

G.B. 1/27/21 Agenda Item A-1

MARIN EMERGENCY RADIO AUTHORITY

c/o Town of Corte Madera
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GOVERNING BOARD

Minutes of December 9, 2020 Regular Meeting

DRAFT: 1/20/21

Call to Order and Introductions

The teleconferenced regular meeting was called to order by President Pearce on December 9, 2020, at 3:33p.m. Cusimano reviewed the teleconferencing protocol, noting roll call votes on all action items. Barrera called roll.

Governing Board Members & Alternates Present:

Town of Corte Madera	Todd Cusimano
City of Larkspur	Dan Schwartz
City of Mill Valley	Jacqueline Graf (Alternate)
City of Novato	Amy Peele
Town of Ross	Tom Gaffney
Town of San Anselmo	Doug Kelly
City of San Rafael	Bob Sinnott (Alternate)
County of Marin	Dan Eilerman (Alternate)
Inverness Public Utility District	Jim Fox
Kentfield Fire Protection District	Mark Pomi, Ron Naso* (Alternate)
Marin Municipal Water District	Don Wick (Alternate)
Marin Transit	Amy Van Doren
Marinwood Community Services District	Eric Dreikosen (Alternate)
Novato Fire Protection District	L. J. Silverman, Steve Metcho (Alternate)
Southern Marin Fire Protection District	Cathryn Hilliard
Tiburon Fire Protection District	Richard Pearce

*added 1/27/21

Governing Board Member Agencies Absent:

City of Belvedere
Town of Fairfax
City of Sausalito
Town of Tiburon
Bollinas Fire Protection District
Marin Community College District
Ross Valley Fire Department
Stinson Beach Fire Protection District
Central Marin Police Authority

Staff Present:

MERA Executive Officer	Maureen Cassingham
MERA General Counsel	Trisha Ortiz
MERA Deputy Executive Officer – Next Gen Project	Dave Jeffries
MERA Administrative Assistant – Next Gen Project	Maura Griffin
MERA Acting Operations Officer Recording Secretary	Betsy Swenerton Lorena Barrera

Guests Present:

County DPW Telecommunications Mgr. City of Sausalito	Andrew LeBlanc Lt. Stacie Gregory
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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 October 28, 2020, Governing Board Regular Meeting
- 2) Report No. 103 on Strategic Plan Implementation
- 3) 2020 Annual Progress Report on Authority Operations and Activities
- 4) Update on MERA 2020 Auditor Communication with Governing Board and FY19-20 Audited Financial Statements and Auditor's Report
- 5) Proposed Six-Month Notice: Non-Member System User Fees

Hilliard asked if the Finance Committee had reviewed the continuation of no fee for non-member system users (A-5). Cassingham said it was reviewed by the Executive Board on November 18 and they recommended Governing Board approval of the six months' notice process for the continuation of the Zero-Rate Non-Member System User Fee.

M/S/P Hilliard/Sinnott to approve Consent Calendar Items 1 through 5 as presented. Roll call vote followed.

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

B. Executive Officer's Report – (Cassingham)

1) Report No. 77 on Next Gen System and MERA NGP
Organization Chart – (Jeffries)

Jeffries said that numerous meetings are continuing. He shared an Organization Chart for the Next Gen Implementation Project. Radio Project Manager David Mortimer is with Federal Engineering; Project Manager Mark Chase and the two Construction Managers McKenzie and Sprague are with AECOM. Implementation Coordinator Dave Bettin is a Regional Government Services employee. The Training Committee completed their orientation and are looking at getting the group back together in January. Jeffries noted there were not a lot of changes in the Site Overview except for identifying an online bid platform to use with Construction Contractors. He shared key Project details including the Assistance for Firefighters Grant and the beginning of mobile installations in February. He said the Construction Cost Estimate review has been completed and they are now working on the Bid Packages.

