



MARIN EMERGENCY RADIO AUTHORITY
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Governing Board
Minutes of December 14, 2022 Regular Meeting

Call to Order and Introductions

The teleconferenced regular meeting was called to order by President Pearce on December 14, 2022, at 3:31 p.m. Lorena Barrera called roll.

Governing Board Members

Agency	Representative	Present	Absent	Late Arrival
Town of Corte Madera	RJ Suokko (Alternate)	X		
Town of Fairfax	Rico Tabaranza	X		
City of Larkspur	Dan Schwarz			X
City of Mill Valley	Todd Cusimano	X		
City of Novato	Susan Wernick		X	
Town of Ross	Tom Gaffney	X		
City of San Rafael	David Spiller	X		
County of Marin	Dan Eilerman (Alternate)	X		
City of Sausalito	Stacie Gregory (Alternate)	X		
Bolinas Fire Protection District	George Krakauer	X		
Inverness Public Utility District	Shelley Redding (Alternate)	X		
Kentfield Fire Protection District	Mark Pomi & Ron Naso (Alternate)	X		
Marin Water District	Don Wick	X		
Novato Fire Protection District	L. J. Silverman	X		
Southern Marin Fire Protection District	Cathryn Hilliard	X		
Stinson Beach Fire Protection District	Jesse Peri	X		
Tiburon Fire Protection District	Richard Pearce	X		
Central Marin Police Authority	Michael Norton	X		
Town of San Anselmo	Steve Burdo		X	
City of Belvedere	Jason Wu	X		
Town of Tiburon	Ryan Monaghan		X	
Marin Community College District	Jeff Marozick		X	
Marin Transit	Mohamed Osman (Alternate)	X		
Marinwood Community Services District	Eric Dreikosen		X	
Ross Valley Fire Department	Tim Grasser		X	

Staff Present:
 MERA Executive Officer Heather Plamondon
 MERA General Counsel Ethan Pawson
 MERA Deputy Executive Officer, Next Gen Project Dave Jeffries
 MERA Operations Officer Todd Williams
 MERA Administrative Assistant Maura Griffin
 Recording Secretary Lorena Barrera

Guests Present:
 Federal Engineering David Mortimer
 AECOM Bruce Bagnoli
 Marin County DPW Michael Frost

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. Approve Minutes from November 9, 2022 Governing Board Regular Meeting
2. Adopt Resolution 2022-13 Reconsidering the Circumstances of the COVID-19 State of Emergency and Making Findings in Connection Therewith to Authorize Public Meetings To Be Held Via Teleconferencing Pursuant To Government Code Section 54953(e)

MOTION: M/S/C (Cutrano/Gaffney) to approve Consent Calendar items 1-3. (Dan Shwarz not present for the vote) **Roll call vote** Ayes: All, Noes: None, Abstain: None

B. Executive Officer's Report

1. Receive Report # 106 on the Next Gen System (Jeffries)

Dave Jeffries goes over his report as included in the packet, starting with the review of the draft construction schedule from Fidato, soon allowing for a revised project schedule for the new year. Jeffries then gave updates on the status of completed and on-going bid packages, as well as the state of ongoing leases, noting the lease item to be discussed later in the meeting. Member Hilliard asked about the project schedule, clarifying the chart included in the packet and the number of sites to be started/completed. Also asked about the status of the radio aliasing - Jeffries answered that they are about halfway through the process and continued to explain some of the difficulties and challenges they are working through.

2. Review and Approve Proposed Award of Bid for Next Gen System Project Bid Package No. 4 (Jeffries-Board Action)

Dave Jeffries explained the proposed award of bid package 4 as included in the packet, briefly going over its history and the sites included. He notes that the GB previously approved moving some of the bid package #4 procurement up to #3 to expedite supply chain concerns, reducing the previous MERA engineer's estimate of \$7,308,866 down to \$6,830,000. MERA received one completed bid from Fidato for \$7,453,000. Jeffries' team reviewed the bid and recommends the board to award the bid to Fidato, with an additional contingency amount of \$700,000. Member Gaffney inquired as to whether there is enough cash balance to authorize this amount, to which Member Plamondon answered yes, there is enough cash in the budget to authorize this without having to pull from reserves. Member Gaffney continued and requested that a treasurer's report be brought to the board to see specific amounts.

