

MARIN EMERGENCY RADIO AUTHORITY

c/o Novato Fire Protection District
95 Rowland Way, Novato, CA 94945
PHONE: (415) 878-2690 FAX: (415) 878-2660

E.C. Meeting – 12/07/11: **Agenda Item B-1**

Draft: 10-14-11

EXECUTIVE COMMITTEE

MINUTES OF SEPTEMBER 14, 2011, REGULAR MEETING

Call to Order:

The meeting was called to order by Vice President Hymel on September 14, 2011, at 3:30 p.m. at the Novato Fire Protection District's Administration Office, Heritage Conference Room, 95 Rowland Way, Novato, CA.

Committee Members (or Alternates) Present:

County of Marin	Matthew Hymel
County of Marin Sheriff	Robert Doyle
City of San Rafael	Dave Starnes (Alternate)
City of Novato	Joe Kreins
Novato Fire Protection District	Eric Nickel (Alternate)
Fire Districts: At-Large	Jim Irving
Ross Valley Agencies	Michael Rock

Committee Members Absent:

Southern Marin Cities/Towns	Jim McCann
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Nonvoting Members Present:

Marin County Police Chiefs' Association	John Rohrbacher
Marin County Fire Chiefs' Association	Richard Pearce

Nonvoting Members Absent:

Marin County Public Works Association	Nader Mansourian
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Staff Present:

MERA Executive Officer	Maureen Cassingham
County Public Works Director	Farhad Mansourian
County Communications Engineer	Richard Chuck
County Communications Services Manager	Shelly Nelson
County Assistant Director of Public Works	Craig Tackabery

Guests:

Dan Mullen
Charly Taylor

Indie Politics
Dispatch Supervisor,
San Rafael Police Department

A. 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 a separate action be taken on a specific item.

1. Minutes from May 11, 2011 Executive Committee Regular Meeting
2. Report on Census Adjustments to Lando Formula

M/S/P Doyle/Kreins to approve Consent Calendar Items 1-2 as presented.

AYES: All
NAYS: None
Motion carried.

B. Executive Officer's Report (Cassingham)

1. Report #3 on Strategic Plan Implementation

Cassingham briefly summarized Report #3 noting that it reflected strategic planning work by the Governance Work Group, Finance Committee and Outreach Subcommittee through July 13, 2011. She said Reports #1 and #2 were appended to this update. The Finance Committee is reviewing funding sources for the replacement technology while awaiting a feasibility study from the DPW team, which will include the tasks involved for building the new system, timing of construction costs and other issues that might be encountered with the project. Estimated cost of the study is \$50,000-60,000 which will be charged to the MERA Replacement Fund where the Board has designated all Strategic Plan expenses be charged.

The Governance Work Group is continuing to fine-tune the vision statement, core values and principles of governance. They are also working on future governance options, voting and funding formulas. The Outreach Subcommittee is working with Public Affairs Consultants Mullen and Price of Indie Politics, on MERA internal and external communications strategies.

M/S/P Kreins/Doyle to receive and file Report #3 on Strategic Plan Implementation as presented.

AYES: All
NAYS: None
Motion carried.

2. Report #4 on Strategic Plan Implementation

Cassingham said Report #4 reflects strategic planning work from July 13 to date. The three committees will be meeting jointly on September 20 to update each other on their tasks accomplished thus far, work product coordination, development of a process for making Strategic Plan revisions and future communications between them.

M/S/P Kreins/Doyle to receive and file Report #4 on Strategic Plan Implementation as presented.

AYES: All
NAYS: None
Motion carried.

3. Status of Domain Name Change – meraonline.org

In response to inquiries from the Strategic Plan Outreach Subcommittee and Executive Committee, Cassingham has been working with Marinfo, Vice President Hymel and the County IST Deputy Director to determine if shorter, more public relations friendly domain names might be available to MERA. Names like MERA.org or MERA.gov have either already been registered or cannot be registered by a joint powers authority. Longer versions like mera-jpa.org might be available, but they do not quite achieve what we are seeking. Cassingham asked for other name suggestions and/or further direction on this matter. Kreins said, given this report, he suggested that no further effort be expended on a domain name change.

