

MARIN EMERGENCY RADIO AUTHORITY

c/o Novato Fire Protection District
95 Rowland Way, Novato, CA 94945
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E.B. 9/10/14 Agenda Item A-2

EXECUTIVE BOARD

Minutes of August 13, 2014 Special Meeting

Draft: 8/27/14

Call to Order and Introductions:

The meeting was called to order by Chair Hymel on August 13, 2014 at 2:33 p.m. in the Heritage Conference Room, Novato Fire Protection District Administration Office, 95 Rowland Way, Novato, CA 94945.

Board Members Present:

County of Marin
City of Novato
Fire Services
Police Departments
Ross Valley Cities/Towns
Special Districts

Matthew Hymel
Jim Berg
Richard Pearce
Todd Cusimano
Debra Stutsman
Bill Hogan

Board Members Absent:

Marin County Sheriff
City of San Rafael
Southern Marin Cities/Towns

Robert Doyle
Chris Gray
Jim McCann

Staff Present:

MERA Executive Officer
MERA General Counsel
MERA Operations Officer
MERA Special Project Manager
MERA Special Project Admin. Asst.
Recording Secretary

Maureen Cassingham
Trisha Ortiz
Craig Tackabery
Dave Jeffries
Alex Anderson
Gretchen Felciano

Guests Present:

None.

A. Executive Officer's Report (Cassingham)

- 1) Proposed Amended and Restated Memorandum of Understanding By and Between the Marin Emergency Radio Authority and the County of Marin in Support of the Next Generation Radio System

Cassingham noted the Board of Supervisors' adoption of their Resolution submitting a Parcel Tax Ordinance to the voters on MERA's behalf on July 22 and their amendment of same to clarify that parcel tax proceeds will solely be used to fund the Next Gen System. She said Recitals F-H have been added to the Amended and Restated MOU to reflect their action and this change. The Amended and Restated MOU will be placed on the Board of Supervisors Consent Calendar for their August 19 meeting.

M/S/P Berg/Hogan to recommend the Proposed Amended and Restated Memorandum of Understanding By and Between the Marin Emergency Radio Authority and the County of Marin in Support of the Next Generation Radio System.

AYES: ALL
NAYS: NONE
ABSTENTIONS: NONE
Motion carried.

- 2) Proposed Resolution of the Governing Board of the Marin Emergency Radio Authority Recommending Qualifications for Exemption for Low-Income Seniors from MERA's Special Parcel Tax Measure on the November 4, 2014 Ballot

Cassingham noted questions and discussions at the July 22 Board of Supervisors Meeting regarding this exemption. She added questions had been received from MERA's public education communications. To this end, the proposed Resolution for recommendation to the Governing Board provides more specific information about the exemption. Staff conferred with Pearce, Hymel, Gaffney, Seufert at NBS and County Library Services Staff on the senior exemption requirements of Library Measures L and K, Central Marin Police Authority CFD, PG&E Care Program and other tax measures. Review was narrowed to Library Measures and Central Marin CFD. Library Measures L and K specifically included a low-income senior exemption whereas Central Marin CFD included a very low-income family exemption which differs from our BOS-approved Tax Ordinance. The proposed Resolution, therefore, reflects the Library Measures requirements for consistency, ease of application and administrative purposes.

Cassingham said Measure L had an 8/10% opt out rate based on 275 applications out of 33,450 parcels, and Measure K had 9/10% opt out rate based on 30 applications out of 3,230 parcels. Source of Household income requirements is the U.S. Census Bureau for 80% of median income or below, for Marin County. Maximum household

income requirement for 2012 was \$56,390 and the 2013 requirement will be provided by the Bureau in September 2014.

Berg asked if annual applications were required. Cassingham confirmed annual applications like Library Measures L and K are required. Ortiz clarified that the application process could be delegated to staff or stated in the Resolution. Hymel suggested amending Section 1 to provide for an “annual” exemption. Berg agreed. Cassingham further described the Library application process, including a straight forward application form and a household income calculation worksheet. She said the post-election tax administration contract discussed previously would include low-income senior exemption processing, allowing for easy mail-in application. Hymel said application simplicity and known opt out rates were key factors in recommending Measures L and K as models. Cassingham clarified that a near 1% opt out rate equals about \$35,000 per year in lost parcel tax revenues. Hymel clarified the notification process provided with property tax bills about applying for the exemption and deadline for filing.

In addition to the added wording of “annual” exemption to Section 1, Ortiz suggested adding to Section 1(4) the words “Each year” before “The applicant.”

M/S/P Berg/Cusimano to recommend Governing Board adoption of the Proposed Resolution of the Governing Board of the Marin Emergency Radio Authority Recommending Qualifications for Exemption for Low-Income Seniors from MERA’s Special Parcel Tax Measure on the November 4, 2014, Ballot with added wording of “annual” exemption to Section 1 and “Each year” to Section 1(4).

AYES: ALL
NAYS: NONE
ABSTENTIONS: NONE
Motion carried.