MOTION: M/S/C (Hilliard/Silverman) – to approve item B2 Proposed Award of Bid for Next Gen System Project Bid Package No. 4 **Roll call vote** Ayes: All, Noes: None, Abstain: None

3. Review and Approve Notice of Completion for Bid Package No. 2 with Fidato (Jeffries-Board Action)

Dave Jeffries reviewed item 3 as included in the packet. He notes a typo in the original bid award, leading to difference of \$1,948 that was approved by the Executive Officer as a part of the contingency. Even so, the bid package remained within the contingency and below the original engineer's estimate. With the board's approval of the notice of completion, a 30 day window begins for any claims to be submitted from those who worked on the project. Once these (if any) have been dealt with at the end of the 30 days, the remaining 5% of funding for costs will be sent to Fidato.

MOTION: M/S/C (Pomi/Gaffney) – to approve item B3 Notice of Completion for Bid Package No. 2 with Fidato **Roll call vote** Ayes: All, Noes: None, Abstain: None

4. Review and Approve Procurement of Connectivity Equipment (Jeffries-Board Action)

Dave Jeffries reviewed item 4 as included in the packet. Beginning with background information on the system and radios in question, Jeffries briefly explains how different parts of the system communicate with each other, and notes a number of old radio models that will be replaced with the next gen system. He explains that new network connections will need to be established to bring all parties in to the core of the system. Also notes the Wi-Fi programming that will connect to sites across the county, allowing for changes and updates to be made wirelessly without manual adjustment at every site. Marin IT was approached to create a design for the new system – it has been vetted by Motorola and included in the packet. The team has an estimated cost of \$237,860.00 to implement and test a version of the design for 1 year. Member Suokko asked about whether this has been reviewed internally with respect to public contract code and compliance with procurement code for public agencies. Jeffries answers that there has been sufficient internal review to move forward - Member Suokko continues by stating there should be more specificity with regards to the dollar values and what they pertain to. President Pearce inquires about time constraint, to which Jeffries explains that there is some urgency from the new fire dispatch center pushing to get a site up and running in 2023. Trisha Ortiz offers the idea to put this item up for legal review to confirm that there are no procurement issues. Member Hilliard expresses some concern about pushing some of MERA costs onto member agencies. Jeffries explains that connection costs are already born by these member agencies - it will not be a new cost center for them, just an updated figure. Member Eilerman suggests that the board approve the item on the condition of an additional legal review and have it be subject to the availability of funds.

MOTION: M/S/C (Eilerman/Suokko) – to approve item B4 Procurement of Connectivity Equipment with an amendment for additional legal review and subject to availability of funds. **Roll call vote** Ayes: All, Noes: None, Abstain: None

5. Review and Approved Proposed Motorola Contract Change Order No. 16_ Fire Station Alerting (Jeffries – Board Action)

Jeffries reviews the proposed contract change order as included in the packet. He describes some changes in the county (1 less fire station, 4 less sirens) that have resulted in a reduction of nearly \$80,000 in fire station alerting costs.

MOTION: M/S/C (Cusimano/Hilliard) – to approve item B5 Proposed Motorola Contract Change Order No. 16_ Fire Station Alerting **Roll call vote** Ayes: All, Noes: None, Abstain: None

6. Review and Approve Proposed Emergency Communications Site Lease between MERA and EIP Holdings II, LLC, (Mt. Tamalpias) (Plamondon-Board Action)
Member Plamondon reviews the updated lease agreement for the site at Mt. Tamalpias - American Tower no longer being the property managers. This agreement would allow for work to continue at the site and cover the transition between property management corporations.

