



Board of Directors MEETING MINUTES

LOS ANGELES REGIONAL
INTEROPERABLE COMMUNICATIONS SYSTEM AUTHORITY

APPROVED

March 6, 2014

Grace E. Simons Lodge
1025 Elysian Park Drive, Los Angeles, CA 90012

Board Members Present:

William “Bill” T Fujioka Chair, CEO, County of Los Angeles
Miguel Santana, CAO, City of Los Angeles
Gerry F. Miller, Chief Legislative Analyst, City of Los Angeles
Daryl L. Osby, Fire Chief, County of Los Angeles
Reginald “Reggie” Harrison, Deputy City Manager, City of Long Beach
Mark R. Alexander, City Manager, City of La Canada Flintridge, representing the Contract Cities Association
LeRoy J. Jackson, City Manager, City of Torrance, representing At Large Seat
Gregory “Greg” L. Simay, Assistant General Manager, City of Burbank Water & Power, representing At Large Seat

Representatives For Board Members Present:

David Betkey, representing, John Scott, for the County of Los Angeles Sheriff Department
Sandy Jo MacArthur, representing Charles “Charlie” Beck, Police Chief, City of Los Angeles
Ronnie Villanueva, representing James G. Featherstone, for the City of Los Angeles Fire Department
Cathy Chidester, representing Dr. Mitchell H. Katz, for the County of Los Angeles Department of Health Services
Nancy L. Ramirez, representing Steven K. “Steve” Zipperman, for the Los Angeles School Police Department
Ron Iizuka, representing Donald “Don” Pederson, City of Culver City, At Large Seat
Derek Webster, representing Kim Raney, Police Chief, City of Covina, representing At Large Seat

Officers Present:

Pat Mallon, LA-RICS Executive Director

Absent:

Scott Pickwith, Police Chief, representing the Los Angeles County Police Chiefs Association
Bill Walker, Fire Chief, City of Alhambra, representing the Los Angeles Area Fire Chiefs Association
Wendy L. Watanabe, Auditor-Controller, County of Los Angeles
Mark J. Saladino, Treasurer and Tax Collector, County of Los Angeles
Patricia Saucedo, LA-RICS Board Secretary

AGENDA ITEM 1



- I. CALL TO ORDER
- II. ANNOUNCE QUORUM – Roll Call

Chair Bill Fujioka made an acknowledgement that a quorum was present.

III. APPROVAL OF MINUTES – (1)

- 1. February 6, 2014 – Regular Meeting Minutes.

Ayes: 15 – Osby, Miller, Harrison, Simay, Fujioka, Santana, Jackson, Alexander, Chidester, Ramirez, Betkey, Iizuka, Villanueva, Webster, MacArthur

MOTION APPROVED.

IV. CONSENT CALENDAR – (None)

IV. REPORTS (2 - 5)

- 2. Committee Reports

- a. Legislative Committee – No Report

- b. Finance Committee – Stephen Sotomayor

Finance Committee Chair Stephen Sotomayor provided an update on the Finance Committee meeting of March 5, 2014. The Committee reviewed the draft Funding Plan and approved a recommendation for the JPA to release the Funding Plan for a 60 day comment period and recommended Option 12 for the LTE portion of the financing plan.

Member Jackson asked what Option 12 entailed and Chair Sotomayor stated that is a recommendation from the Finance Committee made based upon input from a joint Technical and Operations Committee meeting of March 4, 2014. The joint committee recommended that replacement cost of the LTE system be deferred, and adding Home Subscriber services (HSS) and redundant Evolved Packet Core maintenance service to the annual operations costs. The joint committee also agreed not to include the GPS location option that was a part of the LTE system options.

After a detailed discussion regarding the Finance Committee recommendation, Board Members asked questions relative to the 60 day comment period and the 35 day opt in or out period. Counsel Truc Moore provided explanations relative to the JPA Agreement and By-Laws and referred members to Sections 5.01 and 6.02 of the Agreement, which reflect the process for updating the finance plan and the liabilities of withdrawing members. Section 5.01 also provides language regarding what happens if an adopted Funding Plan is revised in a manner which substantially increases the financial liabilities to members. In this situation, an additional 45 days opt-out period occurs.

