G.B. 12/11/19 Agenda Item B-3b

MARIN EMERGENCY RADIO AUTHORITY

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GOVERNING BOARD

Minutes of October 23, 2019 Regular Meeting

***corrected DRAFT: 11/13/19**

Call to Order and Introductions

The meeting was called to order by President Pearce on October 23, 2019 at 3:30 p.m. at the Novato Fire Protection District Administration Office-Heritage Conference Room, 95 Rowland Way, Novato, California, 94945. Self-introductions followed.

Governing Board Members & Alternates Present:

Town of Corte Madera	Todd Cusimano
City of Larkspur	Scott Schurtz (Alternate)
City of Novato	Pam Drew
Town of Ross	Tom Gaffney
Town of San Anselmo	Doug Kelly*
City of San Rafael	Glenn McElderry (Alternate)
County of Marin	Matthew Hymel
Bolinas Fire Protection District	George Krakauer
Inverness Fire Protection District	Jim Fox
Kentfield Fire Protection District	Ron Naso (Alternate)
Marin Community College District	Martin Langeveld (Alternate)
Marin Transit	Amy Van Doren
Marin Municipal Water District	Don Wick (Alternate)
Marinwood Community Services District	Jeff Naylor
Novato Fire Protection District	Steve Metcho, L. J. Silverman (Alternate)
Stinson Beach Fire Protection District	Kenny Stevens
Tiburon Fire Protection District	Richard Pearce
Central Marin Police Authority	Hamid Khalili (Alternate)

Governing Board Member Agencies Absent:

City of Belvedere
Town of Fairfax
City of Mill Valley
City of Sausalito
Town of Tiburon
Ross Valley Fire Department
Southern Marin Fire Protection District

Staff Present:

MERA Executive Officer	Maureen Cassingham
MERA General Counsel	Trisha Ortiz
MERA Deputy Executive Officer – Next Gen Project	Dave Jeffries
MERA Operations Officer	Ernest Klock
Recording Secretary	Lorena Barrera

Guests Present:

Federal Engineering	David Mortimer
Marin County Public Works	Jason Wong, Capital Planning and Projects

A. Consent Calendar

All matters on the Consent Calendar are to be approved with one motion unless a Member of the Governing Board or the public requests that separate action be taken on a specific item:

1) Minutes from September 25, 2019 Governing Board Regular Meeting
2) Report No 87 on Strategic Plan Implementation
3) Update on NFPD/Town of Corte Madera MERA's Financial and Administrative Services Transition Costs
4) Update on Amendments to Next Generation Radio System Implementation Agreement Between Marin Emergency Radio Authority and the County of Marin

M/S/P Cusimano/Wick to approve Consent Calendar Items 1 through 4 as presented.

AYES: All
NAYS: None
ABSTENTIONS: None
Motion carried.

B. Executive Officer's Report – (Cassingham)

1) Report No 61 on Next Gen System Project – (Jeffries)

Jeffries recapped his report citing recent Project meetings and calls with MERA staff and the Motorola team. Griffin is close to completing the Field Survey for mobile radio installations, radio counts and Wi-Fi capabilities. Attached to his report are copies of the IJ Editorial cartoon and Ark article on the Next Gen Project. He said there were no blog comments on the cartoon and the Ark does not collect comments.

Jeffries provided the October Next Gen Project Handout for members to take back to their agencies. He also distributed copies of the August 18, 2018, MERA Governing Board Microwave Data System Access Policy and Procedures. He summarized the Policy, noting current users of the Microwave System can stay on it until we move to Next Gen. No user can use the new microwave system without an approved agreement. Nothing in the policy prohibits or requires MERA charging for access.

2) Other Information Items

Pearce noted there will be two upcoming vacancies on the three-member Executive Officer Work Plan Committee with San Rafael Fire Chief Gray's retirement and Hymel's stepping down. Cusimano has volunteered to serve and he is seeking another volunteer. In response to Gaffney, Pearce said the Committee reviews the Executive Officer's Work Plan for 2019 and gives input on the 2020 Plan. The Committee meets in November to go over the Plans with the Executive Officer. Gaffney agreed to serve.

C. Operations Reports – (Klock)

1) Request for Action: Motorola Change Order #8: Option 1:
Multi-Protocol Label Switching (MPLS) for Microwave Network

Klock reported that Motorola agreed to add a six-month SUA opt-out clause to Option 1 for terminating these services at no charge. He pointed to language in the staff report on Page 26 of the C.O. If MERA does choose to opt out, the Option becomes 4A, which is without SUA services. Cost of Option 1 is $1.367M. Pearce asked about the 20% payment to Motorola on signing the C.O. and whether this included the SUA. Klock said with this Option, we are agreeing to pay for 20% of the total cost of $1.367M and we would be looking at a credit if the SUA is terminated.

