



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: May 6, 2022

TIME: 10:00 a.m.

PLACE: Alameda County Office of Homeland Security and Emergency Services,
Room 1013
4985 Broder Blvd., Dublin, CA 94568

Meeting Procedure During Coronavirus (COVID-19) Outbreak:

Pursuant to the provisions of California Governor's March 4, 2020 State of Emergency Declaration and enactment of Assembly Bill 361 on September 16, 2021 which adopted exemptions to the Ralph Brown M. Act and the proposed findings to be adopted by the Board at this meeting, this meeting will be conducted by teleconference only in accordance with Government Code section 54953(e). No physical location will be available for this meeting. Members of the public may participate in this meeting, on Zoom at Meeting ID 835 6759 0284 and using passcode 916131 or by calling 12532158782. This meeting agenda is available online at <http://www.ebrcsa.org/meetings/board-of-directors.page>.

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

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record. In accordance with the Ralph Brown M. Act, no action or discussion may take place on any item not appearing on the posted agenda. If the matter requires action, it will be referred to staff and/or placed on the next Board 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 Board meetings of March 4, 2022 and April 1, 2022

7. **Written Communications:** None.

8. **Public Hearings:** None.

9. **Action Items:**

9.1 Authorizing Purchase of Bay Alarm Camera Upgrade and Increased Monitoring Cost

9.2 Adoption of EBRCSA FY 2022/2023 Administrative Budget

9.3 Consideration of Return to In-Person Meetings and Discontinuation of Adoption of AB 361 Findings

9.4 Consideration of Implementation of AB 361 to Allow Teleconferenced Meeting

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 Antioch Site at Walton Lane

11.2 Receive an Update on Biannual SUA II update

11.3 Receive an Update on Encryption

11.4 Receive an Update on Ethernet/MPLS

11.5 Receive an Update on TDMA – Time Division Multiple Access

11.6 Receive an Update on 10-Year Plan for Capital Replacement Project

11.7 Receive an Update on the San Ramon Site at Wiedemann Ranch

11.8 Receive an Update on the Carquinez Site replacing 651 Pine St., Martinez

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
Executive Director
Dated: 05/02/2022

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**East Bay Regional
Communications
System Authority**



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AGENDA ITEM NO. 6.1.

**AGENDA STATEMENT
BOARD OF DIRECTORS MEETING
MEETING DATE: May 6, 2022**

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

FROM: Sheriff G. Ahern, Board Chair
East Bay Regional Communications System Authority

SUBJECT: Approval of Minutes of the March 4, 2022 and April 1, 2022 Board of Directors Meetings

RECOMMENDATIONS:

Approve the minutes of the March 4, 2022 and April 1, 2022 Board of Directors meetings.

SUMMARY/DISCUSSION:

The Board of Directors will consider approval of the minutes of the March 4, 2022 and April 1, 2022 Board of Directors meetings.

RECOMMENDED ACTION:

It is recommended that the Board of Directors approve the minutes of the March 4, 2022 and April 1, 2022 Board of Directors meetings.

Attachments:

Exhibit "A" – Minutes March 4, 2022
Exhibit "B" – Minutes April 2, 2022



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BOARD OF DIRECTORS MEETING

REGULAR MEETING

DATE: March 4, 2022

TIME: 10:00 a.m.

PLACE: Alameda County Office of Homeland Security and Emergency Services,
Room 1013
4985 Broder Blvd., Dublin, CA 94568

DRAFT MINUTES

A Special meeting of the East Bay Regional Communications System Authority was held on Friday, March 4, 2022, remotely via Zoom Video Communications.

1. **Closed Session:** None.
2. **Call to Order/Roll Call:** 10:05 a.m.

Boardmembers Present: G. Ahern, C. Andersen, J. Calabrigo, J. Catalano, J. Diaz, N. Gallo, D. Haubert, J. King, P. Meyer, C. Nice, M. Nino, S. Perkins, R. Roberts, M. Rodriguez, T. Rudnick, M. Salinas, M. Shorr, C. Silva, K. Stepper, B. Woerner

Staff Present: T. McCarthy, C. Soto

3. **Report on Closed Session:** None.
4. **Public Comments:** None.
5. **Presentations:** None.
6. **Approval of Minutes:**

- 6.1 Approval of Minutes from the Regular Board Meeting of December 3, 2021, and Special Board Meetings of December 31, 2021 and January 28, 2022

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On motion of Bm. Haubert, seconded by Bm. Stepper and by unanimous vote, the Board of Directors approved the minutes of the December 3, 2021 Regular meeting, December 31, 2021 and January 28, 2022 Special meetings.

7. **Written Communications:** None.

8. **Public Hearings:** None.

9. **Action Items:**

9.1 Continuation of AB 361 to Allow Teleconferenced Meetings

On motion of Bm. Silva, seconded by Bm. King and by unanimous vote, the Board of Directors adopted **Resolution No. 22-02 Authorizing Teleconference Meetings Pursuant to Assembly Bill 361 Effective March 7, 2022 through April 6, 2022.**

10. **Adjournment:** With no further business coming before the Board, the meeting was adjourned at 10:12 a.m.

Caroline P. Soto
Authority Secretary



East Bay Regional Communications System Authority



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BOARD OF DIRECTORS MEETING

SPECIAL MEETING

DATE: April 1, 2022

TIME: 10:00 a.m.

