



MARIN EMERGENCY RADIO AUTHORITY
 c/o Town of Corte Madera
 240 Tamal Vista Drive, Suite 110 – Corte Madera, CA 94925
 PHONE: (415) 927-5050
WWW.MERAONLINE.ORG
Governing Board
Minutes of August 24, 2022 Regular Meeting

Call to Order and Introductions

The teleconferenced regular meeting was called to order by President Pearce on August 24, 2022, at 3:31 p.m. Lorraine Barrera called roll.

Governing Board Members

Agency	Representative	Present	Absent	Late Arrival
Town of Corte Madera	RJ Suokko (Alternate)			X
Town of Fairfax	Chance Cutrano (Alternate)			X
City of Larkspur	Dan Schwarz		X	
City of Mill Valley	Jacqueline Graf (Alternate)		X	
City of Novato	Susan Wernick			X
Town of Ross	Tom Gaffney	X		
City of San Rafael	Glen McElderry	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	Jim Fox	X		
Kentfield Fire Protection District	Mark Pomi & Ron Naso (Alternate)	X		
Marin Water District	Don Wick	X		
Novato Fire Protection District	L. J. Silverman & Michael Hadfield (Alternate)	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	Martin Langeveld (Alternate)	X		
Marin Transit	Nancy Whelan	X		
Marinwood Community Services District	Eric Dreikosen	X		
Ross Valley Fire Department	Tim Grasser		X	

<u>Staff Present:</u>	MERA Executive Officer	Heather Plamondon
	MERA General Counsel	Trisha Ortiz
	MERA Deputy Executive Officer, Next Gen Project	Dave Jeffries
	MERA Operations Officer	Todd Williams
	MERA Administrative Assistant	Maura Griffin
	Recording Secretary	Lorena Barrera

<u>Guests Present:</u>	Federal Engineering	David Mortimer
	AECOM	Bruce Bagnoli
	Marin County DPW	Michael Frost

Marin County OES

Woody Baker-Cohn

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 July 27, 2022 Governing Board Regular Meeting
2. Review and Approve Change in Reporting on Strategic Plan Implementation
3. Adopt Resolution 2022-09 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 (Eilerman/Wick) to approve Consent Calendar Items 1 through 3. **Roll call vote**
Ayes: All, Noes: None, Abstain: (Cutrano, Suokko, Werner were not present for the vote)

B. Executive Officer's Report

1. Receive Report No 103 on Next Gen System Project (Jeffries – Discussion)
Dave Jeffries reviewed this report as included in the packet, noting a change in the meeting schedule for the implementation team. Mentioned ongoing supply chain issues causing delays at some sites. Gave updates to the status of bid packages 1, 1A, 2, 3, 4 & 5 as included in the packet. Member Hilliard inquired about the staff transition at Corte Madera, Jeffries answered that he and implementation staff are happy to field any questions about the NGP as they bring staff up to date.
2. Review and Approve NERA Policy for System Key Exchange (Jeffries – Board Action)
Dave Jeffries described system keys for the board and why sharing keys between counties would benefit mutual aid efforts. He continued to describe the policy, as included in the packet, that NERA would be taking on system key exchange should the board approve. President Pearce asked about the security risk of the practice - Jeffries explained that the risk has historically been low, and that there is little to no precedent for dangerous outcomes. Member Peri asked if all exchanges would go through the Governing Board, Jeffries replied that one of the elected bodies (EB or GB) would be involved in the approval process.

MOTION: M/S/C (Pomi/Gaffney) to approve Item B2 NERA Policy for System Key Exchange **Roll call vote**
Ayes: All, Noes: None, Abstain: None

3. Insurance Approval for New Site Leases: Coyote Peak, Mill Valley, Muir Beach, Sky View Terrace, Tomales, Wolfback Ridge, and Emergency Operations Facility/San Rafael (Plamondon – Board Action)
EO Plamondon explained that leases for these sites are now finalized and insurance needs to be bound according to the lease requirements. This was an unbudgeted expense estimated at a combined \$69,184.73 for all 7 sites. 3 options shown in the staff report for different levels of deductibles, staff recommending GB to approve option 1. Seeking board approval to move

money out of Emergency fund this year and include these amounts in following years' Operating Budget. Also noted 3 sites that will be decommissioned in the next few years will contribute to flexible insurance costs over this period. Member Gaffney supports option 2's \$25,000 deductible and explains his reasoning. Member Hilliard asked if this deal was sole sourced, and EO Plamondon expressed that it is, and that she was not a part of the negotiating so is only privy to the information in the packet. Member Hilliard asks President Pearce if he has been satisfied with the insurance up to this point – he says he is satisfied but is open to exploring new options – Member Hilliard backs Member Gaffney's support for option 2. Member Gaffney notes that he thinks it is best to stick with the same insurance company at this time. Member Norton expresses agreement and support for option 2.

MOTION: M/S/C (Gaffney/Hilliard) to approve select option 2 and direct staff to analyze potential savings to existing sites **Roll call vote** Ayes: All, Noes: None, Abstain: None

4. Review and Approve Selection of New CPA firm to Serve MERA

EO Plamondon explained that the firm doing audit services for MERA would no longer be able to provide those services, and that the team contacted 3 CPA firms in the region for proposals. 2 of them returned proposals, and after review staff recommends that the board choose Maze & Associates for their 3-year proposal over Badawi & Associates 1-year proposal, noting that it is good practice to develop a longer term relationships for auditing services. EO Plamondon also notes that though it is the more expensive option, it is still \$16,000 less than the prior auditing service. President Pearce inquires about any additional costs due to Measure A auditing – Plamondon answers it is included in the proposal.

