



# **BOARD OF DIRECTORS REGULAR AND SPECIAL MEETING MINUTES**

**LOS ANGELES REGIONAL  
INTEROPERABLE COMMUNICATIONS SYSTEM AUTHORITY**

**Thursday, November 3, 2022 • 9:00 a.m.**  
Conducted via Microsoft Teams Meeting

## **BOARD MEMBERS PRESENT**

**Richard Tadeo**, Director, EMS Agency, County of Los Angeles Department of Health Services  
**Phil Ambrose**, Battalion Chief, Los Angeles Area Fire Chiefs Association  
**Mark R. Alexander**, City Manager, California Contract Cities Association  
**David Povero**, Police Chief, City of Covina Police Department  
**Mark Fronterotta**, Police Chief, City of Inglewood Police Department

## **ALTERNATES FOR BOARD MEMBERS PRESENT**

**John Geiger**, County of Los Angeles Chief Executive Office  
**Frank Forman**, Alternate Vice-Chair, Deputy Fire Chief, County of Los Angeles Fire Department  
**Brian Yanagi**, Alternate Chair, Chief, County of Los Angeles Sheriff's Department  
**Tom Jacobs**, Lieutenant, Los Angeles County Police Chief's Association

## **OFFICERS PRESENT**

**Scott Edson**, LA-RICS Executive Director  
**Susy Orellana-Curtiss**, LA-RICS Administrative Deputy  
**Beatriz Cojulun**, LA-RICS Board Secretary

## **BOARD MEMBERS ABSENT / VACANT**

**Brian Leyn**, Captain, City of Signal Hill Police Department



**NOTE: ACTION MAY BE TAKEN ON ANY ITEM IDENTIFIED ON THE AGENDA**

**I. CALL TO ORDER**

Alternate Board Chair Brian Yanagi called the Regular and Special meetings of the Board to order at 9:01 a.m.

**II. ANNOUNCE QUORUM – ROLL CALL**

Board Secretary Beatriz Cojulun took the roll and acknowledged a quorum was present for both meetings.

**III. APPROVAL OF MINUTES (A – B)**

**A. October 6, 2022 – Regular Minutes**

Agenda Item A

**B. October 12, 2022 – Special Minutes**

Agenda Item B

Alternate Board Chair Yanagi asked the Board if there were any corrections or comments to the attached Regular and Special meeting minutes. There were no corrections or comments, therefore, he asked for a motion to approve.

Board Member David Povero motioned first, seconded by Alternate Board Member John Geiger.

Ayes 8: Geiger, Forman, Yanagi, Tadeo, Jacobs, Alexander, Povero, and Fronterotta.

**MOTION APPROVED.**

**IV. PUBLIC COMMENTS – NONE**

There was no public comment.



## V. CONSENT CALENDAR (C)

There were no consent items on the Special Meeting Agenda. The Chair proceeded with the consent items on the Regular Meeting Agenda.

### C. FINDINGS TO CONTINUE TELECONFERENCE MEETINGS UNDER AB 361 AND RELATED ACTIONS

Alternate Board Chair Yanagi asked for a motion to approve Consent Calendar Agenda Item C.

Board Member Richard Tadeo motioned first, seconded by Board Member Povero.

Board Member Mark Alexander asked Executive Director Edson that since the law would be changing January 1, 2023 or February 28, 2023, if staff had made arrangements to meet in-person in the future. Executive Director Edson confirmed the law would change on February 28, 2023, and said the issue would be addressed under Agenda Item K.

Board Member Phil Ambrose joined the meeting at this point.

Ayes 9: Geiger, Forman, Yanagi, Tadeo, Ambrose, Jacobs, Alexander, Povero, and Fronterotta.

**MOTION APPROVED.**

## VI. REPORTS (D - G)

There were no reports on the Special Meeting Agenda. The Chair proceeded with the reports on the Regular Meeting Agenda.

### D. Director's Report – Scott Edson

Executive Director Scott Edson greeted the Board and public and went on to report that all construction was complete, or substantially complete, as testing and optimization continues. Executive Director Edson said the Authority was still in discussions with Motorola Solutions, Inc. (MSI) on accepting their latest Integrated Master Schedule (IMS), which still does not conform to the contract. However, Executive Director Edson said the IMS still shows a final system acceptance date in October of 2023, so the Authority remains in really good shape. Executive Director Edson further reported the narrowband data network would have been the first subsystem accepted and scheduled for last month, and then scheduled for the following week and continues to be pushed out, fortunately the delay in NMDN subsystem acceptance has no impact to the critical path or final system acceptance date, thus far. Executive Director Edson stated that MSI was still testing and



monitoring microwave connections and has also tied the cutover of the narrowband data network to the completion of Closeout Books. Executive Director Edson shared that cutover was needed in order to free up frequencies to be used for other subsystems, due to the interference issues the Authority experienced in the region. Executive Director Edson shared the Authority has been closely monitoring it to ensure no impact to the critical path or final system acceptance date.

Executive Director Edson stated that Acting Project Manager Steve Page would provide further details on the LMR program in his report immediately following this report.

Executive Director Edson briefly discussed the agenda's Administrative Matters, and stated that he and LA-RICS leads from Technical, Law Enforcement Operations, Fire Operations, Administration have spent countless hours together for the last few months in an effort to present the Board with a Jacobs' contract amendment that would take the Project through Final System Acceptance and the one (1) year warranty period in Agenda Item L.

