



Board of Directors MEETING MINUTES

LOS ANGELES REGIONAL INTEROPERABLE COMMUNICATIONS SYSTEM AUTHORITY

May 19, 2011

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
Mark R. Alexander, City Manager, City of La Cañada Flintridge, representing Contract Cities Association
Reginald “Reggie” Harrison, Deputy City Manager, City of Long Beach
LeRoy J. Jackson, City Manager, City of Torrance, representing At Large Seat
Gerry Miller, Chief Legislative Analyst, City of Los Angeles
Daryl L. Osby, Fire Chief, County of Los Angeles
Donald “Don” Pedersen, Police Chief, City of Culver City, At Large Seat
Harold Scoggins, Fire Chief, City of Glendale, representing the Los Angeles Area Fire Chiefs Association

Representatives For Board Members Present:

David Betkey, representing, Leroy “Lee” D. Baca, Sheriff, County of Los Angeles
Cathy Chidester, representing Dr. Mitchell H. Katz, Director, DHS, County of Los Angeles
June Gibson, representing Gerry Miller, Chief Legislative Analyst, City of Los Angeles
Patricia “Patty” J. Huber, representing Miguel Santana, CAO, City of Los Angeles
Ray Krakowski, representing Gregory “Greg” L. Simay, Assistant General Manager, City of Burbank Water & Power, At Large Seat
Andrew Fox, representing Millage Peaks, Fire Chief, City of Los Angeles Fire Department
Sandy Jo MacArthur, representing Charles “Charlie” L. Beck, Vice Chair, Police Chief, City of Los Angeles
Nancy L. Ramirez, representing Steven K. “Steve” Zipperman, Police Chief, Los Angeles School Police Department
Derek Webster, representing Kim Raney, Police Chief, City of Covina, At Large Seat

Officers Present:

Scott Poster, Task Force Leader
Rachelle Anema, representing Wendy L. Watanabe, Los Angeles County Auditor-Controller
Patricia Saucedo, Board Secretary

Absent:

Scott Pickwith, Police Chief, City of La Verne, representing the Los Angeles County Police Chiefs Association
Mark J. Saladino, Los Angeles County Treasurer and Tax Collector



I. CALL TO ORDER

A meeting of the Los Angeles Regional Interoperable Communications Systems Authority Board of Directors was called to order on May 19, 2011 at 2:00 p.m. by Chair Bill Fujioka.

II. ANNOUNCE QUORUM – Roll Call

Chair Bill Fujioka made an acknowledgement without a formal roll call that a quorum was present.

III. APPROVAL OF MINUTES

Motion was made for approval of the Minutes from the April 7, 2011, Board of Directors Regular Meeting.

MOTION APPROVED

IV. CONSENT CALENDAR

None.

V. PUBLIC COMMENT

None.

VI. REPORTS (1–3)

1. Committee Reports

- Legislative Committee. Daryl Osby, Chair of the Legislative Committee reported that the Legislative Committee met on May 28, 2011 (May 11, 2011) at the County Fire Headquarters and would like to thank the committee for the meeting. Specifically they talked about two Bills, S.28 and H.R. 607 and prepared memos. Interim Director Scott Poster is going to talk about this later as an action items. But just a quick overview, H.R. 607 as Broadband for First Responders Act of 2011. It amends the Communications Act of 1934 to increase the electromagnetic spectrum allocated for public safety by 10 megahertz and reduces such allocation for commercial use by the same amount. And there's language in there that the Committee oppose's unless amended. The Interim Director will discuss that later for an action item.

S.28 Public Safety Spectrum and Wireless Innovation Act, is a bill to amend the Communications Act of 1934 to provide public safety providers an additional 10 megahertz of spectrum to support a national, interoperable wireless broadband network and authorize Federal Communications Commission to hold incentive auctions to provide funding to support such network, and for other purposes. After this meeting we recommend support. And as indicated earlier, Scott Poster will discuss that later in agenda for an action item.

There's other legislation that the Committee continuously is watching. S. 522 Spectrum Relocation Improvement Act of 2011; H.R. 1622 Spectrum Innovation Act; S. 455 Radios Act; S. 415 Spectrum Optimization Act; H.R. 911 Spectrum Inventory and Auction Act of 2011; and then a potentially new bill that will discuss Spectrum Governance. As a committee we indicated that we would meet as needed so if there is any action or any need to meet later as a Legislative Committee then we'll call that meeting. That is in the report.

- Finance Committee – no report.
- Operations Committee – no report.
- Technical Committee – no report.