3) Proposed Duties, Terms, Membership Qualifications and Application Process – Citizens Oversight Committee

Cassingham said within MERA’s Tax Ordinance is a provision for a Citizens Oversight Committee (COC) which has been long considered and approved by both MERA Boards. She summarized Section 9 of the Ordinance noting the Governing Board will establish the COC no later than June 30, 2015, that it will review expenditures of tax revenues, have at least five members and members be residents and taxpayers of Marin County. She asked for input on COC duties, specifications, number of members, terms, meetings and application requirements. She requested Executive and Governing Board input on the appointment of an Ad Hoc Subcommittee to review proposed requirements and make recommendations to both Boards. She noted public inquiry received to date about the COC and interest in serving on it. The Subcommittee would advance information on the COC and allow for public input.

Berg suggested further clarification of the taxpayer requirement, possibly adding property taxpayers. Hymel said the Subcommittee could address this. Jeffries suggested adding to Section B . . . or benefits from “these parcel tax expenditures”. Pearce asked how dwindling participation by COC members might be addressed as time goes on. Ortiz said there can be no discontinuance of the COC due to lack of or dwindling participation. Hymel said the COC would, at minimum, provide input to the required Annual Report on tax expenditures, therefore meeting at least once a year. Jeffries added the group should start with more than 5 members to address attrition. He said names of people who have already volunteered to serve would be passed on to the Subcommittee.

Cassingham said this same report on the COC will be presented to the Governing Board later today for their information and input.

B. Discussion: Next Gen Project Performance Bond (Pearce)

Pearce said this item was follow-up to public comments made at the July 22 Board of Supervisors meeting about how MERA plans to protect against project delays and cost overruns. He said he asked Tackabery about what could be incorporated in any contract with a vendor to be assured of getting exactly what we need. Tackabery said he would recommend the County’s best practices in the public works contracts and incorporate peer agencies RFP and contract provisions for implementing their 700MHz emergency radio systems. As for performance, bid performance bonds and payment bonds are typically required. We can also specify contract time and liquidated damages, warranty or guarantee periods.

Tackabery referenced East Bay Regional Communications Authority Radio System specifications requiring installation of latest equipment versions and vendor turnkey responsibilities for total system operations on completion. He also mentioned possible use of long-term service contracts like the SUA noted in the DPW Feasibility Study. Jeffries recalled the challenge of holding the Gen I vendor to our requirements due to delays experienced with land-use litigation. Tackabery said ways to address this should be researched going forward.

Hymel said he envisioned a Project Oversight Committee to help us monitor the Project’s progress. More than one bid would give us leverage with performance incentives. Jeffries asked if the Ops Group could provide user advice to management oversight. Tackabery said this would be a value-added to an Oversight Committee but this is up to MERA. Hogan agreed that his participation over five years on the Gen I User Group was informative and helpful to the project. Hymel said he could see separate oversight on contract negotiations from user technical design input.

C. Other Information Items

Cassingham said, as additional follow-up to the July 22 BOS meeting, she would look to schedule a September Finance Committee meeting to discuss a Gen III System Replacement Fund and the System Upgrade Agreement for the Next Gen System Project.

Tackabery provided a briefing on First Net in California and its public safety survey. This is a complementary technology data system not intended to replace emergency radio communications. The State is surveying all public safety agencies to collect information about current public safety wireless usage. Survey was received on August 5 and response is due August 20. County Public Works will do a first-cut response on behalf of all our agencies, share it with the Ops Group and beyond for a collective coordinated response. He said he welcomed input from anyone beyond Ops on the draft.

Hymel added to Cassingham's comments about the September Finance Committee meeting and sought input from the Executive Board on the wisdom of a Gen III Replacement Fund, assuming parcel tax passage and possible continuance of current member debt service payments after Bond retirement to fund it. This is in response to public comments about MERA members should have planned ahead to fund Next Gen instead of relying on a parcel tax. Berg said it is important to address this and we should be obliged to plan ahead as good fiscal stewards. Hymel said he is not suggesting continuance of the same level of debt service payments to fund Gen III replacement but some portion of them. Jeffries suggested that Finance meet before the November election to develop recommendations to both Boards based on what happens with and without parcel tax passage. Hymel stated that a Replacement Fund and SUA have similar goals of extending System useful life and should be addressed together.

D. Open Time for Items NOT on Agenda

Cusimano announced the third meeting of the Friends of MERA Campaign Committee today at 4:30 p.m. Location is the side room of Hopmonk Tavern, 224 Vintage Way, Novato. They will be discussing Committee organization, ballot arguments and fundraising. Participation must be on your own time. Personal email addresses are requested and can be sent to the Friends of MERA campaign address.

E. Adjournment

The meeting was adjourned at 3:07 p.m.

**NEXT MEETING: MERA Executive Board – Regular Meeting –
Wednesday – September 10, 2014 – 3:30 pm**

Respectfully submitted,

Maureen Cassingham
MERA Executive Officer

**AGENDA AND STAFF REPORTS ARE AVAILABLE ONLINE AT
WWW.MERAONLINE.ORG**