



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 – July 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, July 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 10:06 a.m. by Chair Shinn.

PRESENT:

County Representatives: Boardmembers Ahern, Bonilla, Cullen, Muranishi, and Rupf

City Representatives: Boardmembers Barton, Calabrigo, Catalano, Cheeves, Hosterman, Jermanis, Johnson, McNeil and Shinn

Public Safety Representatives: Boardmembers Attarian, Cody, Kirkland and Richter

Special District Representative: Boardmember Anderson

ABSENT: Boardmembers Arner (City Rep), Haggerty (County Rep), Lockhart (City Rep), and Wilson (City Rep)

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

3. REPORT ON CLOSED SESSION: *None*

4. PRESENTATIONS

Executive Director McCammon provided a brief presentation of the EBRCSA's new website (www.ebrcsa.org) and solicited feedback from the Board.

The Board provided positive feedback on website content and setup and congratulated Staff for a job well done.

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 Regular Meeting of April 18, 2008.

On motion of Bm. Ahern, seconded by Bm. Jermanis, and by unanimous vote, the Board approved the minutes of the April 18, 2008, Board of Directors meeting.

7. WRITTEN COMMUNICATIONS: *None*

8. PUBLIC HEARINGS: *None*

9. ACTION ITEMS:

9.1 Consider Adoption of a Resolution Replacing the Annual Special Audit with an Audit Covering Two Years, as Allowed in California Code Section 6505 (f)

Executive Director McCammon presented the staff report and advised that the California Government Code, Section 6505 (b) requires that JPA's complete an annual audit of their financial statements. The code section also states in Section 6505 (f) that "All agencies or entities may, by unanimous request of the governing body thereof, replace the annual special audit with an audit covering a two year period." The Finance Committee reviewed the issue and recommended that, given the small number of

financial transactions that have taken place, the Board of Directors adopt a resolution to replace the annual special audit with an audit covering two years as allowed in California Code Section 6505 (f). The resolution must be adopted by a unanimous vote.

Bm. Bonilla asked if the Finance Committee was working on the issue of the budget.

Executive Director McCammon advised that the Finance Committee focused on long term financing at its last meeting, and the Committee would focus on budget issues at its next meeting.

*On motion of Bm. Calabrigo, seconded by Bm. Barton and by unanimous vote, the Board adopted **Resolution No. 08-9**, Authorizing a Two-Year Audit Pursuant to Government Code Section 6505(F) in lieu of an Annual Special Audit.*

9.2 Consider Adoption of a Resolution Authorizing the Chair of the Board of Directors to Enter into a Contract with CTA Communications to Complete the Scope of Work for Solano County Needs Evaluation/Assessment

Executive Director McCammon presented the staff report and advised that agencies within Solano County formed the Solano County Emergency Communications Activity (SECA), and had been working to address interoperability issues in Solano County. SECA members have expressed a willingness to partner with the EBRCSA. The EBRCSA's RFP for an engineering consulting firm included a section requesting an evaluation of the existing systems in Solano County and how they might connect to the EBRCSA. The Bay Area SUASI has committed to provide the \$92,933 needed to complete the study, so it would have no financial impact to the EBRCSA.

The Committee and Staff discussed CTA's ability to complete this scope of work, along with the Phase I work they were currently contracted to do for the EBRCSA, as well as the proposed City of Oakland scope of work (to be discussed in the following agenda item). Staff advised that CTA representatives believed that there was some benefit to completing all three studies at the same time because some of the work overlapped. CTA planned to open an office in Sacramento, so more CTA staff would be

available to work on the studies and complete them in a timely manner. The Solano study would be the third priority. The initial portion of the Oakland study would share priority with the EBRCSA study.

The Board discussed the proposed scope of work and agreed that the study should be modified to focus and highlight the value to the EBRCSA to have Solano County partner with the EBRCSA, so that it could be later determined if the benefit would be significant enough to proceed with that partnership.

