



Board of Directors MEETING MINUTES

LOS ANGELES REGIONAL
INTEROPERABLE COMMUNICATIONS SYSTEM AUTHORITY

APPROVED

February 20, 2014

Kenneth Hahn Hall of Administration
500 W. Temple St., Room 739, Los Angeles, CA 90012

Board Members Present:

William “Bill” T Fujioka Chair, CEO, County of Los Angeles
Miguel Santana, CAO, City of Los Angeles
John Scott, Sheriff, County of Los Angeles Sheriff Department
Gerry F. Miller, Chief Legislative Analyst, City 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
Kim Raney, Police Chief, City of Covina, representing At Large Seat
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

Representatives For Board Members Present:

Sandy J. MacArthur, representing Charles “Charlie” L. Beck, Vice Chair, for the City of Los Angeles Police Department
Mark J. Bennett, representing Daryl L. Osby, for the County 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

Officers Present:

Pat Mallon, LA-RICS Executive Director

Absent:

Charles “Charlie” L. Beck, Vice Chair, Police Chief, City of Los Angeles
James Featherstone, Fire Chief, City of Los Angeles Fire Department
Wendy L. Watanabe, Auditor-Controller, County of Los Angeles
Mark J. Saladino, Treasurer and Tax Collector, County of Los Angeles
Patricia Saucedo, Board Secretary



I. CALL TO ORDER

II. ANNOUNCE QUORUM – Roll Call

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

III. CONSENT CALENDAR – (None)

IV. REPORTS – (1)

1. Committee Reports

a. Legislative Committee – Report

Legislative Committee Vice-Chair Olyvia Rodriguez provided an update on items pertaining to Legislative priorities for 2014 with respect to grant funding.

Chair Fujioka asked about lead players at the Federal level with respect to funding. Vice-Chair responded that Congresswoman Diane Feinstein and Congressman Waxman have been supporters of LA-RICS. Chair Fujioka requested a list of the key players in Washington be shared with the Board members for their reference. The goal is to work collectively to receive an extension of our BTOP grant. Vice-Chair Rodriguez stated that she will provide list.

b. Finance Committee – Stephen Sotomayor

Finance Committee Chair Sotomayor deferred his report to Agenda Item 4.

c. Operations Committee – No Report

d. Technical Committee – No Report

V. DISCUSSION ITEM (2)

2. Membership & Infrastructure Credit – Pat Mallon

(Continued from Regular Board Meeting of February 6, 2014)

Executive Director Mallon provided an overview of the Membership & Infrastructure Chart that was prepared with the assistance of Counsel for the Board's review and consideration.

Board Member Jackson asked a question regarding the option of remaining a member and not becoming a user/subscriber of the system and wanted to know if this would be an acceptable choice, as he commented that not having his secondary responders on the system would reduce his cost tremendously. Executive Director Mallon responded by stating, yes, that was a possible choice for consideration by the Board, which may have some impacts.

Board Member Alexander asked a question about his ability to represent Contract Cities if his individual City were to choose to participate in one system and not the other? Counsel Truc Moore responded by stating that the JPA by-laws, as written, has no restrictions on him representing Contract Cities as a whole if the Contract Cities collectively together participated in both systems.

Chair Fujioka stated that the Board will have to make a distinction between the legal structure and the practical operational structure of the JPA.



Board Member Jackson asked about his representation of the independent cities. He stated that he is not just here as the City Manager of Torrance, but also has the representative of the independent cities.

Board Member Greg Simay commented that the fundamental problem is liability. It was his belief that participation in the JPA originally was to establish a wide area interoperable LMR communication system and not necessarily for an LTE system. If the original intent was clearly demonstrated to say that we were creating a Land Mobile Radio System and a Broadband Communication system, we probably would have received the information differently. On the liability side, the issue is if the organization wants to assume liability for radios and not broadband that is a very practical issue or visa versa. Separate membership may be one way to alleviate this problem. Participation at a later date for members is also a concern. This is a crucial issue because there may be agencies that want to participate in LMR and not LTE. Counsel Moore responded by stating that the JPA is constructed in such a broad way that the LA-RICS system can accommodate future needs of the members without having to revise the JPA. It allows for the JPA Board to take action to meet the needs of members and to continue and not render the JPA obsolete.

Greg Simay stated that this choice may require a detailed liability review for both of the systems.

Chair Fujioka asked Executive Director Mallon for what direction he is seeking from the Board regarding the membership issue. Director Mallon stated that the Board needs to make a decision on what direction to take. It is important that the Board discuss this issue among their colleagues and report as to how they would like to proceed.

Board Member Alexander would like Executive Director Mallon to provide the Board with an analysis of the impact the various options will have on membership. Director Mallon will provide the Board with a presentation at the March 6, 2014 meeting.

Board Member Jackson would like for the presentation to include a decision on what it would entail to split the JPA and having two systems and the timeframe. Board Member Santana asked for a breakdown of those impacts from a cities perspective.

Board Member Kim Raney asked for a framework of how it affects the underlying goal of the JPA. Chair Fujioka reiterated the fact that this is not a County/City project, but a Regional project and will require a collective approach for requesting an extension from the Federal Government. This will also require input from everyone with a common agenda.

