

# **MARIN EMERGENCY RADIO AUTHORITY**

c/o Town of Corte Madera  
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## **GOVERNING BOARD**

### **Minutes of June 24, 2020 Regular Meeting**

**DRAFT: 7/15/20**

#### **Call to Order and Introductions**

The teleconferenced Special Meeting was called to order by President Pearce on June 24, 2020, at 3:30 p.m. Pearce reviewed the teleconferencing protocol, noting roll call votes on all action items. Barrera called roll.

#### **Governing Board Members & Alternates Present:**

Town of Corte Madera	R. J. Suokko (Alternate)
City of Mill Valley	Jacqueline Graf (Alternate)
Town of Ross	Tom Gaffney
Town of San Anselmo	Doug Kelly
City of San Rafael	Bob Sinnott (Alternate)
County of Marin	Dan Eilerman (Alternate)
City of Sausalito	Bill Fraass (Alternate)
Bolinas Fire Protection District	George Krakauer
Inverness Fire Protection District	Shelley Redding (Alternate)
Kentfield Fire Protection District	Mark Pomi, Ron Naso (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)
Southern Marin Fire Protection District	Cathryn Hilliard
Stinson Beach Fire Protection District	Kenny Stevens
Tiburon Fire Protection District	Richard Pearce
Central Marin Police Authority	Michael Norton

#### **Governing Board Member Agencies Absent:**

City of Belvedere  
Town of Fairfax  
City of Larkspur  
City of Novato  
Town of Tiburon  
Marin Community College District  
Ross Valley Fire Department

**Staff Present:**

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

**Guests Present:**

Federal Engineering	David Mortimer
Marin County Public Works	Betsy Swenerton, Capital Planning and Projects Manager
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 a separate action be taken on a specific item:

- 1) Resolution of Commendation – Retiring Fire Chief Scott Shurtz, City of Larkspur, MERA Governing Board Alternate Member
- 2) Minutes from June 10, 2020 Governing Board Regular Meeting
- 3) Report No. 97 on Strategic Plan Implementation
- 4) Proposed Amendment No. 1 to Staff Services Agreement Between MERA and the Town of Corte Madera

*M/S/P Pomi/Kelly to approve Consent Calendar Items 1 through 4 as presented.  
Roll call vote followed.*

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

Pearce expressed special appreciation for Shurtz’s years of service and many outstanding contributions to the Fire Service and his Communities.

B. Executive Officer’s Report – (Cassingham)

- 1) Report No 71 on Next Gen System Project – (Jeffries)

Jeffries summarized his Report, noting one Project call and numerous calls to clean up Customer Design Review Documents. There has been one Motorola call since

his report was issued. Motorola was given a list of 135 CDR items to address and they have agreed to resolve 127 of them. Of the remaining 8, they have asked for clarification for 3 and the remaining 5 are under discussion. Updated documents will be provided to MERA for review.

Jeffries discussed pending transition items. All Next Gen issues, effective July 1, should be referred to him. The AECOM Team will be worked into the staff calls and MERA meeting schedules. Going forward, his reports will include Project updates.

2) Status Report on Transition of Next Gen System Project Implementation to MERA

Cassingham reported the AECOM Task Order No. 2 was executed and processed. The first MERA/AECOM Team call was held on June 19. A MERA/AECOM June 23 call is scheduled with County staff to go over the bid package work done to date. She announced Mark Chase will be AECOM's Program Manager and James McKenzie will be the Construction Project Manager. McKenzie is a Novato resident, who is very familiar with the County and has extensive experience in this field.

Cassingham said as part of MERA's Staff Services Agreement with Town of Corte Madera, office space will be provided for AECOM at the Town's Corporation Yard. The centerpiece of the Next Gen transition is to provide AECOM with extensive briefings on the status of the 18 sites, including leasing status, bid packages and bid process. Transfer of Project documentation to MERA is pending. She added her appreciation for all the County's efforts to facilitate a smooth transition.