PLACE: Alameda County Office of Homeland Security and Emergency Services,
Room 1013
4985 Broder Blvd., Dublin, CA 94568

DRAFT MINUTES

A Special meeting of the East Bay Regional Communications System Authority was held on Friday, April 1, 2022, remotely via Zoom Video Communications.

1. **Closed Session:** None.
2. **Call to Order/Roll Call:** 10:00 a.m.

Boardmembers Present: G. Ahern, C. Andersen, J. Calabrigo, A. Ciaburro, J. Diaz, R. Freeman, J. King, C. Nice, M. Nino, E. Reiskin, M. Rodriguez, T. Rudnick, C. Silva, L. Smith, K. Stepper, D. Swing, B. Woerner

Staff Present: T. McCarthy, C. Soto

3. **Report on Closed Session:** None.
4. **Public Comments:** None.
5. **Presentations:** None.
6. **Approval of Minutes:** None.
7. **Written Communications:** None.
8. **Public Hearings:** None.

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9. **Action Items:**

9.1 **Continuation of AB 361 to Allow Teleconferenced Meetings**

The Board of Directors and Executive Director McCarthy discussed when Board and Committee meetings would return to in-person meetings. The Board stated they would like to start with the May 6, 2022 Regular Board meeting. Executive Director McCarthy would discuss with the Authority's Counsel what, if anything, needed to be done to make the transition to in-person meetings. Also, there would be a need for Finance Committee and Operations Committee meetings, in-person, prior to May 6, 2022. Executive Director McCarthy would reach out to Committee members with proposed dates for those two meetings.

On motion of Bm. Swing, seconded by Bm. King and by unanimous vote, the Board of Directors adopted **Resolution No. 22-01 Authorizing Teleconference Meetings Pursuant to Assembly Bill 361 Effective April 6, 2022 through May 5, 2022.**

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

Caroline P. Soto
Authority Secretary



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AGENDA ITEM NO. 9.1.

**AGENDA STATEMENT
BOARD OF DIRECTORS MEETING
MEETING DATE: May 6, 2022**

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

FROM: Sheriff G. Ahern, Board Chair
East Bay Regional Communications System Authority

SUBJECT: Authorize the purchase of 4G/5G cameras for the East Bay Regional Communications System Authority and Monitoring Services by Bay Alarm

RECOMMENDATIONS:

1. Authorize the purchase of seven (7) 4G/5G security cameras for the East Bay Regional Communications System Authority (EBRCSA)
2. Adopt a resolution adopting and implementing a budget adjustment to the EBRCSA FY21/22 budget to reflect the increase in cost of this purchase, and increased cost of monitoring.

SUMMARY/DISCUSSION:

Bay Alarm notified EBRCSA on March 23, 2022 that the current cameras which monitor seven (7) EBRCSA sites would no longer connect to the Bay Alarm system via a 3G cellular connection. The 3G cellular connection is no longer supported and the cameras need to be upgraded to the current 4G/5G cellular system utilized to connect to the Bay Alarm monitoring site in Concord, CA. Bay Alarm provided a scope of work listing that they will install the new cameras, connect them to their monitoring center, and resume live monitoring of the EBRCSA sites. The new cameras provide a much better image, and the images will be recorded for 30 days. We currently do not have the ability to view the video and the video is not retained. The seven (7) sites are the only ones which we have video monitoring at this time, and we are not increasing the number of sites with video monitoring.

FINANCIAL IMPACT:

The cost of the equipment, including tax, is \$28,455.00. The monitoring of the sites will cost \$23,268.00 annually. We currently have budgeted \$17,000.00 for security monitoring and this will need to be increased to \$23,268.00 as listed in the FY22/23 Budget.

The purchase of the cameras and increase in the monitoring costs will not require an increase in Member Operating fees.

COMMITTEE RECOMMENDATION:

The Operations and Finance Committees have recommended that the Board approve the proposed purchase of the cameras and increased cost of the monitoring.

RECOMMENDED ACTION:

It is recommended that the Board of Directors adopt a Resolution authorizing the purchase of the cameras and increased cost of the monitoring service by Bay Alarm.

Attachments:

Exhibit "A" – Bay Alarm Proposal



East Bay Regional Comm Systems

RE: Live Video Monitoring Proposal
TO: Tom McCarthy
FR: Nick Walley

Scope of Work:

Bay to install, service, and monitor Cloud Based Axis Cameras and Axis Talk Down Speakers. When the Object Based Analytics fire, an automated message will play over the speaker, “You are trespassing, leave the premises immediately” and Live Monitoring starts at our Central Station. Our Operator then evaluates the situation, and if the suspect doesn’t flee, our Operator will escalate and personalize the Talk Down “You in the Red Hat... you are trespassing”, and call the Authorities if necessary.