Chair Fujioka stated that everyone should provide input if they feel the matrix doesn't address an option that they would like to see. As LA-RICS staff receives input from the Board members they will share the responses with all members.

Board Member Bill Walker expressed his concern that as he talks to smaller fire departments, specific to the LTE, they want to know what happens when you go outside of LA County, and how the system will interface with other systems. The difficulty is that there is not enough information available for the Cities to make a decision.

Executive Director Pat Mallon stated that LA-RICS is still having discussions with FirstNet as it relates to the National Core and the cost for operation and maintenance. Chair Fujioka encouraged more aggressive conversations take place with FirstNet in order to provide answers to questions that are vital to our member's participation.



Board Member Greg Simay asked about flexibility when it comes to liability that falls short of membership options and could this be something to explore. As an example, he suggested member's infrastructure as our by-laws do not state that LA-RICS has to own the infrastructure.

After a detailed discussion on membership and infrastructure credit, Chair Fujioka requested that LA-RICS staff provide a comprehensive report with various options and membership scenarios along with a recommendation to the Board at the March 6, 2014 meeting.

VI. ADMINISTRATIVE MATTERS (3-5)

3. Proposed Funding Plan – Pat Mallon

It is recommended that your Board:

1. Approve release of the attached Proposed Funding Plan for review by LA-RICS Members; and,
2. Request LA-RICS Members provide comments to the Board designated contact by April 21, 2014 regarding the Proposed Funding Plan.

Finance Committee Chair Stephen Sotomayor provided an update of the discussion that took place at the Finance Committee Meeting of February 19, 2014. The Finance Committee discussed the draft funding plan prepared by PMC for both the LMR & LTE systems. The Committee fundamentally agreed upon option 12 based upon the data that was provided by PMC to our member agencies. The Committee recommends that the Board approve the release of the funding plan, along with an option to allow for a tune-up as well as future maintenance to be discussed concurrently during the 60 day comment period.

Member Jackson asked about the motion that was taken by the Committee. Chair Sotomayor stated that the motion that was approved by the Committee called for the board to release the Funding Plan for a 60 day comment period and to take into consideration that the Committee will continue to work with PMC and the members to define the numbers, the cash flow and allow members to come in at a later date as well as convene a public hearing on the Finance Plan.

Member Jackson asked for clarification of the 60 day comment period. Counsel Moore provided a response by stating that during the 60 day comment period and after receiving input from members, the Board can adopt the Funding Plan and then members can choose to opt out within a 35 day time frame. The JPA is silent on allowing additional time after the 60 day period. Member Jackson asked if the Funding Plan could be sent back to the Finance Committee after the 60 day period. Counsel Moore stated that the JPA does not prohibit sending it back to the Finance Committee.

After further discussion and input from Members Miller, Alexander, Chidester and Simay, Chair Fujioka stated that going forward, LA-RICS will provide the agenda items on a CD, and as comments and concerns come in from members on the funding plan, the comments will be sent out to all members.

City Manager Scott Ochoa from Glendale addressed the Board on the Funding Plan and recommended that the Funding Plan not be released until the Board feels that it is comfortable with the data provided.



Member Jackson made a motion to continue this item until the April 3, 2014 Board Meeting. It was seconded by Member Simay. After further discussion, the motion was amended to continue the item to the March 6, 2014 meeting as a discussion item and if needed continue to a special meeting.

Motion was approved to continue this item to March 6, 2014. The motion passed unanimously.

4. 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.

After a brief discussion on the option of approving Phase 1 of the LTE contract, this item was continued to the Board Meeting of March 6, 2014.

5. Approve Amendment No. 2 to the Televate Professional Broadband Engineering Consulting Services Contract – Pat Mallon

It is recommended that your Board:

- 1. Approve an increase to the Maximum Contract Sum in the amount of \$1,800,000, increasing the Maximum Contract Sum amount from \$1,500,000 to \$3,300,000.
- 2. Approve an increase to Televate's, LLC (Televate) hourly labor rates.
- 3. Delegate authority to the Executive Director as follows:
 - a. Execute Amendment Two with Televate, substantially similar in form to Attachment A, to extend the term to and including April 17, 2016;
 - b. Approve changes in Televate's scope of work to allow Televate to perform tasks that will support the Authority in successfully implementing the Public Safety Broadband Network (PSBN) system and provide further technical expertise from the time of design review to final system acceptance, and subsequently through transition to FirstNet and/or California First Responders Network (CalFRN);
 - c. Approve including a provision in the contract to allow for a Cost of Living Adjustment (COLA) that meets County policy, for the final additional one year period set forth in the Agreement;
 - d. Approve and execute Amendments that do not affect the scope of work, term or any terms or conditions of the Agreement, or increase the Maximum Contract Sum.



After a brief discussion on the addition of the Cost of Living Adjustment (COLA), the COLA provision was removed and this item was approved. Director Jackson moved the motion, which was seconded, and thereafter unanimously approved.

MOTION APPROVED.

VII. CLOSED SESSION REPORT – (None)

VIII. MISCELLANEOUS – (None)

IX. PUBLIC COMMENTS

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

8. Project Funding
9. Project Risk Controls
10. Design of Systems

XI. ADJOURNMENT

Chair Bill Fujioka announced that next meeting will take place March 6, 2014, at the Grace E. Simons Lodge. A motion was moved and seconded and the meeting was adjourned.