MOTION: M/S/C (Pomi/Eilerman) – to approve item B6 Proposed Emergency Communications Site Lease between MERA and EIP Holdings II, LLC **Roll call vote** Ayes: All, Noes: None, Abstain: None

7. Review and Approve Six Month Extension to Agreements for Management and Administrative Services with Regional Government Services (RGS) for MERA Executive Officer and Staff (Plamondon - Board Action)
Member Plamondon reviews item 7 to approve the 9th amendment to the staff services agreement between MERA and RGS, as well as to review and approve the 1st amendment to the RGS agreement for management services for the Executive Officer. She explains that these are requests for a 6-month no-change extension for both agreements that MERA holds with RGS, in order to better align the contract terms with MERA's fiscal year, rather than the calendar year. It will also allow for an evaluation of the staffing plan and needs for MERA going into 2024 as the Next Generation System comes into operation. Richard Pearce inquired whether there has been a CPI increase in prior agreements – Plamondon answers that it has not been included in prior years, to which Pearce suggests there should be. The Board agrees on a 4% CPI on this extension.

MOTION: M/S/C (Hilliard/Cusimano) – to approve item B7 Six Month Extension to Agreements for Management and Administrative Services with Regional Government Services (RGS) for MERA Executive Officer and Staff. **Roll call vote** Ayes: All, Noes: None, Abstain: None

8. Review and Approve Motorola Contract Change Order No. 17 for Construction Administration Services (Plamondon- Board Action)

Member Plamondon reviews item B8 for change Order No. 17. This item had been brought up at prior meetings - both times the Board was unsatisfied with the level of detail and directed the team get more information before any approval would move forward. Since then, negotiations have continued with AECOM, as well as with Motorola Solutions in an attempt to settle on a satisfactory agreement. Motorola has provided the change order included in the packet at an estimated cost of \$790,888, which is significantly less than has been considered for construction management in prior iterations of the agreement. Member Ortiz added a recommendation to the agreement that in the event of termination, MERA would only be liable

to pay based on the number of days of work completed – i.e., authorization for the executive officer to revise the proposed change order to include termination provisions as deemed necessary and appropriate by the executive officer in consultation with general counsel, as well as authorization to execute said provision at the executive officer's discretion.

MOTION: M/S/C (Cusimano/Pomi) – to approve item B8 Motorola Contract Change Order No. 17 for Construction Administration Services **Roll call vote** Ayes: All, Noes: None, Abstain: None

9. Receive Presentation on California State of Emergency for COVID-19 and Brown Act Meeting Requirements (Ortiz-Receive Report)
Member Ortiz gave an update and the CA State of Emergency and Brown Act requirements, noting that the relaxed meeting rules are in place only while the State of Emergency continues. However, Governor Newsom announced plans to lift the CA State of Emergency at the end of February, meaning that MERA will no longer be able to make the finding that allows for the relaxed Brown Act meeting requirements. This will place additional administrative requirements on those meeting remotely, including disclosure of member's location during the meeting and the ability for the public to address them at each location. Member Hilliard asks where the in person meetings would be held – that is yet to be determined.

C. Operations Reports (Williams)

1. Receive MERA Systems Operations Update – November (Williams – Discussion)
Member Williams gives his update on MERA systems operations for the month of November, noting the Gen 1 network is performing well overall despite some tuning done in sites over the last few months. Also notes that equipment is aging in some cases but with continued maintenance and fine tuning, functioning as necessary. No questions.

D. Open Time for Items Not on Agenda

Member Hilliard asks about getting a quarterly financial report brought to the Governing Board, to which Member Plamondon agrees and notes it is being worked on.

E. Adjournment

The meeting was adjourned at 4:35 PM.

[Click here](#) to access the video of the Zoom Meeting

Respectfully submitted by:

Heather Plamondon
MERA Executive Officer