

MARIN EMERGENCY RADIO AUTHORITY

c/o Town of Corte Madera
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GOVERNING BOARD

Minutes of January 22, 2020 Regular Meeting

DRAFT: 2/19/20

Call to Order and Introductions

The meeting was called to order by President Pearce on January 22, 2020 at 3:30 p.m. at the Novato Fire Protection District Administration Office-Heritage Conference Room, 95 Rowland Way, Novato, California, 94945.

Pearce noted there will be roll call votes on Items A and C-1.

Self-introductions followed.

Governing Board Members & Alternates Present:

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|---|---|
| Town of Corte Madera | Todd Cusimano |
| City of Larkspur | Scott Schurtz (Alternate) |
| City of Mill Valley | Jacqueline Graf-Reis (Alternate) |
| Town of Ross | Tom Gaffney (By Phone) |
| Town of San Anselmo | Doug Kelly (By Phone) |
| City of San Rafael | Robert Sinnott (Alternate) |
| County of Marin | Matthew Hymel |
| City of Sausalito | Bill Fraass (Alternate) |
| Bolinas Fire Protection District | George Krakauer |
| Inverness Fire Protection District | Jim Fox, Shelley Redding (Alternate) |
| Kentfield Fire Protection District | Mark Pomi, Ron Naso (Alternate) |
| Marin Community College District | Martin Langeveld (Alternate) |
| Marin Municipal Water District | Don Wick (Alternate) |
| Marinwood Community Services District | Jeff Naylor |
| Novato Fire Protection District | Steve Metcho, L. J. Silverman (Alternate) |
| Ross Valley Fire Department | Tim Grasser |
| Southern Marin Fire Protection District | Cathryn Hilliard |
| 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 Novato
Town of Tiburon
Marin Transit

Staff Present:

| | |
|---|--------------------|
| MERA Executive Officer | Maureen Cassingham |
| MERA Administrative Assistant – Next Gen Project | Maura Griffin |
| MERA Operations Officer | Ernest Klock |
| DPW Communication Services Manager | Ethan Simpson |
| 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 |
| Marin County Public Works | Raul Rojas |

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 December 11, 2019, Governing Board Regular Meeting
- 2) Report No. 90 on Strategic Plan Implementation
- 3) Recommendation of Measure A Special Parcel Tax
FY18-19 Independent Compliance Audit
- 4) Recommendation of MERA Measure A Special Parcel Tax
Fiscal Year 2019-20 Annual Report – NBS
Includes Local Agency Special Tax Accountability for FY2018-19

Pearce removed Consent Calendar Item 1 for action at the February 26, 2020 meeting.

M/S/P Cusimano/Hymel to approve Consent Calendar Items 2 through 4 as presented.

Roll call vote by Barrera followed.

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

B. Executive Officer's Report – (Cassingham)

- 1) Update on Fourth Amendment to Next Generation Radio System Implementation Agreement Between the Marin Emergency Radio Authority and the County of Marin

Cassingham summarized her report noting three prior Amendments to the Next Gen Implementation Agreement approved by the Governing Board. Amendment Three is set to expire March 31, 2020, to further permit the efforts of MERA and the County to resolve their differences including mediation as needed. She deferred to Pearce and Cusimano for an update on the Fourth Amendment.

Pearce reported he and Cusimano have met with County representatives and the parties have agreed to proceed with mediation. Mediators are being identified and the process should commence in the next week or so. A report will be presented at the February 26 Governing Board meeting.

- 2) Report No. 64 on Next Gen System Project and Budget – (Jeffries)

Cassingham summarized Jeffries' report, noting the next meeting with Motorola is January 23. Primary topic is to review where we are with CDR and the Motorola package along with a status on the inclusion of C.O. #8: Multi-Protocol Label Switching (MPLS) for Microwave Network by Nokia. The Project Budget has been revised to reflect the cost of C.O. #8 and the Unappropriated Project Reserve as the funding source. All expenses have been updated through August 2019.

Cassingham noted the Media inquiry from the Point Reyes Light about an upcoming article on the Project. She reminded Board Members to refer Media contacts to Jeffries as the Project P.I.O. She distributed copies of the January 2020 Project Newsletter for members to circulate to their agencies.

Pearce asked Klock about Budget Line Item 3 for Site Acquisition/Construction and whether it was sufficient for the current bid climate. Klock said he was comfortable with it. After CDR in April, he will produce a construction report. Based on draft numbers to date, he is confident in that estimate.

C. Operations Reports – (Klock)

- 1) Proposed Federal Engineering Phase Two Contract Amendment No. 2

Klock reported on the Executive Board's January 8 recommended approval of the Phase Two FE Contract Amendment No. 2 of \$351,120 for an 11-month term ending December 31, 2020. The Phase Two Contract is fee-based for services and tied to Motorola's Contract Schedule for a 2-1/2-year duration. He will continue to come back to the Board with amendments.

