



East Bay Regional Communications System Authority



Participating agencies include Alameda and Contra Costa Counties and the following cities and special districts: Alameda, Albany, Antioch, Berkeley, 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, Moraga-Orinda Fire District, Rodeo-Hercules Fire District, San Ramon Valley Fire District, University of California, Berkeley and California Department of Transportation

AGENDA ITEM 6.1

DRAFT MINUTES

BOARD OF DIRECTORS MEETING

REGULAR MEETING – December 16, 2011

- 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, December 16, 2011 in the Walnut Creek City Hall Third Floor Conference Room, 1666 North Main Street, Walnut Creek CA 94596. The meeting was called to order at 10:05 a.m. by Chair Shinn.

PRESENT:

County Representatives: Boardmembers Ahern, Muranishi, Nice (Alt. for Bm. Haggerty), Twa, Uilkema, and Woo (Alt. for Bm. Livingston)

City Representatives: Boardmembers Calabrigo, Catalano, McNeil, O'Keeffe, Rodriguez, Shinn, Silva (Alt. for Contra Costa County Mayors' Conference)

Public Safety Representatives: Boardmembers Dunbar, McQuiston, and Smith

Special District Representative: Anderson

ABSENT: *Boardmembers Cheeves, Henson, Hosterman, Maples, Pattillo, and Sbranti*

Also Attending:

Marilyn Crane, City of Fremont Information Technology, and Dean Stavert, Alameda County Sheriff's Office

Staff Present:

Executive Director McCammon and Secretary Lyon

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 *Announcement of New Alternate Boardmember: John Marchand, Mayor, City of Livermore, appointed by the Alameda County Mayors' Conference.*

Director McCammon announced recent Alternate Boardmember Appointment by the Alameda County Mayors' Conference: Mayor John Marchand, City of Livermore.

6.1 APPROVAL OF MINUTES:

On motion of Bm. Ahern, seconded by Bm. Uilkema, and by unanimous vote, the Board approved the minutes from the October 21, 2011 meeting.

Bm. McQuiston joined the meeting at 10:09 a.m.

7. WRITTEN COMMUNICATIONS: *None*

8. PUBLIC HEARINGS: *None*

9. ACTION ITEMS:

9.1 *Consider Adoption of a Resolution authorizing the Chair to execute, and the Executive Director to implement, a Revocable License Agreement*

for Non-Federal Use of Real Property for use of a Communications Tower adjacent to the Skyline Repeater Site:

Director McCammon overviewed the agenda packet staff report as follows. The Skyline Repeater Site is located on EBMUD property in the Oakland Hills. The FAA has a 103 foot tower at the site, and we have been in discussions with the FAA for some time about sharing space on the tower. The FAA currently pays EBMUD a lease payment to be on the property, and as a result, the FAA requires that some consideration be paid for others to use the tower. We initially proposed to paint the tower in exchange for placing EBRCOA antennas on the tower. After an analysis of the existing paint, it was determined that the paint contained a high percentage of lead. Estimates for the painting, including additional work required to encapsulate the tower to abate the lead, were very expensive and not cost effective. The cost to build a tower would be \$100,000 to \$125,000. After further discussions with the FAA, we reached an understanding that the EBRCOA could assist with the painting of the tower by making a onetime payment of \$40,000 towards the painting of the tower, with the FAA taking care of the remaining cost. This is a reasonable and beneficial opportunity for the EBRCOA to obtain the use of the 103 foot tower.

Bm. Uilkema asked who could revoke the license agreement. Director McCammon responded that either side could revoke, but the license agreement timeframe is five years. Director McCammon added that obtaining the needed approvals to build a new tower on City of Oakland property would likely be a challenge, and that this opportunity to pay a onetime cost of \$40,000 is very beneficial.

Bm. Calabrigo made a motion to move item 9.1 for adoption and noted for the record that we are looking at a minimum of \$60,000 in savings over going it alone, and also that we would need to obtain potentially difficult approvals to build a tower.

Bm. Neil seconded the motion, and then asked if we asked the FAA to consider not charging the EBRCOA for using the tower. Director McCammon responded that the FAA requires some financial exchange to occur because the FAA pays EBMUD to lease the land. After discussion, the general consensus of the Board was to support some financial exchange to occur. Bm. McQuiston noted that the EBRCOA would have the option to charge other entities wishing to share space on the towers we own.

