



Board of Directors MEETING MINUTES

LOS ANGELES REGIONAL INTEROPERABLE COMMUNICATIONS SYSTEM AUTHORITY

February 7, 2013

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
Brian Cummings, Fire Chief, City of Los Angeles Fire Department
Gerry F. Miller, Chief Legislative Analyst, City of Los Angeles
Reginald "Reggie" Harrison, Deputy City Manager, City of Long Beach
Timothy Scranton, Fire Chief, City of Beverly Hills, representing the Los Angeles Area Fire Chiefs Association
Scott Pickwith, Police Chief, City of La Verne, representing the Los Angeles County Police Chiefs Association
Mark R. Alexander, City Manager, City of La Cañada Flintridge, representing the Contract Cities Association
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

Representatives For Board Members Present:

David Tankenson, representing Donald "Don" Pedersen, City of Culver City, At Large Seat
Patricia "Patty" J. Huber, representing Miguel Santana, for the City of Los Angeles Chief Administrative Office
Mark J. Bennett, representing Daryl L. Osby, for the County of Los Angeles Fire Department
David Betkey, representing, Leroy "Lee" D. Baca, for the County of Los Angeles Sheriff Department
Nancy L. Ramirez, representing Steven K. "Steve" Zipperman, for the Los Angeles School Police Department

Officers Present:

Pat Mallon, LA-RICS Executive Director
Patricia Saucedo, Board Secretary

Absent:

Charles "Charlie" L. Beck, Vice Chair, Police Chief, City of Los Angeles
Dr. Mitchell H. Katz, Director, DHS, County of Los Angeles
LeRoy J. Jackson, City Manager, City of Torrance, representing At Large Seat
Wendy L. Watanabe, Auditor-Controller, County of Los Angeles
Mark J. Saladino, Treasurer and Tax Collector, County of Los Angeles



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. January 3, 2013 – Regular Meeting Minutes. **MOTION APPROVED.**

IV. CONSENT CALENDAR – (None)

V. REPORTS – (2–5)

2. Committee Reports
 - a. Finance Committee – No Report
 - c. Operations Committee – No Report
 - d. Technical Committee – No Report

(out of sequence)

- b. Legislative Committee – Chief Daryl Osby

Executive Director Pat Mallon reported on behalf of the Legislative Committee for Chief Daryl Osby stating, under the guidance of Chief John Lenihan, the Legislative Committee had a meeting on January 30, 2013. This was in response to this Board's request for some discussion by the Legislative Committee regarding the FirstNet's vision for the National Public Safety Broadband System. We presented a recap of events since February 2012, including the passage of H.R. 3630, this Board's action to cancel the RFP LA-RICS 004 in August 2012, and your direction to prepare a new RFP for a stand-alone LMR system, and, if allowed to proceed, with an LTE system. We also presented a synopsis of the NTIA's proposed conditions in the LA-RICS filing of a response to the FirstNet's Notice of Inquiry. We conveyed that the LA-RICS Board requested that the Legislative Committee formulate a stance relating to participation in a nationally controlled network, and if so, under what stipulations, as well as the acceptance of the indemnifications conditions included within the draft conditions.

Committee Member Greg Simay stated that the federal approach should be more like a national standard with individual agencies or states free to establish their own standards, and that the commercial providers may be the only way to achieve a measure of broadband coverage in semi-rural and rural areas. But that might not be appropriate for Los Angeles County given the funding and the urban nature of the County.

The committee was also briefed on the effort by the National Public Safety Telecommunications Council (NPSTC) to identify replacement cost for the T-Band radio system in the 11 major jurisdictions. LA-RICS has been an active participant in that study and a final report will be forthcoming, including some cost estimates.

The Legislative Committee was encouraged to monitor the proceedings related to the auctions of the T-Band and to bear in mind that the Authority is incurring cost to build out the LMR system in the hybrid fashion, which is in keeping with H.R. 3630 legislation. The Legislative Committee was also asked to keep an eye out for opportunities to seek funding now for the LMR system, as opposed to waiting until after the auction.