*On motion of Bm. Catalano, seconded by Bm. Jermanis and by unanimous vote, the Board adopted **Resolution No. 08-10**, Authorizing the Chair to Execute, and the Executive Director to Implement, a Contract with CTA Communications for Consulting Services with Respect to Solano County, within modifications to the Scope of Work to include a Benefits Study.*

9.3 Consider Adoption of a Resolution Authorizing the Chair of the Board of Directors to Execute an Amendment to the Contract with CTA Communications to Complete the Scope of Work for an Engineering Study of the City of Oakland's Radio Communications System

Executive Director McCammon presented the Staff Report and advised that the issue of Oakland joining the EBRCSA or remaining on its own had been discussed over the last few years without any resolution. In recent discussions between representatives from the SUASI, the City of Oakland and the EBRCSA, it was agreed that it would be prudent to develop a scope of work and expand the CTA contract to complete a study of the Oakland system and address the issues that have been identified as obstacles to the City of Oakland joining the EBRCSA. The cost of the proposed scope of work is \$233,236 and would be funded with a portion of Oakland's SUASI funds.

The Board and Staff discussed that the study would include the use of CTA's modeling program that would identify maintenance, operational and replacement costs for the EBRCSA. It would also identify how Oakland could be incorporated into the EBRCSA and

identify the benefits of partnership to both the EBRCSA and the City of Oakland.

The Board and Staff discussed the likelihood of Oakland joining the EBRCSA, even if the study recommended that Oakland do so. It was noted that if Oakland still opted not to join, any future grant funding from the SUASI to Oakland would need to support CTA's recommendation related to interoperability.

Orval "O.B." Badger, City of Oakland's Information Technology Project Manager for revamping Interoperability, stated that, to his knowledge, the City of Oakland was looking at ways to join the EBRCSA and at some point probably would; however, joining was not contingent totally upon CTA's recommendation based on the study. There were other issues that Oakland needed to resolve before it could make a commitment.

The Board and Staff discussed various portions of the proposed scope of work, including cost savings benefits to the EBRCSA for entering into so many different contracts with one company. At this time, only one contract was executed, and discussions with CTA could be entered into regarding cost benefits to the EBRCSA for entering into the other two contracts.

*On motion of Bm. Cullen, seconded by Bm. Kirkland and by unanimous vote the Board adopted **Resolution No. 08-11**, Authorizing the Chair to Execute, and the Executive Director to Implement, an Amendment to the Contract With CTA Communications to Provide for a City Of Oakland Phase I Interoperability Analysis, with the understanding that cost benefit statements to the EBRCSA would be included in the Oakland and Solano County study contracts.*

9.4 Consider Adoption of a Resolution Authorizing the EBRCSA to Join the Special District Risk Management Authority (SDRMA)

Executive Director McCammon presented the staff report and advised that the EBRCSA had been approved by the Special District Risk Management Authority (SDRMA) to become a member and purchase insurance through SDRMA. As part of the application process, the EBRCSA was required to adopt a resolution to join the SDRMA Joint Powers Authority (JPA). SDRMA quoted a premium of \$13,717 for \$5 million in coverage. Once the resolution was adopted, Staff would complete the application process and submit the required documentation for the insurance.

*On motion of Bm. Richter, seconded by Bm. Muranishi and by unanimous vote, the Board adopted **Resolution No. 08-12**, Approving the Form of and Authorizing the Execution of a Sixth Amended Joint Powers Agreement and Authorizing Participation in the Special District Risk Management Authority's Property And Liability Program*

9.5 Consider Executive Director Recommendation to Cancel August 15, 2008 Regular Board of Directors Meeting Due to Lack of Actionable Items

On motion of Bm. Hosterman, seconded by Bm. Muranishi and by unanimous vote, the Board cancelled the regular Board meeting of August 15, 2008.

Executive Director McCammon advised that the Committees would still meet in August.