Bay to Provide:

- Live Remote Video Monitoring at our UL listed, 5 Diamond, Central Station in Concord, CA
- Edge-based Camera Intelligence: Axis Object Analytics
- Full Service agreement- normal wear and tear maintenance from Bay Alarm CA, WA, and AZ offices
- Ongoing Feature and Firmware updates pushed directly to Cameras
- Continuous Cloud Recording for 30 days
- SD card in Camera for limited local recording

Bay to Install:

- One (1) Axis Dome Camera w/ varifocal lens + health status, 1080p
- One (1) Junction Box Mount
- One (1) Talk down speaker, 120 db
- One (1) Network Switch
- One (1) 4G AT&T / 5G Cradlepoint
- One (1) Control Panel Unit w/ Cellnet
- One (1) Keypad

Bay to Provide:

- After hours live remote video monitoring
- DMP App- for arming / disarming & User management

Bay Retained System

Installation Charge:	\$3,687.00
Monthly Service Charge for maintenance and monitoring:	\$277.00

- *3-5 year term
- *Proposal is valid for 30 days.

***To add another camera prior to installation:**

Additional Installation Charge:	\$1,350.00
Additional Monthly Service Charge:	\$150.00

Payment Terms:

In order to commence work, we will need to formalize this agreement in the form of a signed contract. At that time a 50% deposit will be collected. Upon completion of the installation, the remaining balance is due and should be paid to the installing technician.

Thank you again for asking Bay Alarm to assist you in meeting your security needs. Please contact me directly with any questions or revision requests at (415) 299-5769.

Sincerely,

Nick Walley
Bay Alarm Company
Nicholas.walley@bayalarm.com



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AGENDA ITEM NO. 9.2.

**AGENDA STATEMENT
BOARD OF DIRECTORS MEETING
MEETING DATE: May 6, 2022**

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

FROM: Sheriff G. Ahern, Board Chair
East Bay Regional Communications System Authority

SUBJECT: EBRCSA FY 2022/2023 Administrative Budget

RECOMMENDATION:

Adopt a resolution adopting the FY 2022/2023 Administrative Budget for the East Bay Regional Communications System Authority ("EBRCSA").

SUMMARY/DISCUSSION:

Craig Boyer, Alameda County Auditor's Office, has prepared the FY 22/23 Budget and presented it to the Operations and Finance Committees.

The EBRCSA is required by its Joint Powers Agreement (JPA) to develop and present to the Board of Directors a budget for adoption each fiscal year. The Fiscal Year 2022/2023 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 Operations and Finance Committees and the Committees approved the proposed budget with minor modifications.

The proposed FY 2022/2023 Budget is based on an approximate radio count of 21,000 EBRCSA 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 apply for Urban Areas Security Initiative Grant (“UASI”) or State Homeland Security Grant Program (“SHSGP”) for this Fiscal Year.

Administration:

The Proposed Administrative Budget includes an increase in Administration costs over FY 2022/2023 due to higher contract staff rate.

Capital:

The FY2022/2023 Budget does not include any new Capital Projects.

COMMITTEE RECOMMENDATION:

The Finance and Operations Committee reviewed the EBRCSA FY 2022/2023 Administrative Budget and recommended to present it to the EBRCSA Board of Directors for adoption with modifications approved by the Committees.

RECOMMENDED ACTION:

It is recommended that the Board of Directors of the East Bay Regional Communications System Authority adopt a Resolution Adopting the Fiscal Year 2022/2023 Administrative Budget for the EBRCSA, as outlined in Exhibit A.

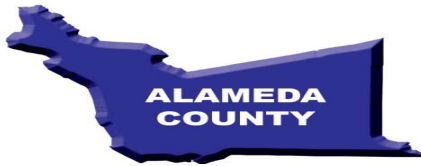
Attachments:

Exhibit: “A” - EBRCSA Budget FY2022/2023

Exhibit: “B” - EBRCSA Budget Highlights

Exhibit: “C” - Resolution Adopting EBRCSA FY2022/2023 Budget

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BUDGET
FISCAL YEAR 2022-23

Revenues

Operating payments	\$ 7,453,000
Service payments	1,260,000
Interest	100,000
Total revenues	<u>8,813,000</u>

Expenses

Administration	452,000
Audit fees	20,000
Contingency	100,000
Insurance	48,000
Lease	73,000
Legal	20,000
Licenses and permits	30,000
Membership fees	10,000
Maintenance	3,629,000
Security	25,000
Utilities	225,000
Website hosting	4,000
Total operating expenses	<u>4,636,000</u>
Capital	1,939,000
Debt Service	650,000
Total expenses	<u>7,225,000</u>
Net Income	<u>\$ 1,588,000</u>

Assumption: Operating payments 21,000 radio count at \$30 per month per radio
Service payments 7,000 radio count at \$15 per month per radio