M/S/P Kreins/Rock to receive and file the report on the Status of Domain Name Change – meraonline.org – and that no further review be undertaken

AYES: All
NAYS: None
Motion carried.

4. MCCMC Joint Powers Authority Oversight Committee –
2010/11 Committee Report on MERA

Cassingham summarized the annual report by the JPAOC on MERA which was accepted by the JPAOC on June 30, 2011. The Committee recommended that MERA undertake outreach to member elected officials and the public regarding MERA system replacement, including presentations to member governing boards,

public access TV and the MCCMC. The Committee also recommended that MERA develop and share pros and cons on the replacement technology, funding and placement of additional antennas. MERA was asked to ensure that MERA Board Members routinely update their governing bodies at public meetings. Finally, the JPAOC recommended that MERA distribute all agendas and minutes to member Councils and Boards via their respective City Clerks for distribution to elected officials. Cassingham requested direction on responding to these recommendations.

Doyle said it is the responsibility of each member agency's Board representative to report back on MERA's activities. It is not necessarily MERA's responsibility to do this. Much of what MERA is working on with strategic planning, in terms of enhancing its internal and external communications, will address most of these recommendations.

Rock commented on the additional workload the distribution of MERA's agendas and minutes would place on City Clerks. He said while the intent of the recommendation is good, physical posting and online distribution would require extra effort on already stretched staff. Hymel suggested that the agendas and minutes could be provided by email or website references and the member agencies could determine how to use them.

Hymel inquired of Cassingham if MERA is compelled to respond or can we just accept the recommendations as information. She said the Committee could act to receive the recommendations. Kreins agreed with an action to receive and said the Executive Officer should respond to any specific requests for a presentation. MERA representatives are capable of keeping their managers and elected officials updated on MERA when and where appropriate. He suggested member agencies place links to MERA on their websites or encourage those who are interested to visit MERA's website on their own. He said Cassingham has visited the City Managers' Association and MCCMC in the past and doing that periodically should be sufficient.

Hymel said the County Supervisors serve on 40 different boards and the distribution of all those agendas and minutes to all Board members would create a huge workload, and asked why would MERA be different than any other board.

Hymel summarized that we should take these recommendations under advisement, noting that they are consistent with the direction MERA is going with next generation planning and no specific action is needed at this time.

Nickel said the Indie Politics memo speaks to future governing Boards' communications, so this matter is being addressed with the strategic planning process.

5. Proposed Additional Radios Policy and Procedures

Cassingham reported that MERA has been adhering to MERA Board and Executive Committee direction regarding the processing of additional radio requests. The proposed policy and procedures formalizes the process. Mansourian and his team provided input on the draft and it has been revised accordingly.

M/S/P Kreins/Doyle to recommend Board approval of the proposed Additional Radios Policy and Procedures as presented.

AYES: All
NAYS: None
Motion carried.

6. Proposed Private Non-Member Agency Fee Schedule

Cassingham noted that the MERA Bylaws require annual Board adoption of a fee schedule for use of the MERA system by non-members. The Bylaws direct the Executive Officer to prepare the fee schedule and submit it along with the annual Operating Budget. MERA's past practice has been not to charge fees to supporting agencies.

The MERA Board on May 18, 2011, requested further review of a fee schedule for non-member use by the Finance and Executive Committees. Cassingham reported that there are 14 non-members using the MERA system including some private agencies. The Finance Committee reviewed this matter on May 25 and recommended that a zero rate be established for non-member public agency users and a rate be established for private agency users based on Communications Engineer Chuck's research. Chuck has developed several rate options based on MERA operating costs for mobiles and portables only, operating costs and operating costs with Bond payment buy-in. There was some discussion at the Committee meeting that some non-members use the system at the behest of some member agencies for mutual-aid or support services.

Cassingham said even if a zero rate is proposed for all non-member users, the Executive Committee and Board should undertake this analysis and rate-vetting process as required by the Bylaws. If non-member users are assessed, there should be an advance notification process.