2. Director's Report

Scott Poster, Interim Director and Task Force Leader provided a brief overview on the following:

- Recently myself and some of my staff went to an APCO Broadband Conference in Washington, D.C. on the 16, 17, and 18 of this month. During that conference we met with the Congressional Committee and the Federal Committee who were at the conference. They discussed National Governments, additional funding, the national framework, interoperability standards, user identification, and commercial private partnerships. It was beneficial to have representation at that conference from LA-RICS.
- Negotiations update. Negotiations are on track and productive. A contract should be ready to present to your Board by mid-June.
- Environmental Assessment. The Environmental Assessment draft has been completed. It has been sent to the Grantor. Approximately 260 sites were evaluated and the site assessment has begun. We anticipate many issues which are going to take collaboration from all the Board and all the Public Safety entities involved. Tomorrow I planned a meeting with Santa Monica Mountain Conservancy and the City Manager with City of Malibu, just to discuss issues regarding site assessment. Site assessment and developing those sites is going to be quite a robust venture for this JPA to undertake and we are working on that now.

Leroy Jackson asked about the map of the sites being made available.

Scott Poster stated that the map has been drawn up of the anticipated sites and all the political boundaries and that it would be made readily available to the JPA.

Mark Alexander asked to Scott Poster, you mentioned that you have been working with City of Malibu and some of the siting of the locations. Malibu is not a member of the JPA. The fact that they are not a member, does that affect how you deal with the different agencies in any way?

Scott Poster answered, "no." What we're looking for is where we want to locate the Broadband sites and Radio sites wherever they may be, if there is current infrastructure or if it affects that infrastructure. That particular City Manager, Mr. Thorsen, has asked for some dialog and communication regarding the project, how the BTOP or the Broadband piece as well as the LMR will affect his city. And so we are going to have that meeting with him tomorrow just as an open dialog with him. But generally speaking we're looking to where we place the sites. Irrespective of whether they are in the JPA or not and that's what we are looking for. And we will be contacting everybody that's affected.

Mark Alexander asked, is there any advantage to using that opportunity to meet with him to encourage his membership in the JPA?

Scott Poster answered, "I will certainly mention that tomorrow."

Chair Bill Fujioka stated, I think especially them, given our history in that area both County and City, that they would want to have a very robust communication system.

Scott Poster answered, "I will mention that to him and carry the word tomorrow."



- Scott Poster advised that, due to the fact that we plan on bringing to your Board a contract to evaluate beginning middle of June, we're going to schedule weekly Board meetings. We may or may not have them. However, we're going to establish a date, it will be every Thursday, from June 2nd to June 28th (June 30th), so that we can discuss the contract and anything we may be dealing with that contract and we'll see how that works out. But we will be scheduling these meetings for you here.

Reginald Harrison asked, do we have dates and time?

Scott Poster answered, it's on Thursdays. We'll come up with dates and time. We are trying to work out the venue to make sure that we are in sync with the locations. But the reason for the weekly meetings is strictly to discuss the contract. So that would be something we would want to bring to your Board. And then to keep everything on track since we have some pretty aggressive timeframes, it's important that that communication gets to you so that the Board can have some dialog and communicate back to the team so that we can move forward. We'll get back to you on that (weekly meeting schedule).

LeRoy Jackson asked, one of the issues I was going to bring up for a future meeting but perhaps the time is running out is really back to the Financing mechanism which still has not been established for the implementation of the contract which gives me a great deal of heartburn on how we are going to approach it or otherwise. The brochure that was shared by LA-RICS shows not a phasing project on regions, but a phasing project on elements of the contract itself. And I was going to bring up the question of whether those phasing elements could be almost on a pay as you go, that when money is available we would do. The contract would be written up in such a way in which case we could defer the question of the financing mechanism until we reached the point where we were out of funds. And at that point, we could really be discussing that in that stage. So either, by bringing it up as a question now, or for consideration of action at a later day, I would like that encompassed in our discussions of the contract itself.

Bill Fujioka replied, "We'll do that. Right?"

Scott Poster answered, "We'll do that. It's important to recognize also that as we talk about phasing, we have the Broadband piece and the LMR piece. The Broadband piece is funded."

LeRoy Jackson answered, "We'll pay it."

Scott Poster continued, "And that has got some strict timeframes, more strict than LMR piece. So that's why we really have to move forward and work through that. And some of that will come to light during our NEPA and CEQA dialog. We've been meeting with the NEPA and CEQA folks to come through that. There is going to be some considerate issues in dealing with those things that we'll bring to the Board."

LeRoy Jackson asked, "Is there any problem with the discussion of the contract before those CEQA elements are completed?"

Scott Poster answered, "I don't know the answer to that. What I want to do is bring back to you a contract and I think these weekly meetings may be an opportunity for you to dialog more about it."