Executive Director Edson provided the Board with some history on the Authority's decision of what is needed and the cost. Executive Director Edson expressed that with a mutually approved IMS, LA-RICS Board approved Amendment No. 31 in April 2022, adding \$2.4 million (\$2,401,722) as a "bridge" amendment to fund Jacobs' continued work on the Project through December 2022. Executive Director Edson shared the intent was to return to the Board once funding was obtained to address the \$40 million LMR Project funding gap was secured. Executive Director Edson said the Bridge Amendment was for six (6) months of work, June 2022 through December 2022, which equates to an average monthly rate of \$400,000 a month. Executive Director Edson reported that currently the Authority is fully funded from Urban Area Security Initiative (UASI) and State commitments through completion of the warranty period, which is projected to complete in the fall of 2024 and thus we are bringing the Board the Jacobs Amendment for the corresponding time period.

Executive Director Edson informed the Board that scope of work for the Jacobs contract remains unchanged and they will continue to provide contract management and administration, work acceptance and approvals, cost estimates, change order processing, as well as records management and retention to documents. Executive Director Edson went on to say that as the project wraps up construction, testing, and optimization phases, their role is critical in ensuring system documentation meets the stringent specs stipulated in their contract.

Executive Director Edson stated that as the Authority accepts subsystems, the Jacobs team will play a key role in coordination of interagency involvement, migration, and cutover. Executive Director Edson shared that all activities leading up to Final System Acceptance will be overseen by the Jacobs team. Executive



Director Edson informed the Board that Jacob's contract scope provides additional detail supporting their expansive and critical scope. Executive Director Edson went on to say that a summary of their scope is captured in the under Agenda Item L Board Letter.

Executive Director Edson stated that Jacobs Amendment No. 32 would provide funding for Jacobs to continue as the Program Manager through completion of the LMR system and its corresponding warranty period, the funding period is from January 2023 through December of 2024, which includes a couple of months for project and grant closeout. Executive Director Edson further stated the Contract Sum increase was for \$8.7 million (\$8,778,104) for 24-months was an average monthly rate of \$366,000. Executive Director Edson said that as discussed during the Jacobs Amendment No. 31, the Maximum Contract Sum allowed for flexibility, which the Authority could spend the full amount or could realize savings.

Executive Director Edson mentioned the Jacobs monthly rate was already included and approved by the grantor in the LA-RICS Spending Plan, with their contract to be funded between grants and California State Budget Act funds.

Executive Director Edson shared that under Administrative Matters, Agenda Item M there was a reduction in the MSI contract for work that MSI will not perform, thus trueing up the contract price exhibit to reflect the same. Executive Director Edson went on to say that in Agenda Item N was a slight increase in contract to MSI for an approved Change Order to mitigate UHF digital TV Channel 15 interference. Executive Director Edson recommended approval of these three (3) administrative items.

Executive Director Edson added that last week the Authority made a verbal and written report to the UASI Approval Authority on the Authority's current status, no one had any questions and all seemed quite pleased with the great progress the Authority has made. Executive Director Edson informed the Board the Approval Authority considered carve-out projects to receive funding, with a second year carve-out for a portion of the operations and maintenance costs of the other radio communications projects in the region. Executive Director Edson went on to say that LA-RICS did not apply for Operations and Maintenance (O&M) funding given the Authority has two (2) open/awarded grants for the completion of buildout. However, Executive Director Edson believes this was important, because as members of this body who also serve on the UASI Approval Authority should be mindful of the non-proportionate awards being made to various agencies regardless of the population they serve, the size of their radio system, or their actual maintenance costs. Executive Director Edson said this was something the Authority had addressed in the past and plans to address next year when the Authority applies for O&M funds.



Executive Director Edson said that last week he and Operations Lead Lieutenant Robert Weber made a LA-RICS System presentation to the Contract City Association City Managers at their Summit meeting, which seems to have been well received.

Executive Director Edson stated that Spectrum Issues would be presented by Technical Lead Ted Pao under Agenda Item H and Outreach Update would be presented by Operations Lead Lt. Weber under Agenda Item I. Executive Director Edson went on to say that other items on the Agenda are Statement of Receipt & Disbursement for AT&T Business Agreement Fund under Agenda Item J and Resuming LA-RICS In-person Meetings under Agenda Item K.

Executive Director Edson concluded his report by saying the Authority added a Special Meeting today on a couple time sensitive items, one is to allow San Bernardino County the Right to Enter (ROE) one of the Authority's sites for a temporary installation needed for testing before the site closes for winter operation. Executive Director Edson ended by saying the second item is to allow for road improvement and maintenance to our LMR Site (Burnt Peak 1 [BUR1]), as well as requesting delegated authority for other sites, as may be necessary to ensure access to our roads as the system is tested and optimized.

This concluded the report on Agenda Item D by Executive Director Edson. There was no further discussion.

**E. Project Manager's Report – Steve Page**

Acting Project Manager Steve Page greeted the Board and presented Agenda Item E.

October Successes

Acting Project Manager Page reported that in October, the Phase 2 team's focus was on the completion of construction at the MCI site above Malibu, and audit walks and related punchlist resolution, which has resulted in a site that is now in the hands of MSI for equipment optimization.

October Challenges

Acting Project Manager Page further reported the move towards permanent power at the Green Mountain (GRM) site continues, with the Authority working with the City of Los Angeles Department of Water and Power (LADWP) and State Parks for an easement. Acting Project Manager Page went on to say that in late October, the relevant Project Description documents were transmitted to State Parks for review and staff would be following up weekly.





Acting Project Manager Page shared the next portion of the Closeout Book program includes the requirement of the System Documentation binders for each site to be approved. Acting Project Manager Page informed the Board that MSI provided fifty-eight (58) books in September for review by staff, with the review still in process with MSI providing corrections on a regular basis in an effort to provide a complete and accurate set of documents.

#### Key Program Metrics

Acting Project Manager Page shared that with the final optimization of both Burnt Peak (BUR1) and San Pedro Hill (SPH), the numbers went up slightly this month. Acting Project Manager Page expressed that with the completion of optimization of the MCI site equipment over the next month, the numbers will reach 100% shortly.