Jeffries reported MERA is working with AT&T to share a power trench at Tomales. Staff has asked AT&T for a firm commitment in January. If it is not received, MERA will go with the original plan that was approved during the CEQA review so as not to cause any delay. He shared the Project Summary Table showing the tasks completed including Construction Cost Review, Field Equipment Cost Review, PG&E Designs completion, MERA Newsletter published following CDR approval and Training Committee Cooperation. Upcoming tasks include scheduling a member briefing, mobile installation/portable distribution from the AFG Grant and Bid Awards for EOF, Civic Center and Mt. Barnabe. Tasks in progress include obtaining MALT easements, completing PG&E agreements, completing site lease agreements, finalizing the Tomales AT&T power trench and development of talkgroup templates and radio aliases.

Jeffries noted progress on the Project Plan with AECOM, Training Committee development and publication of the next MERA Newsletter. In the next six months, bid awards, the start of civil work and scheduling customer witness tests of the Nokia microwave and Motorola fixed network equipment will follow. He said when the Motorola fixed network is signed off and shipped, that will trigger the single largest payment milestone, 45% of the overall Contract and a big step forward.

Pearce asked if there was a fallback position regarding the in-person inspection of the Motorola equipment. Jeffries said when they went through this with Gen I, there were a list of test scripts that were already developed and that they will be similarly putting the new equipment through its paces, watching to make sure it

performs the way it is supposed to. He said the notice to proceed to build all that equipment has already been submitted to the Motorola factory but there is no set schedule for it.

2) Proposed Revisions to Next Gen Project Budget Line Items – (Jeffries)

Jeffries shared a slide presentation of his staff report highlighting specific items. He said the funding sources for the vendor radios (portables, mobiles, base stations) is key to understanding. He said the Government Code Section used to develop Measure A allowed funding of Public Safety Radios (fire, police, EMS), not the Local Government Radios. The plan was to use the MERA Replacement Fund for this. The current budget is almost \$12M with a \$1M placeholder for the MERA replacement budget contribution for Local Government Radios. That \$1M placeholder needs to be updated. He said the field survey was finally completed which provided a radio count based on November 2014 Measure A passage. He shared the table showing the counts of accessories and costs broken down by Fire and Law funded by Measure A and Local Government funded by non-Measure A MERA Reserves. The Public Safety/Measure A Fund radios are overbudgeted by \$964,432.60 but significantly under-budgeted by \$3,211,494.56 for the non-Measure A/Replacement Fund radios. He said the potential \$4.2M impact to the MERA Replacement Fund is significant, particular because those Replacement Funds are also used to address the Gen I System repair costs. It is recommended that the Finance Committee review the non-safety replacement count and finance options to deal with it. He suggested that Non-Public Safety Radio expenditures be tracked separately.

Van Doren said Members completed surveys on their radio inventories when the Measure A was first being proposed. She said she did not understand why MERA did not forecast better on non-safety counts. Jeffries said the original inventories were incomplete which required another inventory for Motorola, including vehicle makes, models, license numbers, etc. He said this is the first time they've had complete numbers to update Project costs. Van Doren asked if MERA had a general idea of how many Non-Public Safety radios were issued. Jeffries said the latest inventory has provided an updated count. He added the original non-safety radio cost estimate has been a placeholder for some time, which is being revisited based on the updated count. Van Doren said the original intention was it would be a 1:1 replacement of all System radios as part of Next Gen. She said she will follow this issue closely. Pearce noted there have been a lot of non-safety radio additions since Measure A. Van Doren asked if radios that came after Measure A would have a different financial commitment than the ones covered by the Measure and the Next Gen Project. Jeffries said that any radios that were acquired after Measure A are not being replaced. If an agency had a radio that broke and they replaced it, it will be replaced because it was part of the original inventory.

Jeffries said site acquisition anticipated in the Project Budget was not needed. CEQA has been completed and all related costs are paid. Site construction is about to begin, which will be funded by Measure A and supports both safety and non-safety radios. \$1M for CEQA has been expended from the \$5.3M Construction line item to date, leaving approximately \$4.3M remaining. Jeffries said AECOM was asked to review construction costs and provide an updated estimate. The County also provided an updated estimate from late last year. AECOM, the County and MERA reviewed and refined these estimates. AECOM's estimate of hard and soft costs is \$10.6M and the County's new revised estimate of hard and soft costs is \$6.5M. He said that the numbers will continue to change, noting, for example, that the AECOM estimate does not include the \$160,000 savings from PG&E utility work at Muir Beach.