- c. Joint Special Operations & Technical Committee – Kevin Nida/Scott Edson
Commander Scott Edson, Chair of the Operations Committee, Chief Kevin Nida, Chair of the Technical Committee and Joe Ross, Televate Consultant, provided a presentation to the Board on LTE Broadband and its relative uses for Law Enforcement, Fire and Emergency Medical Services. They also presented information on the Public Safety Grade criteria, performance considerations, and coverage. Joe Ross explained the importance of a Public Safety controlled system, dedicated to Public Safety operations, which avoids congestion from public and media use during large scale incidents. He also outlined operational advantages such as being fully informed on system performance, outages, maintenance and established restoration priorities.



Technical Committee Chair Nida stated that the aforementioned information was discussed at the meeting of March 4, 2014 and the joint committee is recommending that Additive Alternate 1, maintenance of the redundant EPC and Additive Alternate 2, maintenance of the HSS be included in the LTE systems operations category. Further, he reported that the committee recommended that maintenance of enhanced GPS services (Additive Alternate 3) not be included as well as the exclusion of Capital Replacement and Refresh alternatives.

Approval of the PSBN contract award to Motorola was discussed by the Committee and the committees voted to recommend approval of the LTE contract.

After a detailed dialogue between Board members and the Joint Special Operations & Technical Committee Chairs and Joe Ross, they were thanked by Chair Fujioka for the presentation.

3. Director's Report – Pat Mallon

Executive Director Pat Mallon provided an update on the LMR project. We are continuing to work with Motorola to identify site-specific issues that may require identification of different sites. The information contained in the Project Descriptions will be used in the Environmental Impact Report. We are continuing to deal with an issue with connectivity between Core 1 and 2 and are evaluating the possibility of an existing fiber connection that will provide at least a temporary connection. The City of LA is executing a contract for installation of a microwave connection in addition to the fiber connection that will provide the redundancy desired for linkages of the two LMR cores and potentially two LTE cores.

On the LMR Contract, there has been no change from that reported to you earlier this month relative to Amendments or changes to the Maximum contract sum. Amendments 1, 3 and 4 have been approved by your Board and Amendment 2 was done under your delegation of authority. To date, \$16,752,571 has been committed to the project. The Total Maximum Contract Sum, with Amendments 1 through 4 remains at \$282,809,231.

Regarding Site Access Agreements, we are continuing our out-reach effort with cities in an effort to inform them of the specifics of each installation. With respect to individual sites we have withheld further action pending your action today relative to the LTE system. We are concerned about the duration of approval processes for some sites and the potential for degradation of coverage if the sites have to be dropped. Extended approval processes will result in construction delays and costly change to the schedule. We will have to evaluate the alternatives on a case by case basis.

We have also presented a project update to Sheriff's Contract Cities at their conference held on February 28, 2014. We met with the San Gabriel Valley Council of Governments on March 5, 2014 and we also met with Public Safety officials in Avalon as a prelude to discussions with the Catalina Conservancy for the three sites on Catalina Island.



4. Project Manager's Report – Pat Mallon

Executive Director Pat Mallon stated the Jacob's report is included in your agenda as Item #4 and includes the Motorola Solutions-LMR Project report.

5. Grant Status Report – Pat Mallon

Executive Director Pat Mallon had nothing to report this month.

V. DISCUSSION ITEMS (None)

VI. ADMINISTRATIVE MATTERS (6 - 12)

6. Full Authority Membership & Participation– Pat Mallon

It is recommended that your Board:

Continue with full LA-RICS membership and full participation in the LMR and LTE systems, which will not require a change to the Joint Powers Authority Agreement or your Board's composition, and will achieve the Authority's intended goal of establishing a comprehensive public safety grade regional interoperable communications system dedicated to the public safety community, both first and second responders, within the greater Los Angeles County region.

