



East Bay Regional Communications System Authority



Participating agencies include Alameda and Contra Costa Counties and the following cities and special districts: Alameda, Albany, Antioch, Berkeley, Brentwood, Clayton, Concord, Danville, Dublin, El Cerrito, Emeryville, Fremont, Hayward, Hercules, Lafayette, Livermore, Martinez, Moraga, Newark, Oakland, Oakley, Pinole, Pittsburg, Pleasant Hill, Pleasanton, Richmond, San Leandro, San Pablo, San Ramon, Union City, Walnut Creek, East Bay Regional Park District, Kensington Police Community Services District, Livermore Amador Valley Transit Authority, Moraga-Orinda Fire District, Rodeo-Hercules Fire District, San Ramon Valley Fire District, California Department of Transportation, Ohlone Community College District, Contra Costa Community College District, Dublin-San Ramon Services District and University of California, Berkeley

BOARD OF DIRECTORS MEETING

NOTICE OF REGULAR MEETING

DATE: June 19, 2020

TIME: 10:00 a.m.

PLACE: Alameda County Sheriff's Office of Emergency Services and Homeland Security
4985 Broder Blvd.
Dublin, CA 94568

Meeting Procedure During Coronavirus (COVID-19) Outbreak:

In keeping with the guidelines provided by the State of California and Alameda County Department of Public Health regarding gatherings during the coronavirus (COVID-19) outbreak, and recommendations to follow social distancing procedures, the East Bay Regional Communications System Authority (EBRCSA) will adopt the following practices during upcoming Board of Directors meeting:

- The EBRCSA Board of Directors will hold the meeting remotely via ZOOM Video Communications.
- The Public will have access to the meeting via a telephonic option calling: Dial by your location, **+1 669 900 9128** US (San Jose)
- The Public will have access to all materials via the EBRCSA Web Site, <http://www.ebrcsa.org/default.page>. The material will be under the header Calendar, then Board of Directors, and then June 19th date.
- The Public will be asked if there is any comment or question concerning the meeting during the Public Comment Period and as each item is discussed.
- The Speaker may provide their name for the record, if they so choose

AGENDA

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- | | | |
|-----------|--|-------------------------|
| 1. | <u>Closed Session:</u> (None) | Time: N/A |
| 2. | <u>Call to Order/Roll Call:</u> (Regular Session) | Time: 10:00 a.m. |
| 3. | <u>Report on Closed Session:</u> None | |

4. Public Comments (Meeting Open to the Public):

At this time, the public is permitted to address the Board on items within the Board's subject matter jurisdiction that do not appear on the agenda. Please clearly state your name for the record. In accordance with State Law, no action or discussion may take place on any item not appearing on the posted agenda. If the item requires action, it will be referred to staff and/or placed on the next agenda. In order that all interested parties have an opportunity to speak, please limit comments to a maximum of three (3) minutes. If you wish to comment on an item that is on the agenda, please wait until the item is read for consideration, and then make your comments. Please limit comments to a maximum of three (3) minutes.

5. Presentations: None

6. Approval of Minutes

6.1 Approval of Minutes from the Special Board Meeting of March 6, 2020

7. Written Communications: None

8. Public Hearings: None

9. Action Items:

9.1 Adoption of FY 2020/2021 Administrative Budget

9.2 Approval of an Amendment to the Communications System Agreement with Motorola Solutions, Inc. to Extend the Term

10. Committee Updates:

10.1 Receive Informational Report on Recent Finance Committee Activities

10.2 Receive Informational Report on Recent Operations Committee Activities

11. Reports:

11.1 Receive an Update on the City of Vallejo

11.2 Receive an Update on the City of Antioch

12. Board Comments:

13. Next Action Steps:

14. Adjournment

This AGENDA is posted in accordance with Government Code Section 54954.2(a) *If requested, pursuant to Government Code Section 54953.2, this agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Section 12132), and the federal rules and regulations adopted in implementation thereof. To make a request for disability-related modification or accommodation, please contact the EBRCSA at (925) 803-7802 at least 72 hours in advance of the meeting.*

I hereby certify that the attached agenda was posted 72 hours before the noted meeting.

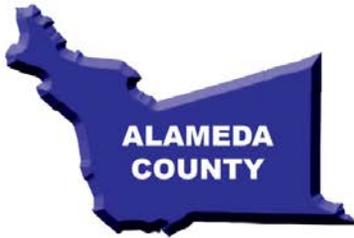
Tom McCarthy

Tom McCarthy

Executive Director

Dated: June 15, 2020

3542902.1



**East Bay Regional
Communications
System Authority**



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AGENDA ITEM NO. 6.1

**AGENDA STATEMENT
BOARD OF DIRECTORS MEETING
MEETING DATE: June 19, 2020**

TO: Board of Directors
East Bay Regional Communications System Authority (EBRCSA)

FROM: Thomas McCarthy, Executive Director
East Bay Regional Communications System Authority

SUBJECT: Approval of Minutes of the March 6, 2020 Board of Directors Meeting

RECOMMENDATIONS:

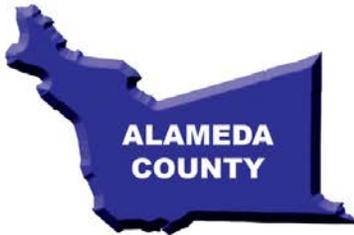
Approve the minutes of the March 6, 2020 Board of Directors Meeting.

