



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

AGENDA ITEM xx

DRAFT MINUTES

OPERATIONS COMMITTEE MEETING

REGULAR MEETING – OCTOBER 3, 2008

1. CALL TO ORDER/ROLL CALL:

A regular meeting of the East Bay Regional Communications System Authority Operations Committee was held on October 3, 2008, in Room 1013 at the Alameda County Office of Homeland Security and Emergency Services, 4985 Broder Boulevard, Dublin, California. The meeting was called to order at 10:05 a.m.

PRESENT: *Committee members Casten (Alt. for Cm. Rupf), Cody, Kirkland, and Roderick*

ABSENT: *Committee members Ahern, Attarian and Richter*

Staff Present:

Executive Director Bill McCammon and Secretary Fawn Holman

Executive Director McCammon advised that, in the absence Chair Ahern, a Chair Pro Tem needed to be appointed.

On motion of Cm. Kirkland, seconded by Cm. Cody and by unanimous vote, the Committee appointed Cm. Roderick as Chair Pro Tem for the duration of this meeting.

2. Comments from the Public

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

3. Approval of Meeting Minutes

On motion of Cm. Cody, seconded by Cm. Casten and by unanimous vote, the Committee approved the minutes of the August 15, 2008, Special Operations 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 several 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 have requested that a response be developed to provide accurate information to the Boardmembers.

The Operations Committee discussed the content of the draft response, and the question was asked if the original RFP included the two-county design.

Executive Director McCammon advised that he was certain the original RFP included the two-county design, but would confirm before the response was distributed.

By consensus, the Committee agreed that the response was factual and directed the Executive Director to forward the response to the Board of Directors for decision on whether to it was in the Authority's best interest to send to the newspaper or not.

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. Although someone could have instigated the records request, CalAware was very active in California and often submitted requests to agencies in order to judge an agency's responsiveness to records requests, not just to obtain records for a particular purpose.

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. Provide Input to the Executive Director in Preparation for his Presentation to the Contra Costa Police Chiefs and Sheriffs Association Meeting on October 22, 2008.

Executive Director McCammon advised that after Daniel Borenstein's article, which was critical of the EBRCSA's competitive bid process, was published, concern was expressed by some agencies at the last Contra Costa Police Chiefs and Sheriffs Association meeting. The Operations Committee was being asked for input on his presentation at the Association's meeting on October 22nd.

The Committee discussed the need for Executive Director to attend the October 22nd meeting in order to provide correct information to the Associations' members and use the information provided in the EBRCSA's response to the Borenstein article as a basis for his presentation. The Association also needs to hear from the Executive Director about the progress to-date.

Executive Director McCammon 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 to attend, as well as all City Managers, Fire Chiefs and Police Chiefs in Alameda and Contra Costa Counties. It was anticipated that the presentation would alleviate the fears of those with concerns about the EBRCSA.*

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

The Committee discussed the CTA presentation, agreed that it would be beneficial if the Fire and Police Chiefs attended, and directed Staff to arrange to have the presentation videotaped so DVDs could be distributed to those who could not attend but were interested in viewing the presentation.

8. Continue Discussion regarding Definition of Terms (Member Agency vs Subscriber Agency), as well as Methods to Accept New Agencies into the EBRCSA

Executive Director McCammon advised that the Finance Committee felt comfortable defining member agencies as those agencies that were members at the time the debt for the infrastructure is initially incurred and everyone after that would be called subscribers.

The Committee and Staff discussed that additional agencies had become members after the JPA had been filed with the State and agreed that the Authority Counsel should review and determine if the JPA Agreement needed to be amended to include the new member agencies.

The Committee and Staff further discussed that, at this point, member agencies were only responsible for the \$100 per radio assessments. When the Authority begins to incur debt, each member agency would have to take action to reaffirm its membership and become responsible for that debt.

The Committee discussed the status of the FY 2008-09 \$100 per radio assessment, and agreed that copies of the invoice letters should to the Fire and Police Chiefs.

9. 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 had been 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's plan is to do a presentation of the draft report in mid-December or January. CTA may be doing some work for Marin County, as well.

10. 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

Cm. Kirkland 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 had indicated that, because the Authority had not addressed BART's concerns, BART 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 discussed BART's current technical issues and concerns and agreed that the meeting would shed light on BART's true concerns and provide direction on how to move forward in the future.

11. Receive Verbal 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 Verbal Project Status Update

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

13. Agenda Items for Next Meeting

No agenda items were identified at this time.

14. ADJOURNMENT

The meeting was adjourned at 11:08 a.m. The next regular Operations Committee meeting is scheduled to be held on November 7, 2008, at 10:00 a.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 OPERATIONS
COMMITTEE THIS XX DAY OF XX, 2008.

Respectfully submitted,

Fawn Holman
Secretary