



# **AGENDA**

## **LOS ANGELES REGIONAL INTEROPERABLE COMMUNICATIONS SYSTEM AUTHORITY**

### **BOARD OF DIRECTORS SPECIAL MEETING**

Wednesday, March 9, 2011 • 9:00 a.m. – 10:30 a.m.

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

Los Angeles Regional Interoperable Communications Systems Authority (the "Authority")

#### **AGENDA POSTED: March 7, 2011**

Complete agendas are made available for review at the designated meeting location during normal business hours and may also be accessible on the Authority's website at <http://www.la-rics.org>.

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#### **Members:**

1. **William T Fujioka**, Chair, CEO, County of Los Angeles
2. **Charles L. Beck**, Vice Chair, Police Chief, City of Los Angeles
3. **Mark R. Alexander**, City Manager, representing California Contract Cities Association
4. **Leroy D. Baca**, Sheriff, County of Los Angeles
5. **Reginald Harrison**, Deputy City Manager, City of Long Beach
6. **LeRoy J. Jackson**, City Manager, City of Torrance, representing At Large Seat
7. **Dr. Mitchell H. Katz**, Director, DHS, County of Los Angeles
8. **Gerry Miller**, Chief Legislative Analyst, City of Los Angeles
9. **Daryl L. Obsy**, Fire Chief, County of Los Angeles
10. **Millage Peaks**, Fire Chief, City of Los Angeles
11. **Donald Pedersen**, Police Chief, City of Culver City, representing At Large Seat
12. **Scott Pickwith**, Police Chief, representing the Los Angeles County Police Chiefs Association
13. **Kim Raney**, Police Chief, City of Covina, representing At Large Seat
14. **Harold Scoggins**, Fire Chief, representing the Los Angeles Area Fire Chiefs Association
15. **Miguel Santana**, CAO, City of Los Angeles
16. **Gregory Simay**, Assistant General Manager, City of Burbank Water & Power, representing At Large Seat
17. **Steven K. Zipperman**, Police Chief, Los Angeles School Police Department

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#### **Officers:**

1. **Scott Poster**, Task Force Leader
2. **Wendy L. Watanabe**, County of Los Angeles Auditor-Controller
3. **Mark J. Saladino**, County of Los Angeles Treasurer and Tax Collector
4. **Vacant**, Board Secretary



**NOTE:** PURSUANT TO SECTION 2.06 (B) OF THE JOINT POWERS AGREEMENT AND ARTICLE FOUR OF THE BYLAWS, AN AFFIRMATIVE VOTE OF A MAJORITY OF DIRECTORS AS TO WHETHER TO CONDUCT A SPECIAL MEETING WAS HELD AT THE BOARD OF DIRECTOR'S REGULAR MEETING ON MARCH 3, 2011.

**I. CALL TO ORDER**

**II. ANNOUNCE QUORUM – Roll Call**

**III. PUBLIC COMMENTS**

**III. ADMINISTRATIVE MATTERS – Poster / Geiger / Silva**

**A. DISCUSSION AND/OR ACTION ITEMS:**

1. Motion by Board Member LeRoy Jackson (Member at Large): Motion to Release Certain Non-Public Information in Connection with the Voice/Data Solicitation, as follows:

- i. Was the RFP posted or was it sent to a designated list of vendors, and if sent, it would seem that the list should be provided to the Board;
- ii. The number of proposals that were submitted by vendors regarding the RFP;
- iii. A list of any proposals that were rejected and the reason for the rejection;
- iv. If the number of proposals has been reduced to a list for the current process of further negotiations – the criterion used to make that decision;
- v. Finally a copy of the RFP addendum which addressed the broadband grant.

**Attachment:** Item 1

2. Letter from Interim Director regarding release of certain non-public information in connection with the voice/data solicitation.

**Attachment:** Item 2

3. Board Questions regarding:

- i. Mark Alexander: Are we going to negotiate with one vendor or multiple vendors and is there a reason why we wouldn't consider entering into negotiations with multiple vendors?
- ii. Mark Alexander: Of those members who are participating on the Negotiations Team, do any of them have existing relationships with any of the vendors that have submitted proposals? Is it appropriate to include them on the Negotiations Team?

**Attachment:** Item 3



- iii. Greg Simay: Is there any strategy to change order risks?
- iv. Sheriff Baca: Were there distinguishing differences between respondents substantial enough to establish this decision [negotiations with one vendor] as being defensible?
- v. LeRoy Jackson: If the Board chose to split the broadband from the general RFP, do we have that capability at some future date, considering the skill or capability of the proposed contractor?

**IV. MEETING ADJOURNMENT**

- V. NEXT REGULAR BOARD MEETING:** Thursday, April 7, 2011 at 9:00 a.m.  
at the Grace E. Simons Lodge.



## BOARD MEETING INFORMATION

Members of the public are invited to address the LA-RICS Authority Board on any item on the agenda prior to action by the Board on that specific item. Members of the public may also address the Board on any matter within the subject matter jurisdiction of the Board. The Board will entertain such comments during the Public Comment period. Public Comment will be limited to three (3) minutes per individual for each item addressed, unless there are more than ten (10) comment cards for each item, in which case the Public Comment will be limited to one (1) minute per individual. The aforementioned limitation may be waived by the Board's Chair.