*On motion of Bm. Calabrigo, seconded by Bm. McNeil, and by unanimous vote, the Board adopted **Resolution #11-24** authorizing the Chair to execute, and the Executive Director to implement, a Revocable License Agreement for Non-Federal Use of Real Property for use of a Communications Tower adjacent to the Skyline Repeater Site.*

9.2 Consider Adoption of a Resolution authorizing the Chair to sign, and the Executive Director to implement, subject to legal review, Interagency Agreements with Alameda County and the City of Berkeley to provide Technical Assistance and perform Maintenance on the EBRCSA System:

Director McCammon overviewed the agenda packet staff report as follows. The original intent of the JPA Agreement was to outline that the maintenance of the system would be done more appropriately by radio technicians of the member agencies. We currently have three member agencies with technicians trained to perform maintenance: Alameda County, Contra Costa County, and the City of Berkeley. The EBRCSA Board approved an agreement for maintenance work on the system with Contra Costa County a few months ago, and this agreement serves as the template for the agreements presented for consideration today.

*On motion of Bm. Anderson, seconded by Bm. Rodriguez, and by unanimous vote, the Board adopted **Resolution #11-25** authorizing the Chair to execute, and the Executive Director to implement, subject to legal review, Interagency Agreements with Alameda County and the City of Berkeley to provide Technical Assistance and perform maintenance on the EBRCSA system.*

9.3 Consider Adoption of a Resolution Authorizing the Executive Director to pay Alameda and Contra Costa Counties and the City of Berkeley in an amount not to exceed \$200,000 pursuant to Interagency Agreements, for initial programming and provisioning of member agency subscriber units:

Director McCammon overviewed the agenda packet staff report as follows. As members agencies prepare to put radios on the system, there are two processes that need to be completed. The first step is to complete the Fleetmapping process to establish talk groups. The second step is to perform the programming to place the talk groups on the radios as identified in the Fleetmap that was developed for each agency. Each subscriber unit needs to be provisioned, and also needs to be tested to make sure it is

operating within manufacturer specifications and will function properly on EBRCs. There are a large number of radios that need to be programmed to come on to the system. In order to reduce the cost of programming the radios from a flat rate per radio basis, the EBRCSA discussed options with both Counties and City of Berkeley radio shops. As a result of the discussions, an arrangement has been reached for a programming station to be set up to provide the programming and provisioning for all member agencies at a greatly reduced cost, for an amount not to exceed \$200,000. Any subsequent programming that member agencies want to have done would be the financial responsibility of the requesting agency and would be charged at the flat rate.

Bm. Muranishi joined the meeting at 10:22 a.m.

Bm. Twa asked how the radio programming process would be monitored. Bm. Ahern responded that Alameda County currently has a process for radio programming and invoicing, and this model could be followed. Director McCammon added that he would be working with staff from both Counties and the City of Berkeley to ensure that a similar monitoring process is in place.

Bm. Calabrigo commented that the fact that the EBRCSA is covering the costs for the initial programming of the radios is good news for the member agencies. Bm. McNeil asked about the process for programming the radios and if the process is cloned. Alt. Bm. Woo described the process for programming and confirmed that the efficiency increases for subsequent radios.

*On motion of Bm. Ahern, seconded by Bm. Catalano, and by unanimous vote, the Board adopted **Resolution #11-26** authorizing the Executive Director to pay Alameda and Contra Costa Counties and the City of Berkeley in an amount not to exceed \$200,000 pursuant to Interagency Agreements, for initial programming and provisioning of member agency subscriber units.*

9.4 Consider Authorizing the Executive Director to contact the Alameda County Mayors' Conference Members serving on the EBRCSA Board of Directors to have them appoint an Alameda County Elected Official to serve on the EBRCSA Finance Committee:

Director McCammon overviewed that there is no action needed to be taken by the Board for this agenda item, and this item is an update only.

Director McCammon will contact the Alameda County Mayors' Conference Members serving on the EBRCSA Board of Directors to request that they appoint an Alameda County Elected Official to serve on the EBRCSA Finance Committee, and will also contact the Contra Costa County Mayors' Conference to request that they appoint a Contra Costa County Elected Official to serve on the EBRCSA Finance Committee.

9.5 Receive Update on the Development of the Operating and Maintenance Agreement (OMA) as required by the Project Operating Agreement:

Director McCammon overviewed the agenda packet staff report, and noted that there is no action needed to be taken. Some of the highlights follow. When the Project Operating Agreement was developed for the financing of the system build out, specific language was included in the agreement that addressed the development of an Operating and Maintenance Agreement (OMA) with a projected date of December 1, 2011 for completion.

Bm. Dunbar left the meeting at 10:30 a.m.

