



Board of Directors

MINUTES OF SPECIAL MEETING

LOS ANGELES REGIONAL
INTEROPERABLE COMMUNICATIONS SYSTEM AUTHORITY

November 8, 2012

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
Gerry F. Miller, Chief Legislative Analyst, City of Los Angeles
Daryl L. Osby, Fire Chief, County of Los Angeles
Reginald "Reggie" Harrison, Deputy City Manager, City of Long Beach
Timothy Scranton, Fire Chief, City of Beverly Hills, representing the Los Angeles Area Fire Chiefs Association
LeRoy J. Jackson, City Manager, City of Torrance, representing At Large Seat
Gregory "Greg" L. Simay, Assistant General Manager, City of Burbank Water & Power, representing At Large Seat

Representatives For Board Members Present:

John Vidovich, representing Brian Cummings, for the City of Los Angeles Fire Department
Sandy Jo MacArthur, representing Charles "Charlie" L. Beck, Vice Chair, for the City of Los Angeles Police Department
David Betkey, representing, Leroy "Lee" D. Baca, for the County of Los Angeles Sheriff 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
Dave Tankenson, representing Donald "Don" Pedersen, City of Culver City, At Large Seat
Derek Webster, representing Kim Raney, City of Covina, At Large Seat

Officers Present:

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

Absent:

Miguel Santana, CAO, City of Los Angeles
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
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. October 4, 2012 – Regular Meeting Minutes.

Executive Director Pat Mallon reported one correction on page 2 under Directors' Report, reference to Assembly Bill should read AB 1486. **MOTION APPROVED with correction noted.**

IV. CONSENT CALENDAR – (None)

V. REPORTS – (2–5)

2. Committee Reports
 - a. Finance Committee – No Report
 - b. Legislative Committee – No Report
 - c. Operations Committee – No Report
 - d. Technical Committee – No Report
3. Director's Report – Pat Mallon

Executive Director Pat Mallon began with an update on the status of the LMR Procurement which was approved for release by this Board on October 4, 2012. The RFP was released on Thursday, October 25, 2012. On November 1, 2012, a Proposers' Conference was held at the Grace E. Simons Lodge. The schedule calls for proposals to be returned on January 3, 2013, at which time we will launch into the evaluation process, with the goal of presenting a proposed contract to the Board for consideration in June 2013. The details of the evaluation process will be covered under Agenda Item 8. We did offer potential proposers the opportunity to visit some of the sites. We have received requests from two vendors to visit a total of 39 sites. Those will all be accomplished next week.

As far as other LMR activities, we continue to participate in a NPSTC T-Band Working Group. As mentioned before, the intent of that effort is to provide Congress with an impact report on what the take back of the T-Band will have on the 11 major jurisdictions. And at the present time, we are assembling cost information on what that replacement would look like.

As far as the LTE System, we are still on hold. We shared correspondence from the Chair of this Board to the Chairperson of the FirstNet Authority and a copy of the letter in response to this subject matter.

We are holding release of a draft letter to NTIA requesting approval to move forward with the LA-SafetyNet or the LA-RICS LTE System. On Tuesday, NTIA sponsored a conference call with the seven BTOP Recipients to advise us that a subcommittee of the FirstNet Authority has been appointed with direction to visit each one of the seven projects before the end of this year. We will be working with BAY-RICS and the State of California to present a complimentary approach to how we can provide a robust public safety broadband system in California.



At the September 25, 2012 FirstNet Authority meeting, one of the Board Members presented a PowerPoint Presentation which conveyed his vision on how the National Public Safety Broadband System could work. That individual is a member of the Commercial Industry and so it was obviously very reliant on the Commercial's System for nationwide coverage. One of our concerns is that, push-to-talk in the LTE System was not included and is not being considered for inclusions in the early versions of the national system. NTIA on behalf of FirstNet asked for feedback. We have prepared a response to the Notice of Inquiry which is due later this afternoon. Our response points to a number of concerns, including highlighting the need for a hardened system and this was particularly evident with the commercial outages after the event of Hurricane Sandy. Twenty-five percent of the cellular coverage in the affected area was shut down. We also emphasized the need for a push-to-talk and are offering LA-RICS as a platform for a learning opportunity.