EAST BAY REGIONAL COMMUNICATIONS SYSTEM AUTHORITY
EXPENDITURE DETAIL
FISCAL YEAR 2022-2023

OPERATING EXPENSES	FY21-22 Final Budget	FY21-22 Projected	FY22-23 Budget	Change FY22 vs FY23
Administration				
Executive director	\$ 263,000	\$ 220,132	\$ 263,000	\$ (42,868)
Administrative assistant	40,000	11,273	40,000	(28,727)
Planning	134,000	-	134,000	(134,000)
Travel	5,000	-	5,000	(5,000)
Miscellaneous	10,000	23	10,000	(9,977)
Audit fees	20,000	17,820	20,000	(2,180)
Contingency	100,000	-	100,000	(100,000)
Insurance	44,000	44,336	48,000	(3,664)
Lease	71,000	70,395	73,000	(2,605)
Legal	20,000	2,743	20,000	(17,257)
Licenses and permits	30,000	759	30,000	(29,241)
Membership fees	10,000	5,256	10,000	(4,744)
Maintenance				
Service agreement	1,095,000	1,087,828	1,105,000	(17,172)
Software maintenance (SUA II)	977,000	811,010	985,000	(173,990)
Network administration	267,000	263,897	270,000	(6,103)
HVAC maintenance	25,000	23,417	32,000	(8,583)
Generator maintenance	53,000	47,533	53,000	(5,467)
ALCO general maintenance	600,000	600,000	600,000	-
COCO general maintenance	265,000	138,565	265,000	(126,435)
CSI telecommunications	200,000	86,710	200,000	(113,290)
Microwave maintenance	100,000	133,131	104,000	29,131
Miscellaneous	15,000	15,000	15,000	-
Security	15,000	11,357	25,000	(13,643)
Utilities	210,000	212,703	225,000	(12,297)
Website hosting	4,000	3,117	4,000	(883)
Total expenses	<u>4,573,000</u>	<u>3,807,005</u>	<u>4,636,000</u>	<u>(828,995)</u>
CAPITAL EXPENDITURES				
Microwave Network Upgrade	962,000	962,000	-	962,000
Encryption Upgrade	1,621,000	1,621,000	-	1,621,000
TDMA Upgrade	1,664,000	1,663,030	1,664,000	(970)
DC Power Upgrade	250,000	250,000	250,000	-
Dispatch Consoles	25,000	-	25,000	(25,000)
Total expenditures	<u>4,522,000</u>	<u>1,913,030</u>	<u>1,939,000</u>	<u>(25,970)</u>
DEBT SERVICE				
Principal	512,000	512,000	533,000	(21,000)
Interest	138,000	138,000	117,000	21,000
Total expenses	<u>\$ 650,000</u>	<u>\$ 650,000</u>	<u>\$ 650,000</u>	<u>\$ -</u>

1. TDMA Upgrade is the annual payment for the Change Order approved by the Board of Directors
2. DC Power Upgrade is an annual amount to replace the batteries in various locations

EAST BAY REGIONAL COMMUNICATIONS SYSTEM AUTHORITY
PROJECTED CASH RESERVE BALANCES
FISCAL YEAR 2022-2023

	FY21-22	FY21-22	FY22-23
	Final Budget	Projected	Budget
Operating Reserve			
Beginning Balance	\$ 2,054,302	\$ 2,054,302	\$ 1,903,503
Operating Payments	6,840,000	7,340,374	7,453,000
Initial Payments	-	66,400	-
Interest	100,000	128,975	100,000
Operating Expenses	(4,573,000)	(3,807,005)	(4,636,000)
Transfer to Capital Reserve	(2,134,802)	(3,879,543)	(2,502,503)
Ending Balance	2,286,500	1,903,503	2,318,000
Debt Service Reserve			
Beginning Balance	1,000,000	1,000,000	1,000,000
Service Payments	1,260,000	1,452,780	1,260,000
Debt Service	(650,000)	(650,000)	(650,000)
Transfer to Capital Reserve	(610,000)	(802,780)	(610,000)
Ending Balance	1,000,000	1,000,000	1,000,000
Capital Reserve			
Beginning Balance	9,923,583	9,923,583	12,692,876
Transfer In	2,744,802	4,682,323	3,112,503
Capital	(4,522,000)	(1,913,030)	(1,939,000)
Ending Balance	8,146,385	12,692,876	13,866,379
Total Reserve Balance	\$ 11,432,885	\$ 15,596,379	\$ 17,184,379

1. Operating Reserve Balance is equal to 50% of the next fiscal years Operating Budget
2. Debt Reserve Balance is set to equal \$1,000,000 every fiscal year
3. Capital Reserve Balance is the projected remaining cash after the Operating and Debt Reserve requirements have been met

EAST BAY REGIONAL COMMUNICATIONS SYSTEM AUTHORITY
10 YEAR CASH FLOW PROJECTION

	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	FY 2030-31
	Projected	Budget	Forecast	Forecast	Forecast	Forecast	Forecast	Forecast	Forecast	Forecast
Operating Reserve										
Balance - beginning	2,054,302	1,903,503	2,318,000	2,369,415	2,430,245	2,501,652	2,583,701	2,650,957	2,728,986	2,817,855
Receipts from members	7,535,749	7,553,000	7,660,000	7,660,000	7,660,000	7,660,000	7,660,000	7,660,000	7,660,000	7,660,000
Payments to suppliers	(3,807,005)	(4,636,000)	(4,738,830)	(4,860,489)	(5,003,303)	(5,167,402)	(5,301,914)	(5,457,972)	(5,635,709)	(5,784,271)
Transfer to Capital Reserve	(3,879,543)	(2,502,503)	(2,869,755)	(2,738,682)	(2,585,290)	(2,410,549)	(2,290,830)	(2,123,999)	(1,935,423)	(1,801,448)
Balance - ending	1,903,503	2,318,000	2,369,415	2,430,245	2,501,652	2,583,701	2,650,957	2,728,986	2,817,855	2,892,136