3) Proposed Fifth Amendment to Management and Administrative Services Agreement Between MERA and Regional Government Services (RGS) for Next Gen Project Implementation Coordinator Position

Cassingham presented the Agreement Amendment which contracts for the services of an Implementation Coordinator approved by the Governing Board on June 10 as part of the MERA NGP Organization Chart. She and Jeffries reached out to RGS to review position duties, discuss a \$75 to \$100 hourly salary range and efforts to identify possible candidates. RGS may already have some individuals on their payroll who could address MERA's needs. MERA also has some possible candidates. Engagement of Services is expected by mid-July and will be funded by Measure A.

Hilliard requested that, as names of incumbents are known, they be added to the respective boxes on the MERA Next Gen Organization Chart. Cassingham confirmed the position incumbents of Jeffries as Deputy E.O., Chase as Program Manager, McKenzie as Construction Project Manager and Mortimer as Radio

System Project Manager. Appointments are pending for AECOM's Construction Manager and RGS Implementation Coordinator. In response to Hilliard, Cassingham confirmed Professional Services would reflect the names of consulting firms contracted to provide specialty services like inspection and lab testing. Jeffries added Tribal Monitors will also be engaged. Van Doren asked for monitoring of adequacy of the 19 hours per week schedule for the Implementation Coordinator. Cassingham agreed, noting the 19 hours was a weekly average in that some weeks will require more hours than others.

*M/S/P Hilliard/Pomi to approve the Proposed Fifth Amendment to the Management and Administrative Services Agreement between MERA and RGS for the Next Gen Implementation Coordinator.  
Roll call vote followed.*

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

4) Proposed Real Estate Services Agreement Between MERA and the County of Marin in Support of Next Generation Radio System Implementation

Cassingham presented the Proposed Agreement for County Real Estate Services to complete in-progress site leasing for sites listed in her staff report. These activities include negotiation of business terms, preparation of draft lease documents for MERA Legal review and development of ancillary agreements for access roads and other related matters. She noted a correction to the staff report that should have stated \$50,000 for County oversight and staff services versus the \$15,000 cited. Total contract cost is \$85,000 for County staff and Consultant Services.

Cassingham said she has been working in concert to date with County Chief Real Estate Agent Lueder and his staff and she will provide direct oversight of this Contract through its completion. Likewise, she has been working with the County's RE Consultant, Associated Right of Way Services, Inc., supplying information to guide their efforts. In response to Pearce, she confirmed the Consulting Services Agreement is not to exceed \$35,000 and the County Staff Budget for hours billed will be monitored to stay within the projected \$50,000.

*M/S/P Suokko/Eilerman to approve the Proposed Real Estate Services Agreement between MERA and the County of Marin in Support of Next Generation Radio System Implementation.  
Roll call vote followed.*

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

5) Proposed Second Amendment to American Tower Site License Agreement  
for Mt. Tam Site

Cassingham presented her report stating the Mt. Tam Site will be reused for the Next Gen Project. Original license was approved 17 years ago. The First Amendment extending the License term by several 10-year extensions was approved by the Governing Board last September. The Second Amendment permits installation of Next Gen equipment and removal of existing equipment, modification of buildings and addition of a MERA back-up emergency generator.

Cassingham said she had been in negotiations with American Tower since early 2020 over key business terms. Current budget for monthly rent is \$1,932 plus utilities. American Tower began negotiations at a \$12K per month increase, which over time was reduced to a \$7,207 per month increase. This is American Tower's final position. MERA's FY20-21 rent of \$23,185 will be increased to \$108,366. She reached out to MMWD, the underlying property owner, but their lease with American Tower provided no leverage. Given this is a privately-owned tower and its necessity to the Project, negotiations were further limited.

Cassingham said with the 17-year pricing interval and present market value, along with necessity of this site for the Next Gen Project, there was little negotiating room left. She added the Mt. Tam rent should be offset in the next few years by savings generated from the Bay Hill and Mt. Burdell decommissioned sites. The initial Mt. Tam rent increase will impact the FY20-21 Operating Budget by \$72K for September through June 30, 2020. The Operating Contingency line item of \$60,000 along with other line item adjustments should cover the difference. These proposed adjustments will be presented to the Governing Board in July for approval. Pearce said given negotiating limitations and necessity of the site, this is the best we could do but decommissioning will help ease the cost impact.