SUMMARY/DISCUSSION:

The Board of Directors will consider approval of the minutes of the March 6, 2020 Board of Directors Meeting.

RECOMMENDED ACTION:

It is recommended that the Board of Directors approve the minutes of the March 6, 2020 Board of Directors Meeting.



East Bay Regional Communications System Authority



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BOARD OF DIRECTORS MEETING

REGULAR MEETING

DATE: March 6, 2020

TIME: 10:00 a.m.

PLACE: Alameda County Sheriff's Office of Emergency Services and Homeland Security
4985 Broder Blvd.
Dublin, CA 94568

MINUTES

1. **Closed Session:** None.

2. **Call to Order/Roll Call:** 10:03 a.m.

Boardmembers Present: G. Ahern, C. Andersen, J. Calabrigo, M. Casten, J. Diaz, N. Gallo, N. Luby, R. McBain, P. Meyer, P. Mulligan, S. Perkins, C. Nice, J. Tudor, D. Twa

Staff: T. McCarthy, L. McKinney, C. Boyer, C. Soto

Public: T. Brooks, Police Chief, City of Antioch; N. Ashraf, Chief Innovation Officer, Vallejo; D. Arbuthnott, Vallejo Fire Chief; S. Williams, Police Chief, City of Vallejo; G. Poole, Motorola

3. **Report on Closed Session:** None.

4. **Public Comments: (Meeting Open to the Public):** None.

5. **Presentations:** None.

6. **Approval of Minutes**

6.1 **Approval of Minutes from the Board Meeting of December 6, 2019**

On motion of Bm. Mulligan, seconded by Bm. Andersen and by unanimous vote, the Board approved the minutes of the December 6, 2019 Regular Board meeting.

7. **Written Communications:** None.

**Alameda County Office of Homeland Security and Emergency Services
4985 Broder Blvd, Dublin CA 94568 • (925) 803-7802 • www.ebrcsa.org**

8. **Public Hearings:** None.

9. **Action Items:**

9.1 Discuss and Provide Direction Concerning the City of Vallejo Police and Fire Department joining EBRCSA

Director McCarthy presented the Staff Report and advised that the City of Vallejo had requested to join EBRCSA as a radio system user. The City's radio system was not functioning properly, and they had tested the System's radios and had good coverage except for an area called Hiddenbrooke. The City would purchase all its own equipment which it would then use when it joined the Solano County radio system JPA once it was up and functioning. The agreement would include the fact that this was a temporary use of the System, two to four years, with regular reporting to the Committees and Board with how progress was going. Although it was not anticipated to cause any busies with the City coming onto the System, if the City of Vallejo creates interference with radio transmissions creating busies for the Authority's other users, Director McCarthy would inform the Board and the Board could convene to end the agreement with 60 days notice. The City of Vallejo would be using 360 radios, on different shifts, different days, different hours. The City understands it bears all costs including consoles, radios, and any equipment needed for coverage at Hiddenbrooke. It would be using the Turquoise and Contra Costa Central towers. The City will hire the Contra Costa County radio shop to get connected to EBRCSA, enter into a maintenance contract with Motorola, and will maintain the SUA costs on the consoles. The agreement will include a one-time administrative fee of \$4,000. Other costs will include \$200 per radio start-up cost, \$30 operating fee per radio, and any subsequent fee increase, \$15 per radio debt service fee, per month. If there is any inference for any Authority members, the agreement would come back to the Board and service the City with a 60-day notice to revert back to its radio system, and off of EBRCSA.

Bm. Rodriguez joined the meeting at 10:07 a.m.

Bm. Muranishi joined the meeting at 10:10 a.m.

Police Chief Shawny Williams of Vallejo expressed his appreciation of the Board's consideration of the City's request.

On motion of Bm. McBain, seconded by Bm. Meyer and by unanimous vote, the Board of Directors adopted **Resolution No. 20-01** Conditionally Authorizing the City of Vallejo to Temporarily Join the East Bay Regional Communications System Authority.

9.2 Consider Approval Concerning a Contract with CSI Telecommunications for 10-Year Plan Scope of Work for EBRCSA

Director McCarthy presented the Staff Report and advised this item was to approve a contract with CSI Telecommunications to evaluate the site conditions, equipment, and infrastructure of the System and identify expectations over the next ten years regarding projected lifespan and vendor support. The cost for agreement is \$133,740. He had been

in contact with CSI to clarify any questions they had. The agreement with CSI had been reviewed and discussed with the Finance Committee.

