



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

ITEM # ____

DRAFT MINUTES
FINANCE COMMITTEE MEETING
REGULAR MEETING – OCTOBER 3, 2008

1. Call to Order/Roll Call:

A regular meeting of the East Bay Regional Communications System Authority Finance Committee was held on Friday, October 3, 2008, 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 1:26 p.m. by Chair Shinn.

Present: *Committee members Anderson, Arner, Haggerty, Shinn and Whittington (Alt for Contra Costa County representative)*

Absent: *Committee members Lockhart and Wilson*

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. Anderson, seconded by Cm. Haggerty and by unanimous vote, the Committee approved the minutes of the August 15, 2008, Special Finance Committee meeting.

4. **Review and Comment on Draft Response to Daniel Borenstein's September 6, 2008, Column in the Contra Costa Times and Direct the Executive Director to Forward Final Response to the Board of Directors**
Executive Director McCammon presented the Staff Report and advised that on September 6, 2008 an article appeared in the Contra Costa Times written by Columnist Daniel Borenstein that was critical of the EBRCSA. Mr. Borenstein contacted people connected with the EBRCSA and was directed to the website for additional information. As a result of the inaccuracies in the article, several Boardmembers requested that a response be developed to provide accurate information to the Boardmembers.

By consensus, the Committee agreed that the response was factual and directed Staff to forward the article and response to the Board of Directors.

5. **Receive Informational Report regarding Recent California Public Records Act Request by Californians Aware (CalAware)**
Executive Director McCammon presented the staff report and advised that On September 8, 2008, the EBRCSA received a Public Records Act request from Californian's Aware. Through Authority Counsel Robin Donoghue, a timely response was prepared that provided electronic copies of or access to responsive documents maintained by the Authority. While we were able to provide many of the requested documents, the Authority did not have many of the records responsive to his request and potential sources for the requested records were identified and contact information provided.

The Committee and Staff briefly discussed the records request. Judging from the content of the request it was discussed that someone very familiar with the EBRCSA probably contacted CalAware to make the request on their behalf. CalAware is very active in California and often submits requests to agencies in order to judge an agency's responsiveness to records requests, not just to obtain records for a particular purpose. If the request was the result of someone familiar with the EBRCSA the committee felt a better option would be to discuss those concerns in an open meeting so concerns could be resolved.

6. **Receive Informational Report regarding the Passage of AB38 (Nava), Resulting in the Formation of the California Emergency Management Agency (CalEMA)**
Executive Director McCammon presented the staff report and advised that AB38 (Nava) was a two year bill that the Governor signed into law this past

week, and consolidates the Office of Emergency Services (OES) and the Office of Homeland Security (OHS). The new agency will be called the California Emergency Management Agency, or CalEMA, under the supervision of the Secretary of California Emergency Management appointed by the Governor. The consolidation of the two agencies should provide some benefit to local government in terms of the overall coordination of homeland security activities. No change in the funding received from the Federal government as a result of the change is expected.

7. Review Draft Lobbying Policy, Make Appropriate Changes, and Direct the Executive Director to Prepare a Staff Report with the Draft Policy for Board Consideration at its October 17, 2008, Board of Directors Meeting

Executive Director McCammon presented the staff report and advised that the issue of developing a policy for lobbying activities was brought up by the Board of Directors and referred to the Finance Committee for discussion and recommendation for Board consideration. At its August 15, 2008, special meeting, the Finance Committee discussed the concerns of the Board that a standard message be developed and some coordination take place to let the Board members know that the lobbying activity was in fact taking place. Based on the Finance Committee's initial discussions, the following is a draft Lobbying Activities Policy:

- 1. Board members to contact the Executive Director prior to initiating contact with Federally Elected Officials to discuss the EBRCSA to receive talking points that will provide an overview of the EBRCSA progress and will assist with the discussion.*
- 2. Board members to report back to the Executive Director the results of any lobbying efforts to insure coordination with the overall EBRCSA lobbying efforts.*
- 3. Executive Director to apprise the Board members of any lobbying trips prior to going.*

By consensus, the Committee agreed that the policy should include direction for the Executive Director to report to the full Board the results of any individual and/or group lobbying efforts, and directed the Executive Director to prepare a staff report with the draft policy for Board consideration at its October 17th meeting.

8. Receive Verbal Status Update of CTA Communications Solano County, City of Oakland and Alameda County/Contra Costa County Scopes of Work

Executive Director McCammon advised that CTA had a team doing the initialization work for Solano County at the same time they were working with the EBRCSA in September. The Oakland contract amendment was executed and the kickoff meeting was being scheduled for some time in October. The initialization meeting, user interviews and site visits for Alameda/Contra Costa during the week of September 15th went very well. CTA plans to do a presentation of the draft report in mid-December or January. CTA may be doing some work for Marin County, as well.