#### Phase 2 Substantially Complete

Acting Project Manager Page reported that as of now, all sites are Phase 2 substantially complete. Acting Project Manager Page further reported that with the exception of some fit-and-finish items here and there, for the most part, there are no further construction activities required

#### Phase 4 Installed

Acting Project Manager Page stated that MSI has completed the installation of equipment at MCI and all the equipment is in at all of the sites.

#### Sites Optimized

Acting Project Manager Page mentioned that MSI was currently optimizing the equipment at MCI, which would in turn lead to the optimization of the West Cell. Acting Project Manager Page also mentioned that MSI is on schedule with these activities, and the Authority looks forward to sharing some really good news at the Board meeting on December 1, 2022.

#### Sites On-air

Acting Project Manager Page reported that as MSI works to finish the site optimization at MCI and cell optimization for the West Cell, we remain with fifty-three (53) of fifty-eight (58) sites on the air.

#### System Redundancy

Acting Project Manager Page reflected that a few months ago, the Authority started discussing some of the technical portions of moving from a Phase 2 focused to



Phase 4 focused program, and this month, the Authority would like to take a quick look at the system redundancy and see how resilient the system is.

Acting Project Manager Page shared there are four (4) separate phases of operation of a digital trunked radio system like LA-RICS. Acting Project Manager Page started with the first, and obviously the best, is Wide Area Trunking, that means the system is in full operation, and users are able to roam between sites and change TalkGroups and communicate with each other seamlessly. Acting Project Manager Page said this is the mode of operation the Authority expected would be in place over 99.999% of the time.

Acting Project Manager Page said that in order of 'preference' is Site Trunking, then Failsoft, and then System Off. Acting Project Manager Page went on to provide a brief overview of each of them.

#### Wide Area Trunking

Acting Project Manager Page shared that when the system is in Wide Area Trunking, users on different TalkGroups can talk to one another throughout the network, completely transparently; which is how the system should work. Acting Project Manager Page expressed that in the interest of preserving spectrum, the most valuable of any asset the Authority has, if there is no need for a TalkGroup to come up at a particular site, it will not. Acting Project Manager Page stated that in this example, users on all four (4) demo TalkGroups on the Downtown UHF cell, but on the South 700 cell, there are only radios on TalkGroups A, C, and D. Acting Project Manager Page further stated that on the I-5 North cell, there are only radios on TalkGroups B, C, and D. Acting Project Manager Page went on to say that if someone talks on TalkGroup B, it will only appear on the downtown UHF and I-5 North UHF cells, on the South 700 cells, that helps preserve spectrum thought the system.

Acting Project Manager Page believes that Site Trunking is an interesting mode of operation, which, simply put, takes the individual site that is in Site Trunking, and allows users on specific TalkGroup to talk to one another.

#### Site Trunking

Acting Project Manager Page provided an example in which the Downtown UHF and I5N UHF would be in a Wide Area, and everyone could happily talk to one another. Acting Project Manager Page further added to the scenario that South 700 cell had gone into Site Trunking due to the unlikely failure of both of the microwave paths that fed the site.

Acting Project Manager Page shared that in this case, users on TalkGroup B would not notice anything, as the only users are on Downtown and I-5 North Cells. Acting





Project Manager Page informed the Board that users on TalkGroup D would notice something though. Acting Project Manager Page went on to say that TalkGroup D users on the South 700 cell would be able to talk to one another, but the users on Downtown UHF and I-5 North UHF would be talking to each other as well, although the two (2) conversations will be happening independently.

Acting Project Manager Page expressed the good news that subscriber units on the system have a couple of handy features. Acting Project Manager Page said the first would be when programmed properly, a radio will always prefer a site in Wide Area Trunking. Acting Project Manager Page said that even if the closest wide area site has poor coverage and a site in Site Trunking a full signal, it will always try to talk on the wide area system. Acting Project Manager Page said that second, if the radio cannot get to the wide area system and will remain on the site in Site Trunking, it will alert the user through either a visual or audible (or both) indication.

#### Failsoft

Acting Project Manager Page expressed that Failsoft is an interesting phase that he broke down by stating that Fail, has a pretty straightforward meaning, and soft, is the opposite of these hardened systems the Authority has been building for years.

Acting Project Manager Page explained that Failsoft itself has a very bad rap and misunderstood by the industry, but fortunately it is because a system has to go through a whole lot of independent failures to trigger this mode. Acting Project Manager Page further explained the Authority has redundant site links, it has redundant power supplies, and sufficient backup power. Acting Project Manager Page said the Authority has all sorts of stuff that stops this from happening.

Acting Project Manager believes the good news is that if, for some reason, the site goes into Failsoft, it can almost be celebrated as no matter how bad things are, the folks in the field are still talking to one another. Acting Project Manager Page shared that this was discussed in an industry article called "Pardon my Failsoft" by Clay Whitehead several years ago, and how everyone should celebrate everyone's contributions that continue the conversation going.

Acting Project Manager Page reported that similar to Site Trunking, the users will be limited to talking to one another on the same cell and will not be talking to other users in Wide Area Trunking, but the subscriber units will be looking for any site they can get to in order to go back to Wide Area Trunking.

Acting Project Manager Page further shared that Failsoft in a system as large as LA-RICS is very difficult to fully manage, and decision was made the Authority was not going to. Acting Project Manager Page expressed that a simple answer to a site going into Failsoft is that everyone on that site would go to a single channel,



which is the last-known control channel, and they should all be talking to one another in conventional, digital, non-encrypted mode. Acting Project Manager Page went on to say that just like Site Trunking, the radio should provide an indication to the user, depending on how the radio is programmed, to let them know the system was in Failsoft.