Additionally, the Legislative Committee was encouraged to monitor the proceedings related to FirstNet's decisions on BTOP Grants. No legislative outreach was required at this time, but it may be appropriate depending upon the FirstNet Committee's actions. If allowed to proceed, an outreach to the congressional delegation may be warranted if the proposed conditions will inhibit us in the building process to move forward with LTE.

Committee Member Greg Simay also suggested that a few topics be identified by the committee to establish a legislative platform on which they could move forward.

3. Director's Report – Pat Mallon

Executive Director Pat Mallon reported the current status on a number of issues.

On the LMR system procurement, the evaluation process began in January 7, 2013. The team has been really, really, dedicated and they should be commended. We have also received tremendous support from ISD with facilitation of the evaluation process and from the Subject Matter Experts. We are anticipating completion of that process in early- to mid-March 2013, with negotiations with the highest scoring proposer hopefully set to occur in April 2013. It is still our intent to bring forth a contract in the June 2013 timeframe. Additionally, we are continuing to work with NPSTC Working Group on T-Band finalizing the cost estimates for the replacements of the 11 jurisdictions and a draft report will be forthcoming. At this point, we are waiting for approval of a grant modification of our SHSGP grants which will allow our consultants to proceed with our CEQA/NEPA process for the LMR system.

In relation to the LTE system, the project continues to be on hold pending direction from FirstNet. We anticipate that action will occur on Tuesday, February 12, 2013. On Monday, February 4, 2013, we received a call from Sue Swenson (a member from the FirstNet Board who met with us on December 19, 2012) who advised that the FirstNet Board will indeed be considering a resolution on Tuesday (February 12, 2013) to allow some or potentially all BTOP projects to proceed. Following that action, there will be a negotiations period of no longer than 90 days to resolve the issues on the proposed conditions, as well as to identify focus areas for the project. For LA-RICS, one of the items that we discussed was in-building coverage, since we have many high-rise buildings in downtown and throughout the County. We will be investigating the ability to go from 95% coverage at the door to 99.999% inside the buildings. They may also want us to look at some kind of a billing mechanism for the project that may be implemented around the country. Once the scope and conditions have been agreed upon, FirstNet will lease this spectrum to this Board which is a pre-requisite for the BTOP funding. They can then make a recommendation that NTIA lift the suspension. It will then be on us to ask for formal lifting of that suspension. The FirstNet Board meeting on February 12, 2013, will be held at Boulder, Colorado.



I also attended an APCO Emerging Technologies Workshop this last Wednesday and Thursday (January 30-31, 2013) in which two of the board members from FirstNet were in attendance and presented a briefing. Without getting into detail, their focus is on providing nationwide coverage for 3,140 counties across the 50 states and six territories. They are looking at a multi-core network with the primary network operating in band class 14 and providing additional coverage through a multiple terrestrial mobile providers and some satellite coverage.

As for the Authority's Insurance Policy, we have been in discussions with County's Risk Management to identify at least two commercial providers. We have also been in contact with the California Joint Powers Insurance's Authority to see if we fall within their model. It is possible they can provide a more cost-beneficial policy for this Board.

Spectrum Use Agreements, we are pretty much in the same position as we were last month. We have draft language that is undergoing scrutiny with the Authority's Council (through County Council as well as outside Council). Once the draft is completed it will be sent for review by the individual license holders.

Site Access Agreements, as mentioned we have been working with the CEO's Real Estate Division. One of the big issues we need to overcome is to have an insurance policy in place, so when we execute a Site Use Agreement, we have some form of insurance coverage.

Last month we presented and the Board acted a recommendation regarding using a retired judicial officer to conduct a Protest Review for this current procurement. We have been working with outside counsel and the Authority's counsel to identify a suitable Hearing Officer. The vetting process has been completed and we hope to have a retired judicial officer on standby ready to respond, should we need it.