Van Doren asked Jeffries to explain the difference between estimate hard costs and soft costs. Jeffries said the hard costs are the actual costs of construction, including materials, hardware, etc. The soft costs are overhead and contingency costs. He said the amount of contingency varied from site to site based on differences like the access road at Coyote Peak.

Jeffries said if individual site contingencies are not used, they can reassess based on actual construction bids. He added it is important to review construction costs after each site is completed. He recommended the Finance Committee review the Replacement Fund for Gen 1 needs and the non-public safety radio funding, along with cash flow needs for the overall Project based on Motorola milestones, Construction Draw Schedule and Vendor Radio purchases. Jeffries reiterated specific recommendations as follows: transfer \$964,432.60 from Vendor Radios to Construction Costs; move \$4M from Budgeted Contingency to Construction Costs; move \$1,114,304.40 from the Unappropriated Project Reserve to Construction Costs; and schedule Finance Committee review of cash flow impacts for Motorola Milestones, Construction Draw and Equipment Costs; and non-public safety radio costs.

Gaffney asked if budget recommendations should be made prior to Finance Committee review. He said if additional Project costs or cash flow needs could be funded by a short-term bank loan, subsequent to review by the Finance Committee. Cassingham and Jeffries agreed with making the recommended budget changes now. Jeffries pointed out there are \$5M to \$6M in contingency and unappropriated reserves and it is important those be earmarked to get through construction.

Cusimano congratulated Jeffries on his presentation and added he appreciated the detailed explanations. He noted the difference between AECOM and the County's construction estimates and the importance of budgeting conservatively. He added the Finance Committee can provide Project cash flow need options and more in-depth review of non-safety radio costs. In particular, he would like to understand

how non-public safety radios are three to four times the estimated cost. Jeffries said he made it clear to AECOM they need to be vigilant with site contractors in identifying ways to reduce construction costs. For example, the majority of use of the access road at Coyote Peak needs to support maintenance vehicles versus short-term construction vehicle support, ergo a more realistic standard of use.

Eilerman agreed with Cusimano about Jeffries complex cost analysis. He said it appears Project reserves are sufficient but it is a good idea for the Finance Committee to review these as well. Regarding construction cost estimates, he said it appears the County estimated approximately \$5.5M hard costs vs AECOM estimated hard costs of \$6.8M and asked if most of that \$1.3M gap is the Coyote Peak access road. Jeffries said Coyote Peak is the primary cost difference but Skyview has also become a concern with locking in the berm. He said staff appreciated Board approval of the additional geotech work which has been very helpful to improving cost estimation. Eilerman said that with the level of Project uncertainties having declined post-CEQA and post Customer Design approval but if there is a problem, hopefully more conservative cost estimation will cover those issues.

Pearce agreed this is the correct approach. He said the Project has been challenged over the last three years with many change orders, Project cost increases, RPC redesign, and significant delays. He said AECOM was brought in as another set of eyes on CDR and they found areas that needed additional review to avoid future change orders. They were also asked to look deeper at construction costs. He said there is a delta between the County and AECOM but he feels AECOM's more conservative approach is preferred.

M/S/P Cusimano/Eilerman to approve Proposed Revisions to Next Gen Project Budget Line Items as presented. Roll call vote followed.