### System Off

Acting Project Manager Page said that System Off is pretty self-explanatory and it occurs when either of the following happens:

1. Turned the site off for maintenance and have given everyone as much notice as possible, or
2. The site has just plum run out of power and shuts down. Acting Project Manager Page said this is a site-by-site issue, as even if there is a loss of all power to the primary Master Site, there is a redundant Master Site to control everything, or if both are lost, it would just go into Site Trunking.
3. The rest of the system will continue to operate normally, and the subscriber units will continue to look for sites in Wide Area.

### November Areas of Focus

Acting Project Manager Page reported that this month, the team would focus on the finalization of optimization at MCI, with staff being on site almost each day to keep the construction on track and would also be keeping a close eye on the Narrowband Mobile Data Network 1 (NMDN1) cutover to make sure the subsystem comes online without issues.

This concluded the presentation and report on Agenda Item E by Acting Project Manager Page. There was no further discussion.

**F. Joint Operations and Technical Chair's Report – None**

**G. Finance Committee Chair's Report – None**

## **VII. DISCUSSION ITEMS (H – K)**

There were no discussion items on the Special Meeting Agenda. The Chair proceeded with the discussion items on the Regular Meeting Agenda.

**H. Spectrum and Licensing Issues Impacting Land Mobile Radio Deployment – Ted Pao**



Technical Lead Ted Pao provided an update on the Federal Communications Commission (FCC), to which he stated the Authority continues to wait for the two (2) Tejon Peak (TPK) licenses to be granted by the FCC. Technical Lead Pao said that one is for the Narrowband Mobile Data Network (NMDN) and the other is for the Analog Conventional Voice Radio System (ACVRS).

Technical Lead Pao stated the Authority's Special Temporary Authority (STA) license for the narrowband and data transmitter at TPK was granted by the FCC to ensure NMDM operation in the area would not be disrupted due to licensing issues. Technical Lead Pao also stated the STA license is good until April 19, 2023, to which the Authority hopes the permanent license will be granted prior to the expiration date.

Technical Lead Pao said that in respect to interference issues the Authority received an interference investigation report for Mount Disappointment (MDI), Signal Hill (SGH), and the Criminal Courts Building (CCT). Technical Lead Pao went on to say the staff is in review of these reports and findings.

This concluded the update on Agenda Item H. There was no further discussion.

**I. Outreach Update – Lieutenant Robert Weber**

Operations Lead Lieutenant Robert Weber greeted Board members and referenced the detailed Outreach Summary document for the month of October included in the Agenda Packet for review and information.

Operations Lead Weber reported that as of October 5, 2022, Authority staff and personnel from County of Los Angeles (County) Sheriff's Department (LASD) Communications and Fleet Management Bureau (CFMB) have been conducting full station testing with East Los Angeles Sheriff's Station. Operations Lead Weber further reported that testing was set-up using LA-RICS TalkGroups for all tactical channels in the same manner as full migration which is scheduled for next year. Operations Lead Weber went on to say that system metrics from the testing will be shared with the LASD CFMB staff. Operations Lead Weber said the system is performing very well, and the information obtained will be used as LASD moves forward with additional station testing in the future.

Operations Lead Weber said that Authority Staff attended two (2) additional weeks of critical system training provided by MSI, which the training covered APX radio technical concepts and a dispatch console workshop.

Operations Lead Weber informed the Board that as Director Edson previously mentioned, Authority staff met with and presented a brief system update to the California Contract Cities Association on October 27, 2022.



Operations Lead Weber Authority staff conducted an outreach to the City of Santa Clarita on October 14, 2022. Operations Lead Weber stated the City of Santa Clarita is evaluating their communication needs and the possibility of using LA-RICS. Operations Lead Weber Authority staff will work closely with the city to ensure their needs are met.

Operations Lead Weber finalized his report by saying that Authority staff members have continued close contact with our State and Federal partners to ensure interoperability during major events and to further collaborate on regional public safety communication.

This concluded the update on Agenda Item I. Operations Lead Weber asked if there were any questions. There was no further discussion.

**J. Statement of Receipt & Disbursement for AT&T Business Agreement Fund for Public Safety Broadband Network – Susy Orellana-Curtiss**

Administrative Deputy Susy Orellana-Curtiss greeted the Board and provided an update on Agenda Item J, which was the statement of disbursements that were made and the balance on the AT&T Corporation (AT&T) Business Agreement funds, through the period end date of September 30, 2022. Administrative Deputy Orellana-Curtiss was happy to report that once again the use of the AT&T Business Agreement funds which pay for the Board's member funded line items within LA-RICS' Adopted Budget since Fiscal Year (FY) 2018-19, are in accordance with the Adopted Budget FY 2022-23. Administrative Deputy Orellana-Curtiss went on to say the Authority is actually underspending realizing a savings from what was projected the Adopted Budget and are on track to spend in accordance with same.

This concluded the update on Agenda Item J. Administrative Deputy Orellana-Curtiss asked if there were any questions. There was no further discussion, at which point Administrative Deputy Orellana-Curtiss asked the item to be received and filed.

**K. Resuming LA-RICS In-Person Meetings – Scott Edson**

Executive Director Edson informed the Board the purpose of the discussion was to allow the Board the opportunity to discuss the resumption of the LA-RICS Board and Committee in-person meetings. On October 17, 2022, Governor Gavin Newsom announced the COVID-19 State of Emergency would end on February 28, 2023. Executive Director Edson stated that as a result, the requirements under Assembly Bill (AB) 361 to continue meeting via teleconferencing can no longer be met. Executive Director Edson shared with the Board that staff have confirmed securing a venue, the County Sheriff's Department Crime Lab, to resume in-person meetings when needed.