- Scott Poster advised that, on May 26th, we are going to have LA Innovation Day. We've talked about that over the last couple of Board meetings. This meeting has been arranged by the White House Chief Technology Office, in conjunction with the Department of Homeland Security and the Office of Emergency Communications. It's there meeting which we are invited to. And, there's going to be an "invitation only" meeting the morning of the 26th at which we will have representatives from the JPA, Los Angeles County, Contract Cities, Independent Cities, and LA City, and others that they have invited. It's a very closed meeting, for that first meeting. But there's going to be a lunch that we'd like to invite the Board to, which is between 12:00 and 1:30 p.m. at LAPD Headquarter's, at the Commonstat room, in that area. There's going to be a luncheon and we'd like to extend invitations to the Board. Communications will be sent. The meeting consists of innovations in network sharing, innovations in network operations centers, and innovations in wireless applications. And, Mr. Chopra, the CTO for the White House, definitely has some novel ideas he'd like to bring and run by the Board.
- Lastly, on May 11, 2011, we received a letter of an administrative protest from the 2nd place proposer. I bring this to your attention at this Board meeting in interest of full disclosure. But, because we are still operating under an open procurement I cannot legally discuss the substance of the protest at this time. Further, it would be inappropriate for me to take questions from the Board or for the Board to entertain public comment on the matter. I can tell you that the protest is being addressed by our procurement protocol. County ISD has already identified a third-party County reviewer who will evaluate the merits and report back, in writing, to this Board. We expect a determination in approximately three weeks prior to advancing any proposed contract.

LeRoy Jackson asked, on that one there had been a request, apparently no motion, to reconvene the AD-HOC committee of the Board to explore the reasoning behind some of the decisions made on the scoring. And I wonder if that AD-HOC committee could also look into this at the same time?

Scott Poster answered, I don't know about an AD-HOC committee (interrupted by Bill Fujioka).

Bill Fujioka replied, "Hold on."

Faded recording, "There is nothing on here..."

LeRoy Jackson asked, "Could it be put on for our next meeting in two weeks?"

Bill Fujioka replied, "Yes, we could do that."

Reginald Harrison stated, well let me ask you this then do you need something from a Board member to put an item on the agenda or Scott are you able to just agenda this item for discussion?

Scott Poster answered, it is best served for the Board if we have a motion or something for a future agenda item to present a motion to the Board so we could properly post it and notify everybody that the agenda item is there. I understand that Mr. Simay did have a motion that he was talking about, but did not bring to the Authority; so it was not posted on this agenda. However, after speaking with Mr. Jackson should there be a motion entertained for future meetings, then bring those motions forward we'll put them on the agenda at the approval of the Chair. The Board can then have a dialog and discussion on those.

LeRoy Jackson asked, "Could we ask then that it be put on the agenda for our next meeting for consideration?"

Reginald Harrison, "Second the motion."



Mark Alexander asked, If the AD-HOC committee was appointed by the Chair and not this body, why couldn't the Chair just direct that the AD-HOC committee undertake this issue? The Chair in fact gave the AD-HOC committee a set of instructions. Why not add this item to review this appeal as part of the instructions from the Chair? As oppose to this Body, full Body taking the motion? That we can't do today, because it's not on agenda.

Bill Fujioka stated, the AD-HOC committee has very specific parameters and they fulfill the responsibilities within those parameters. And so to expand it at this point, and we all agreed on what we are going to look at, what we're going to do. To expand it at this point, shouldn't it be the pleasure of the full Board to do that?

Jose Silva (JPA Counsel) answered, I think that would be appropriate. You know I apologize, but I can't remember exactly how it came up initially and whether that was in connection with an agenda's item initially when it was brought up. Once again, I just can't recall the context in which that originally was brought up.

LeRoy Jackson replied, it's really to explore some questions that were brought up by the Board and this was the only means and device that we could use to resolve or discuss those issues. But given that we're only a couple weeks from the next meeting, I think we could structure it to come back for a formal consideration by the Board as a whole.

Mark Alexander replies, and that's fine as an alternative approach. I do have a secondary concern and that is, is that you have an individual or an organization that's appealing a decision with no effective way to address this body if we are going to be doing this in confidence or in closed session. I would believe that the organization that is filing this appeal would have the right to address either this body or the Board, the subcommittee, the AD-HOC committee.

Jose Silva answered, under what procedure? Are you citing a law for that right? I'm not familiar with that.

Mark Alexander replies, well you have a right to re-address of grievances. You have a right to speak to your body.

Jose Silva answered, we have a procedure for that. As Scott indicated, that procedure is underway and we're following the County procedure.

Mark Alexander replies, and my question is, will the appellant have an opportunity to address the AD-HOC committee? If that's the approach we take?

Bill Fujioka stated, that's not the procedure that's in place right now.

Reginald Harrison stated, "Why don't you explain the County's process." I think that's the process that we are following, so that we might be aware and then we might be in better position to pose questions.

Patty Huber asked the process allows for the protest to go before the Board of Supervisors which would, in theory, allow them to come before this Board.

Mark Manning replied in answer to Ms. Huber's question, "It does not." The administrative review that's going on now is a part of the process. The next step is a County review panel and that would be the board that would hear the final part of the protest. It would not come to an AD-HOC committee of Board members, and it would not come before the JPA Board, much in the way in the County. It does not go before the Board of Supervisors.



Mark Alexander replies, okay, I have a concern about that because, we as a Body, adopted the County procedure. We did not delegate to the County the authority. So why would this go before a body of the County as oppose to a body of this Board?

Mark Manning replied, that's a good question. I guess, it doesn't matter to me or to any of us who makes up the review panel. But the review panel is the next step and it's the final step. It doesn't consist of coming before this Board. In a sense, it is an AD-HOC committee. In the County, it's an AD-HOC committee of (interrupted).