Klock said several options were negotiated with Federal Engineering (FE) on these amendments including a 3-year amendment to the projected conclusion of the Project in 2023. A more finite schedule will be presented after CDR is completed in March. After evaluating these options, he is presenting the shortest option through December 31. The projected \$351K expense is within the NGP Budget line item but will reduce it to \$152K to complete 2 more years of work.

Klock referred to FE first amendment costs of \$144K, which was funded by the DPW Implementation line item. Some of the FE services rendered during the extension through January 31, 2020, were to perform DPW implementation tasks to fully utilize FE's time. The Governing Board may choose to restore the DPW implementation line item by this amount.

Pearce noted the January 8 Executive Board discussion of this matter. The timeline for FE's services was extended and some punch list services associated with that timeline were not received. He expressed his frustration given the long horizon ahead. He added the Executive Board supported this extension.

M/S/P Hilliard/Langeveld to recommend County Board of Supervisors approval of Federal Engineering's Phase Two Contract Amendment No. 2 as presented.

Hilliard asked about assurances for achieving the deliverables and reaching our goal to complete the Project. Pearce reiterated his frustration with the timeline and accountability for Contract deliverables. He noted Project complexity and detail require certain expertise to make sure tasks happen. Board members must rely on their contractors to perform and provide day-to-day oversight. Hymel added there was discussion over needing FE on a full-time basis over the next 3 years versus our current Project needs. At the end of this 11-month extension, we will need to discuss whether full-time FE support will be needed going forward.

Roll call by Barrera followed.

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

2) Requests for Input on Project Oversight Committee and Governing Board
Customer Design Review (CDR) Approval Process

Klock said this was a discussion about what the Governing Board would like to see with Customer Design Review of the Motorola CDR package. Approval of CDR gives Motorola permission to build the design submitted. He referred to the extensive list of CDR documents, some of which have been approved, resubmitted

for revision and not approved. He asked how much detail the Governing Board would like to see. Staff can finalize the CDR and present it with a staff report, noting inherent risks in CDR approval.

Klock said typically, considering the level of detail, the CDR would go to the Project Oversight Committee (POC) for recommendation to the Governing Board. CDR detail could also be presented to the Governing Board. Pearce noted both the Committee and Board would benefit from a very thorough vetting of these technical CDR component documents. This Board would need very detailed review and sign off by FE and DPW or another party before approval.

Pearce asked Cassingham about possible third-party reviewers to be better served in the vetting process. Pearce asked her to reach out to AECOM. He noted AECOM representatives Hannah and Soderman had joined the conference call for this item and we may wish to engage them to participate in the review of documents critical to Project Design and Delivery. If this is not done correctly, more cost and Change Orders may follow. AECOM has provided these services to other Motorola customers and could be value-added to the process. Their expertise and input could be very beneficial to the POC and Governing Board.

Pearce said he was seeking Governing Board input on additional CDR review services. Cusimano confirmed that AECOM, if engaged, would report directly to the POC and Governing Board. He asked how long a third-party review would take. Cassingham said this had not been confirmed but, in the interest of time, would be projected to run concurrently with FE and DPW CDR review.

Klock noted five documents that are critical to the Project – namely Items 2, 3, 4, 19 and 47 in his report. Specifically, he cited Item 47, Implementation Plan – Mobile Subscribers and Motorola’s goal of requiring 10 vehicles per day to be programmed of the 800 vehicles in service. Motorola gives the Project Team 4 months to complete this. He added how does this happen, for example, if fire vehicles are needed in fire season. Committing to a schedule of 10 vehicles per day is a lot to coordinate, plus a big impact on the member agencies.

Klock noted the Project Schedule is only the final schedule for Motorola’s scope to install radios at the various sites, configure and cutover to the new system. They can only do this as sites become available. He has asked for MERA’s site construction tasks to be folded into Motorola’s schedule. As the easier sites are constructed up front, Motorola can be preparing for equipment installation. With the more difficult sites on the back end, Motorola can be focusing on other tasks, like fire station alerting and mobile installations.

Klock said if site construction timing is not met, there is an impact on Motorola’s ability to install equipment and meet schedule. Co-mingling of activities is necessary to identify time savings and there are inherent risks if sites are not

constructed on time. He added permitting can also be a schedule factor beyond our control. He would like to present to the Governing Board the identifiable risks that come with the approval of these and the other CDR documents.

Klock said we also need to compare equipment lists for Contract compliance. The Radio System Disruption Document is easier to review for compliance. However, the Project Schedule and Mobile Implementation Plan remain as the most challenging parts of CDR. A safer route may be to have Motorola go away for 2 years during site construction completion but time is lost if certain Motorola work cannot be done in the interim.