Continued from Regular Board Meeting of February 6, 2014 and Special Meeting of February 20, 2014.

Executive Director Pat Mallon stated that based on last month's robust discussion on membership, staff has provided the recommendations included in Attachment 6 and recommends Option 1 which includes full membership to the Board for consideration.

Board Member Jackson commented that Option 8 would allow more flexibility for members particularly to those cities who may not want to participate in LA-RICS full time.

Chair Fujioka underscored the importance of this decision because we are at a critical juncture in the project and now is the time to make the decision to move forward. Chair Fujioka also recommends an additional report on the benefits of a dedicated Broadband System for Public Safety and the ability it provides public safety users to have video stream being absolutely vital in an emergency.

A motion to approve Option 1 was moved by Board Member Jackson and seconded by Board Member Simay. After further discussion with Counsel regarding whether a motion is needed at this time to continue with the status quo of full participation in both the LMR and LTE systems as reflected in Option 1, Board Member Jackson withdrew his motion. Counsel did note that the letter accompanying the Funding Plan would communicate to the members that the Funding Plan contemplates members continuing with full membership in the Authority and full participation in both the LMR and LTE Systems.

7. Infrastructure Credit – Pat Mallon

It is recommended that your Board:

Decline providing infrastructure credits for sites contributed by Members towards the LA-RICS System.

Continued from Regular Board Meeting of February 6, 2014 and Special Meeting of February 20, 2014.



Executive Director Pat Mallon provided the staff recommendation to decline infrastructure credit for members.

Board member Alexander asked if an analysis was done to determine what the cost would be to member agencies if infrastructure credit was given to those agencies that provide infrastructure to the project. Executive Director Mallon stated that an analysis was done and the cost to the member agencies would be approximately \$4 million dollars annually based on a \$1500 a month credit. This will increase the cost to members from \$10 to \$40 a month per user based on approximately 40,000 users.

Board member Jackson expressed concerns regarding the Site Access Agreements not being executed as well as clarification of the language. Pat Mallon stated that LA-RICS Counsel is working with our member agencies to get those agreements executed.

A motion to approve staff recommendation was moved by Board Member Miller and seconded by Board Member Sandy Jo MacArthur.

Ayes: 15 – Osby, Miller, Harrison, Simay, Fujioka, Santana, Chidester, Ramirez, Betkey, Iizuka, Villanueva, Webster, MacArthur, Alexander

Noes: Simay, Jackson

MOTION APPROVED.

8. Release of Funding Plan – Pat Mallon

It is recommended that your Board:

1. Review the attached Draft Proposed Funding Plan; and
2. If the Board finds it sufficient for comment, approve release of the attached Draft Proposed Funding Plan for review by LA-RICS Members for 60 days; and
3. Request LA-RICS Members provide comments to the Board designated contact by May 5, 2014 regarding the Draft Proposed Funding Plan.

Continued from Special Board Meeting of February 20, 2014

Executive Director Pat Mallon stated that Agenda Item 8 is a recommendation to release the draft proposed funding plan for a 60 day comment period and review the attached draft funding plan.

Board member Alexander stated that the Contract Cities had a number of questions after they were provided an update of the plan at the February 28, 2014 Conference. They specifically are concerned about reviewing a plan that does not identify their cost as Contract Cities. Board member Alexander noted that he was unable to represent to them what their costs are; therefore, he am not comfortable with releasing the document.

Chair Fujioka stated that today's action on this item does not approve the funding plan it simply allows members a 60 day review of the plan. It was determined that after the 60 day comment period has ended and if there are still a number of unanswered concerns, there is nothing to prevent this Board from allowing additional time for review. Pat Mallon also agreed to work with the Auditor-Controller and the Sheriff Contract Law Division to facilitate a contract model for Contract Cities.