Considerable work has been underway to develop the maintenance plan for the system. Representatives from both counties have established a working group and have been working with Motorola Solutions Inc. to develop a plan that identifies each system component, and who will be responsible for the maintenance of that component. Motorola Solutions Inc. staff made two presentations to the Operations Committee detailing maintenance and life cycle options for the system, and have also been meeting with the working group. The final proposed plan is planned to be presented to the Operations and Finance Committees in February for final consideration in the form of the OMA, and then brought to the Board for final approval. Due to the holiday, the January Committee meetings will be canceled.

10. COMMITTEE UPDATES:

10.1 Receive Informational Update on Recent Finance Committee Activities from Chair Shinn:

The Finance Committee did not meet in December.

10.2 Receive Informational Update on Recent Operations Committee Activities from Chair Ahern:

The Operations Committee did not meet in December.

11.1 Receive Verbal Update on Existing Finances:

Director McCammon first provided an update on the progress in finding an alternate meeting location in Contra Costa County for Board of Directors meetings as suggested by Boardmembers Uilkema and Hosterman at the October Board of Directors meeting. Contact has made with several potential locations, including the Lafayette Veterans Hall which would charge \$200.00 per meeting, and also have a security deposit requirement. Other meeting locations will be pursued and the findings will be reported at the next Board of Directors meeting.

Director McCammon next provided an overview of the distributed Cash and Grants Status Report as of December 9, 2011. In response to a question from Bm. Ahern, Director McCammon responded that the EBRCSA needs to secure two million dollars in grant funding in 2013 to meet the project build out financing plan.

The Comprehensive Annual Financial Report (CAFR) for Fiscal Year ended June 30, 2011 was also distributed, and has been posted on the EBRCSA web site in the Documents section. Director McCammon reported that there were no negative findings in this Audit, and commented that it was a big year with the bond financing, as well as the change in accounting from governmental accounting to enterprise accounting. The Audit Management letter will soon be sent out to the Board and Alternates, and this letter does contain two recommendations. The first recommendation is for spot checking serial numbers on rack equipment that is assembled in Schaumburg Illinois. The auditors visited Kregor Peak, and while all of the equipment was in place, some router serial numbers did not match up because the routers were changed out in the rack in Illinois, and the paperwork had not yet caught up with the changes. The asset tracking system that is being purchased will help remedy this from future occurrence. The second recommendation is for the EBRCSA to develop an investment policy beyond what is included in the Trustee Agreement that outlines some requirements, such as the rating requirements, for the accounts that hold our funds. An investment policy will be developed and brought to the Board for review and consideration.

11.3 Receive Verbal and Written Update on Infrastructure Implementation:

Director McCammon provided an overview of the status of each of the sites on the distributed Site Matrix worksheet. Also distributed were pictures of

the Skyline Site Shelter Delivery where a crane had to be used to pull the truck carrying the shelter to the site, demonstrating the challenges we face in getting equipment to many of the sites.

The plan is to bring the Contra Costa County West Cell and the Alameda County East Cell users onto the system by the first quarter of 2012 with the full system available by July 2012, and all users transitioned on by the end of 2012.

The Alameda County Trunked System was switched over to the new system on December 11 and the process went well except for one small glitch that was soon resolved. A letter describing the change was included in the December issue of the EBRCSA Newsletter.

12. BOARD COMMENTS:

Bm. Anderson commented that the East Bay Regional Park District is issuing an RFP for a third party vendor to monitor East Bay Regional Park sites.

Bm. Uilkema commented on the City of San Jose's recent action taken regarding BayRICS and BayWEB. Director McCammon assured the Board that our EBRCSA system is a standalone system and is fully functional without BayRICS. Bm. Calabrigo commented that our project pre-dates BayWEB by many years. Bm. Ahern commented that he has been advised that at the minimum, some of the 4G LTE sites related to the BayRICS project in particular counties will be salvageable.

13. NEXT ACTION STEPS:

As mentioned during Agenda Item 9.5, the January Operations and Finance Committee meetings will be canceled.

14. ADJOURNMENT:

The meeting was adjourned at 11:05 a.m. The next regular Board of Directors meeting is scheduled for Friday, January 20, 2012 in the Assembly Room of the Alameda County Office of Homeland Security and Emergency Services, 4985 Broder Blvd., Dublin CA 94568.

APPROVED BY A MOTION OF THE EAST BAY REGIONAL COMMUNICATIONS SYSTEM AUTHORITY THIS XX
DAY OF XXXX 2012.

Respectfully submitted,



Susan Lyon
Authority Secretary

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