Counsel to the Authority, Truc L. Moore, went on to notify the Board that currently there are changes that are making their way through the legislature and hopefully will be signed by the Governor, where there will be some adjustment of rules on allowing some Board Members to call-in via teleconferencing. Counsel Moore informed the Board the Office of the County Counsel (County Counsel) would be tracking those changes and the Board would be provided an update from herself and/or Executive Director Edson as the State law is changed. Counsel Moore said that what Executive Director Edson previously stated was correct, that under Assembly Bill (AB) 361 teleconferencing would no longer be allowed, given the end of the COVID-19 statewide Emergency would end February 2023, would have this Board resume meeting in-person in March of 2023. Counsel Moore asked if anyone wanted to share any thoughts or comments.

Alternate Board Chair Yanagi asked if the law is still in flux, he questioned whether it would benefit to wait until those changes materialized and see what the options are. Counsel Moore responded by saying that State laws should be signed soon and be effective January 1, 2023, with County Counsel being informed sometime in December 2022, what those final changes would be. Counsel Moore assured the Board does not have to switch now, but would have to be ready for the switch for the March 2023 meeting. Counsel Moore informed the Board that Governor Newsom provided his intent to make changes to the COVID-19 State of Emergency in advance, therefore, providing everyone with an opportunity to make preparations. Counsel Moore stated the Board should consider options, if they would like to wait until March 2023 following conclusion of the statewide emergency or decide to meet in-person as of January 2023.

Executive Director Edson shared with the Board for their consideration that logistically it is very difficult to conduct a hybrid meeting where some Board Members are remote and others are in person, therefore, the preference would be for the Board to attend in-person meetings, and when needed, a Board Member would be able to call-in. Executive Director Edson asked if there was an option allowing to continue teleconferencing, but Counsel Moore stated that due to the Brown Act, there was a requirement to meet in person however certain state law changes are being considered to help facilitate those that need to call-in.

County Counsel Mike Simon added his understanding of the changes that are being contemplated would affect those Board Members that need to call-in because they are sick and unable to attend in-person, and allow them to participate remotely under the right circumstances, but only twice a year, which is not an extensive allowance for teleconferencing.

Administrative Deputy Orellana-Curtiss wanted to clarify in order to best inform Agenda Item that will be on the December Board Agenda that captures the calendar meeting dates and location for the 2023 calendar year, and given the clarification by Counsel Simon, she asked if it would be agreeable under this Discussion Item





for staff to prepare a calendar of Board meetings for 2023 to assume the resumption of in-person meetings effective the March 2023 meeting date, given the calendar item requires staff to include the meeting location.

Counsel Moore clarified that at minimum the Board is expected to return to in-person meetings in March 2023, regardless if the Board chooses to resume in-person meetings sooner than March 2023.

Alternate Board Chair Yanagi stated the Board would definitely start the in-person meetings in March 2023, but if something were to change the Board could adjust and start to meet in-person either January or February 2023, to which Counsel Moore said that was not an issue. Alternate Board Chair Yanagi recommended in order to comply with the laws and Brown Act obligations the Board should meet via teleconference in January and February of 2023 and resume in person meetings in March 2023. Alternate Board Chair Yanagi asked if any other Board Members had any thoughts or suggestions.

Board Member Alexander wanted to verify if the new law that was mentioned by Counsel Simon allows for an individual to participate remotely twice a year, if that would supersede AB 361 effective January 1, 2023, or still under AB 361 through decision of the Emergency Order through February 28, 2023.

Counsel Moore agreed and stated that currently the Board is under AB 361 and with the clarifications coming in January 2023 regarding Board Members being able to call-in

Board Member Alexander stated that currently there are three (3) laws, which is the old Brown Act allowing someone to participate remotely and having to post the location on the Agenda, at the venue/location, as well as allow the public to join the meeting at that location, the old Brown Act which would still be effective. Board Member Alexander went on to say that this new law being considered may indicate there is no need to post the remote meeting location on the Agenda, venue/location, or allow the public to attend the meeting at your remote location, with the caveat of having a legitimate reason for joining remotely, and limited individually to twice a year. Board Member Alexander stated and finally there is AB 361, which the Board has been operating under over the last couple of years due to COVID and ending on February 28, 2023. Counsel Moore stated that Board Member Alexander was correct.

Administrative Deputy Orellana-Curtiss thanked Board Member Alexander for the clarification, and went on to say that if it was the Board's preference was to continue meeting remotely in January and February of 2023 utilizing AB 361, the Board needs to understand that there will be a need for a Special Meeting in December 2022 because of the 30-day period required under AB 361 would be exceeded between the December and January regular Board meeting dates.





Alternate Board Member Geiger asked if the December Regular and Special meeting could run simultaneously. Administrative Deputy Orellana-Curtiss responded by saying that due to the gap of time between the December Regular Board Meeting and the January Regular Board Meeting, which would exceed the 30-day period under AB 361, but would return to the Board with confirmation.

Alternate Board Member Geiger recapped the discussion in that the Board would comply with the law and return to in-person meeting in March 2023, with there being certain issues that are fluid and unknown in the interim and thus suggested to continue meeting remotely until January and February 2023 and would be in favor of having a brief mid-December Special Board Meeting.

Counsel Moore clarified this was not an Action Item and is just a Discussion Item, that staff would take discussion points into consideration and asked the Board if they had any additional thoughts, or comments. Alternate Chair Yangi asked if a venue had been secured for the in-person meetings. Director Edson confirmed the County Sheriff's Department Crime Lab had been secured for when the Board resumed in-person meetings.