After a detailed discussion on the release of the 60 day plan for member review, along with scheduled workshops within the 60 day comment period, and a letter that will explain the process for receipt of comments to all members, a motion to approve the release of the draft proposed funding plan was moved by Board Member Jackson and seconded by Board Member MacArthur.

Ayes: 15 – Osby, Miller, Simay, Fujioka, Santana, Chidester, Ramirez, Betkey, Iizuka, Villanueva, Webster, MacArthur

Noes: Alexander, Harrison

MOTION APPROVED.

9. LTE Contract Approval – Pat Mallon

It is recommended that your Board:

1. Make the following findings:
 - (a) Find that the approval of the Los Angeles Regional Interoperable Communication System ("LA-RICS") - Public Safety Broadband Network ("PSBN") Project (also known as the Long Term Evolution ("LTE") Project) and execution of the Agreement for the PSBN covering design, construction, implementation, operation, and maintenance of the PSBN collectively and individually at the 231 sites (as identified in Attachment A) where PSBN infrastructure will be installed, including all work included in the Unilateral Options for Phases 1 through 5 of the Agreement, as well as any Amendments and Notices to Proceed as referenced herein and in the Agreement, are exempt from review under the California Environmental Quality Act ("CEQA") pursuant to Public Resources Code Section 21080.25, the statutory CEQA exemption adopted specifically for the LA-RICS project for the reasons stated in this letter and as noted in the record of the project.
 - (b) Find that any leased circuit work that may occur outside of a PSBN site, if needed, to provide connectivity to the PSBN site, is categorically exempt under CEQA pursuant to CEQA Guidelines Sections 15301, 15303, and 15304 for the reasons stated in this letter and as noted in the record of the project.
2. Approve the LA-RICS - PSBN Project and the PSBN Agreement and delegate authority to the Executive Director to execute the Agreement with Motorola Solutions, Inc. ("Motorola"), substantially similar in form to Attachment B, for Work related to the design, construction, implementation, operation and maintenance of the PSBN collectively and individually at the 231 site (as identified in Attachment A) for the Los Angeles Regional Interoperable Communication System Authority ("Authority") for a Total Maximum Contract Sum of \$175,583,275.
3. Delegate authority to the Executive Director to execute an Amendment, substantially similar in form to Attachment C, to the Agreement exercising the Unilateral Option for all Work in Phase 1 for the Contract Sum of \$16,040,248, and to issue one or more Notices to Proceed to Motorola for this Work.



4. Delegate authority to the Executive Director as follows:
 - (a) To approve and execute Amendments that do not affect the scope of work, term or any terms or conditions of the Agreement;
 - (b) To execute Amendments for changes in Work, to adjust Tasks, Subtasks, Deliverables, Milestones, Project Schedule, and respective payments, as necessary, but that do not affect the scope of work, term, or any terms and conditions of the Agreement;
 - (c) To issue Notices to Proceed after your Board has authorized approval of a Phase and Work in that particular Phase to proceed forward; and
 - (d) To authorize payments of invoices; all in accordance with the Agreement, all subject to the availability of funding, and all up to the amounts authorized in the most current version of the LA-RICS Fiscal Manual.
5. Delegate authority to the Executive Director to approve and process Amendments for changes in Work, up to the maximum amount of \$210,000 per Amendment for changes in Work without further Board action, but only after your Board has authorized approval of a Phase and Work in that particular Phase to proceed forward and has reviewed the work for environmental compliance. The Executive Director will confer with the Oversight Committee on all Amendments for changes in Work prior to approving and processing these Amendments. The Executive Director will fully comply with Public Contract Code 20142 and will report back to the Board monthly regarding what Amendments were approved and executed by the Executive Director in the prior month.
6. Delegate authority to the Executive Director to increase the Contract Sum for work authorized by your Board for Phases 1 through 4 up to an additional 15 percent for a maximum contingency of \$19,486,941, for unforeseen, additional Work within the scope of the Agreement, if required. The Executive Director will report back to the Board monthly regarding how much of this contingency has been spent.

Continued from Special Meeting of February 20, 2014.

