

MARIN EMERGENCY RADIO AUTHORITY

c/o Novato Fire Protection District
95 Rowland Way, Novato, CA 94945
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Revd. & Appvd. 1-12-11

EXECUTIVE COMMITTEE

MINUTES OF NOVEMBER 10, 2010, REGULAR MEETING

Call to Order

The meeting was called to order by President Kinsey on November 10, 2010, at 3:35 p.m. at the Novato Police Station Training Room, 909 Machin Avenue, Novato, CA. Kinsey requested Committee approval of reordering Agenda Item B, Consent Calendar, as the first item of business before the Closed Session. The Board concurred. Presentation of the minutes for this meeting reflect the original order of the agenda.

Committee Members (or Alternates) Present:

County of Marin	Steve Kinsey
City of Novato	Joe Kreins
Novato Fire Protection District	Marc Revere
Fire Districts At-Large	Jim Irving
Ross Valley Agencies	Michael Rock

Committee Members Absent:

County of Marin Sheriff	Robert Doyle
City of San Rafael	Chris Gray
Southern Marin Cities/Towns	Jim McCann

Nonvoting Members Present:

Marin County Police Chiefs' Association	John Rohrbacher
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Nonvoting Members Absent:

Marin County Fire Chiefs' Association	Richard Pearce
Marin Public Works Association	Nader Mansourian

Staff Present:

MERA Executive Officer	Maureen Cassingham
County Public Works Director	Farhad Mansourian
County Communication Engineer	Richard Chuck
County Communications Services Manager	Shelly Nelson
Recording Secretary	Denise Wade

A. Closed Session – Public Employee Performance: Executive Officer Evaluation
Pursuant to Government Code – Section 54947

- 1) Proposed Amendment No. 5 to Agreement for Professional Services with Regional Government Services Authority and Proposed Executive Officer 2011 Work Plan

Kinsey convened the Closed Session with Cassingham at 3:46 p.m. The Executive Committee came out of Closed Session and reconvened the regular meeting at 4:07 p.m. Kinsey noted that the Executive Officer's performance for the past year was reviewed along with the Work Plan for 2011. He said they are very satisfied with Cassingham's work, the proposed Work Plan, and a 15-hour-per-week schedule, which may increase with the Strategic Plan workload.

M/S/P Kreins/Irving to recommend Board Approval of Proposed Amendment No. 5 to Agreement for Professional Services with Regional Government Services Authority, which continues the Executive Officer's services from January 1, 2011, through December 31, 2011, at the same hourly rate and average weekly hours at 15 and recommend the Proposed Executive Officer 2011 Work Plan as presented.

AYES: All
NAYS: None
Motion carried.

B. Consent Calendar

All matters on the Consent Calendar are to be approved with one motion unless a member of the Committee or the public requests that separate action be taken on a specific item.

- 1) Minutes from July 14, 2010, Executive Committee Regular Meeting
- 2) Minutes from September 8, 2010, Executive Committee Regular Meeting
- 3) 2010 Annual Progress Report on Authority Operations and Activities
- 4) Proposed Amendment No. 3 to the September 29, 2009, Marin Emergency Radio Authority Professional Services Contract with CBG Communications, Inc.
- 5) Proposed Resolution Authorizing Destruction of Certain Records per MERA's Records Retention Schedule
- 6) FY 09-10 Audited Financial Statements and Auditors' Report – Maher Accountancy

Kinsey requested separate action be taken on Consent Calendar Item No. 6 after a presentation of same by MERA's Auditor John Maher.

M/S/P Kreins/Revere to approve Consent Calendar Items 1-5 as presented.

AYES: All
NAYS: None
Motion carried.

Maher summarized the draft audit indicating that it was more complex than prior years' due to the bond refunding. He clarified that on Page 6, a \$1.845M operating loss is exaggerated due to \$1.9M in depreciation.

Approximately \$875,000 has been reported as capital outlay for the additional frequencies and beginning of the new Motorola contract. Cash Flow Statement on Page 7 shows fairly complex movements of funds which have been well-accounted for by NFPD Finance Director Hom. There were very few adjustments thanks to the work by Hom and staff. Maher is likewise happy with the internal controls. On Page 19, Maher noted the Budgetary Comparison for the Operating Fund while the other Schedules show the payment activity for the Project Note and Bonds. Some funds were closed out and new funds were established. On Page 24, he said the Debt Service Fund reflects the monies held by the Trustee including \$1.95M indefinitely while the Bonds are outstanding and another \$300,000 plus held as advance payment for the interest for the August 2010 payment. The final version of the audit will include an additional schedule showing the year-by-year debt service obligations for the remaining life of the bonds. He has included an additional memo which states MERA is collecting monies early in the fiscal year to be used for debt service in the following February and August to provide clarity about what the cash flows are and that monies are going directly to the Trustee along with the transfer of all other related County accounts.