Mark Alexander replied, but we are a separate legal entity from the County. And we are the decision making Body for this contract. So, if we're going to follow the County process, we should put into place equal or comparative processes.

Mark Manning replied, I guess, we call it a County review panel because we are the County. But the Authority adopted that, so it's technically, it's the Authority's process now. If you want to call it the Authority review panel, that's fine. The method we do is we have three panelist. It's not an entire AD-HOC committee or the full Board.

Mark Alexander replies, okay, I just want to be clear. This appeal is not going before a body of the County (interrupted).

Mark Manning replied, It doesn't have to. It just has to go, go through a Body and the next step (interrupted).

Bill Fujioka stated, It doesn't have to be constituted by employees of the County. There's a review panel for this process, and how that panel is constituted or formed could be our decision. But if, as a group, we decide it should be these three at the end of the table we could do that. But the structure is what he's talking about, but not mandating.

Andrew Fox stated, I have a question. Mark, my question stems from the review panel whomever that may be. I'm sensing there is criteria, in some formalized policy, that the review panel follows as well. Maybe you could share with the Board what the review panel has looked at, the type of criteria that applies. The root of my question is, is it something where they could essentially, they're reviewing, did the evaluation panel follow the procedures? And the selection procedure; was it appropriately followed? Or can they subjectively just override it and say we came to a different decision?

Mark Manning replied, "No." There are specific things that the review panel is allowed to look at. And, once again as we go through all of the processes that we use in the County we are only dealing with the evaluators treatment of that company's submission. They can't come in and start deconstructing anything they might know about any other proposer's proposal or their submission. We're only dealing with the way their proposal was treated. There are specific things that they are allowed to discuss. And, the panel members are given the request for proposal, instructions on how to conduct the review and what is expected of reviewers and also the complete proposal from the proposer, so that they can effectively review everything. And, we hold a session much like this one, where they're allowed to present verbal arguments, so to speak. The Authority is allowed to rebut. If they want to call a witness, they can call a witness. And then, the deliberations happen in public, because it's a deliberative body. The entire meeting is a public meeting. So all deliberations happen in public and then they actually vote after the public deliberations. Everything happens out in the open.



Andrew Fox stated, and then just as a follow up so everybody is clear on the entire process, if the protestor is not satisfied with the decision of the review panel, what recourse do they have at that point?

Mark Manning replied, "Well that's the final administrative recourse." If they wanted to come before the Board in a public session or something, that's their right I guess. But, that's the end of the, at that point they would've had four chances to protest, from the time the proposal was released until the end of the review.

Andrew Fox stated, and so that ends the Administrative aspect, then if another course is going to be taken, that's outside of the Administrative process, the Legal process I would assume.

Mark Manning replied, "Correct."

LeRoy Jackson asked, who is on the, or the selection panel, who is on the panel itself?

Mark Manning replied, in the County, we have 90 managers at the Section level and higher who have been trained in the County review panel process. And we select, we rotate the selection based on that. And County review panels are convened as they are requested.

Harold Scoggins commented, just a comment. I'm not really sure where we are in this process, because it sounds like you said earlier, you've already started the review. What if this Body comes back and says the Body wants to select the review panel. What happens then?

Mark Manning replied, well we're not at that stage. We're at a stage right before what we call the contractor selection review. That's where we are now. Where we've received a notice of intent to request a contractor selection review.

Harold Scoggins asked, so you haven't started the review? You have not?

Mark Manning replied, all of it is part of the review process. So we have started a review. But, not the contractor selection review and we're not to the County review panel.

Harold Scoggins asked, what part of the review are you in?

Mark Manning replied, we've just received the letter of administrative protest and what we do is, we send that to a high level manager, in this instance it's a County employee who has been a general manager of two or three different sections. At one time was the general manager of Purchasing & Contract Services which manages all of the contracting actions for Internal Services Department. And, we're in the process of collecting all of the documents we've put a lot of it in storage so we're going out to get it. We give it to the Manager and then, we've asked him to come back to us within two or three weeks with his review and decision. And, his review kind of happens in a bubble. He had nothing to do with this procurement. In fact, he had been on another assignments and volunteered to take this task on for us. So it's somebody who is completely, who has never had anything to do with LA-RICS or this procurement, but is a responsible procurement professional.

Harold Scoggins asked, so what happens if this Body says we would like to select a person to do the review? What happens in the entire process, if this Body says we would like to do that?



Mark Manning replied, "Well nothing happens. I would thank him for volunteering and let him know that the Board of Directors for LA-RICS has selected their own reviewer and we would proceed in that manner."

Patty Huber asked, and this manager is reviewing it relative to the County's procurement process to see that the process was adhered to?

Mark Manning replied, well it's not that.

Bill Fujioka comments, it works beyond that.

Mark Manning replied, right. They're actually looking in the specific points brought up in the protest letter.