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

- 3) Proposed CY2021 Agreement for Management and Administrative Services with Regional Government Services (RGS) for MERA Executive Officer and Proposed 2021 Executive Officer Work Plan (Board Action)

Cassingham reported that on December 8, the Executive Officer Work Plan Committee conferred on the Agreement and attachments to the staff report regarding Executive Officer services. It was noted there were originally seven strategic plan directives to be implemented; however, Tech Plan Development was updated by the Governing Board on May 13, 2015 which could be construed as an eighth directive. She said the Committee reviewed the additional Executive

Officer work hours incurred through November 2020. With MERA taking on the Next Gen Project, there was a clear increase in work hours for the final six months of this calendar year. This should hopefully decrease going into the spring of 2021. Specifically, the time invested in the finalization of the Project site licenses and leases will be over. There should also be a decrease in the level of staff support of AECOM as they become more familiar with MERA and the Next Gen Project.

Cassingham said she had assumed Committee support of suspension of the CPI adjustments for MERA RGS staff based on previous Governing Board discussion regarding keeping member agency costs level due to member revenue impacts from the pandemic. The Committee, however, felt it was appropriate to continue those annual CPI adjustments in the proposed agreement with RGS. She said EOWP Committee requested revision of the E.O. goal regarding specifically identifying working with the Finance Committee on Project cash flow projections and any additional interim financing that might be needed for the construction phase of the Project. Cassingham will make that change accordingly.

Pearce thanked Cassingham and her team for their fine efforts during 2020. Cassingham thanked all of the Committees, Boards, and staff for their support of the Project throughout this transition. She said she was grateful to work with Jeffries, Griffin, and now Bettin. Cusimano agreed with Pearce about the good work of the whole team. He noted service contracts with the County and others include CPIs and these adjustments should extend to MERA staff. Gaffney concurred with the CPI's and noted that Cassingham always works more hours than she is compensated for. He commended the staff for the great work they are doing. In response to Hilliard's question, Cassingham confirmed CPI is 2.5%. Silverman also thanked Cassingham and the Team.

M/S/P Silverman/Pomi moved to approve the Proposed CY2021 Agreement for Management and Administrative Services with Regional Government Services (RGS) for MERA Executive Officer and Proposed 2021 Executive Officer Work Plan as revised. Roll call vote followed.

AYES: All
NAYS: None
ABSTENTIONS: None
Motion carried

4) Other Information Items

Cassingham advised that on November 18, the Executive Board approved the no-cost Next Gen Site License Agreement for Skyview Terrace. At the January 27, Governing Board meeting, she will present as many as six additional Next Gen

Project Site leases for consideration.

C. Operations Reports – (Swenerton)

1) DPW Operations Organization Chart

Swenerton presented the updated DPW Telecommunications Division Organization Chart, noting the vacancies to be filled.

2) MERA System Operations Update – October and November

LeBlanc introduced himself and provided information on his background. He said the Communications Team will be evaluating day-to-day System Operations and how to best support MERA. He said one of his first objectives will be to introduce a digital office for tracking all assets, a ticketing platform and asset management platform. This will help examine the matrix of user equipment, how to repair it, monitor how long it takes, making sure it is all covered under warranty to the extent possible and producing better reports for that information.

LeBlanc is conducting an active recruitment of a supervisor and an advanced system engineer. They are working with the Communications Systems Team to develop an equipment spares plan to keep the First Gen network functioning over the next few years. He has reached out to a number of other counties that have retired their networks to obtain spare equipment to augment our spares. He said the First Gen network has been very well maintained but this is no time to rest with this aging System. He wants to avoid any catastrophic outages and proactively anticipate and resolve any service-affecting problems. He said DPW and Maintenance have been working on an advanced transfer switch and upgrading some of the electrical panels at the existing MERA First Gen sites that will be used as the Next Gen sites. In November, there was an interference issue at the East Simulcast site blocking four control channels which turned out to be a recording studio in San Rafael using very high-powered radios that accidentally interfered with our channels. All preventative maintenance has been completed and staff are in the process of renewing the FCC frequency authorizations.

3) Other Information Items

Pearce noted the next Governing Board meeting is January 27, 2021.

D. Open Time for Items Not on Agenda

None.

E. Adjournment

The meeting was adjourned at 4:40 p.m.

Respectfully submitted by:

Maureen Cassingham
MERA Executive Officer and Secretary