Kinsey inquired about the line item for County Technical Services on Page 19 coming in significantly lower than budgeted. Cassingham said the budget reflects the estimates provided in the contract. Kinsey asked if the actual expenditures were an anomaly. Cassingham said, with the new five-year Technical Services Contract, the budget estimates will be closer due to service experience gained by the County from the first contract. Kinsey said this line item reflected the only significant variance in the Operating Budget between final budget and actual, which prompted his question.

M/S/P Irving/Revere to recommend acceptance of MERA's Audited Financial Statements and Auditors' Report for FY 09-10 with the noted changes as presented.

AYES: All
NAYS: None
Motion carried.

C. Executive Officer's Report (Cassingham)

- 1) Nomination of NERA Board Vice President and Appointment of Finance Committee Member.

Kinsey said, with Ken Nordhoff's resignation as the City Manager of San Rafael, that he has also resigned from the NERA Board where he served as Vice President. An additional nomination will be needed to the Finance Committee where Nordhoff also served. Kinsey said the Committee could take nominations at this meeting but keep them open for action at the December 8 Board meeting. Kreins suggested proceeding with nominations at this meeting.

M/S/P Irving/Kreins to nominate Chief Marc Revere as Vice President.

Kinsey, hearing no other nominations, closed nominations for today leaving them open for final action by the Board on December 8.

Before accepting nominations to fill the Finance Committee vacancy, Kinsey asked Cassingham to briefly state the charge of the Committee including meeting frequency. She said members of the Finance Committee are approved by the Board and convened to review the audit, annual budgets, proposed financings and any fiscal operational policies and procedures. The Committee meets about four times per year and Cassingham seeks Committee input periodically on initial policy development and other accounting matters. The Finance Committee is solely advisory to the Executive Committee and Board.

M/S/P Kreins/Revere to recommend Board appointment of Matthew Hymel to the Finance Committee.

AYES: All
NAYS: None
Motion carried.

- 2) Updated Report on Procedures for Meeting Teleconferencing

Kinsey said this report was to assist members unable to attend meetings who wish to participate by teleconference as to how this is done within the requirements of the Brown Act. Cassingham said the Executive Committee reviewed this report at a prior meeting and several questions were raised that have now been clarified by NERA's General Counsel. Members can participate by teleconference from remote locations, both within and outside the jurisdiction of Marin County, provided all noticing requirements are met at those locations, that the remote locations are disclosed on the notice at the primary meeting site, that the remote locations are open to the public and a quorum is present at the primary site. The other question posed was whether a member could participate in the discussion in a teleconference but not vote if posting requirements are not met. General

Counsel advised that any member who participates in the discussion may influence it so they need to participate at a noticed site. It would be acceptable for a member to listen in without interacting.

M/S/P Rock/Revere to recommend Board acceptance of the Updated Report on Procedures for Meeting Teleconferencing and approval of website posting.

AYES: All
NAYS: None
Motion carried.

3) Other Information Items

Cassingham noted that she is working with the National Park Service to renew MERA's right-of-way permit for the Point Reyes/Mt. Vision site. NPS approved a one-year window of time in which to reapply. Cassingham has since submitted a final application which can be handled administratively based on the MERA Board's original approval of the permit at this site. MERA is requesting another 10-year term at no cost to MERA.

D. Operations Reports (Mansourian)

Kinsey said the County provides operational support to MERA under contracts overseen by DPW Director Mansourian and his team.

1) Report on Additional Frequencies Installation Project

Mansourian reported that the Expansion Project is 100% complete. This project has added two channels to the East, one channel to the West and one to Sonoma.

2) Update on Tomales Site Coverage Project

This project is to improve coverage in West Marin. Mansourian is continuing to work with the Sheriff, County Fire and the community on this initiative until it is resolved. He reminded the Committee that this project is not funded. Funds have been approved to only do the study to determine if permit and the environmental approvals can be obtained. If so, he will report back on project construction.

3) Updates on Other Coverage Analyses

Mansourian reported on the status of Southern Marin Fire's request to improve coverage. He is still working with the Southern Marin agencies, especially the Town of Tiburon to resolve this issue. Mansourian reported that the County is very active on MERA's behalf in seeking grants from UASI and other sources. Specifically, they have applied for and received a \$162,000 grant from UASI, which has been used to identify technology options beyond the current MERA

System and what we should do in the future. He will elaborate on this study during the Educational Workshop on the Strategic Plan. Another \$650,000 grant has been received to assist us, if we decide to go into a new frequency, such as 700 MHz, in determining what it will look like along with cost estimates.

4) Request for Additional Radios – Marin County Probation Department

Mansourian noted that this request has been received but not yet reviewed by the Operational Issues Group. He is still working on the details with the Probation Chief and will report back to the Executive Committee at the next meeting on the status, statistics and who uses what.

5) Status/Work Statistics Reports (Chuck)

No report.

6) Other Information Items

No report.

E. Open Time for Items Not on Agenda

None to report.

F. Adjournment

The meeting was adjourned at 4:24 p.m.

NEXT: MERA Executive Committee Regular Meeting
Wednesday – **January 12, 2011** – 3:30 p.m.