Jeffries asked if the 20% payment applied to equipment, implementation and training only. Klock said Motorola would bill for 20% of the total Change Order cost. In prior conversations, Motorola has been flexible on this. Gaffney said the extended warranty is for Years 4 through 15. He asked if the prior credit of $551,000 was on both Option 1 and 4A. He said this credit was not included in Option 1. Klock said the credit is given, but taken out in another line item per the pricing sheet on Page 36. Option 1 Life Cycle Credit is reflected in the Extended Warranty Services of $691,677.

Pearce asked if the 20% payment milestone is on the $640,562 equipment cost. Klock said the 20% payment is on the Option 1 C.O. cost of $1.367M but did not think it applied to the SUA since it starts in Year 4. Pearce said this is not clear. Klock offered to get Motorola to clarify and bring this matter back to the Governing

Board. In response to Pearce, Klock confirmed the 20% payment is on Option 1 total cost and added we should not be paying 20% of the SUA cost since it begins in Year 4. Jeffries noted the C.O. signature page states Motorola will invoice annually in advance of each year of the SUA. He added this language conflicts with the 20% payment language for the C.O.

Gaffney said the Governing Board could consider Option 1 approval, subject to clarification that the 20% payment does not include the SUA. Klock said this issue came up with the FSA C.O. of $2.77M, which included SUA services. MERA was not charged for a payment on the $2.77M C.O. The only charge was on the hardware cost. He does not expect a bill for 20% of the SUA service cost. In response to Hymel, Klock said the 20% payment for Option 1 would be on the $640K equipment cost.

Silverman noted the 20% C.O. payment was due on signing, which is about $135K for equipment and taxes. Jeffries said approval could be contingent based on the clarification that the 20% is applied as noted. Pearce said this seems like we may be double paying for the SUA. Hymel noted the opt-out could also be used to address this. He added that Option 1 could be approved based on the understanding that the 20% payment did not apply to the SUA. Pearce noted if we opt out, we are at 4A.

Klock discussed the refresh charged in Year 7 of the SUA. Jeffries added that the SUA cost varies from year to year. Gaffney said the 20% would apply to the $640K for equipment plus tax. Klock said the tax applies to only the equipment portion of the $640K and not implementation and training. Pearce reiterated Option 1 could be approved subject to the application of the 20% payment to the C.O., not to include the SUA. In response to Pearce, Klock said there would be no double-billing for the SUA.

M/S/P Hymel/Van Doren to approve Motorola Change Order #8 Option 1 with the proviso that the 20% payment due on signing will not apply to the SUA.

AYES: All
NAYS: None
ABSTENTIONS: None
Motion carried.

2) CEQA Process and Schedule Update – Next Gen Project

Klock reported the Draft SEIR comment period closed on October 21. Little public comment was received. One written comment has been submitted. An email comment was received on October 17. He is waiting for any USPS mail to come in, but as of today, none has been received. The Final SEIR should be turned around quickly. Jeffries added the one emailed letter included five comments. Klock said the comments were on minor inconsistencies.

Pearce asked about the timeline going forward and presentation of the final SEIR at the December Governing Board meeting. Klock said this was the schedule. Van Doren asked about the commencement of system design and incorporation of the MPLS approval. Klock said final design, including MPLS, can go forward after approval and Certification of the SEIR. Two resolutions will be presented to the Governing Board to approve the Final SEIR and take action on the Project. Cassingham confirmed action on the SEIR does not require a public hearing and would be a regular agenda action item. In response to Jeffries, Klock said December 11 Governing Board approval followed by the 30-day litigation window would put us at January 11.

3) MERA System Operations Update –September (Simpson)

Klock reported on Items 1-10, noting ongoing work with Federal Engineering for Next Gen, all preventative maintenance and various special site tasks to keep the current System functioning well. Current busy times are at 4 seconds. Annually, through September, total busies are at 1 minute and 12 seconds.

Jeffries asked about the 3 sites affected by the power shutdown. Klock confirmed the backup generators handled it and staff is staying on top of refueling them.

4) Other Information Items

None.

D. Open Time for Items Not on Agenda

Pearce announced the cancellation of the November MERA Governing Board meeting due to lack of business items.

E. Adjournment

The meeting was adjourned at 3:50 p.m.

Respectfully submitted by:

Maureen Cassingham
MERA Executive Officer
and Secretary