Debt Service Reserve										
Balance - beginning	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	-	-	-	-
Service payment	1,452,780	1,260,000	1,260,000	1,260,000	1,260,000	1,260,000	-	-	-	-
Principal	(512,000)	(533,000)	(553,000)	(576,000)	(600,000)	(623,000)	-	-	-	-
Bond interest	(138,000)	(117,000)	(97,000)	(74,000)	(50,000)	(27,000)	-	-	-	-
Transfer to Capital Reserve	(802,780)	(610,000)	(610,000)	(610,000)	(610,000)	(1,610,000)	-	-	-	-
Balance - ending	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	-	-	-	-	-

Capital Reserve										
Balance - beginning	9,923,583	12,692,876	13,866,379	15,224,134	16,450,815	17,524,105	19,422,654	19,591,484	21,465,483	23,150,905
Transfer In	4,682,323	3,112,503	3,479,755	3,348,682	3,195,290	4,020,549	2,290,830	2,123,999	1,935,423	1,801,448
Capital	(1,913,030)	(1,939,000)	(2,122,000)	(2,122,000)	(2,122,000)	(2,122,000)	(2,122,000)	(250,000)	(250,000)	(250,000)
Balance - ending	12,692,876	13,866,379	15,224,134	16,450,815	17,524,105	19,422,654	19,591,484	21,465,483	23,150,905	24,702,353

TOTAL RESERVE BALANCE	15,596,379	17,184,379	18,593,549	19,881,060	21,025,757	22,006,355	22,242,441	24,194,469	25,968,760	27,594,489
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SUPPLEMENTARY SCHEDULE FOR PAYMENTS TO SUPPLIERS

Administration	(231,428)	(452,000)	(465,560)	(479,527)	(493,913)	(508,730)	(523,992)	(539,712)	(555,903)	(572,580)
Audit fees	(17,820)	(20,000)	(20,600)	(21,218)	(21,855)	(22,511)	(23,186)	(23,882)	(24,598)	(25,336)
Contingency	-	(100,000)	(100,000)	(100,000)	(100,000)	(100,000)	(100,000)	(100,000)	(100,000)	(100,000)
Insurance	(44,336)	(48,000)	(49,440)	(50,923)	(52,451)	(54,025)	(55,646)	(57,315)	(59,034)	(60,805)
Legal	(70,395)	(73,000)	(75,190)	(77,446)	(79,769)	(82,162)	(84,627)	(87,166)	(89,781)	(92,474)
Lease	(2,743)	(20,000)	(20,600)	(21,218)	(21,855)	(22,511)	(23,186)	(23,882)	(24,598)	(25,336)
Licenses and permits	(759)	(30,000)	(30,900)	(31,827)	(32,782)	(33,765)	(34,778)	(35,821)	(36,896)	(38,003)
Membership fees	(5,256)	(10,000)	(10,300)	(10,609)	(10,927)	(11,255)	(11,593)	(11,941)	(12,299)	(12,668)
Maintenance										
Customer svc. agmt.	(1,087,828)	(1,105,000)	(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	(811,010)	(985,000)	(1,014,550)	(1,044,987)	(1,076,337)	(1,108,627)	(1,141,886)	(1,176,143)	(1,211,427)	(1,247,770)
System management	(263,897)	(270,000)	(267,000)	(275,010)	(283,260)	(291,758)	(300,511)	(309,526)	(318,812)	(328,376)
HVAC	(23,417)	(32,000)	(32,960)	(33,949)	(34,967)	(36,016)	(37,096)	(38,209)	(39,355)	(40,536)
Generators	(47,533)	(53,000)	(51,590)	(56,228)	(57,915)	(59,652)	(61,442)	(63,285)	(65,184)	(67,140)
ALCO maintenance	(600,000)	(600,000)	(618,000)	(636,540)	(655,636)	(675,305)	(695,564)	(716,431)	(737,924)	(760,062)
COCO maintenance	(138,565)	(265,000)	(272,950)	(281,139)	(289,573)	(298,260)	(307,208)	(316,424)	(325,917)	(335,695)
CSI telecommunications	(86,710)	(200,000)	(206,000)	(212,180)	(218,545)	(225,101)	(231,854)	(238,810)	(245,974)	(253,353)
Microwave maintenance	(133,131)	(104,000)	(107,120)	(110,334)	(113,644)	(117,053)	(120,565)	(124,182)	(127,907)	(131,744)
Miscellaneous	(15,000)	(15,000)	(15,450)	(15,914)	(16,391)	(16,883)	(17,389)	(17,911)	(18,448)	(19,001)
Security	(11,357)	(25,000)	(25,750)	(26,523)	(27,319)	(28,139)	(28,983)	(29,852)	(30,748)	(31,670)
Utilities	(212,703)	(225,000)	(231,750)	(238,703)	(245,864)	(253,240)	(260,837)	(268,662)	(276,722)	(285,024)
Web site hosting	(3,117)	(4,000)	(4,120)	(4,244)	(4,371)	(4,502)	(4,637)	(4,776)	(4,919)	(5,067)
Payments to suppliers	(3,807,005)	(4,636,000)	(4,738,830)	(4,860,489)	(5,003,303)	(5,167,402)	(5,301,914)	(5,457,972)	(5,635,709)	(5,784,271)



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, Ohlone Community College District, Contra Costa Community College District, Dublin-San Ramon Services District and University of California, Berkeley

HIGHLIGHTS:

REVENUES - \$8.81M

- Expecting revenues to increase compared with FY21-22 budget
 - While no changes in membership or rates, radio counts increased leading to higher actual revenues than budgeted in FY21-22
- \$613,000 increase in Operating Payments from members
 - Adjusted to actual earned FY21-22