#### **VIII. ADMINISTRATIVE MATTERS (L – N) FROM THE REGULAR MEETING AGENDA**

##### **L. AMENDMENT NO. 32 TO THE PROJECT AND CONSTRUCTION MANAGEMENT SERVICES AGREEMENT**

Administrative Deputy Orellana-Curtiss presented the Board with Agenda Item L, which Executive Director Edson touched upon is to extend the term of the Jacobs Agreement in Amendment No. 32 which would continue providing Management Services for the Land Mobile Radio (LMR) Project through December 31, 2024. Administrative Deputy Orellana-Curtiss asked the Board on to make the following findings:

Administrative Deputy Orellana-Curtiss asked the Board to approve Amendment No. 32, which is in substantially similar form, to the Enclosure contained in the Agenda Packet. Administrative Deputy Orellana-Curtiss went on to say the Amendment captures an increase to the Maximum Contract Sum with the actual scope increase is \$8,778,104 for the extension of work through December 31, 2024.

Administrative Deputy Orellana-Curtiss also asked the Board to approve the removal of \$351,726 in unexpended contract sum that was under the Public Safety Broadband Network (PSBN) Round 2 project budget under the Jacobs contract.

Administrative Deputy Orellana-Curtiss asked the Board for their approval for 1.c, which reflects a net cost increase to the Maximum Contract Sum which reflect the removal of \$8,426,378.



Administrative Deputy Orellana-Curtiss went on to ask the Board to approve delegating authority to the Executive Director to execute Amendment No. 32, in substantially similar form to the Enclosure, as well as to allow to issue Notices to Proceed (NTP) for any work captured under Amendment No. 32.

Administrative Deputy Orellana-Curtiss said that as Executive Director captured some facts contained within this Amendment, she pointed out some numbers as well. Administrative Deputy Orellana-Curtiss said the \$8.77 million includes the 24-months of the Jacobs and Subject Matter Expert (SME) work that is broken down into seventeen (17) full time equivalent positions, additionally that is approximately 60,000 hours of SME work or approximately 2,500 hours of SME work per month. Administrative Deputy Orellana-Curtiss asked the Board to note there was no Cost of Living Adjustment (COLA) or increase in proposed Amendment No. 32, and the contract rates that are captured within the Amendment are not changed, therefore, there is no change in contract rate.

Administrative Deputy Orellana-Curtiss provided one very important final point, when the Authority presented the Spending Plan to the Grantor, State and Federal Emergency Management Agency (FEMA) who oversees Urban Area Security Initiative (UASI), and State Homeland Security Grant Program (SHSGP) they understood the role of the Jacobs Project Management (PM) Contract over the LA-RICS Project and required the Authority include the Jacobs Management line item within the Authority's Spending Plan regardless of the fund source to fully understand what the full scope and cost of the Project would be. Administrative Deputy Orellana-Curtiss further stated the Jacobs contract value through completion of the Warranty period was included in the Funding Gap discussed with the Board last year and is now fully funded either by the awarded grants as well as the State Budget Act Funds. Administrative Deputy Orellana-Curtiss concluded by saying now that funding has been secured to complete the LMR Project we are returning to the Board with full Jacobs Amendment that takes the Authority through the completion of the System deployment as well as the warranty period.

This concluded the update on Agenda Item L. Administrative Deputy Orellana-Curtiss asked if there were any questions.

Alternate Board Member Geiger motioned first, seconded by Board Member Alexander.

Ayes 9: Geiger, Forman, Yanagi, Tadeo, Ambrose, Jacobs, Alexander, Povero, and Fronterotta.

**MOTION APPROVED.**



**M. APPROVE AMENDMENT NO. 105 TO AGREEMENT NO. LA-RICS 007  
LOS ANGELES REGIONAL INTEROPERABLE COMMUNICATIONS SYSTEM  
LAND MOBILE RADIO**

Administrative Deputy Orellana-Curtiss presented the Board with Agenda Item M, which is Amendment No. 105 and Unilateral Amendment No. 30, and asked the Board to make the following recommended actions:

Administrative Deputy Orellana-Curtiss asked the Board to approve Amendment No. 105 and Unilateral Amendment No. 30 to reflect a decrease in certain scope and corresponding costs in the amount of \$358,830. Administrative Deputy Orellana-Curtiss went on to ask the Board to authorize the decrease in the Maximum Contract Sum, which correspondently brings down that sum to \$215,916,604, as well as to delegate authority to the Executive Director to execute this Unilateral Amendment No. 30, substantially similar in form to the enclosed in the agenda packet.

Administrative Deputy Orellana-Curtiss went on to explain to the Board the Authority is bringing this item back as a unilateral amendment, as MSI had taken the position that despite their acknowledgement and submission of a work acceptance certificate, that noted they had reduced work performed and so correspondingly they had reduced values in the completion of their work they are now taking the position they are entitled the full amount for the work that was not in fact performed, due to that, the Authority has returned to the Board in Amendment No. 105/Unilateral Amendment No. 30.

This concluded the update on Agenda Item M. Administrative Deputy Orellana-Curtiss asked if there were any questions.

Board Member Alexander motioned first, seconded by Alternate Board Member Geiger.

Ayes 9: Geiger, Pappas, Yanagi, Tadeo, Ambrose, Jacobs, Alexander, Povero, and Fronterotta.

**MOTION APPROVED.**

**N. APPROVE AMENDMENT NO. 106 TO AGREEMENT NO. LA-RICS 007  
LOS ANGELES REGIONAL INTEROPERABLE COMMUNICATIONS SYSTEM  
LAND MOBILE RADIO**

Administrative Deputy Orellana-Curtiss presented the Board with Agenda Item N, which Amendment No. 106 to the Agreement with MSI, which is a Change Order that will replace and relocate certain Digital Trunked Voice Radio Subsystem (DTVRS) antennas will help to mitigate UHF digital TV Channel 15 interference at



the Tejon Peak (TPK) site, this reflects an increase in contract sum in the amount of \$42,546. Administrative Deputy Orellana-Curtiss on behalf of the Authority asked the Board to make the California Environmental Quality Act (CEQA) findings that are captured in item 1.a.