4. Project Manager's Report – Pat Mallon

Executive Director Pat Mallon informed the Board that we needed to execute Amendment #5 to the Jacob's contract. This was necessitated by the detail review and revisions that were necessary to put out RFP LA-RICS 007. There has been no change to the scope of the contract, or the contract value. We moved some hours around within the allocations that they had. In recapping the five amendments: The first one was so they could conduct a 700 MHz Feasibility Study; the second one was the T-Band 700 MHz which resulted in the Hybrid RFP; the third one was that this Board approve, with additional fees and scope on the rewrite of RFP LA-RICS 007; number four was for a frequency interference study as we started looking for additional 700 MHz channels; and, number five is to move hours from the LTE portions, since we have not been able to move forward into the LMR system. We are at least a year beyond where we thought we would be a year ago and as such, it required additional time expenditures. They (Jacobs) have been very kind in accommodating our requirements by shifting some hours around so that the contract value does not change.



5. Grant Status Report – Pat Mallon

Executive Director Pat Mallon informed the Board that he made a comment at the last meeting referencing the UASI grant to be at \$21 million dollars, it is actually \$16,929,838. We have submitted a request to the City of Los Angeles as the UASI Grant Coordinator for an extension of the UASI '09 grants because of the impact from H.R. 3630 and due to the fact that we had to restart the process. We will also be presenting this coming Friday (February 8, 2013) to UASI for consideration of UASI 2013 money.

Chairman Bill Fujioka made a request to Pat Mallon regarding the real-estate issue, make sure everything is tight on that, that everyone and everything has been addressed so that we have no issues or problems or so on. And maybe in the next meeting we could have a separate report on that.

Executive Director Pat Mallon concurred and stated that for the LMR system there are sites within the City of Los Angeles and in the County. Additionally, there are perhaps two or three sites in other Cities that will require Site Use Agreements. For the LTE system, there are approximately 55 different cities requiring Site Use Agreements.

Board Member Reginald Harrison asked, for UASI '09 you mentioned you are asking for an extension on that; and, you are presenting this week to the Approval Authority regarding the UASI '13, I presume? Could you give us a little more detail in terms of the funding? What is your timeline on some of those grants?; because you've got UASI '09, '10 and '11 as well. How much money have you turned back?

Pat Mallon replied, yes sir--to UASI '09; that's correct--to UASI '13. I think from UASI '09 through '12, is almost \$74 million.

Chairman Bill Fujioka stated you know Pat, what might be helpful; the extension is not a long one. Because we expect, once we award the contract, we'll spend those funds relatively quickly, right?

Pat Mallon replied, yes. We are asking for extensions through December 2013; and, if we have a contract in June 2013, we will be expending all of UASI '09 very quickly. The first phase of the project is a Detailed Design. There is a significant effort in this phase. We have and will be presenting on Friday (February 08, 2013), a recap of how and what segments of the five phases of the LMR proposal, on what, and where those funds will be flowed into the process.

Chairman Bill Fujioka stated in context we are not talking about a long period of time, we are talking about a relatively short, and should that money or that grant not be extended there is going to be a hole to fill. And, so that will have a significant impact on our project.

Board Member Reginald Harrison continued, I just have as a follow up, there is no assurances that they are going to extend those funds and we are only talking about the UASI '09. I think that deadline has past as I understand it.

Pat Mallon replied that is right. And, the City (of Los Angeles) has advised us that they have been in contact with CalEMA, and CalEMA certainly understands the impact that H.R. 3630 has been to us and they have been amenable to consideration for an extension. The big issue was that we needed to establish a time-schedule and we couldn't do that until we knew how many proposals we were going to be evaluating, as each additional proposal would extend the process.



We now have been able to define a schedule and we have communicated that to the UASI's coordinator.