Chairman Bill Fujioka asked that the Board designate a dedicated discussion of what is happening with FirstNet and discuss the direction being taken. When it was made known that the principle presenter was from the commercial industry that resulted in concern. Chairman Fujioka stated, "If it is the administration or if it is the Feds intent to push our radio system into the commercial area, we should voice our objections".

Board Member LeRoy Jackson asked if this was something that the Legislative Committee could look into?

Chairman Fujioka stated, yes, the Legislative Committee could look further into this; and, again emphasized that he would like to have a full presentation at the next Board meeting to talk about all the concerns regarding this matter, and discuss a possible legislative approach to this.

Executive Director Pat Mallon stated, hopefully we will have the opportunity to meet with the subcommittee before the December 2012 LA-RICS Board Meeting.

Chairman Fujioka stated, at least as a group we can agree about our strong concerns because that has all the makings of a major problem.

5. Grant Status Report – Pat Mallon (taken out of sequence)

Executive Director Pat Mallon reported there is no significant change in the BTOP or the SHSGP Grants. The City of LA provided their report for the UASI Grants to the Members of this Board.

4. Project Management Report – Pat Mallon (taken out of sequence)

Executive Director Pat Mallon stated that the Board Members received a copy of the Jacobs Project Management Services report as part of this agenda.



VI. DISCUSSION ITEMS (6–8)

6. County of Los Angeles Board of Supervisors Motion Regarding Procurement Process Review

Executive Director Pat Mallon stated, on October 23, 2012, the Los Angeles County Board of Supervisors entertained a motion from Supervisor Yaroslavsky pertaining to County Procurements particularly of the IT nature and he included a request that the proceedings be conveyed to the LA-RICS Board. The motion recommends that the County CEO's office, County Counsel, ISD, and Public Works conduct a review of the procurement practices and recommend changes that will enhance the County's ability to procure products and services in the most cost-effective, expeditious, and fair manner. The motion considers whether release of a draft Request for Proposal soliciting industry input prior to final release should be considered. In addition, the motion requests that the LA-RICS Board consider incorporating any results of the review into future procurements, as appropriate.

Board Member LeRoy Jackson asked if this did not apply to the current RFP for the LMR System?

Executive Director Pat Mallon stated it did not apply to the LMR System because the RFP had already been approved prior to the release of this motion. Furthermore, it is a decision that this Board can take, and that he would be returning to this Board to seek specific direction as to whether you want specific components implemented or not.

7. Letter Received from California Technology Agency

Executive Director Pat Mallon provided a copy of a letter from the California Technology Agency who has been designated as a single point of contact in California for the FirstNet Authority. They are going to be setting up a series of three informational meetings and forums in the November-December (2012) timeframe to discuss the national public safety broadband network, as well as California's governance structure. We have not received any dates as to when that will occur. We are in frequent contact with CTA and are certainly going to be an active participant, hopefully, in the Statewide Governance System.

IX. PUBLIC COMMENTS – (taken out of sequence)

Lisa Specht – Speaker Card for Agenda Item #8

Lisa Specht of Manatt, Phelps, & Philips spoke on behalf of Raytheon:

Ms. Specht stated that they have expressed concern in the past about proposal evaluations given the previous failed procurement attempts and that her client is very concerned that going forward the procurement process be fair and completely transparent.

Ms. Specht reiterated that everyone must be confident that the selection of evaluators is unbiased and appropriate to the procurement.

Ms. Specht stated that she understood that members of previous evaluation committees will not be allowed to participate. However, excluding evaluators involved in the previous two RFPs obviously shrinks the pool of qualified individuals with the necessary expertise to understand and evaluate the particularly complex technology at issue.



Ms. Specht further stated, as it is, the Authority had a lot of difficulty getting qualified evaluators the second time around, and, even then there is some question about the qualifications and expertise of those individuals.

Ms. Specht identified the issue of evaluator qualifications as one of utmost importance.

Ms. Specht asked what will this Board do to ensure evaluation committee quality control?

Ms. Specht urged the Board to consider retaining outside consultants who are knowledgeable about the complex technology being purchased. Going with an outside firm in whole, or to supplement qualified evaluators from the County, would ensure a process untainted by allegations of unqualified evaluators and/or bias.