Bill Fujioka comments, to see any procedural defects, any process defects, so it's a person who understands. It's not just, it's not just a person who just understands procurement, but with the totality of his experience, I don't know who this person is, he or she would look at, it is a he?

Mark Manning replied, yes, 38-year County manager.

Bill Fujioka comments, yeah, would look at it to see if there's any process or procedural flaws.

Patty Huber comments, I would just say, for that level of review given that it's in the context of the county's procurement process that none of us are all that familiar with, it maybe makes sense for that review to happen with that person. But then would say that the review panel should be composed of a group of people that this Body selects and not just County people.

Mark Manning replied, well, if there is a review panel. If, by chance the protestors are satisfied with the results of this review and don't request anything further that's the end of it.

Mark Alexander comments, but that assumes that we would accept whatever the individual who is conducting this review, his decision was. I guess I'm going to renew my request for, where is the Authority that was delegated to the County to conduct these reviews and if that wasn't delegated, then you should come back to us with an outline of how this process would flow so that this body can adopt that as a policy.

Mark Manning replies, this has already been adopted when your Board adopted the County's procurement policies and procedures.

Mark Alexander comments, yes, we adopted.

Mark Manning replies, it is a part of the policies and procedures and I believe that has been incorporated into the Fiscal Manual. Jose is it?

Mark Alexander comments, and the question there, the question there is, yes I understand we adopted those policies and procedures. Question is did we also delegate the responsibilities at that same time?



Mark Manning replies, I don't know of any specific delegation. But I wasn't aware that we had to delegate individual pieces of a whole that had been adopted.

Mark Alexander comments, okay, we adopted policies so that we had, so that we didn't have to create our own. We didn't want to reinvent the wheel. We are following those policies. Now we're talking about implementation where you're essentially delegating to another legal entity, separate from this one, the authority to make decisions for this body. And that's where I'm questioning whether we actually did that.

Mark Manning replies, I don't believe there is any specific carve out of any piece of the procurement policies, any particular delegation, so?

Mark Alexander comments, and I'm saying that would be a necessary act for this Body.

Mark Manning asked, would that have to be a motion Jose?

Jose Silva responded, "Well I would imagine it would have to be agenda and be a motion."

LeRoy Jackson comments, well we have two options. Legal Counsel could find that this was, after the agenda, and therefore something that came up that we need to discuss now or it needs to be agenda for our next meeting two weeks from now, three weeks from now.

Mark Manning comments, did you hear Mr. Jackson?

Jose Silva replies, no I didn't.

Mark Manning comments, he said you had two. Sir?

LeRoy Jackson comments, it would seem, we're moving down a path that perhaps we're a little far in discussion already. But there are two possibilities that exist in my thinking right now. If this came up after the agenda as to the procedure and the methodology, legal counsel could say this is something that needs to be addressed now and we could take it up as a non-agenda item. Or the other is that we agenda this question for our next regular meeting so we could discuss it in depth. Or we have a special meeting on it for that specific purpose.

Jose Silva replies, I would imagine it would have to be agenda. I'd be more comfortable if this matter were agenda and then move forward at that point.

LeRoy Jackson comments, can we then carry this matter forward for consideration by the Board as a whole at our next regular meeting, Chairman?

Mark Manning asked, do we need a written motion for this? I mean does something have to be submitted and approved by the Chair? Because he is the one who approves the agenda.

LeRoy Jackson comments, well unless the Board as a whole says they want to talk about it in two weeks from now as a general consensus amongst us.

Patty Huber comments, I mean we have been and whenever we do get to item 10, items for future action hang and could this be on the next agenda and then just putting it on the next agenda. So we've not been doing written motions for those kinds of things.



Mark Alexander comments, and as you come up with that process for us to consider at the next meeting, I would hope that somewhere in that process is an opportunity for the appellant to address whatever body it is who is going to conduct the review.

Mark Manning comments, that's not part of the County process. They don't address the body until a County review panel. We are not calling it the Authority review panel.

Mark Alexander comments, and as I said, somewhere in that review process there ought to be the right of the appellant to address the decision maker so that they can make their points.

Mark Manning comments, that happens before the review panel. It's almost like a little hearing, where we have a testimony or argument so to speak, rebuttal, and then testimony, arguments, and rebuttal. Questions from the Chair directed at either side, excuse me from the panel of either side and then they go into public deliberation.

Bill Fujioka commented, "And, explain how the panel members are selected because, I think it sounds like we are going down the road where our Joint Powers Authority Members, or this Board Members appears there may be an interest to sitting on that Board.

Mark Manning replies, it's true, it doesn't have to be a County member to sit even on a County Review Panel. The only thing we require is that they go through 8-hours of training on the process and we have about 90 County Managers that have gone through the training. So we have a rotating list. The Panels are generally three members at a time.

Bill Fujioka asked, if we wanted to expand it though, maybe as part of the discussion, I think, the expansion having folks who have gone through that, but the expansion could be discussed, would there be an opposition from having members of this Board on that panel? Would that create a problem?