Board Member Reginald Harrison stated that at some time in the future, he would like to ask if the Board could have a report regarding all funding available and the applicable timelines that the Board needs to be mindful of. This is going to be real important going forward for the Cities that still have to make a decision as to whether or to what degree they are going to be able to support this.

Pat Mallon stated one of the discussions that we had with the Chair of the Finance Committee is to form a subcommittee or a working group to study a cost model. As soon as we go into negotiations with the highest scoring vendor, we can share specific cost information with a subset of the Finance Committee. This will help in developing the business model and the funding plan as we will know what the cash flow requirements are going to be.

Board Member Greg Simay stated I think that gets us to the wider issue which is, if we have or are able to hold on to the Grant money that will get us through the design phase. But we still have to look ahead, how are we going to make it through the construction phase? We can phase and prioritize and stretch out, but that is still going to be our big challenge. Pat Mallon agreed.

Board Member Mark Alexander asked as you are putting together this timeline I am assuming you are also going to factor in the amount of time that we had promised the Cities as part of the JPA Agreement that they would have to review the funding plan, let alone that we still have to come up with a funding plan. But I want to be sure that we give the Cities the opportunity to review that funding plan and how that is going to impact them.

Pat Mallon stated absolutely. And that is why we want to get going. The open meeting requirements preclude discussions with real proposed costs that are the subject of negotiations until we have a letter of commitment. We can have a smaller group of 8 members or less to go through and look at real cost figures and come up with recommendations. As soon as we have a letter of commitment we could present it to the Finance Committee and they'll have the period of time provided in the JPA to review the funding plan.

Pat Mallon stated, continuing on Grant Status Report, grants have remained unchanged. We do have a grant modification request on SHSGP's '10 and '11; those funds will be used on project management and environmental consulting. As I said we do have a reduction in the funding level for UASI '09. An amount of money was repurposed for consoles for the County Sheriff and County Fire Departments. BTOP Grant, we are still on suspension based on NTIA's action.

Chairman Bill Fujioka stated, as Board Member Harrison asked, we'll get that report. Pat Mallon replied, certainly. We will share the chart that we put together for the UASI presentation that shows each of the Grant Year's funds, where they will be dedicated into the larger project. Chairman Bill Fujioka replied, that works, thank you.

VI. DISCUSSION ITEMS – (None)



VII. ADMINISTRATIVE MATTERS (6–7)

6. Approval of Authority's Amended Conflict of Interest Code – Pat Mallon

It is recommended that the Board:

- a. Approve Authority's amended Conflict of Interest Code; and,
- b. Authorize the Executive Director or his designee to submit proposed changes of the Authority's Conflict of Interest Code to the code reviewing body of the Los Angeles County Board of Supervisors.

Executive Director Pat Mallon presented this item to the Board stating we are seeking approval of the Authority's Conflict of Interest Code that was published back in November 2012, for a 45-day comment period. The LA-RICS office received no comments, therefore we request approval to proceed in submitting our proposed Conflicts of Interest Code to the County of Los Angeles' Board of Supervisors who serves as the Approval Authority for our Conflict of Interest Code.

MOTION APPROVED.

7. PUBLIC EMPLOYEE APPOINTMENT – Chairman Bill Fujioka – **CLOSED SESSION**

Title: Executive Director

VIII. CLOSED SESSION REPORT

Chairman Bill Fujioka called the meeting back to order and stated that Authority Counsel and staff will negotiate a new contract with Executive Director Pat Mallon under the terms authorized by the Board and will bring back a negotiated agreement at the next Board meeting for the Board's consideration.

IX. MISCELLANEOUS – (None)

X. PUBLIC COMMENTS – (None)

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

8. FirstNet Path Forward
9. Insurance for JPA
10. Project Funding
11. Project Risk Controls

XII. ADJOURNMENT

Chair Bill Fujioka adjourned the meeting at 9:35 a.m.