EXPENSES - \$7.22M

- \$55,000 increase in Operating Expense
 - \$32,000 increase in Maintenance due to higher volume of transactions, inflation and scheduled increases in contracts
 - \$15,000 increase in Utilities due to increased rates
- \$1.94M in Capital expenditures
 - \$1.66M for the TDMA upgrade
 - \$250,000 for the DC power upgrades
 - \$25,000 for control stations
- \$650,000 in Debt Service

NET INCOME - \$1,596,000

- \$1,185,503 net increase to Capital Reserves

PROJECTED RESERVES

- Operating - \$2.31M
- Debt - \$1.00M
- Capital - \$13.88M
- Total - \$17.19M



**East Bay Regional
Communications
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AGENDA ITEM NO. 9.3.

**AGENDA STATEMENT
BOARD OF DIRECTORS MEETING
MEETING DATE: May 6, 2022**

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

FROM: Sheriff G. Ahern, Board Chair

SUBJECT: Consider Return to In-Person Meetings and Discontinuation of Adoption of AB 361 Findings

RECOMMENDATIONS:

Staff recommends that the Board of Directors of the East Bay Regional Communications System Authority (“**Authority**”) consider returning to in-person Board of Director and Authority Committee meetings and discontinuing adoption of findings allowing such meetings to be conducted remotely in compliance with Assembly Bill 361 (2021) (“**AB 361**”).

SUMMARY/DISCUSSION:

On March 4, 2020, Governor Newsom declared a State of Emergency to make additional resources available, formalize emergency actions already underway across multiple state agencies and departments, and help the State address the broader spread of COVID-19.

On March 17, 2020, in response to the COVID-19 pandemic, Governor Newsom issued Executive Order N-29-20, which suspended certain provisions of the Ralph M. Brown Act (“**Brown Act**”) in order to allow local legislative bodies to conduct meetings telephonically or by other means. Additionally, the State implemented a shelter-in-place order, requiring all non-essential personnel to work from home.

The Board of Directors established virtual meetings. The virtual meetings have allowed the Board to continue to conduct its business from remote locations while ensuring the public’s continued access to government meetings in a safe manner.

On June 11, 2021, Governor Newsom issued Executive Order N-08-21, which among other things, rescinded certain clauses of Executive Order N-29-20 after September 30, 2021, including clauses that suspended certain provisions of the Brown Act. Thus, effective October 1, 2021, agencies would have had to transition back to in person public meetings. Since the Governor issued Executive Order N-08-21, the highly contagious Delta variant has emerged, causing a spike in cases throughout the state and within Alameda and Contra Costa Counties.

On August 2, 2021 the Alameda and Contra Costa County Health Officers issued Public Health Orders requiring all individuals in both Counties, regardless of vaccination status, to wear face coverings in all indoor public settings and businesses for the control of COVID-19. These August 2, 2021 Public Health Officer Orders will be in effect until rescinded, superseded or amended.

On September 16, 2021, Governor Newsom signed AB 361, which was an urgency measure that became effective on October 1, 2021, and it allows a local agency to use teleconferencing for public meetings during a Governor-proclaimed state of emergency as long as the legislative body adopts findings every 30 days that: 1) meeting in person would present imminent risks to the health or safety of attendees as a result of the emergency; or 2) state or local officials have imposed or recommended measures to promote social distancing.

In such circumstances, a legislative body is not required to make available a physical location from which members of the public may observe the meeting and offer public comment or required to have a quorum of the members of the legislative body participate from locations within the boundaries of the agency's jurisdiction.

The legislative body must make required findings by majority vote every 30 days to continue using AB 361's teleconferencing requirements. Based upon the California Department of Public Health (CDPH) and the Federal Centers for Disease Control and Prevention (CDC) guidance as well as the Alameda and Contra Costa County Health Officers Orders, the Board adopted initial findings October 22, 2021 and every 30 days thereafter in accordance AB 361.

Covid-19 Status

Although the Omicron variant spread rapidly during and after the December holiday season, with positive case rates spiking in mid-January, there has been a recent dramatic decrease in positive cases. In addition, the health effects of Omicron are generally much less severe for vaccinated persons, and the Contra Costa and Alameda County vaccination rates are 82.1% and 85% respectively.

As a result of the decrease in cases and lower health risks from Omicron for vaccinated persons, both the Alameda County and Contra Costa County Health Officers rescinded the prior Health Officer Orders regarding indoor masking and aligned with the CDPH Guidance lifting indoor mask mandates for vaccinated persons beginning February 16, 2022. However, unvaccinated individuals over age 2 will continue to be required to wear masks in all indoor public settings, and businesses may determine their own protocols to protect staff and patrons and may choose to require all patrons to wear masks.

Bay Area health officers continue to strongly recommend masks be used as an effective tool to prevent the spread of COVID-19, especially in crowded or poorly ventilated indoor public settings. Indoor masking is still required by the State for everyone, regardless of vaccination status, in public transportation; health care settings; congregate settings like correctional facilities and homeless shelters; long term care facilities; and in K-12 schools and childcare settings.