Administrative Deputy Orellana-Curtiss went on to ask the Board to approve Amendment No. 106, which is an increase in the amount of \$42,546, as well as capturing that increase into the Maximum Contract Sum which would take it to \$215,959,150.

Administrative Deputy Orellana-Curtiss concluded with asking the Board for delegated authority for the Executive Director to execute Amendment No. 106, which is substantially similar in form to the enclosure that is contained in the Agenda Packet, as well as to issue any Notices to Proceed (NTP) for this work.

This concluded the update on Agenda Item N. Administrative Deputy Orellana-Curtiss asked if there were any questions.

Alternate Board Chair Yanagi motioned first, seconded by Alternate Board Member Frank Forman.

Alternate Board Member Geiger interjected that as a matter of clarification that when the item is moved it is also making the finding ancillary to it, to which there were no oppositions or comments.

Ayes 9: Geiger, Forman, Yanagi, Rifenburg, Ambrose, Solinsky, Alexander, Povero, and Fronterotta.

**MOTION APPROVED.**

## **VIII. ADMINISTRATIVE MATTERS (A – B) FROM THE SPECIAL MEETING AGENDA**

### **A. PERMIT TO ENTER LAND MOBILE RADIO SITES WITH VARIOUS ENTITIES**

Technical Lead Pao presented Agenda Item A for the Special Meeting.

Technical Lead Pao asked for Board approval to delegate authority to the Executive Director to execute, in substantially similar form, a Permit to Enter with San Bernardino County and/or its contractor, to permit San Bernardino County to perform line of sight microwave path verification and link testing at the Frost Peak (FRP) LMR Site. Technical Lead Pao detailed the location of FRP which is located inside the County border along San Bernardino County. Technical Lead Pao stated that it can also provide needed first responder coverage into San Bernardino County, and they have requested to have line of sight verification before committing additional resources to study the visibility for FRP for their LMR System.



Technical Lead Pao further requested Board approval to allow Executive Director to execute future Permits to Enter with other entities who may need temporary access to the Authority's LMR Sites. Technical Lead Pao said the Authority has completed all of its LMR site construction and have received interest from some entities in using the Authority's sites. Technical Lead Pao expressed this would allow the Executive Director to enter into Permits to Enter for the LMR sites that those entities have demonstrated interest in to conduct feasibility studies or site surveys.

This concluded the update on Agenda Item A. Technical Lead Pao asked if there were any questions.

Executive Director Edson went on to add the San Bernardino County site just came to the attention of the Authority, they just want to get up there and see if their microwave can hit their site before bad weather precludes them from accessing the site, and if they can hit their site they will return to the Authority and enter into discussions about putting equipment on the Authority's tower.

Executive Director Edson stated this is new area in which the Authority is building a response for and see how in the future the Authority can respond to such requests, what public safety partner they might allow on the Authority's tower, fees they may pay the Authority for any research and exploration, if the Authority has to do any potential interference mitigation, etc. Executive Director Edson expressed the Authority would have to set-up a fee structure response in addition to working with any other site holders and whether it may be feasible for a public safety organization to join and post their equipment on the Authority's site. Executive Director Edson believes this is the beginning of more documentation that will be presented to the Board as to fee schedule, process, etc. Executive Director Edson reiterated that San Bernardino County just wants to know whether this is feasible or not and they need to accomplish this assessment before the weather shuts down the site.

Alternate Board member Geiger asked Executive Director Edson if this Agenda Item is limited to public safety entities only, since that is how currently reads. Executive Director Edson stated the intent is to leave it open due to the fact that there have been other critical partners that have inquired e.g. Ham Radio, Disaster Services, etc., therefore, if the Right of Entry (ROE) could be left open to that, with public safety being the priority, it would be appreciated.

Alternate Board Chair Yanagi summarized Agenda Item A and said that it was permission to do a survey and any further action would have to be presented to the Board, to which Executive Director Edson concurred.



Alternate Board member Geiger asked if there was any concern about having private entities view the public safety sites. Executive Director Edson believes there is always a concern, but would not allow a non-public safety agency access to the sites as it would have to be an entity the Authority is comfortable with, using the utmost discretion on who is allowed access to sites.

Alternate Board Member Geiger asked Executive Director Edson if he could provide the Board with advanced notice, either three (3) or ten (10) days, in the absence of an objection to go forward with your delegated authority. Executive Director Edson agreed to the request.

Counsel Moore asked Alternate Board Member Geiger if he was putting into motion a revised motion adding the requirement the Executive Director provide notice to the Board.

Alternate Board Member Geiger clarified that he would like the Board to be provided with some advance notice, whatever would be feasible for staff to provide, and if Executive Director Edson feels the 10-days advance notice would be acceptable, then he does go forward with the motion that Agenda Item A, recommended action 2 be subject to a 10-day advance written notification to the Board, in the absence of an objection Executive Director Edson would go forward and exercise the delegates authority.

Board Member Alexander stated 10-days seemed like a long period of time and asked Executive Director Edson if a 10-day notification was feasible or practical. Alternate Board Member Geiger offered an alternate 3-day advanced notice option, to which Executive Director Edson agreed with.

Alternate Board Member Geiger motioned first, seconded by Board Member Alexander.

Ayes 9: Geiger, Forman, Yanagi, Tadeo, Ambrose, Jacobs, Alexander, Povero, and Fronterotta.