*M/S/P Kelly/Sinnott to approve the Proposed Second Amendment to the American Tower Site License Agreement for the Mt. Tam site as presented.  
Roll call vote followed.*

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

6) Proposed Resolution to the MERA Governing Board Authorizing Optional Redemption and Defeasance of the Outstanding 2010 Bonds and Authorizing and Directing Execution of an Escrow Agreement and Providing Other Matters Properly Relating Thereto

Cassingham presented the Resolution and Escrow Agreement originally recommended and directed by the Finance Committee and Governing Board respectively in July 2019 to effect an early Bond call. A cash deposit by MERA of \$2,015,685 into the Escrow account is required by July 14. Source of funds to pay this remittance is Replacement Fund 70036, which includes freed up 2010 Bond Reserve secured by a Surety approved by the Governing Board in May 2015. Purpose of the Surety was to provide cash flow for Next Gen Project expenses before Measure A Parcel Taxes were available.

Cassingham said after the transfer to Escrow, the estimated Fund 70036 balance will be \$2,053,038, which will cover the \$1.8M estimated cost of Next Gen Non-Safety radios plus other anticipated current System replacement needs. Redemption permits an interest savings of \$81,600 less Bond Counsel and Trustee costs, for an estimated net MERA savings of \$76,300. She emphasized the final Member Agency Debt Service payment will be August 2020, which provides for early relief from future 2010 Bonds Debt Service.

*M/S/P Gaffney/Stevens to approve the Proposed Resolution of the MERA Governing Board Authorizing the Optional Redemption and Defeasance of the Outstanding 2010 Bonds and Authorizing and Directing Execution of an Escrow Agreement and Providing Other Matters Properly Relating Thereto as presented. Roll call vote followed.*

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

7) Other Information Items

Pearce reminded Members to share the Next Gen Project one-page Update with their Elected and Appointed Officials.

C. Operations Reports (Rojas)

1) Update on Proposed Sonoma-Bay Hill Microwave Link Relinquishment

Rojas provided an update noting Sonoma County staff has been responding to DPW phone calls of late. Samples of agreements have been exchanged and some progress is being made. Cassingham inquired about the status of the MERA-Sonoma County Site Lease Amendment for installation of Next Gen equipment. Rojas said there has been no update on this. In response to Pearce, he said no Bay Hill Agreement will be signed without the Site Lease Amendment, so as not to lose MERA's leverage with these matters.

2) Replacement of AC Unit at MERA San Pedro Site

For Rojas, Cassingham noted he advised the Governing Board on June 10 of the emergency replacement of this unit by Matrix HG. Quoted cost of the unit was \$12,483 plus a 10% contingency for a total of \$13,731. Since the amount exceeded Executive Officer signature authority, Governing approval for this emergency expenditure is now requested.

*M/S/P Eilerman/Kelly to approve replacement of an AC Unit at MERA's San Pedro site.*

*Roll call vote followed.*

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

3) Proposed FY20-21 Capital Expenditures

In response to Pearce, Cassingham said cost estimates for AC Units and Combination Automatic Transfer Switch/Electrical Panels are under development and will be presented at the July meeting as part of the FY20-21 Capital Budget for the current System. This will include 5 AC units and 8 panels. Kelly inquired about the age of the AC units. Rojas said expected useful life is 15 to 20 years. Some are units older than this. Timing of replacement may be part of the Next Gen Project or sooner.

4) Other Information Items

Naso asked about the resumption of in-person meetings once they are permitted and whether they would be in Novato or Corte Madera. Cassingham responded that when meetings are permitted, the Fire District will have to allow use of their Conference Room, which does not permit social distancing given the size of the Board and number of staff in attendance. Use of larger County MCC facilities might be explored if needed. Until further notice, Cassingham said we will continue telephonic meetings.

D. Open Time for Items Not on Agenda

None.

E. Adjournment

The meeting was adjourned at 4:15 p.m.

Respectfully submitted by:

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Maureen Cassingham  
MERA Executive Officer  
and Secretary