Ms. Specht stated that a comprehensive review of the proposals requires oral presentations to describe and clarify proposal contents. This happened in the first RFP, but not the second. She expressed disappointment that this third RFP did not specifically point out the need for oral presentations given what occurred last time.

Ms. Specht urged the Board to direct staff to require oral presentations to facilitate the selection of the most qualified proposer.

Finally, Ms. Specht stated that she understood that one of the reasons there were no oral interviews in the last go-around was time constraints. However, this process cannot be rushed. She requested that the Board require enough time for conscientious evaluation of the proposals.

VI. DISCUSSION ITEMS (6–8) Continued

8. RFP # LA-RICS 007 (Land Mobile Radio System) Proposal Evaluation Committee (taken out of sequence)

Executive Director Pat Mallon stated that Agenda Item 8 is a request that Board Members of the authority provide names of those individuals they would like to be considered as members of the evaluation team.

Members of the evaluation committee for the current procurement should not be those who have participated in the evaluation committee in the first or second procurement. Members of the negotiating teams in the first and second procurement can participate as members of the evaluation team. A copy of Counsel's memorandum will be circulated to the Board. These parameters provide for an enhanced pool of candidates that can participate in the evaluation team. We do anticipate the evaluation committee will be comprised of individuals with both technical and/or operational experience. It will include a vetting of proposed team members to exclude members with any kind of financial interest or bias. We do anticipate the use of SMEs. We have two independent companies under contract, one with the County and one directly with the Authority, with technical expertise to provide gap analysis. Oral presentations are included in this RFP, as were included in the previous procurement. Oral presentations are at the option/discretion of the evaluation committee. The previous procurement evaluation committee did not request/opt for oral presentations, not due to time limitations. We have the same option for oral presentations this time, and the need for oral presentations will be determined by the evaluation committee, as to whether they deem oral presentations of advantage in helping them perform an evaluation.



Executive Director Pat Mallon stated that his request is for members of the authority to provide names of candidates we can contact to serve on the Evaluation Committee. Information is requested by Thanksgiving. We would like to begin the vetting process the week after Thanksgiving, so we can put the team into a training by both ISD (acting as coordinator for procurement), training on the requirements of the proposals, as well as technical presentations. We would like to start training during the first week of December 2012, so we can be ready to start evaluations on January 3rd, when proposals are received.

Chairman Fujioka asked if we can also broaden the pool to include retirees?

Executive Director Pat Mallon stated, yes. Certainly there are technical and/or operational experts that have retired from service from any of the Authority agencies. And, if we cannot achieve an adequate number of candidates from the member agencies, we could consider operational and technical experts that have retired from the adjoining agencies, such as Orange County, and Riverside and San Bernardino Counties.

Board Member LeRoy Jackson asked if it would be a possibility to use consultants?

Executive Director Pat Mallon stated, the technical experts we have as consultants under contract with either the County or the Authority, will be used as SME's, not evaluators. We anticipate we could go to other governmental agencies or retirees to accumulate an appropriate level of expertise.

Board Member Reginald Harrison requested staff identify the evaluators used previously from his agency, so he would not submit their names for consideration again.

Executive Director Pat Mallon stated he would provide those names.

Board Member Greg Simay asked, someone who participated only as a negotiator, can be an evaluator this round?

Executive Director Pat Mallon stated, yes.

Board Member Greg Simay asked, but if they were an evaluator, they cannot be a negotiator this time around?

Executive Director Pat Mallon stated if they were a negotiator in 1 or 2, they can be a negotiator in round 3.

Board Member Daryl Osby asked what is the objective of the Counsel memorandum being sent to the Board this afternoon?

Executive Director Pat Mallon stated it is a legal opinion on the risk issues in the fielding of the evaluation team. It codifies the parameters mentioned today in presentation regarding the composition of the team and their involvement in round 1 & 2 as evaluators, but may be involved as negotiators.

Board Member Daryl Osby stated he would like to direct evaluators to request oral presentations.

Executive Director Pat Mallon stated if the Board wants to provide that direction regarding oral interviews, then it could do so.