On motion of Bm. Perkins, seconded by Bm. Rodriguez and by unanimous vote, the Board adopted **Resolution No. 20-02** Authorizing the EBRCSA Chair to Execute, and the Executive Director to Implement, an Agreement with CSI Technology, Inc. to Develop a Ten-Year Plan Regarding the EBRCSA System.

On motion of Bm. Perkins, seconded by Bm. Rodriguez and by unanimous vote, the Board adopted **Resolution No. 20-03** Adopting and Implementing an Adjustment to Administrative Budget for Fiscal Year 2019/2020.

9.3 Provide Direction on Simulcast Site Addition to Walton Lane

Director McCarthy presented the Staff Report and advised that Walton Lane is a site in the City of Antioch where there are coverage issues. The Board had requested Director McCarthy find an alternative site to improve coverage. The best alternative out of four potential sites is Walton Lane. The Finance Committee approved the recommendation to the full Board that the Authority pay for the cost of the necessary equipment and installation for the simulcast cell, \$1,065,845, obtain the required FCC licensing, and cover the cost of maintaining the licenses. This would allow Director McCarthy to discuss with Antioch what they would cover, such as any necessary construction permits, negotiation of the lease for the tower space, PG&E connection and ongoing costs of service, and provide the land and shelter for necessary equipment of the Simulcast Cell.

Bm. Catalano joined the meeting at 10:27 a.m.

This would be a secondary site for Antioch. The Operations and Finance Committees had discussed this item and agreed to the terms above. This area had not been included in the original System coverage. The Director had sought grant funding but was not successful.

Tammany Brooks, Chief of Police of Antioch, stated this was a public safety issue and having this coverage available would make that area significantly safer for not only first responders, but also the public.

On motion of Bm. Casten, seconded by Bm. Calabrigo, and by unanimous vote the Board approved the Finance Committee recommendation to authorize the Executive Director to negotiate a cost sharing plan for the Walton Lane site in Antioch with the City of Antioch.

9.4 Provide Direction on Purchase of Consoles for Alameda and Contra Costa Radio Shops

Director McCarthy presented the Staff Report and advised this purchase would provide a console in each of the Counties' radio shops so they can use them when they did updates to equipment and not have to displace a dispatcher from their console. The Authority had received grant money to fund the purchase of \$143,000.

On motion of Bm. Calabrigo, seconded by Bm. Mulligan the Board adopted **Resolution No. 20-04** Approving the Purchase of Dispatch Consoles for Alameda and Contra Costa County Radio Shops and Authorizing the Chair to Execute and the Executive Director to Submit A Request For Reimbursement to the Bay Area Urban Areas Security Initiative.

On motion of Bm. Perkins, seconded by Bm. McBain and by unanimous vote, the Board adopted **Resolution No. 20-05** Adopting and Implementing an Adjustment to Administrative Budget for Fiscal Year 2019/2020.

10. Committee Updates:

10.1 Receive Informational Report on Recent Finance Committee Activities

Bm. Casten stated that they had discussed Items 9.1-9.4 and also discussed upcoming items.

10.2 Receive Informational Report on Recent Operations Committee Activities

Chair Ahern stated the Operations Committee discussed the same items stated above, and infrastructure and technology and how it would be covered in the 10-Year Plan.

11. Reports:

11.1 Receive an Update on the Time Division Multiple Access (TDMA) Upgrade

Director McCarthy stated they were on time to finish the upgrade on June 30, 2020. There might be some issues with a couple of the fire stations in Contra Costa County but they would work through them.

11.2 Receive Information on The City of Benicia Joint Powers Agreement

Director McCarthy stated all the Contra Costa County police chiefs had agreed to contribute to enter into an agreement with a consultant to form the Solano County radio system JPA. They are also building a tower to use with the Solano County radio system.

11.3 Receive Information on the City of Newark New Police Building

Director McCarthy stated City of Newark was building a new police station and he informed them the Authority was not paying for any relocation of equipment costs.

12. Board Comments:

Chief Meyer stated they were being sued by PG&E regarding a recent ordinance in regard to overseeing the work PG&E is doing in high hazard areas.

Oakland Fire Chief White will be leaving the City of Oakland.

13. Next Action Steps: None.

14. Adjournment:

With no further business coming before the Board, the meeting was adjourned at 10:48 a.m.

Caroline P. Soto
Authority Secretary

3542913.1

DRAFT



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System Authority**



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AGENDA ITEM 9.1

**AGENDA STATEMENT
BOARD OF DIRECTORS MEETING
MEETING DATE: June 19, 2020**

TO: Board of Directors
East Bay Regional Communications System Authority (EBRCSA)

FROM: Thomas McCarthy, Executive Director
East Bay Regional Communications System Authority

SUBJECT: EBRCSA FY 2020/2021 Administrative Budget

RECOMMENDATION:

Adopt a resolution adopting the FY 2020/2021 Administrative Budget for the East Bay Regional Communications System Authority

SUMMARY/DISCUSSION:

The EBRCSA is required by the JPA agreement to develop and bring to the Board of Directors a budget for adoption each fiscal year. The Fiscal Year 2020/2021 budget, attached as Exhibit A, is the proposed budget jointly prepared by the Alameda County Auditor Controller's staff and the EBRCSA Executive Director. The proposed budget was presented to the Finance Committee, at the June 12, 2020, meeting and the Committee approved the proposed budget with minor modifications.