Hymel asked for clarification of the attached fee schedules. Chuck said that members pay annual operating costs and buy-in for the backbone portion of the System. He distinguished mutual-aid agencies in the tables he prepared as using the System on an occasional basis at the request of a member agency. The non-mutual-aid agencies include the ambulance companies, Humane Society and Point Reyes Seashore; and, they use the System on a day-to-day basis via their own dispatch. There are a total of five non-mutual-aid users. Rock inquired about how these users

were allowed to use the System. Mansourian said MERA let them do so not realizing how large their operations were. He said mutual-aid users come in at our request, so it makes sense not to charge them. But when non-mutual-aid runs as many radios as they are now and that is their network, it is a different policy question. Chuck noted there are two other agencies using the MERA System, Skywalker Ranch and the College of Marin, who pre-paid for access and are part of the backbone. He noted that adding the five non-mutual-aid would spread the costs to 30 agencies instead of the current 25 member agencies. The 5% calculation is fixed and the 95% calculation represents the Lando Formula which is based on population, area and type of agency/use. Hymel inquired about Chuck's first chart which highlights the five non-mutual-aid agencies.

Chuck used comparable member agencies' costs and applied them to the non-mutual-aid agencies. Using the 95% calculation, Point Reyes would pay \$35,000 per year to use the System. Hymel clarified that MERA needs to have a policy to support the amount of the fee. He asked Committee members representing Fire to speak to the ambulance companies serving as back-up. Mansourian clarified that it would be EMS requesting ambulance services. Chuck and Nelson met with EMS to clarify that ambulance services within the County must be approved by the Board of Supervisors before they can be issued MERA radios. Nelson noted that ambulance company applications must now note they have concurrence from MERA. Irving clarified that these companies' use of MERA radios is to back-up fire departments. Hymel said the existing companies like AMR have these radios because they serve as back-ups to EMS. The question is are we going to charge them for backing us up. Irving asked if we could determine their actual use. Chuck said the software to do this costs \$100,000. He clarified that his formula was based on the number of radios, not on use. Mansourian said MERA has stayed away from charging by usage for public safety reasons.

Doyle said while these companies are acting as back-ups, they are businesses. Nickel said if these companies run a call, that is their reimbursement. He said there is a huge issue looming over local control or State control over EMS state-wide, and he would not want to jeopardize fire relationships with EMS or private providers over this matter. Rock said there are concerns about the Humane Society's fees, and any fees approved by MERA would likely be passed through to public agencies. Mansourian commented on the perception of MERA subsidizing other agencies when we have declined to provide free radios to schools.

Hymel summarized the three categories of these five non-mutual-aid users as ambulance companies, Humane Society and Point Reyes. He asked if Point Reyes provided a benefit to MERA. Chuck said they are on the System because the Com Center dispatches for them and they have to have a MERA radio. Doyle said Point Reyes occasionally provides assistance to the Sheriff's Office.

Hymel asked the Committee for direction. Kreins clarified that the Committee is considering the operations cost formula versus operations plus the Bond. Hymel asked

Chuck about volume information for these users. Chuck said, for example, AMR does not have its own talk group and they operate on a fire talk group, which would require manual monitoring to determine ambulance use.

Kreins suggested that we notify these companies that effective January 1, 2012, their share of MERA operating costs as we have determined them, would be assessed. Hymel said we should be prepared for follow-up and have information as to why we are proceeding now with fees. Cassingham asked for the appointment of a sub-committee to assist in preparing her to approach these agencies, including advance notice of MERA's consideration of fees, timing and basis for any charges. Mansourian said their discussions with AMR have put them on notice on MERA's behalf. Nickel said we should expect opposition. Hymel noted that these companies will take the position that they back up EMS and Fire and they have minimal volume unlike other MERA members. He suggested that Cassingham will need the assistance of public safety to support MERA's position. Kreins said these users have been using the System for free thus far and we are not asking them to pay the Bond payment—at least for now—just their fair share of the operating costs.

Hymel asked for police, fire and administrative representatives to help support Cassingham's discussions with these agencies. Doyle, Rock and Pearce volunteered to serve. Rock asked if the Finance Committee had considered these fees. Cassingham clarified that the Finance Committee supported charging fees to private non-member users and asked Chuck to develop the fee options presented today. Hymel said we should be flexible about the amount of the fees based on input received but use of the System should not be free. Irving asked if EMS has data on usage. Pearce said EMS mandates the use of a MERA radio on these companies, which could be an issue. Nickel said Fire has picked up more transport since private ambulance companies have cut back service due to low call volume. Fees could be construed as an additional burden affecting service. Cassingham will meet with the Subcommittee before contacting agencies and report back to the Executive Committee.