Mark Manning comments, it would not and we would not object. The only problem with that is if you are on an active list, there's a chance you could be called at any time, for anything and not just for LA-RICS business.

Bill Fujioka comments, well I would think, they at that point we could decline.

Mark Manning comments, I would hope not.

Bill Fujioka comments, then it would be a one panel. If that's the possibility, I'm hearing some kind of interest on that line.

LeRoy Jackson comments, I'm not sure. Personally, I think we've gone down an awful long way on this item. I'd like to have it as a full blown agenda item for discussion at our next meeting where we review again what the process is because I recall when we original adopted this we saw some papers, but truthfully every time it's kind of a surprise to us as to the process to have a renewal of what the process is itself, how this fits in, and the protest works, the timelines that are involved, and then the discretion of the Board of Supervisors or this Board if all administrative procedures are exhausted.

Bill Fujioka comments, well, tell you what and I understand that the normal process will say is to have a written request and do this and do that, but, let's put it on the agenda please. Having a full description on the process, have some backup materials, please, that were previously submitted to the Board, we'll be ready to discuss how we're going to get to this next phase. Having this review



panel and if there's a possibility, if there is any interest around here to have someone sit on it, understanding they do need to go through the training program. We do want to make it, we want to be responsive to this Board so. With that, are we fine for the next meeting?

Mark Manning comments, we could probably put together a training session as long as we don't have more than eight of you.

Bill Fujioka replied, I'm not coming (laughter). An 8-hour training session is beyond my ability.

Mark Manning comments, I could probably do it in 6 (laughter).

Bill Fujioka comments, oh, that makes it much more attractive (laughter).

Sandy Jo MacArthur comments, Bill, I have a yes/no question, I hope. In terms of the administrative protest letter, that this process is going, is that confidential or is that something we can see?

Mark Manning replied, "Yes, it is."

Sandy Jo MacArthur comments, okay, that's it, thank you.

Bill Fujioka comments, We'll do that, we have that direction, we'll put it on the next agenda, I hope you don't mind with that, I think there is a consensus of the Board, I hear no objections.

Jose Silva comments, that's absolutely fine. The only thing I would request is that whomever is bringing forth the motions or who will have any input with respect to the motions, please work with the staff of LA-RICS who puts together the agendas to make sure we capture everything, everything in the motion and that we don't miss anything.

Reginald Harrison comments, yeah, Director Jackson he was the maker of the motion, so rise so staff could work with him.

LeRoy Jackson stated, I can do that.

Jose Silva comments, I just want to make sure we capture everything, so we don't miss it.

Bill Fujioka comments, the one thing I'd ask we do, just be mindful of, in the balance, is that we absolutely be respectful to everyone's needs or concerns, we have this timeline we're also trying to get through, and so, let's get it on next agenda. Next agenda is when (June 2nd). I will be in New York, pleading for my life at the Bond Rating Agencies. That's our annual Bond Rating trip so there will be someone else sitting in this chair. But, I'll be curious to hear the outcome of that. I'm not going to phone in though.

LeRoy Jackson comments, Mr. Chairman, back to the timing though, if I understood the timeline that has already been created by this, even following the County procedure, you will not have a Review Board until sometime in late June?

Mark Manning replied, that sounds about right.

LeRoy Jackson asked, so then the meetings to discuss the contract during June would perhaps be premature?

Mark Manning replied, no, not at all. There is nothing that requires us to halt the process that we're going through, in our review panel.



LeRoy Jackson asked, so we'll proceed with the contract?

Mark Manning replied, right, we keep going.

Bill Fujioka comments, that's very common, at least in my world, where we have a number of major procurement processes, where there's someone we're negotiating with, and there'll be those who are, who know they are not being selected will throw their protest. But if we made a linear process then we'd all have completely gray hair by the time we finish any procurement process. Okay, are we good with that? Can we move on? I think we have Grant Status now.

3. Grant Status

Susy Orellana-Curtiss, LA-RICS Project Team Member reported the following:

- UASI – The UASI 11 Grant Guidance was released this morning, and we're happy to share with your Board that the Los Angeles and Long Beach Urban Area funding for FY 2011 UASI is the same amount as FY 2010 (\$69,922,146). The city as a grant administrator is reviewing the grant guidance, and will package the application based on the decision made by the Approval Authority.

We haven't received any word yet on grant extensions requested for the UASI 08, SHSHGP 08 or PSIC grants. We'll be sure to provide your Board with updates as they become available.

- AFG – The Fiscal Year 2011 Assistance to Firefighters Grant (AFG) Program Workshop has been scheduled for Tuesday, July 12, 2011, from 1:00 p.m. to 4:00 p.m. The workshop is being hosted by the Los Angeles County Fire Department and will be held at the Fire Department's Headquarters, (1320 North Eastern Avenue, Los Angeles, CA 90063 in Room 26 of the Training Center). We will be sending notices out to each of your respective agencies within this next week. The primary goal of the AFG Grant is to meet the firefighting and emergency response needs of fire departments and non-affiliated emergency medical service organizations. Interested representatives from fire departments and non-affiliated EMS organizations are invited to attend the workshop.