Given these improvements, staff recommends a return to in-person meetings beginning with the September 23, 2022, Board of Directors meeting and Committee meetings on September 2, 2022, or any needed special meetings. However, it should be noted that, if the legislative body discontinues the adoption of findings every 30 days, AB 361 does not allow for a return to remote meetings with regard to the same state of emergency.

FINANCIAL IMPACT:

None

COMMITTEE ACTION:

None.

RECOMMENDED ACTION:

It is recommended that the Board of Directors consider returning to in-person Board of Director and Authority Committee meetings and discontinuing adoption of findings allowing such meetings to be conducted remotely in compliance with AB 361.



**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 NO. 9.4.

**AGENDA STATEMENT
BOARD OF DIRECTORS MEETING
MEETING DATE: May 6, 2022**

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

FROM: Thomas McCarthy, Executive Director

SUBJECT: Continuation of AB 361 Findings to Allow Teleconferenced Meeting.

RECOMMENDATIONS:

Staff recommends that the Board of Directors of the East Bay Regional Communications System Authority (“**Authority**”) consider adopting the proposed Resolution to continue conducting Board of Director and all other Authority Committee meetings remotely due to health and safety concerns for the public and making related findings in compliance with Assembly Bill 361 (2021) (“**AB 361**”) effective May 6, 2022 through June 3, 2022.

SUMMARY/DISCUSSION:

On March 4, 2020, Governor Newsom declared a State of Emergency to make additional resources available, formalize emergency actions already underway across multiple state agencies and departments, and help the State address the broader spread of COVID-19.

On March 17, 2020, in response to the COVID-19 pandemic, Governor Newsom issued Executive Order N-29-20, which suspended certain provisions of the Ralph M. Brown Act (“**Brown Act**”) in order to allow local legislative bodies to conduct meetings telephonically or by other means. Additionally, the State implemented a shelter-in-place order, requiring all non-essential personnel to work from home.

The Board of Directors established virtual meetings. The virtual meetings have allowed the Board to continue to conduct its business from remote locations while ensuring the public’s continued access to government meetings in a safe manner.

On June 11, 2021, Governor Newsom issued Executive Order N-08-21, which among other things, rescinded certain clauses of Executive Order N-29-20 after September 30, 2021, including clauses that suspended certain provisions of the Brown Act. Thus, effective October 1, 2021, agencies would have had to transition back to in person public meetings. Since the Governor issued Executive Order N-08-21, the highly contagious Delta variant has emerged, causing a spike in cases throughout the state and within Alameda and Contra Costa Counties.

On August 2, 2021 the Alameda and Contra Costa County Health Officers issued Public Health Orders requiring all individuals in both Counties, regardless of vaccination status, to wear face coverings in all indoor public settings and businesses for the control of COVID-19. These

On September 16, 2021, Governor Newsom signed AB 361, which was an urgency measure that became effective on October 1, 2021, and it allows a local agency to use teleconferencing for public meetings during a Governor-proclaimed state of emergency as long as the legislative body adopts findings every 30 days that: 1) meeting in person would present imminent risks to the health or safety of attendees as a result of the emergency; or 2) state or local officials have imposed or recommended measures to promote social distancing.

Since the Health Officers' August Orders were issued, the highly contagious Omicron Variant has emerged, and resulted in the greatest nationwide infection rate since the beginning of the COVID-19 pandemic.

Alameda County and Contra Costa County Health Officers rescinded the prior Health Officer Orders regarding indoor masking and aligned with the California Department of Public Health (CDPH) Guidance lifting indoor mask mandates for vaccinated persons beginning February 16, 2022. However, unvaccinated individuals over age 2 will continue to be required to wear masks in all indoor public settings, and businesses may determine their own protocols to protect staff and patrons and may choose to require all patrons to wear masks.

Bay Area health officers continue to strongly recommend masks be used as an effective tool to prevent the spread of COVID-19, especially in crowded or poorly ventilated indoor public settings. Indoor masking is still required by the State for everyone, regardless of vaccination status, in public transportation; health care settings; congregate settings like correctional facilities and homeless shelters; long term care facilities; and in K-12 schools and childcare settings.

In such circumstances, a legislative body is not required to make available a physical location from which members of the public may observe the meeting and offer public comment or required to have a quorum of the members of the legislative body participate from locations within the boundaries of the agency's jurisdiction in the following circumstances:

- The legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing.
- The legislative body holds a meeting during a proclaimed state of emergency to determine, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees; or
- The legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

The legislative body must make certain findings by majority vote every 30 days to continue using AB 361's teleconferencing requirements.

An additional provision of AB 361 states that, in the event of a disruption within the local agency's control that prevents members of the public from offering public comments using the call-in option or internet-based service option, the legislative body is prohibited from taking any further action on items appearing on the meeting agenda until public access to the meeting via the call-in or internet-based options is restored.

These new provisions are only operative until January 1, 2024, at which point they are repealed, and the prior Brown Act teleconferencing requirements become effective again.

The CDPH and the Federal Centers for Disease Control and Prevention (CDC) caution that the Delta and Omicron Variants of COVID-19 are more transmissible than prior variants of the virus, may cause more severe illness, and even fully vaccinated individuals can spread the virus to others resulting in rapid and alarming rates of COVID-19 cases and hospitalizations.