EBRCSA completed its proposed Capitol Projects and transitioned to full operation and maintenance in FY 2014/2015. The proposed Administrative Budget for FY 2020/2021 does not contain any increase to the cost of a radio to Users nor any proposed Capitol Projects. EBRCSA's revenue source is monthly Operating Payments and Service Payments paid by Users. The proposed FY 2020/2021 budget is based on an approximate radio count of 21,528 by EBRCSA's Users. Staffs anticipates that there will be a slight increase of the radio count during the Fiscal Year as radios are added by current Users of EBRCSA.

Grants:

EBRCSA will not be utilizing Urban Areas Security Initiative Grant (“UASI”) or State Homeland Security Grant Program (“SHSGP”) during this Fiscal Year as it was not approved for FY2020/2021 Grant Period.

Administration:

The Proposed Administrative Budget includes a carryover for the CSI Contract approved by the Board at the last meeting from last Fiscal Year’s Budget.

Capital:

The cost to purchase Dispatch consoles for the two radio shops, which was approved by the Board at the March 6, 2020 Meeting, is also being carried over to the FY2020/21 Budget. The California OES is finalizing the approval for the Grant Reimbursement for the Consoles.

The proposed Administrative Budget does not include any new capital costs for purchase or implementation .

RECOMMENDED ACTION:

It is recommended that the Board of Directors of the East Bay Regional Communications System Authority adopt a Resolution Approving the Fiscal Year 2020/2021 Administrative Budget for the EBRCSA, as outlined in Exhibit A.

Attachments: Exhibit: “A”

3542917.1



**East Bay Regional
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BUDGET

FISCAL YEAR 2020-21

Revenues

Operating payments	6,450,000
Service payments	1,232,000
Interest	188,000
Total revenues	7,870,000

Expenses

Administration	414,000
Audit fees	20,000
Insurance	40,000
Legal	20,000
Lease	70,000
Licenses and permits	30,000
Membership fees	10,000
Maintenance	3,601,000
Security	12,000
Utilities	160,000
Website hosting	4,000
Total operating expenses	4,381,000
Capital	2,067,000
Debt Service	650,000
Total expenses	7,098,000
Net Income	772,000

**EAST BAY REGIONAL COMMUNICATIONS SYSTEM
EXPENDITURE DETAIL
FISCAL YEAR 2020-2021**

OPERATING EXPENSES	FY19-20 Original Budget	FY19-20 Final Budget	FY19-20 Projected	FY20-21 Budget	Change FY20 vs FY21
Administration					
Executive director	225,000	225,000	224,000	225,000	(1,000)
Administrative assistant	40,000	40,000	9,000	40,000	(31,000)
Planning	-	134,000	-	134,000	(134,000)
Travel	5,000	5,000	-	5,000	(5,000)
Miscellaneous	10,000	10,000	3,000	10,000	(7,000)
Audit fees	20,000	20,000	14,000	20,000	(6,000)
Insurance	30,000	30,000	26,000	40,000	(14,000)
Legal	20,000	20,000	3,000	20,000	(17,000)
Lease	70,000	70,000	67,000	70,000	(3,000)
Licenses and permits	30,000	30,000	5,000	30,000	(25,000)
Membership fees	10,000	10,000	9,000	10,000	(1,000)
Maintenance					
Service agreement	1,065,000	1,065,000	1,065,000	1,080,000	(15,000)
Software maintenance (SUA II)	962,000	962,000	958,000	974,000	(16,000)
Network administration	260,000	260,000	259,000	262,000	(3,000)
HVAC maintenance	20,000	20,000	17,000	20,000	(3,000)
Generator maintenance	40,000	57,000	44,000	40,000	4,000
ALCO general maintenance	600,000	600,000	600,000	600,000	-
COCO general maintenance	230,000	230,000	210,000	230,000	(20,000)
CSI telecommunications	200,000	200,000	63,000	200,000	(137,000)
Microwave maintenance	180,000	180,000	196,000	180,000	16,000
Miscellaneous	-	10,000	14,000	15,000	(1,000)
Security	11,000	11,000	11,000	12,000	(1,000)
Utilities	160,000	160,000	114,000	160,000	(46,000)
Website hosting	4,000	4,000	4,000	4,000	-
Total expenses	4,192,000	4,353,000	3,915,000	4,381,000	(466,000)
CAPITAL EXPENDITURES					
TDMA Upgrade	1,665,000	1,665,000	1,665,000	1,665,000	-
DC Power Upgrade	250,000	250,000	250,000	250,000	-
Dispatch Consoles	-	152,000	-	152,000	(152,000)
Total expenditures	1,915,000	2,067,000	1,915,000	2,067,000	-
DEBT SERVICE					
Principal	454,000	454,000	454,000	473,000	(19,000)
Interest	196,000	196,000	196,000	177,000	19,000
Total expenses	650,000	650,000	650,000	650,000	-