MOTION: M/S/C (Cutrano/Pomi) to approve item B4 Selection of Maze & Associates as firm to Serve MERA **Roll call vote** Ayes: All, Noes: None, Abstain: None

5. Review and Approve Amendment 1, "NERA Phase 2 Next Generation Wireless Communications Consulting Services Agreement" with Federal Engineering, Inc. (Plamondon – Board Action)

EO Plamondon explains that the current agreement with Federal Engineering is set to end Dec. 31, 2022. The schedule for the NGP has been extended, and David Mortimer's (and additional staff as necessary) consulting services will continue to be necessary until the end of the revised schedule. The 18th month extension is proposed at \$606,240 to cover costs of time and materials until the expected end of the project. Member Suokko inquires as to the reality of additional tasks/duties noted on invoices, as well as covered expenses such as per diem meals. Dave Jeffries explains that David Mortimer plays a critical role in the project, being a full-time contact point between agencies & having an extensive depth of knowledge and skills. Member Gaffney inquires as to Mr. Mortimer's hourly rate, EO Plamondon refers to the schedule A rate sheet and lists him at \$220/hr. Member Hilliard asks about making the contract amount "not to exceed", EO Plamondon indicates she can solidify this with Federal Engineering to take effect for the identified period, though if the project needs to be extended again there would be another renegotiation.

MOTION: M/S/C (Hilliard/Eilerman) to approve item B5 Amendment 1, “NERA Phase 2 Next Generation Wireless Communications Consulting Services Agreement” with Federal Engineering, Inc **Roll call vote** Ayes: All, Noes: None, Abstain: None

6. Review and Approve Change Order to Master Design Engineering Services agreement with AECOM Technical Services, Inc. (Task Order No. 002) (Plamondon – Board Action)
EO Plamondon explains proposal with AECOM to add another construction manager to the team to support the additional sites entering the construction phase. The proposed amount of \$2,180,000 (not to exceed) is to cover time and materials for the three full time staff members. Member Suokko questions the numbers in this contract, noting that after his time calculation there are approximately \$1,000,000 for miscellaneous support – also notes that the details are minimal considering the scale of this contract, making it difficult to support. EO Plamondon explains that she agrees that more information is necessary to approve something of this magnitude, and that she has been working on and will continue to work on assembling a presentation on it. Member Hilliard inquires about a Executive or Finance committee review of these contracts to make sure the proposals are sounds and the work is at the level being paid for. EO Plamondon answers that this proposal did not go to those committees before coming to the board – Member Hilliard expresses that a smaller committee would be able to analyze these numbers at a more detailed level, the board agrees.

Tabled To September Meeting

7. Change of Property Management at Mt. Tamalpais, 2001 Ridgecrest Blvd. Mill Valley (Plamondon – Discussion)
EO Plamondon explains that the Mt. Tamalpais site management is being transferred to a new firm, and that a new lease agreement will need to be negotiated. It is still early in the process, more information to come. No further questions.

C. Operations Reports (Williams)

1. Receive NERA System Operations Update July – (Williams - Discussion)

Member Williams reports on this item as included in the agenda packet, noting the 1st gen network is performing extremely well, with few one-off issues that have been resolved. No questions.

2. Review and Approve Bureau of Alcohol, Tobacco, Firearms, and Explosives use of Gen 1 Frequencies (Williams – Board Action)

Member Williams explains request from the ATF to use Gen 1 frequencies to better enable mutual aid and communication between organizations in the case of ATF activity. Member Jeffries described a past even where this sort of collaboration was necessary – Member Williams also noted that other counties already follow this practice.

Public Comment Received from two members of the public (Tara Evans and Lisa Bennett).

Tara Evans described successful lawsuit involving California Law Enforcement entities sharing ALPR data with entities outside of California. She noted that voting yes to this item would add to the distrust of CA law enforcement and fire protection agencies – working with a

Federal Agency that collaborates with border patrol and ICE. Also notes that voting yes today is in violation of SB54. Asks to postpone vote by 6 months to do more research on legality and ethics of this item.

Dave Jeffries responds by outlining what MERA systems entail and where they are involved, noting that it is not the same as what Tara described. The board also notes that most frequencies under MERA are already open to the public, very few are encrypted to begin with.

Lisa Bennett seconds Tara's statements, noting that she is a co-plaintiff on the aforementioned lawsuit. Lisa also seconds Tara's request for a pause on this item so that community can understand what is trying to be done and mitigate fear.

Member Norton suggests pushing this to next meeting until a full staff report on this subject can be done to clarify the item. EO Plamondon suggests pushing it further to October.

The item was tabled to the October meeting

3. Review and Approve Additional Radios for Gen 1 Network; Marin County Search and Rescue; American Medical Response; Marin Municipal Water District (Williams-Board Action)

Member Williams explains these requests as included in the agenda packet – the report was very comprehensive, so board quickly moved to motion.

MOTION: M/S/C (Peri/Eilerman) to approve item C3 Additional Radios for Gen 1 Network; Marin County Search and Rescue; American Medical Response; Marin Municipal Water District

4. Other Information Items

D. Open Time for Items Not on Agenda - None

E. Adjournment

The meeting was adjourned at 4:55 PM.

Meeting recording can be located using this link:

[youtube.com/watch?v=IVieMbCPg8A](https://www.youtube.com/watch?v=IVieMbCPg8A)