7. Other Information Items

Cassingham reported that she has been in contact with Tanya Sandberg from MMWD and provided her with information on MERA's site leases. District staff will be recommending a \$1-per-year site lease later this fall to their Board instead of the \$36,000 market-rate rent previously considered.

She also reported that the City of Belvedere has added information on MERA to their website along with a link to meraonline.org. She asked other members to consider doing the same and noted that this would help address matters noted by the JPAOC.

Cassingham has administratively approved Amendment No. 1 to the current facilitation agreement with CBG Communications, Inc., not to exceed \$10,000 for additional costs to coordinate and complete the Governance Work Group's

deliverables to the Executive Committee and Board. Hymel inquired if this was budgeted. Cassingham said all strategic planning expense has been charged to the Replacement Fund where sufficient monies are available for this contract amendment.

Cassingham distributed updated Executive Committee and Board membership lists. She welcomed Captain Dave Starnes as the City of San Rafael's new Alternate representative.

C Operations Reports (Mansourian)

1. Replacement of MERA's Critical Amplifier System Located at County Jail – Estimated Cost of \$50,000

Mansourian received a letter from Sheriff Doyle regarding a communications problem at the Jail, which he placed on the Executive Committee's July 13 agenda. That meeting was cancelled. He consulted with Cassingham, and due to the criticality of MERA's radio amplifier in the Jail, it was agreed that it be replaced at County expense, to be reimbursed by MERA from Fund 70032 as part of the Frequencies Project.

M/S/P Nickel/Kreins to approve the replacement of MERA's Critical Amplifier System located at the County Jail at an estimated cost of \$50,000.

AYES: All
NAYS: None
Motion carried.

2. Overall Operational Update

Mansourian announced he is retiring from the County and is moving on to SMART as General Manager. MERA's contract with the County is to provide for technical, maintenance and Operations Officer services from the Public Works Director. Acting DPW Director Beaumont has assigned Assistant Director Tackabery to the role of MERA Operations Officer.

Mansourian reported on the Tomales Emergency Radio Study dated June 30, 2011 and distributed copies of Consultant John Roberto's report on this. There are significant coverage problems in West Marin. A tower site was identified and a study undertaken. The site meets requirements. He has asked the Consultant to finish the job, which includes a Coastal Commission permit and the negative declaration, so as not to lose all the work to-date. Once these tasks are completed, MERA will have an estimated two to three years to find funds for construction, estimated at \$1M.

Mansourian said DPW is doing nothing else in Southern Marin. They have identified a tower location. The County Board of Supervisors has required a

resolution from the Town of Tiburon in support of requiring the developer to provide the land and build the tower. The Town cancelled the meeting on this matter. County staff is continuing to process the development agreement. MERA, Pearce and Hymel should continue working on this. Once development takes place, this is a lost opportunity to get the land and tower from the developer before homes are built. This will fix the coverage problem for all of Southern Marin. Hymel clarified that the County can require this in the development plan but when the developer builds, the land will be annexed into the City and the City could choose not to require this. Mansourian clarified that the County's requirement would prevail but the City could object or sue. Tiburon is not opposing, but not supporting the tower.

- Status of New County EOF/MERA Prime Site Location

Hymel said the Marin Commons due diligence is not assuming that MERA's new prime site will be in the new County EOF with the next-gen system. The County will be working on connecting MERA's current prime site to the new EOF.

- Draft Mutual Aid Policy – MERA/Marin County
Mutual Aid Radio Channel Usage

Chuck reported that the draft policy is provided as information and that it reiterates and formalizes current practices.

3. Status/Work Statistics Reports (Chuck)

No presentation.

4. Other Information Items

Mansourian introduced a PowerPoint presentation on the BayWEB program. It offers a complicated and important opportunity for MERA to consider. He asked for Committee direction after the presentation as to how to proceed. The Federal government has approached Marin County with free MDTs in return for ten new sites.