1. Motorola service agreement increased due to a new 4 year contract
2. Network administration contract increased
3. TDMA Upgrade Expense is the annual payment for the Change Order approved by the Board of Directors
4. DC Power Upgrade Expense is an annual amount to replace the batteries in various locations

EAST BAY REGIONAL COMMUNICATIONS SYSTEM AUTHORITY

10 YEAR CASH FLOW PROJECTION

Assumptions

Annual Inflation Rate		3%
Capital Spending Rate		0%
New Member Growth Rate		0.2%
Monthly Operating Payment	\$	30.00
Monthly Service Payment	\$	15.00
Capital Budget - FY21	\$	2,067,000
Radio Count - FY21		21,528

Projected Reserve Ending Balances

FY21 Available Balance	\$	13,766,425
FY26 Available Balance	\$	20,830,375
FY31 Available Balance	\$	26,566,362

Projected Spending

FY21-31 Capital Spending	\$	-
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EAST BAY REGIONAL COMMUNICATIONS SYSTEM AUTHORITY
10 YEAR CASH FLOW PROJECTION

	FY 2019-20	FY 2020-21	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	FY 2029-30
	Projected	Budget	Forecast								
Operating Reserve											
Balance - beginning	1,943,000	2,441,000	2,190,500	2,160,465	2,212,000	2,278,360	2,346,710	2,417,111	2,489,625	2,564,313	2,641,243
Receipts from members	6,593,000	6,638,000	6,655,400	6,655,400	6,655,400	6,655,400	6,655,400	6,655,400	6,655,400	6,655,400	6,655,400
Payments to suppliers	(3,915,000)	(4,381,000)	(4,320,930)	(4,423,999)	(4,556,719)	(4,693,420)	(4,834,222)	(4,979,250)	(5,128,626)	(5,282,485)	(5,440,959)
Transfer to Capital Reserve	(2,180,000)	(2,507,500)	(2,364,505)	(2,179,867)	(2,032,321)	(1,893,630)	(1,750,777)	(1,603,636)	(1,452,086)	(1,295,986)	(1,135,204)
Balance - ending	2,441,000	2,190,500	2,160,465	2,212,000	2,278,360	2,346,710	2,417,111	2,489,625	2,564,313	2,641,243	2,720,480
Debt Service Reserve											
Balance - beginning	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	-	-
Service payment	1,124,000	1,232,000	1,222,248	1,222,248	1,222,248	1,222,248	1,222,248	1,222,248	1,222,248	-	-
Principal	(454,000)	(473,000)	(492,000)	(512,000)	(532,000)	(553,000)	(576,000)	(600,000)	(623,000)	-	-
Bond interest	(196,000)	(177,000)	(158,000)	(138,000)	(118,000)	(97,000)	(74,000)	(50,000)	(27,000)	-	-
Transfer to Capital Reserve	(474,000)	(582,000)	(572,248)	(572,248)	(572,248)	(572,248)	(572,248)	(572,248)	(572,248)	-	-
Balance - ending	1,000,000	-	-								
Capital Reserve											
Balance - beginning	8,647,425	9,553,425	10,575,925	11,597,678	12,434,793	13,124,362	15,340,239	17,413,264	19,339,148	21,113,482	22,159,468
Grants	167,000	-	-	-	-	-	-	-	-	-	-
Transfer In	2,654,000	3,089,500	2,936,753	2,752,115	2,604,569	2,465,878	2,323,025	2,175,884	2,024,334	1,295,986	1,135,204
Capital	(1,915,000)	(2,067,000)	(1,915,000)	(1,915,000)	(1,915,000)	(250,000)	(250,000)	(250,000)	(250,000)	(250,000)	(250,000)
Balance - ending	9,553,425	10,575,925	11,597,678	12,434,793	13,124,362	15,340,239	17,413,264	19,339,148	21,113,482	22,159,468	23,044,672
TOTAL RESERVE BALANCE	12,994,425	13,766,425	14,758,143	15,646,792	16,402,721	18,686,949	20,830,375	22,828,773	23,677,795	24,800,710	25,765,151