10. REPORTS

10.1 Receive Report regarding Radio Subscriber Fees Implemented by Similar Agencies

Executive Director McCammon presented the staff report and advised that, at its April 18, 2008, the Board directed Staff to research how different regional systems charged for system access and the amount of those charges. The operations/maintenance and replacement costs will be developed for the EBRCSA by CTA Communications as part of the Engineering Study of the City of Oakland's Radio Communications System, giving the EBRCSA Board a good idea of the costs per subscriber once the system is operational. Four regional systems were contacted to inquire as to how they charged subscribers and the cost per subscriber for use of their system. Systems polled included Palmetto 800 system covering the State of South Carolina, the San Diego - Imperial County Regional Communications, the Sacramento Regional Radio Communications, and the Marin Emergency Radio Authority.

The Board and Staff reviewed and discussed the various methods of these model agencies in charging members and subscribers. The Finance and Operations Committees were each currently in discussions regarding

defining EBRCA members and subscribers, and the benefits that would accrue to each.

10.2 Receive Verbal Update of Grants Status (PSIC, COPS, SUASI)

Executive Director McCammon distributed and reviewed a copy of the status of the SUASI Interoperability Funding East Bay Allocation for 2007 and advised that originally the EBRCSA was to receive \$2.6 million, which was to be split between Alameda and Contra Costa Counties. The SUASI, however, determined that it did not have enough money, so the total was reduced to approximately \$2.3 million. The City of Oakland, being on the approval authority, requested half of the interoperability funding that went to the East Bay. The approval authority approved the request, so the amount available to come to the EBRCSA would be half of \$2.3 million. The \$230,000 cost of the CTA study for Oakland would come out of Oakland's share of the SUASI money. Additionally, the Contra Costa County Sheriff requested that the funding for interoperability for the EBRCSA funding portion go directly to County Costa County, instead of accruing directly to the EBRCSA. Alameda County still requested that its portion accrue directly to the EBRCSA.

The Board and Staff discussed the issue of Oakland receiving half of the SUASI funding and noted that the EBRCSA's budget would be negatively impacted and the amount of equipment that the EBRCSA could buy would have to be reconsidered.

The Board and Staff discussed Contra Costa's request to have its portion of the funding accrue directly to the County instead of the EBRCSA.

Bm. Cullen advised that Contra Costa County would stay as involved and committed to the JPA as it had been from day one. The reason the County was requesting that the funds accrue directly to them was to make sure that they had an intergovernmental agreement with the JPA that clarified roles and responsibilities over the flow of money and the assets that were possessed and made part of the JPA system.

Executive Director McCammon advised that he and Tom Whittington, along with Aki Nakao in Alameda County, were working on draft MOUs to clarify issues of ownerships of towers, buildings, equipment, etc. The JPA, however, was very clear about the disposition of assets if the JPA dissolved.

It remained to be seen what would happen with the PSIC funds, which were the public safety and interoperability grants funds that were expected to bring close to \$5million to Alameda and Contra Costa Counties; the SUASI's position was not available at this time.

The Board and Staff discussed the need to get the CTA study done as quickly as possible in order to get a funding strategy in place and not have to be so dependent on grant funding.

Executive Director McCammon advised that there was good news from Washington, DC. Through the work of local legislatures, an earmark of \$1.17 million made it through the House Appropriations Subcommittee and was on its way to the Senate. This money was independent of the SUASI and would come directly to the EBRCSA. There was also another federal earmark of \$800,000 in the works, which would also come directly to the EBRCSA.

10.3 Consider Alternate Meeting Location for October 17, 2008, Board Meeting (Proposed Meeting Location: Dublin City Hall, Regional Meeting Room, 100 Civic Plaza, Dublin CA)

By consensus, the Board approved the proposed alternate location for the October 17, 2008 Board of Director meeting.

11. BOARD COMMENTS

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

12. NEXT ACTION STEPS

No next action steps were directed by the Board at this time.

13. ADJOURNMENT

The meeting was adjourned at 11:04 a.m. The next regular Board meeting will be held on September 19, 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. (Per Board direction, no regular Board meeting would be held in August 2008.)

APPROVED BY A MOTION OF THE EAST BAY REGIONAL
COMMUNICATIONS SYSTEM AUTHORITY BOARD OF DIRECTORS
THIS 17TH DAY OF OCTOBER, 2008.

Respectfully submitted,



Fawn Holman, Secretary