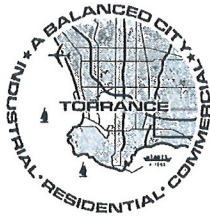
*(NOTE: Pursuant to Government Code Section 54954.3(b) the legislative body of a local agency may adopt reasonable regulations, including, but not limited to, regulations limiting the total amount of time allocated for public testimony on particular issues and for each individual speaker.)*

Members of the public who wish to address the Board are urged to complete a Speaker Card and submit it to the Board Secretary prior to commencement of the public meeting. The cards are available in the meeting room. However, should a member of the public feel the need to address a matter while the meeting is in progress, a card may be submitted to the Board Secretary prior to final consideration of the matter.

It is requested that individuals who require the services of a translator contact the Board Secretary no later than the day preceding the meeting. Whenever possible, a translator will be provided. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or services may be provided upon request. To ensure availability, you are advised to make your request at least 72 hours prior to the meeting you wish to attend. (323) 881-8291 or (323) 881-8295

SI REQUIERE SERVICIOS DE TRADUCCION, FAVOR DE NOTIFICAR LA OFICINA CON 72 HORAS POR ANTICIPADO.

The meeting is recorded, and the recording is kept for 30 days.



CITY OF  
**TORRANCE**  
OFFICE OF THE CITY MANAGER

LeRoy J. Jackson  
City Manager

February 23, 2001

Scott Poster, Deputy Chief  
LA-RICS Project Team  
c/o Los Angeles County Fire Department  
1320 North Eastern Avenue  
Los Angeles, CA 90063

RECEIVED  
2001 FEB 28 PM 3:07  
CHIEF EXECUTIVE OFFICE

Dear Mr. Poster:

I would ask as a member of the Board to have an item added to the March agenda of LA-RICS. The item I'm requesting is a reevaluation of the RFP process with the intent to propose a modification of that procedure to allow a sharing with the Board:

- ▶ was the RFP posted or was it sent to a designated list of vendors and, if sent, it would seem that the list should be provided to the Board;
- ▶ the number of proposals that were submitted by vendors regarding the RFP;
- ▶ a list of any proposals that were rejected and the reason for the rejection;
- ▶ if the number of proposals has been reduced to a list for the current process of further negotiation – the criterion used to make that decision;
- ▶ finally a copy of the RFP addendum which addressed the broad band grant.

I would ask that this be added to the **March 4<sup>th</sup> agenda** because of the timeliness of the RFP review process and the deadlines faced by LA-RICS to move the decision-making process forward to completion.

Sincerely,

LeRoy J. Jackson  
City Manager/LA-RICS Board Member

LJJ/dle  
cc **Mr. William T. Fujioka**  
500 West Temple Street  
Los Angeles, CA 90012



# LOS ANGELES REGIONAL INTEROPERABLE COMMUNICATIONS SYSTEM AUTHORITY

2525 Corporate Place, Suite 200  
Monterey Park, California  
(323) 881-8291

SCOTT L. POSTER  
TASK FORCE LEADER

March 9, 2011- Special Meeting

Board of Directors  
Los Angeles Regional Interoperable Communications System Authority (the "Authority")

Dear Directors:

## **RELEASE OF CERTAIN NON-PUBLIC INFORMATION IN CONNECTION WITH THE VOICE/DATA SOLICITATION**

### **SUBJECT:**

Motion to release certain non-public information (Agenda Items 1 and 3) in connection with the voice/data solicitation to the Board of Directors.

### **INTRODUCTION:**

Our Authority Agreement, at section 4.04 (Limitation on Exercise of Powers), requires that:

“All common powers exercised by the Board shall be exercised in a manner consistent with, and subject to, the restrictions and limitations upon the exercise of such powers as are applicable to the County of Los Angeles, as may be amended from time to time.”  
[emphasis added]

Accordingly, our Authority has, at all times since its creation, used the procurement and contracting policies and procedures of the County of Los Angeles.

To this end, the Authority has retained the County's procurement specialists, the Internal Services Department, to serve in:

- Drafting and Issuing the System RFP
- Acting as Facilitator for the evaluations, and overseeing the evaluators
- Acting as the single-point of contact during this open procurement

Under County procurement policy—which is our Authority's adopted procurement policy—and consistent with the California Public Records Act and California Supreme Court precedent,

## **AGENDA ITEM 2**

proposals do not become public records until negotiations have concluded with the recommended vender.

Indeed, in a 2006 case, involving the City of Los Angeles Department of Airports, the Supreme Court opined:

“[p]ublic disclosure of the various competing proposals after negotiations are complete, and before the Board finally approves the award of the contract, would give the public and all interested parties ample opportunity to scrutinize and protest the proposed award. No reason appears why disclosure of the various proposals prior to negotiations would provide any significantly greater benefit to the public.”<sup>1</sup> [emphasis added]

Similarly, the present request under Agenda Items 1 and 3 do not articulate any public interest that would be advanced by the Authority waiving its rights to confidentiality. Indeed, such waiver under County policy is unprecedented.