**MOTION APPROVED.**

**B. DELEGATE AUTHORITY TO THE EXECUTIVE DIRECTOR FOR ROAD IMPROVEMENT WORK AT LAND MOBILE RADIO SYSTEM SITES**

Administrative Deputy Orellana-Curtiss presented Agenda Item B within the Special Meeting Agenda.

Administrative Deputy Orellana-Curtiss asked the Board to approve the Executive Director to share in future road repair work with the County of Los Angeles (County), specifically, for site work at Burnt Peak (BUR1), which was for a cost of up to





\$15,000. Administrative Deputy Orellana-Curtiss also asked the Board to delegate authority to the Executive Director to share in future road repair costs at other LMR sites as needed, and asked the Board for their consideration allowing the Authority to address unforeseen repairs needed to access the Authority's LMR site road in order for the Authority and contractors to continue their important LMR work and not impact the schedule.

Administrative Deputy Orellana-Curtiss on behalf of the Authority asked the Board make the recommended action and approve the specific \$15,000 amount for road repair at BUR1 site, and additionally give delegated authority to the Executive Director for future road repair work as needed at other LMR sites, where the County or any other public agency would perform the work in-house or procure those road repair services via a competitive bid process, which the authority would work with the agency to share in that cost for a total not-to-exceed for all repair work at various sites, amount of \$100,000 for repair work at various sites. Administrative Deputy Orellana-Curtiss went on to say that this would be memorialized via a Memorandum of Understanding (MOU) or in another formal of agreement with the agency to allow for the cost share of road repair.

Administrative Deputy Orellana-Curtiss said that upon the Board's approval of this item, the Executive Director would report quarterly to the Board on what road repair costs were shared at any of the LMR sites and provide the Board with a status balance of the \$100,000 allocation.

Administrative Deputy Orellana-Curtiss stated the \$115,000 total potential fiscal impact would be payable under the open and awarded UASI and/or SHSGP grants.

This concluded the update on Agenda Item B. Administrative Deputy Orellana-Curtiss asked if there were any questions.

Alternate Board Member Geiger had a question in regards to item 1 and suggested that Administrative Deputy Orellana-Curtiss consult with Counsel on this, that in California, there was a very narrow but very well entrenched exceptions to competitive procurement in times of an emergency, and although the Authority was not doing this by way of this motion, he wondered if it would tie the Authority's hands to only use competitive procurement, if there were a need to go sole source for an emergency repair work, which he was left to wonder if this motion would prevent that.

Counsel Moore stated that this was a cost sharing motion and does not include anything the Authority may want to do separately out of the cost sharing, which was very limited delegated authority to share in cost where other public agencies are taking the lead. Counsel Moore went on to say that luckily the County shares BUR1 road with the Authority, they too are impacted by the unsafe road conditions and thus are taking the lead and asked the Authority as a site user to share that cost



with them. Counsel Moore also mentioned the United States Forest Services (USFS) permits has requirements for the users of the road split the cost.

Alternate Board Member Geiger understands but referenced a specific line in Item B Board Letter that references competitive bid, and wants to ensure if legitimate exemption allows us to bypass a competitive bid that this recommended action would still allow us to share in those costs.

Counsel Simon agreed with Alternate Board Member Geiger that for example, if the County decided that they qualified an emergency and decided to use an emergency process to procure someone to clear the road, the Authority could still share in those costs. Counsel Simon said there was nothing in the Agenda Item to prevent that from occurring.

Counsel Moore stated that under the grants, there is an exception for competitive procurement in the event of an emergency, which is also consistent with California State law.

Alternate Board Chair Yanagi suggested changing the wording to “unless exempt”, to which Counsel Moore agreed and the first read-in was provided by Administrative Deputy Orellana-Curtiss to recommended action 2 read as follows:

“Delegate authority to the Executive Director to share in future road repair costs for other LMR sites where the County or another public agency performs the work in-house or procures road repair services via competitive bid processes, unless exempted, so the Authority can also secure safe access for the Authority and its contractors to those sites, for a not-to-exceed aggregate amount of \$100,000, with such costs being memorialized in a Memorandum of Understanding (MOU) or other agreement by the Executive Director and with the County or other public agency and is approved as to form by County Counsel; “

Alternate Board Member Geiger motioned, seconded by Alternate Board Member Povero.

Ayes 9: Geiger, Forman, Yanagi, Tadeo, Ambrose, Jacobs, Alexander, Povero, and Fronterotta.

**MOTION APPROVED.**

## **IX. MISCELLANEOUS – NONE**

There were no Miscellaneous Items for the Regular Meeting or Special Meeting.



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

There were no Future Discussion and/or Action Items for the Regular Meeting or Special Meetings.

**XI. CLOSED SESSION REPORT**

There was no closed session listed for the Special Meeting Agenda. The Chair proceeded with the closed session items on the Regular Meeting Agenda.

The Board entered into Closed Session at 10:07 a.m.

1. CONFERENCE WITH LEGAL COUNSEL –Anticipated Litigation (subdivision (d) of Government Code Section 54956.9) (2 cases).
2. PUBLIC EMPLOYEE PERFORMANCE EVALUATION [Government Code Section 54957(b)(a)] Title: Executive Director

The Board returned from Closed Session at 10:14 a.m. Counsel Truc Moore stated the Board was back in open session and the Brown Act did not require a report.

**XII. ADJOURNMENT OF THE REGULAR AND SPECIAL MEETINGS AND NEXT REGULAR MEETING**

Alternate Board Chair Yanagi called for a motion to adjourn the Regular and Special Meetings. Board Member Phil Ambrose motioned.

Alternate Board Chair Yanagi adjourned the Regular and Special Board Meetings at 10:19 a.m., and stated the next Regular Board Meeting will be held on December 1, 2022, at 9:00 a.m., via Microsoft Teams / Teleconference Meeting.