SUPPLEMENTARY SCHEDULE FOR PAYMENTS TO SUPPLIERS

Administration	(236,000)	(414,000)	(288,400)	(297,052)	(305,964)	(315,143)	(324,597)	(334,335)	(344,365)	(354,696)	(365,337)
Audit fees	(14,000)	(20,000)	(20,600)	(21,218)	(21,855)	(22,511)	(23,186)	(23,882)	(24,598)	(25,336)	(26,096)
Insurance	(26,000)	(40,000)	(41,200)	(42,436)	(43,709)	(45,020)	(46,371)	(47,762)	(49,195)	(50,671)	(52,191)
Legal	(3,000)	(20,000)	(20,600)	(21,218)	(21,855)	(22,511)	(23,186)	(23,882)	(24,598)	(25,336)	(26,096)
Lease	(67,000)	(70,000)	(72,100)	(74,263)	(76,491)	(78,786)	(81,150)	(83,585)	(86,093)	(88,676)	(91,336)
Licenses and permits	(5,000)	(30,000)	(30,900)	(31,827)	(32,782)	(33,765)	(34,778)	(35,821)	(36,896)	(38,003)	(39,143)
Membership fees	(9,000)	(10,000)	(10,300)	(10,609)	(10,927)	(11,255)	(11,593)	(11,941)	(12,299)	(12,668)	(13,048)
Maintenance											
Customer svc. agmt.	(1,065,000)	(1,080,000)	(1,088,000)	(1,099,000)	(1,131,970)	(1,165,929)	(1,200,907)	(1,236,934)	(1,274,042)	(1,312,263)	(1,351,631)
SUA II	(958,000)	(974,000)	(980,000)	(1,009,400)	(1,039,682)	(1,070,872)	(1,102,998)	(1,136,088)	(1,170,171)	(1,205,276)	(1,241,434)
System management	(259,000)	(262,000)	(264,000)	(267,000)	(275,010)	(283,260)	(291,758)	(300,511)	(309,526)	(318,812)	(328,376)
HVAC	(17,000)	(20,000)	(20,600)	(21,218)	(21,855)	(22,511)	(23,186)	(23,882)	(24,598)	(25,336)	(26,096)
Generators	(44,000)	(40,000)	(41,200)	(42,436)	(43,709)	(45,020)	(46,371)	(47,762)	(49,195)	(50,671)	(52,191)
ALCO maintenance	(600,000)	(600,000)	(618,000)	(636,540)	(655,636)	(675,305)	(695,564)	(716,431)	(737,924)	(760,062)	(782,864)
COCO maintenance	(210,000)	(230,000)	(236,900)	(244,007)	(251,327)	(258,867)	(266,633)	(274,632)	(282,871)	(291,357)	(300,098)
CSI telecommunications	(63,000)	(200,000)	(206,000)	(212,180)	(218,545)	(225,101)	(231,854)	(238,810)	(245,974)	(253,353)	(260,954)
Microwave maintenance	(196,000)	(180,000)	(185,400)	(190,962)	(196,691)	(202,592)	(208,670)	(214,930)	(221,378)	(228,019)	(234,860)
Miscellaneous	(14,000)	(15,000)	(15,450)	(15,914)	(16,391)	(16,883)	(17,389)	(17,911)	(18,448)	(19,001)	(19,571)
Security	(11,000)	(12,000)	(12,360)	(12,731)	(13,113)	(13,506)	(13,911)	(14,328)	(14,758)	(15,201)	(15,657)
Utilities	(114,000)	(160,000)	(164,800)	(169,744)	(174,836)	(180,081)	(185,483)	(191,047)	(196,778)	(202,681)	(208,761)
Web site hosting	(4,000)	(4,000)	(4,120)	(4,244)	(4,371)	(4,502)	(4,637)	(4,776)	(4,919)	(5,067)	(5,219)
Payments to suppliers	(3,915,000)	(4,381,000)	(4,320,930)	(4,423,999)	(4,556,719)	(4,693,420)	(4,834,222)	(4,979,250)	(5,128,626)	(5,282,485)	(5,440,959)



**East Bay Regional
Communications
System Authority**



Participating agencies include Alameda and Contra Costa Counties and the following cities and special districts: Alameda, Albany, Antioch, Berkeley, Brentwood, Clayton, Concord, Danville, Dublin, El Cerrito, Emeryville, Fremont, Hayward, Hercules, Lafayette, Livermore, Martinez, Moraga, Newark, Oakley, Pinole, Pittsburg, Pleasant Hill, Pleasanton, Richmond, San Leandro, San Pablo, San Ramon, Union City, Walnut Creek, East Bay Regional Park District, Kensington Police Community Services District, Livermore Amador Valley Transit Authority, Moraga-Orinda Fire District, Rodeo-Hercules Fire District, San Ramon Valley Fire District, California Department of Transportation, Ohlone Community College District, Contra Costa Community College District, Dublin-San Ramon Services District and University of California, Berkeley

AGENDA ITEM 9.2

**AGENDA STATEMENT
BOARD OF DIRECTORS MEETING
MEETING DATE: June 12, 2020**

TO: Board of Directors
East Bay Regional Communications System Authority (EBRCSA)

FROM: Thomas McCarthy, Executive Director
East Bay Regional Communications System Authority

SUBJECT: Adopt a Resolution Approving an Amendment to the Communications System Agreement with Motorola Solutions, Inc.

RECOMMENDATIONS:

Adopt a Resolution to approve a Fourth Amendment to extend the term of the Communications System Agreement with Motorola Solutions, Inc. which allows East Bay Regional Communications System Authority (EBRCSA) and member agencies, who are interested, the ability to purchase equipment and services from Motorola Solutions, Inc. to July, 2023. Authorize the Chair to sign the Communications System Agreement Amendment and the Executive Director to implement the Resolution.