Executive Director McCammon further advised that he had arranged for Dr. Ken Ballard from CTA Communications to present an overview of CTA's work to-date evaluating the EBRCSA system design, as well as provide a high level discussion of the state of communications technology and the future migration to P25 compliant systems and what it means to public safety agencies in Alameda and Contra Costa counties. The presentation was scheduled for Tuesday, October 14th, and all EBRCSA Boardmembers would be invited, as well as all City Managers, Fire Chiefs and Police Chiefs in Alameda and Contra Costa Counties to attend. Staff would arrange to have the presentation videotaped so DVDs could be provided to those who could not attend but were interested in viewing the presentation.*

*Note, the CTA presentation was subsequently rescheduled to Monday, October 13, 2008, at 9:00 a.m.

9. Receive Verbal Update on a Proposed Meeting with BART's Public Safety and Technical Representatives to Discuss the Technical Challenges of BART Becoming Part of the EBRCSA

Executive Director McCammon advised that, at the last Contra Costa County Police Chief's Association meeting, concern was expressed that the EBRCSA did not take into consideration the many technological challenges that the BART district confronted. At that meeting, a BART representative indicated that, because the Authority had not addressed BART's concerns, BART had elected not to participate. In order to address BART's concerns, he would be meeting with BART representatives at the El Cerrito Police Department on Friday, October 10th at 1:00 p.m.

The Committee and Staff discussed BART's participation and the possibility that other transit agencies might want to join the Authority. A transit strategy may need to be developed, which included the perspective of

smaller transit agencies, not just BART's. It was suggested that the Executive Director talk to the new Executive Director at Livermore-Amador Valley Transit Authority, as well as Mary King at AC Transit.

10. Continue Discussion from August 15, 2008, Finance Committee Meeting regarding a Recommendation to Contact Federal Legislators to Obtain a Seat on the SUASI Approval Authority for the EBRCSA

Executive Director McCammon advised that, at its August 15th meeting, the Finance Committee directed Staff to prepare a staff report for the next Board meeting that discussed the makeup of the East Bay SUASI approval authority and the recommendation to contact federal legislators to request legislation to change the seat arrangement on the approval authority to increase EBRCSA's representation. At this time, Staff suggested that the Committee delay its recommendation to the Board until Laura Phillips, Executive Director of the Bay Area SUASI, had the opportunity to appear before the Board at its November 21st meeting to discuss the role of the Bay Area SUASI and how the EBRCSA fit into that role. Ms. Phillips was concerned that, it could hurt the efforts of bay area wide interoperability efforts..

By consensus, the Board agreed to delay its recommendation to the Board until Ms. Phillips had the opportunity to make a presentation to the Board of Directors.

11. Receive Update of Grants Status (PSIC, COPS, SUASI)

Executive Director McCammon advised that the COPS grant Memorandum of Understanding had been signed by Contra Costa County. The \$14.9 million PSIC grant had been approved in terms of the total allocation coming to the SUASI; however, it had not yet been determined how the East Bay's portion would be split.

12. Receive Project Status Update

Executive Director McCammon distributed a copy of an updated Phasing Plan and reviewed the changes, which were highlighted in red.

Executive Director McCammon distributed a copy of the FY 2008-09 Radio Fee Assessment chart and reviewed the status to-date of those agencies that had paid their fees for this year. Reminder invoices would go out shortly to those agencies that had an outstanding balance.

Item Added to the Agenda

Chair Shinn advised that he would like an item added to the agenda to discuss the current meeting time for regular Finance Committee meetings and the suggestion to change the meeting time so it aligned more closely with the end of the regular Operations Committee, which was held the same day in the morning. In order to add an item to the agenda, the Committee needed to make two findings: 1) immediate need; and 2) the item came to Staff's attention after the posting of the agenda. Chair Shinn advised that, because Committee meeting times were set by the Board, the Committee needed to discuss the issue and make a recommendation to the Board for its October 17th meeting so the new meeting time could go into effect at the Committee's November meeting. Chair Shinn further advised that his need to change the meeting schedule came to the Executive Director's attention after the posting of the agenda.

On motion of Cm. Haggerty, seconded by Cm. Anderson and by unanimous vote, the Committee approved the addition to the agenda.

Chair Shinn advised that he proposed that the Operations Committee meeting time be changed from 10:00 a.m. to 9:30 a.m., and change the Finance Committee meeting time from 1:00 p.m. to 11:30 a.m. The proposed time change would help to resolve scheduling conflicts for those who attended both meetings.

On motion of Cm. Haggerty, seconded by Cm. Arner and by unanimous vote, the Committee directed Staff to prepare a staff report with the recommended changes for Board consideration at its October 17, 2008 meeting.

13. Agenda Items for Next Meeting

No agenda items were identified at this time.

14. Adjournment

The meeting was adjourned at 2:17 p.m. The next regular Finance Committee meeting is scheduled to be held on November 7, 2008, at 1:00 p.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
XX DAY OF XX, 2008.

Respectfully submitted,
Fawn Holman
Secretary