The intent of the (Fiscal Year 2011 AFG) Workshop is to present information on program changes, program priorities, eligibility requirements, and the application process. General assistance in the writing on a competitive narrative for a department's grant application will also be discussed at this training. (The workshop is free of charge and participants do not need to register. Please visit www.fema.gov/firegrants for additional workshop dates and information.)

- BTOP- Just a reminder to your Board that the US Department of Commerce, (National Telecommunications & Information Administration) will be coming to LA for a Monitoring Site Visit June 1-3, 2011. (The purpose of the visit is to allow the Federal Program Officer to go over programmatic, financial and administrative activities of our funded project, the LA SafetyNet.)

The Federal Program Officer will be attending the June 2nd Board meeting,

Bill Fujioka asked, any questions?



Reginald Harrison commented, I don't have any questions, just a comment. Just regarding the Los Angeles/Long Beach UASI Grant, Chair and Members you know the Los Angeles/Long Beach UASI is, has been very supportive of LA-RICS and they've designated a tremendous portion of that Grant towards this effort and the crux of this whole program is going to be how, once we have selected the appropriate vendor, then how are we going to pay for this, and I can't say enough about that body and its support for this program. And it incumbent upon us that those funds that they allocate to us, that we're able to utilize those effectively because every million dollars that we return to that body, and there's a lot of pressure on those dollars as well, from other entities but for every dollar, every millions of dollar that we return it means there's another million dollars that we would have to find elsewhere and that's not going to be an easy task at all. So I just wanted to be remindful of that. Thank you very much.

Bill Fujioka commented, I went to DC with our Board a couple of weeks ago and we met with the California Delegation and every single meeting we raised the issue of, I raised the issue of LA-RICS and Grant Funding. I was concerned when I saw last week, when they were talking about substantial reduction in Grants that could support this program, particularly UASI Grant. So, we need to keep pressure on the Folks in DC and that's what's going to happen when Scott comes up next on a couple of Administrative matters and a couple of Senate Bills.

VII. ADMINISTRATIVE MATTERS (4 – 6)

4. Senate Bill 28

Scott Poster, Task Force Leader of LA-RICS, as a follow up to Chief Osby's comments at the Legislative Committee meeting, he was referring to S911 which is proposed legislation from Senator John Rockefeller from West Virginia and Senator Kay Hutchinson from Texas, S911 which the Legislative Committee will be convened to offer an opinion of support for, basically deals with the reallocation of the public safety spectrum in governance of the public safety spectrum reallocation and governance as we segue into S28. There is some redundancies in the proposed legislation and in S28 as well. We will, the Legislative Committee will bring back to you information on S911 as it comes out of draft mode. S28 is recommended that the Authority authorize the Executive Director to send a letter on behalf of the Authority to the Senate supporting SB28. Furthermore, this action will authorize the Executive Director to develop an outreach strategy, to disseminate the Authority's position to organizations and agencies across the country. SB 28, in a nutshell, directs the FCC to ensure the deployment of a nationwide public safety interoperable broadband in a network 700 mhz band, which is deployed both in rural and urban areas to reallocate and integrate 700 mhz "D" block spectrum for the use of public safety entities, permit flexible use of a narrow band spectrum, ensure that the nationwide public safety broadband network is fully interoperable on a nationwide basis and establish a tenure advisory board. It also amends the Communication Act of 1934 and it permits the FCC to do some public interest license to relinquish voluntary license spectrum and usage rights. It extends the FCC option authority to September 30, 2020, it authorizes secondary use of the public safety spectrum, it establishes in the Treasury the Interoperable Broadband Network Construction Fund, directs the Assistant Secretary of Commerce for communications and information to establish a Grant Program to assist public safety entities to establish a nationwide public safety interoperable broadband network. As you know there were 21 waiver recipients for the broadband now there are 22; however, only seven were funded. Out of those seven funded, LA-RICS was fortunate to get the 154.6 million dollars. The others were not. There are many people that are looking forward to getting some money to our Grants for their particular programs. And Chief Osby's committee has uni-laterally endorsed this Board, or recommends this Board for us to provide you a letter of support to the Congress which we'll prepare for you, with your approval. We are asking for your approval.



Bill Fujioka asked, Any discussion? Any questions?

LeRoy Jackson comments, Mr. Chairman, only one, I like the process and the outreach and everything, I wonder though if it would carry more weight, signed by the Chairman?

Bill Fujioka asked, "By who?"

LeRoy Jackson comments, by the Chairman of the Board of LA-RICS rather than handled by an administrative process. Even though we are not a true political board, that still carries a political weight of a different nature.

Bill Fujioka comments, absolutely.

LeRoy Jackson comments, okay, I move, do you concur?

Bill Fujioka comments, I have a first (and) second (motion). Are there any objections? Hearing none. Move on.