Chuck began the PowerPoint presentation without the video link which will be provided electronically to the Committee after the meeting. He said the NTIA has funded a grant to Motorola for \$50.6M for a BayWEB public safety subsystem which will operate on 700MHz frequencies to provide mobile broadband service to public safety first-responders. The project will also provide business, residential and other community users with internet access services in the San Francisco Bay Area. Motorola requested funding on behalf of a public/private partnership including their match of \$21.8M. The project envisions 193 sites. Public agencies are to provide installation-ready sites and Motorola will provide the equipment. Where internal site space is lacking, equipment will be located externally on the sites. 12,000 concurrent users are expected and 50,000

public safety users can be supported. This will serve as a demonstration project for national implementation of 700MHz interoperable public safety wireless broadband networks. It will also provide broadband service to 2.5M households. System applications include MDTs, real-time mobile video, geolocation information and personnel and vehicle locations.

Chuck noted that the Bay Area Regional Interoperability JPA will manage service quality, access, policy and system management issues for the public safety network. Bay Loop is the microwave system that will tie all the Bay Area counties together. The project includes 23 sites in Marin including 10 MERA sites which will require separate leases at each location. MERA will need to decide if you really want to do this.

Chuck summarized the agency benefits, including a 700MHz mobile data system dedicated to public safety, anticipated cost reduction in monthly data fees, coverage in less populated areas, high priority maintenance and possible future VOIP connections. He also listed agency cautions as uncertain monthly costs, maintenance costs after 10 years, upgrade costs in 5-7 years due to technology, site lease costs and some bandwidth applications may not be allowed. Costs would include site upgrades, site leases, PG&E power, new vehicle modems, new vehicle installations and application interface. In response to Kreins' question, Chuck clarified that this is strictly a data system and does not involve radios. Chuck cited the next steps as joining the BayWEB JPA, which the County has already done, the site review process which Motorola is doing now, funding for site upgrades, completion of site leases, review of environmental site requirements and required permitting and site development. We are 1½ years into a three-year project and all this remains to be done.

Mansourian summarized that this project creates problems, costs, and politics, so it might be easy to reject, but it is the future. While we are not ready to commit to this, the County will continue to baby the process and be a player without commitment. When MERA makes decisions about the next generation system, this project should be merged with it since the sites are nearly the same. Funding sources could be the same for both.

Mansourian offered to share this presentation to the Board and continue updates with the Executive Committee. He said the timelines for BayWEB are not realistic and will likely be extended. He recommended that this presentation with the video should also be made to police and fire chiefs, city managers and public works directors. Rohrbacher said the Sheriff's Office has hosted a BayWEB presentation attended by Motorola. Hymel asked about this project's relevance to the next gen system. The Finance Committee will need to understand this. Mansourian said MDTs are the future, replacing the radio system. He offered this presentation to the Finance Committee to help them understand how this would work with the new radio system.

Pearce asked about co-location issues. Mansourian said it will all have to be re-negotiated. Rock said re-negotiating these MERA lease agreements poses a lot of work. Mansourian said Motorola would provide the equipment and install it but MERA would have to deliver the sites and site improvements.

Nelson noted that the coverage being discussed is not as good as what we have with AT&T today. Other counties may give up their sites which could help with the coverage.

Mansourian said while no action is required at this time, DPW will be asking if MERA wants them to get into siting details. Hymel said it makes sense to bring this presentation at the next Board meeting after we flesh out how it coincides with the next gen system. Nelson felt this information, including site details and costs, will be available in the next two months.

Mansourian said Cassingham should let Tackabery know about a presentation to the Finance Committee. He also suggested additional presentations to police, fire, city managers and public works. Hymel, as Finance Committee Chair, requested the presentation, which Cassingham will coordinate. Tackabery will proceed with DPW's and Rock will contact him about the CMs' presentation.

D. Open Time for Items NOT on Agenda (*limited to two minutes per speaker*)

Pearce recognized Mansourian's fantastic service to MERA for the minutes. The Committee concurred by thanking him for his years of operational support and guidance.

E. Adjournment

The meeting was adjourned at 4:51 p.m.

NEXT: REGULAR MEETING of MERA Executive Committee
Wednesday – November 9, 2011 – 3:30 p.m.

AGENDA AND STAFF REPORTS ARE AVAILABLE ONLINE AT
WWW.MERAONLINE.ORG

cc: Diane Patterson (for posting)
MERA Staff
General Counsel
Novato City Clerk (w/minutes)