Chairman Fujioka recommended we put the evaluation team together, put thought into how we want to structure the process, and do it all at once. Let's think about it and come back at the next meeting, to set parameters, and move forward.



Board Member LeRoy Jackson stated, in the past, the team has not come back.

Chairman Fujioka replied, we will come back at the next meeting to develop some recommendations, and give those recommendations to the team, with instructions to proceed in that manner.

Board Member LeRoy Jackson asked, who are the two consulting firms/SME's?

Executive Director Pat Mallon replied, they are Deltawrx and Jacobs team.

Board Member LeRoy Jackson questioned, I thought Deltawrx was involved in the assessment in the previous round?

Executive Director Pat Mallon replied, they were involved as SME's in the first round, not as evaluators.

Board Member LeRoy Jackson clarified, we can have technical experts even though they were involved previously, but not as evaluators?

Executive Director Pat Mallon replied, correct.

Board Member LeRoy Jackson asked, and neither Deltawrx or Jacobs will be involved as evaluators this round?

Executive Director Pat Mallon replied, correct.

Chairman Fujioka stated, given what I just recommended, if you have any other recommendations, please share them with Pat. If you have requests or additional information, please contact him directly. Pat, as information comes forward, please share with all Board members, so that everyone is involved, and we are all on the same page for the next meeting.

VII. ADMINISTRATIVE MATTERS (9)

9. Accept 2009 State Homeland Security Grant Program (SHSGP) Funds – Pat Mallon

RECOMMENDATION: It is recommended that your Board:

- a. Accept \$704,475 in grant funds from the Fiscal Year 2009 State Homeland Security Grant Program (SHSGP) as distributed through the California Emergency Management Agency (Cal-EMA); and,
- b. Authorize the Executive Director to execute the attached 2009 Homeland Security Grant Program Sub-recipient Agreement between the County of Los Angeles and the Authority.

Executive Director Pat Mallon stated that the Action Item 9 is to request the Board's approval and to authorize the Authority to accept the SHSGP '09 funds in the amount of \$704,475. The use of this \$704,475 is to pay the Jacobs team for three studies that have been completed. One was the 700/800 MHz study. The second was the Feasibility Study for a Hybrid System. And, the third was a site analysis for all the LMR sites, totaling \$704,475. Approval of this item will allow the Authority to send those invoices to the State for payment of the \$704,475.

Board Member Reginald Harrison asked, is there a spending plan in place for the remaining SHSGP and UASI funds as well?



Executive Director Pat Mallon stated, we returned the UASI '08 funds. There was a portion of the allocation of these funds that was dedicated to offset some of the cost of acquiring consoles through the County. That has resulted in some hurdles that had to be overcome. It is my understanding from the UASI Authority that those funds are now being repurposed. So how that \$7 million will be recovered in future UASI years is yet to be made clear. We have developed a spending plan, and what funds can be used to move forward for both the Project Management as well for the LMR System contract. Our timeframe is a little unclear. What is clear is that we are going to have to get extensions on UASI '09 & '10, as well as SHSGP. And, we are working with the SHSGP Approval Authority and the UASI Approval Authority, to seek those extensions through Cal-EMA and FEMA.

Board Member Reginald Harrison asked if there are no assurances that those extensions will be granted.

Executive Director Pat Mallon stated not at this point.

Chairman Fujioka stated we need to put a full-court press on our friends in DC. Thank you.

Board Member Greg Simay stated, I think policy wise from the point of view of this body's preference is to hold on to all the grant money and make it do its work for the LA-RICS System. If, in spite of our best intentions, we are unable to get extension and we are unable to spend the funds, then the fall back is to at least make sure that they are spent locally rather than returned. But then, we need to know that in a timely enough fashion so that all parties would have enough time to weigh in on the process.

Executive Director Pat Mallon stated we are having a continuous dialog regarding that very fact. My understanding from the City UASI coordinator is that the UASI Authority has requested the identification of projects that can be completed within the grant's performance timeframes.

MOTION APPROVED.

VIII. MISCELLANEOUS – (None)

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

10. Full Presentation and Discussion of FirstNet
11. Project Funding
12. Project Risk Controls

XI. ADJOURNMENT

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