Board Member Jackson stated that he would not be voting to approve the contract award without having the site leases or the funding plan in place. Counsel Moore provided clarification that the Board would be awarding the whole contract today, however, approval would only permit work to begin in Phase 1 and that the Board would have to provide approval in order to move forward with future phases and a termination for convenience clause is also included in the contract.

A motion to approve the LTE Contract was moved by Board Member Santana and seconded by Board Member Simay.

Ayes: 15 – Osby, Miller, Harrison, Simay, Fujioka, Santana, Chidester, Ramirez, Betkey, Iizuka, Villanueva, Webster, MacArthur

Noes: Jackson

Abstained: Alexander

MOTION APPROVED.



10. Agreement for Use of Station B

It is recommended that your Board:

Delegate authority to the Executive Director to finalize and approve the Agreement, substantially similar to Attachment A, between LASD and LA-RICS that would (a) authorize Motorola Solutions, Inc. ("Motorola") to install communications equipment in LASD's Station B; (b) commission LASD to house and deploy the Authority's SOW; (c) commission LASD to provide preventative maintenance inspections to the communications equipment installed in Station B and preventative maintenance inspections on the SOW in its entirety; and (d) delegate authority to the Executive Director to execute the Agreement.

A motion to approve the agreement for the Use of Station B was moved by Board Member Jackson and seconded by Board Member Chidester.

Ayes: 15 – Osby, Miller, Harrison, Simay, Fujioka, Santana, Chidester, Ramirez, Betkey, Iizuka, Villanueva, Webster, MacArthur, Alexander, Jackson

MOTION APPROVED.

VII. CLOSED SESSION REPORT (12)

12. Conference with Legal Counsel – Anticipated Litigation (subdivision (d)(2) of Government Code Section 54956.9) Significant exposure to litigation (one case)

This item was taken out of order and the Board meeting reconvened after discussion of the closed session. No report was required out of closed session.

11. Jacobs Contract Amendment

It is recommended that your Board:

1. Approve an increase to the Maximum Contract Sum in a not to exceed amount of \$2,862,080, which will increase the Maximum Contract Sum amount from \$27,317,585 to \$30,179,655.
2. Delegate authority to the Executive Director as follows:
 - a. Finalize and execute Amendment Nine with Jacobs, substantially similar to Attachment A;
 - b. Approve an addition to the contract's scope of work to allow Jacobs to engage and perform certain environmental work including, but not limited to, preparing and delivering a CEQA-compliant Environmental Impact Report ("EIR") and a NEPA-compliant Environmental Assessment ("EA") as well as performing various biological and cultural resource surveys and reports, under Phase 1 for the Land Mobile Radio System ("LMR System") and adjust the Staffing Plan accordingly.



A motion to approve agenda item 11 was moved by Alternate Board Member Betkey and seconded by Board Member Osby.

Ayes: 15 – Osby, Miller, Harrison, Simay, Fujioka, Santana, Chidester, Ramirez, Betkey, Iizuka, Villanueva, Webster, MacArthur, Alexander, Jackson

MOTION APPROVED.

VIII. MISCELLANEOUS – (None)

IX. PUBLIC COMMENTS

Public comments were received on agenda item 11 from Betsy Lindsay and Robert Reicher of Ultrasystems. Ms. Reicher and Ms. Lindsay discussed the work that they have performed to date for LA-RICS from an environmental perspective, and set forth reasons for why they were objecting to an amendment for Jacobs to perform the environmental impact report (EIR) work for the LMR project.

X. ITEMS FOR FUTURE DISCUSSION AND/OR ACTION BY THE BOARD

5. Project Risk Controls
6. Design of Systems

XI. ADJOURNMENT and NEXT MEETING:

Chair Fujioka announced that a motion was moved by Alternate Board Member Betkey and seconded by Board Member Jackson and the meeting was adjourned. The next Board meeting will be held on Thursday, April 3, 2014, at the Grace E. Simons Lodge.