Hymel said if AECOM is engaged, there needs to be clarification of the roles and responsibilities with FE and Motorola and assurance we are meeting the timeline for CDR approval. There needs to be coordination on Scope. He confirmed that CDR comes with a construction timeline that addresses such issues as mating season effects, other environmental impacts and permitting. Klock said these timelines are still being finalized. For example, there are public hearings associated with Coastal Commission permitting that will inform the final CDR package. He suggested the timing might be good for finalizing an AECOM Scope now so that a contract can be issued and they can review the CDR package when it is done. Thereafter, they can finalize in a couple of weeks.

Pearce asked if the Governing Board wished to pursue a third-party CDR review. Rojas commented on Project Schedule impacts depending on the time needed for AECOM review. Cusimano is likewise concerned about Schedule but feels it is good governance for such a review. Given the past, more costs or delays could cost us dearly. He supports this but would like to know costs and timeframe. Silverman asked if the third-party scope would include Coastal permitting and related processes or if they would just review the CDR report. Any permitting delays would be challenging, especially if we commit to the third-party review. Pearce concurred about taking permitting into account with the third-party.

Mortimer asked about AECOM duplicating FE's work but noted it would be a second set of eyes. Pearce said we are in a different position in the process from where we started with Phase One and acknowledged he is doing a great job and he inherited certain issues. Nonetheless, we must deal effectively with all pending technical issues given the criticality of this phase. All effort is needed to avoid more delays and costs and he feels this would be money well spent.

In response to Hilliard, Cassingham agreed with a third-party review given the huge importance of CDR. Problems with design will create problems with construction. Another set of eyes is crucial especially from AECOM and their 2010 Marin County study experience with future system design options. To ask a "lay" POC and Governing Board for approval of highly technical design components is problematic.

In response to Cusimano, Cassingham said she will work with AECOM to address the issues raised in this discussion in developing a proposal. She added, based on cost approval thresholds, this could be presented to the Executive or Governing Boards for timely proposal presentation. Hilliard said a comprehensive written proposal is needed to inform the Governing Board. Silverman asked if FE had developed a CDR report. Klock noted there are 62 documents in the package, some of which have been approved by staff. All will be presented in one package with FE and DPW recommendation. As of now, the CDR package will not be complete for another 6 weeks. However, AECOM could begin review of the component documents.

In response to Pearce, Klock said Nokia was 6 weeks out in mid-January to include C.O. #8 MPLS into Customer Design for the microwave system. Pearce said, with Board concurrence, he will work with Cassingham and anyone else to present an AECOM proposal. He reiterated how critical CDR is to the entire Project. Hearing Governing Board approval in concept for the third-party CDR review, Pearce will proceed accordingly.

Klock asked about the timing of submission of the draft CDR to the Project Oversight Committee. In response to Pearce, the Committee convenes as needed. Mortimer said FE will produce a detailed staff report on the 62 documents once approved by the County and FE. With MERA approval, the documents will be used to design the Project. FE can provide a separate report for each. Cusimano said we need to focus on lessons learned from Motorola because once signed off, that is what we live with.

Mortimer said, while he was not here in Phase One, there were issues with the initial Motorola Design and issues with the RPC. When he joined in April 2018, Motorola initial design documentation was submitted, which required a lot of re-work. Over the last 2 years, multiple revisions have been requested and no documents are approved until FE is satisfied. Klock added Motorola's proposal only included some CDR documents. FE's RFP included the balance. FE presented to Motorola a complete list of CDR documents.

Mortimer added the Motorola proposal narrative noted compliance with CDR requirements, which did not align with Project requirements. Simpson added support for third-party review, noting much of CDR is based on understanding of the existing System. He cautioned about AECOM's awareness of the status of the current System since their Marin County Report was submitted in 2010. CDR discusses what is unique to our system and understanding it could take time to inform the thoroughness of their review. Cassingham confirmed for Cusimano the 2010 AECOM report was predicated on analysis of the current System for future system options.

Naylor asked about a proposed 2-step presentation process of CDR review. Pearce confirmed the Project Oversight Committee would do the initial technical review. POC recommendations to the Governing Board would follow. Pearce cautioned the highly technical nature of their review will pose challenges for the POC and Governing Board.

3) CEQA Process Update – Next Gen Project

Klock reported the CEQA process is officially closed. There was no correspondence after filing the Notices of Determination. The 30-day litigation window has likewise closed and he foresees nothing further.

4) MERA System Operations Update –December – (Simpson)

Simpson reported December was quiet. There was a water leak and air conditioning failure at Big Rock, which are being resolved.

A transmit antenna at Burdell was disconnected, which created some degraded performance. This has been repaired and is now back online. They are working on how it was disconnected, possibly by American Tower contractors, which will be addressed going forward.

Simpson said the Annual Report represents total statistics for 2019. Pomi asked about timing of the Burdell completion since there continues to be significant coverage loss. Simpson said the work was done the second week in December. Simpson asked Pomi for current coverage status.

5) Other Information Items

None.

D. Open Time for Items Not on Agenda

None.

E. Adjournment

The meeting was adjourned at 4:12 p.m.

Respectfully submitted by:

Maureen Cassingham
MERA Executive Officer
and Secretary