5. House Resolution 607

Scott Poster continued, next order of action is House of Representatives Bill 607, that Bill is a concern to the Authority. After the Legislative Committee reviewed the components of that Bill, it's sounds very good on the outside because it delegates and designates the D-block to public safety. However, there is a niche in that Bill that would dramatically affect public safety and its region, virtually eliminating all of our radio communications. And it would also eliminate what we're doing as far as our radio LMR system we're going to build. So it is recommended that the Authority authorize its Executive Director to send a letter on behalf of the Authority to the House of Representatives opposing HR 607, unless it is amended to exclude the Section 207.

Furthermore, this action would authorize the Executive Director to develop an outreach strategy to disseminate the Authority's position to organizations and agencies across the Country. There are public safety agencies across the Country that are supporting this Bill in its entirety. We have voiced our comments to the FCC directly and to Congress directly in regards to this Bill because of the provision in this Bill and it reads this, "Section 207, achieving a long-term interoperability by consolidating band use of a public safety agency which says it requires migration by public safety entities no later than eight years after a date of an act, of this act each public safety entity shall end their use of radio spectrum above 420 mhz and below 512 mhz and begin to use alternative radio spectrum license to public safety services in the 700 and 800 mhz bands. In this region, if we were to, if this were to take effect, we would have to move our frequencies which we cannot do. So we are adamantly opposed to Section 207. That has been expressed to many in Washington and this Board, with the approval, the Legislative Committee has approved and recommended to your Board to send a letter opposing HR 607 unless amended. The part we want amended is the removal or editing of Section 207 to look for a different spectrum to sell. We're looking for your approval for the letter.

Bill Fujioka comments, Questions? Motion approved? (approve) I heard a first, I heard a second. (motion). Are there any objections? Hearing none, that would be the order. Thank you very much Scott.



VIII. CLOSED SESSION

6. Director Interview/Selection – **CLOSED SESSION**

Bill Fujioka comments, we are now back in open session. The Board at this point and time and we can't be presumptuous so we're pleased to ask, to ask Pat Mallon, if he'll accept the position of Executive Director to work with us on this very important project.

Pat Mallon replied, Absolutely, I'm looking forward to that.

Bill Fujioka comments, Fantastic, so with that it is our pleasure to appoint you as our Executive Director to our LA-RICS Program. The, we have a contract that we will be sharing with you in the next few days. We have to make a few minor adjustments to it to reflect some important issues that this body identified but with that, welcome to the team.

Pat Mallon comments, Thank you, sir.

Bill Fujioka comments, great, thank you very much.

Pat Mallon comments, I will be going to work as soon as the contract is executed.

Bill Fujioka comments, I think you'll be going to work in about two minutes from now. (laughter)

Pat Mallon comments, I'll be coming in tomorrow morning.

Bill Fujioka comments, and you may get about eight business cards as you walk out, at minimum.

Pat Mallon comments, thank you very much.

IX. MISCELLANEOUS – (None)

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

Bill Fujioka continued, okay, with that, we have some items for, for future discussion or action by the Board as listed. We also identified one in our, in our earlier discussion with respect to the Administrative Review Process. I asked for public comment earlier, is there any other public comment?

LeRoy Jackson comments, Mr. Chairman, I have two other items that I'd suggested in the Administrative Report that we also include in items for future, one was the evaluation, the request for the AD-HOC Committee to explore the evaluation process. The specific evaluation process with the individuals who did that scoring for a fuller appreciation of how they arrived at their scores, that that be a discussion item for our next meeting. And, the second one was this, this idea that as the contract comes forward we discuss the, the contract being bound to the deliverables versus the funds that are available for those two elements. (interrupted).

Bill Fujioka comments, and the Financing structure.

LeRoy Jackson continued, and then, finally, the other one, the delegation which I'll give the language to.

Bill Fujioka comments, okay, did you get that? If you have any questions of what Mr. Jackson laid out, please contact him and make sure it's real, real clear. If there's nothing else.



Cathy Chidester comments, no! I have.

Reginald Harrison comments, I got one thing.

Cathy Chidester comments, Mr. Chairman.

Bill Fujioka comments, Cathy?

Cathy Chidester comments, I'm chatty today. I don't know why. I just wanted, I think we should just take a minute to acknowledge Scott Poster and his team on the work they've done as Interim Director. I think it was a probably very difficult job for them, but he's done an excellent job in keeping us (audience applauds).

Bill Fujioka comments, we're going to let you sign your name on the first new tower you know. You know they sign, you know when you have a huge building and you sign the last piece of iron to top, to top it off. We'll do that. But yes, Scott's, Scott's been great. There is two very happy people here today. One is Scott and one is Chief Osby. See look it, he's trying to be cool about this, but at one point he said, "I need Scott back to do my stuff." But you know what, this is like Godfather III, you think you left us. (laughter). We have a way of pulling them back in. You know just when we need them and say, you think you're out, they pull you back in. And, on occasion we'll have to have Scott come back and play.

XI. ADJOURNMENT

Bill Fujioka comments, Anything else? With that, this meeting is adjourned. Thank you very much.