Accordingly, although Item 1 and 3 have placed on the agenda at the request of Board members, for the record, I must advise this Board that as Interim Director, and on the advice of counsel, I do not endorse the item.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Scott L. Poster', with a stylized flourish extending to the right.

Scott L. Poster  
Task Force Leader  
SLP:dmm

cc: Counsel to the Authority

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<sup>1</sup> *Michaelis, Montanari & Johnson v. City of L.A. Dept. of Airports* (2006) 38 Cal.4<sup>th</sup> 1065, 1074-1075



## LOS ANGELES REGIONAL INTEROPERABLE COMMUNICATIONS SYSTEM AUTHORITY

2525 Corporate Place, Suite 200  
Monterey Park, California  
(323) 881-8291

### CONFLICT OF INTEREST FORM Negotiation Team

I acknowledge that I have been asked to participate in the negotiations for the LA-RICS System Contract. I have been briefed about my responsibilities relating to conflict of interest and non-disclosure of information obtained during these meetings.

- A. I agree that I will not attempt to influence nor make recommendations to the negotiations team in which I have any direct or indirect financial interest; or where my participation gives the appearance of being motivated by a desire for personal gain for myself or others, such as family, business, or other personal relationships; or I know or should know that:
- i. A member of my immediate family, or business, or organization has a financial interest in the matter;
  - ii. It involves an entity with whom I or my immediate family has negotiated or is negotiating any prospective employment.

Definitions:

The term "immediate family" includes but is not limited to those persons related to you by blood or marriage, such as husband, wife, father, mother, brother, sister, son, daughter, father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, your significant other or domestic partner.

The term "financial or other interest" includes but is not limited to: any direct or indirect financial interest, including a commission or fee, a share of the proceeds, prospect of a promotion or of future employment, a profit, or any other form of financial reward or benefit.

- B. I further agree that I shall not solicit nor accept gratuities, favors, or anything of monetary values from any person or entity who is a proposer in this process.
- C. Prior to participating on the negotiations team, I agree to disclose any relationship, financial or otherwise, direct or indirect, of mine, my business, or organization, or my immediate family, with any person or entity proposing in the process.
- D. If I think I have, or even may have, a conflict of interest, I agree to seek the advice of the LA-RICS JPA staff and JPA Counsel before participating on the negotiations team.

The undersigned has read and understood the above-stated provisions and hereby agrees to abide by the requirements and conditions set forth herein.

Executed on \*\*\*, 2011 at Los Angeles, California.

Signature: \_\_\_\_\_

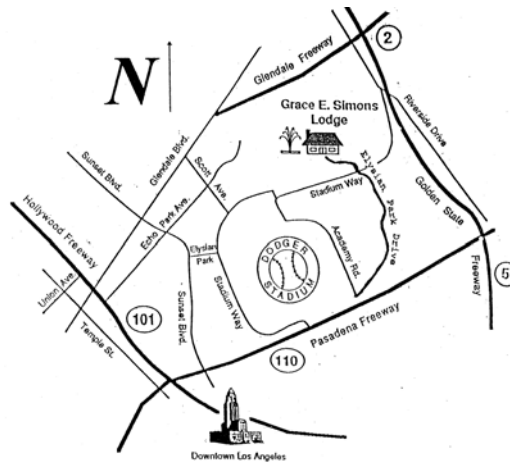
Print Name: \_\_\_\_\_

## AGENDA ITEM 3



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

Map and Driving Directions:



- **5 Freeway NORTH:**

Exit Stadium Way, Turn Left on Riverside Drive. Turn Left on Stadium Way, Turn Right at top of hill on Elysian Park Drive.

- **5 Freeway SOUTH:**

Exit Stadium Way, Turn Left on Stadium Way. Turn Right at the top of the hill on Elysian Park Drive.

- **110 Freeway NORTH:**

Take the 110 North to the 5 North. Exit Stadium Way, Turn Left on Riverside Drive. Turn Left on Stadium Way, Turn Right at top of hill on Elysian Park Drive.

- **2 Freeway SOUTH:**

Take the 2 South to the 5 South. Exit Stadium Way, Turn Left on Stadium Way. Turn Right at the top of the hill on Elysian Park Drive.

- **101 NORTH:**

Exit Glendale Blvd/Echo Park. Go straight on Union Ave. Turn left on Temple St. Turn left on Glendale Blvd. Turn right on Scott Ave. Turn left on Stadium Way. Turn right on Academy Road, immediately turn left back onto Stadium Way. Go half (1/2) mile and turn left on Elysian Park Drive.

- **Sunset Boulevard WEST:**

Take Sunset Blvd., West, Turn right on Elysian Park Avenue. Turn left on Stadium Way. Turn right on Academy Road, immediately turn left back onto Stadium Way. Go half (1/2) mile and turn left on Elysian Park Drive.