SUMMARY/DISCUSSION:

Alameda and Contra Costa Counties and EBRCSA have Communications System Agreements (CSA) with Motorola for the purchase of equipment from Motorola Solutions, Inc. EBRCSA has entered into the 3rd Amendment to its CSA in 2018 to allow EBRCSA Members that do not have a CSA to utilize the EBRCSA CSA to purchase equipment and services from Motorola Solutions, Inc. The CSA will expire on July 6, 2020 and the proposed Fourth Amendment would extend the term of the CSA to July 6, 2023.

Motorola proposed the following amendment to the Communications System Agreement, full agreement attached:

*This Amendment No.4 to Communications System Agreement (this "Amendment No. 4") is made by and between **East Bay Regional Communications System Authority** (the "Customer") and **Motorola Solutions, Inc.**, formerly Motorola, Inc. ("Motorola").*

The Customer and Motorola previously entered into a Communications System Agreement with an Effective Date of July 7, 2009 (the "CSA").

The Customer and Motorola previously entered into Amendment No. 1 to the CSA, effective July 6, 2012, whereby Sections 3.3 and 3.4 of the original CSA were extended through July 6, 2017.

The Customer and Motorola previously entered into Amendment No. 2 to the CSA, effective July 6, 2017, whereby Sections 3.3 and 3.4 of the original CSA were extended through July 6, 2020.

The Customer and Motorola previously entered into Amendment No. 3 to the CSA, effective August 7, 2018, to allow other agencies which are Members of Customer to purchase off of the CSA. Section 3.4 of the CSA permits the Customer to make additional purchases of Equipment, Software and services off of the CSA for a stated time period from the Effective Date.

For the mutual benefit of the Customer and Motorola, the Customer and Motorola desire and intend by this Amendment No.4 to extend the right of the Customer under Section 3.4 of the CSA for an additional three (3) years through July 6, 2023, and to extend the term of the contract under Section 3.3 of the CSA to coincide with this time period or until expiration of any unexpired Warranty Period, whichever occurs last.

Therefore, the Customer and Motorola hereby agree to amend the CSA as follows:

1. The first sentence of Section 3.4 of the CSA is hereby deleted and replaced with:

"Through and including July 6, 2023, the Customer may order additional Equipment or Software, provided it is then available, and related services."

The remainder of Section 3.4 of the CSA is unchanged.

2. Section 3.3 of the CSA is hereby deleted and replaced in its entirety with:

"TERM. Unless otherwise terminated in accordance with the provisions of this Agreement or extended by mutual agreement of the parties, the term of this Agreement shall begin on the Effective Date and shall continue until July 6, 2023."

3. This Amendment is effective as of July 6, 2020 so as to avoid any lapse in the Customer's rights under Section 3.4 of the CSA.

4. Except as amended by this Amendment No. 4, the CSA as amended by Amendment No. 3 remains unmodified and in full force and effect.

FISCAL IMPACT:

This Communications System Agreement has no fiscal impact on EBRCSA as it serves as a method to purchase items and/or services.

COMMITTEE RECOMMENDATIONS:

The Operations and Finance Committees have reviewed the staff's recommended action and have concurred.

RECOMMENDED ACTION:

It is recommended that your Board of Directors of the East Bay Regional Communications System Authority adopt a Resolution Authorizing EBRCSA to enter into the proposed Fourth Amendment to the CSA.

Attachment "A" – CSA Amendment #3

Attachment "B" – CSA Amendment #4

**Amendment No. 3
to Communications System Agreement**

This Amendment No. 3 to Communications System Agreement (this "Amendment") is made by and between **East Bay Regional Communications System Authority** (the "Customer") and **Motorola Solutions, Inc.**, formerly Motorola, Inc. ("Motorola"). The Customer and Motorola previously entered into a Communications System Agreement with an Effective Date of July 7, 2009 (the "CSA"). The Customer and Motorola previously entered into Amendment No. 1 to the CSA, effective July 6, 2012, whereby Sections 3.3 and 3.4 of the original CSA were extended through July 6, 2017. Section 3.4 of the CSA permits the Customer to make additional purchases of Equipment, Software and services off of the CSA for a stated time period from the Effective Date.

The Customer and Motorola also previously entered into Amendment No. 2 to the CSA, effective July 6, 2017, whereby the date in Section 3.4 was changed to July 6, 2020 and the Term of the Agreement in Section 3.3 was extended to July 6, 2020.

For the mutual benefit of the Customer and Motorola, the Customer and Motorola desire and intend by this Amendment No. 3 to provide the right for certain other agencies to purchase equipment and software from Motorola using the terms and pricing of the CSA and to provide a limited offer of reduced pricing on certain equipment.

