regional systems and directed Staff to prepare a letter for the Chair's signature to the attention to the SUSAI approval authority and pertinent California legislators, listing key points as to why the City of Oakland should not be granted the funds and encouraging the legislators to help block Oakland's funding request. The letter should be mailed to the same legislators that were copied on a recent letter to Oakland's Mayor Dellums in which the City of Oakland was encouraged to join the EBRCSA. Staff was directed to provide letter templates to the individual EBRCSA member agencies so they could individually send similar letters to the same parties. Each letter should also encourage the City of Oakland to join the EBRCSA.*

*The Board also discussed how, if Oakland were to receive funding, the funds might be fairly allocated. Bm. Calabrigo suggested that funding based on population would be the fairest.*

*Executive Director McCammon distributed a draft San Francisco Bay Area Regional Interoperable Communications System (BayRICS) informational handout and advised that BayRICS was the investment justification for the*

*PSIC funds, which was to build this network from the three hubs: the West, East and South Bays. The brochure was put together as an informational tool for representatives of BayRICS to distribute to lobbyists and legislators.*

*The Board reviewed the draft BayRICS handout and expressed concern regarding some of the content, such as highlighting Oakland's participation, quotes from Mayor Dellums, and non-regional photos. By consensus, the Board directed Executive Director McCammon to work with the document creators to review and edit the draft in order to better represent the EBRCSA's views, or prepare a supplemental document that was EBRCSA-specific.*

*Executive Director McCammon advised that he was currently discussing possible membership with Livermore-Amador Valley Transit Authority, as well as UC Berkeley.*

*Bm. Whittington reiterated the need, as discussed during past meetings, for the Operations and Finance Committees to review and make recommendations as to membership policies.*

*Executive Director McCammon advised that he and members of the UASI would be meeting with legislative staff in Washington D.C. in May to advocate for the BayRICS.*

*The Board briefly discussed the need for a lobbying policy for members to follow if they have the opportunity to lobby for the JPA in order to provide a uniform message, and directed Staff to agendize the item for the July 2008 Board meeting.*

*Bm. Kirkland suggested that a letter of appreciation be prepared for Terry Betts, who was leaving his position as Communication Systems Manager for Contra Costa County to work for the SUASI, acknowledging his exemplary effort on behalf of the EBRCSA.*

*The Board concurred and directed Executive Director McCammon to prepare a letter for Chair Shinn's signature.*

**11. BOARD COMMENTS:** *None*

**12. NEXT ACTION STEPS:** *None*

**13. ADJOURNMENT**

*The meeting was adjourned at 11:36 a.m. The next regular Board meeting will be held on July 18, 2008, 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.*

*(Please note: per Board direction the May and June 2008 Regular Board of Directors meetings have been cancelled.)*

APPROVED BY A MOTION OF THE EAST BAY REGIONAL COMMUNICATIONS SYSTEM AUTHORITY THIS 18<sup>th</sup> DAY OF JULY, 2008.

Respectfully submitted,



Fawn Holman  
Secretary