Therefore, the Customer and Motorola hereby agree to amend the CSA as follows:

1. To the extent permitted by applicable law and regulations, other state or local governmental agencies who use the East Bay Regional Communications System for some or all of their communications needs may purchase Equipment, Software, or other Work under provisions and prices substantially the same as specified in this Agreement. Each such government agency may execute an individual contract with Motorola or issue a purchase order referencing the CSA for receiving and accepting the subject Equipment, Software or Work, and for directly paying Motorola. Customer assumes no responsibility or liability for any such contracts entered into by other governmental agencies pursuant to this provision.
2. For purchases made under Section 3.4 for certain Equipment identified in Exhibit A to this Amendment No. 3, if Customer agrees to take delivery by September 30, 2018, Motorola agrees to provide the special promotional pricing for such Equipment as set forth in Exhibit A. Exhibit A dated February 9, 2018 is attached to this Amendment No. 3 and incorporated herein by this reference. The purpose of the promotional pricing is to provide assistance with migration of radios from FDMA to TDMA.
3. This Amendment is effective as of February 9, 2018.

Except as amended by this Amendment, the CSA remains unmodified and in full force and effect.

Motorola Solutions, Inc.

By: Michael De Benedetto

Name: Michael De Benedetto

Title: Area Sales Manager

Date: 3/23/18

East Bay Regional Communications System Authority

By: Gregory J. Ahern

Name: Gregory J. Ahern

Title: Board Chair

Date: 3/18/18

**Amendment No. 4
to Communications System Agreement**

This Amendment No.4 to Communications System Agreement (this "Amendment No. 4") is made by and between **East Bay Regional Communications System Authority** (the "Customer") and **Motorola Solutions, Inc.**, formerly Motorola, Inc. ("Motorola").

The Customer and Motorola previously entered into a Communications System Agreement with an Effective Date of July 7, 2009 (the "CSA").

The Customer and Motorola previously entered into Amendment No. 1 to the CSA, effective July 6, 2012, whereby Sections 3.3 and 3.4 of the original CSA were extended through July 6, 2017.

The Customer and Motorola previously entered into Amendment No. 2 to the CSA, effective July 6, 2017, whereby Sections 3.3 and 3.4 of the original CSA were extended through July 6, 2020.

The Customer and Motorola previously entered into Amendment No. 3 to the CSA, effective August 7, 2018, to allow other agencies which are Members of Customer to purchase off of the CSA. Section 3.4 of the CSA permits the Customer to make additional purchases of Equipment, Software and services off of the CSA for a stated time period from the Effective Date.

For the mutual benefit of the Customer and Motorola, the Customer and Motorola desire and intend by this Amendment No.4 to extend the right of the Customer under Section 3.4 of the CSA for an additional three (3) years through July 6, 2023, and to extend the term of the contract under Section 3.3 of the CSA to coincide with this time period or until expiration of any unexpired Warranty Period, whichever occurs last.

Therefore, the Customer and Motorola hereby agree to amend the CSA as follows:

1. The first sentence of Section 3.4 of the CSA is hereby deleted and replaced with:

"Through and including July 6, 2023, the Customer may order additional Equipment or Software, provided it is then available, and related services."

The remainder of Section 3.4 of the CSA is unchanged.

2. Section 3.3 of the CSA is hereby deleted and replaced in its entirety with:

"TERM. Unless otherwise terminated in accordance with the provisions of this Agreement or extended by mutual agreement of the parties, the term of this Agreement shall begin on the Effective Date and shall continue until July 6, 2023."

3. This Amendment is effective as of July 6, 2020 so as to avoid any lapse in the Customer's rights under Section 3.4 of the CSA.

4. Except as amended by this Amendment No. 4, the CSA as amended by Amendment No. 3 remains unmodified and in full force and effect.

Motorola Solutions, Inc.

By:

Name:

Title:

Date:

East Bay Regional Communications System Authority

By:

Name:

Title:

Date:

3543002.1

RESOLUTION NO. 20-xx

**A RESOLUTION OF THE
EAST BAY REGIONAL COMMUNICATIONS SYSTEM AUTHORITY**

ADOPTING AN ADMINISTRATIVE BUDGET FOR FISCAL YEAR 2020/2021

WHEREAS, the East Bay Communications System Authority (“EBRCSA”) Executive Director and the Alameda County Auditor-Controller’s Office have jointly prepared, and the EBRCSA Finance Committee has reviewed and recommended, a proposed Administrative Budget for the EBRCSA for Fiscal Year 2020/2021, attached to the accompanying Staff Report as Exhibit B; and

WHEREAS, the Board of Directors of the EBRCSA has reviewed and considered the proposed budget and the accompanying Staff Report, has heard all comment thereon, and finds good cause therefor.

NOW, THEREFORE, BE IT RESOLVED THAT the Board of Directors of the East Bay Regional Communications System Authority does hereby adopt the Fiscal Year 2020/2021 Administrative Budget for the EBRCSA, as outlined in Exhibit B to the accompanying Staff Report.

On motion of xx, seconded by xx, the foregoing Resolution was passed and adopted this 19th day of May, 2020, by the following votes:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

Board Chair

ATTEST:

Caroline P. Soto, Secretary