The Authority meets the requirements to continue holding meetings remotely in order to ensure the health and safety of the public:

- The Governor has declared a State of Emergency related to the COVID-19 pandemic; and
- County Health Orders strongly recommend that individuals in indoor public spaces wear masks and the CDC recommends social distancing of at least six feet if an individual is not up to date on COVID-19 vaccinations/boosters due to COVID-19; and
- The Delta and Omicron Variants of COVID-19 have resulted in a significant increase of COVID-19 cases within the state and throughout Alameda and Contra Costa Counties.

Thus, meeting in person for Board and Authority Committee meetings would present imminent risks to the health and safety of attendees, the Board and staff. In the interest of public health and safety, as affected by the emergency caused by the spread of COVID-19, Authority staff recommends invoking the provisions of Assembly Bill 361 related to teleconferencing.

The Board must make its own determination and findings, no later than 30 days after the adoption of this initial Resolution, in order to continue holding teleconferenced meetings in accordance with AB 361. At this time, Staff intends to schedule special Board meetings every 30 days, if necessary, to consider adoption of similar findings in the future.

FINANCIAL IMPACT:

None.

COMMITTEE ACTION:

None.

RECOMMENDED ACTION:

It is recommended that the Board of Directors consider adopting the proposed Resolution to continue conducting Board of Director and all other Authority Committee meetings remotely due

to health and safety concerns for the public and making related findings in compliance with AB 361 effective May 6, 2022 through June 3, 2022.

Attachments:

Exhibit "A" – Proposed Resolution

5101356.1

RESOLUTION NO. 22-__
A RESOLUTION OF THE
THE EAST BAY REGIONAL COMMUNICATIONS SYSTEM AUTHORITY

RESOLUTION AUTHORIZING TELECONFERENCE MEETINGS PURSUANT TO
ASSEMBLY BILL 361 EFFECTIVE May 6, 2022 THROUGH June 3, 2022

WHEREAS, on March 4, 2020, Governor Gavin Newsom proclaimed the existence of a state of emergency in California under the California Emergency Services Act, Government Code section 8550 et seq. (Declaration); and

WHEREAS, on March 17, 2020, Governor Gavin Newsom issued Executive order N-29-20 (Executive Order), which suspended the teleconferencing rules set forth in California Open Meeting law, the Ralph M. Brown Act (California Government Code §§ 54950 – 54963), provided certain requirements were met and followed; and

WHEREAS, on June 11, 2021, Governor Gavin Newsom issued Executive Order N-08-21, which clarified the suspension of the teleconferencing rules set forth in the Ralph M. Brown Act and further provided that those provisions would remain suspended through September 30, 2021; and

WHEREAS, on September 16, 2021, Governor Gavin Newsom signed Assembly Bill 361, which provides that under Government Code section 54953(e), a legislation body subject to the Ralph M. Brown Act may continue to meet using teleconferencing without complying with the non-emergency teleconferencing rules in Government Code section 54953(b)(3) if a proclaimed state of emergency exists and state or local officials have imposed or recommended measures to promote social distancing; and

WHEREAS, such conditions exist in the East Bay Regional Communications System Authority (EBRCSA) jurisdiction. In addition to the Governor’s Declaration, both the Alameda and Contra Costa County Health Officers have issued numerous Health Orders regarding safety protocols during the COVID-19 pandemic. In particular, on August 2, 2021, both the Contra Costa County and Alameda County Health Officers issued an Order requiring all individuals in the County, regardless of vaccination status, to wear face coverings in all indoor public settings and businesses for the control of COVID-19. ; and

WHEREAS, The California Department of Public Health (CDPH) and the Federal Centers for Disease Control and Prevention (CDC) caution that the Delta and Omicron Variants of COVID-19, are more transmissible than prior variants of the virus, may cause more severe illness, and even fully vaccinated individuals can spread the virus to others resulting in rapid and alarming rates of COVID-19 cases and hospitalizations; and

WHEREAS, on February 16, 2022, the Health Officers’ Orders were modified to strongly recommend all individuals in the Counties, regardless of vaccination status, to wear face coverings in all indoor public settings and businesses for the control of COVID-19; and

WHEREAS, in the interest of public health and safety, as affected by the emergency caused by the spread of COVID-19, EBRCSA intends to invoke the provisions of Assembly Bill 361 related to teleconferencing in the manner authorized by Government Code § 54953(e), and such legislative body shall comply with the requirements to provide the public with access to the meetings as prescribed in Government Code § 54953(e)(2); and

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of East Bay Regional Communications System Authority as follows:

1. The Recitals set forth above are true and correct and are incorporated herein by reference.
2. In compliance with AB 361 (2021), and in order to continue to conduct teleconference meetings without complying with the usual teleconference meeting requirements of the Ralph M. Brown Act, the Board of Directors makes the following findings:
 - a. The Board of Directors has considered the circumstances of the state of emergency; and
 - b. The state of emergency, as declared by the Governor, continues to directly impact the ability of the Board of Directors, including EBRCSA's legislative bodies and staff, as well as staff and members of the public, from meeting safely in person; and
 - c. The CDC, Alameda and Contra Costa Counties Departments of Public Health continue to recommend physical distancing of at least six feet if an individual is not up to date on COVID-19 vaccinations/boosters due to COVID-19 and as a result of the presence of COVID-19 and the Delta and Omicron Variants, meeting in person would present imminent risks to the health or safety of attendees, the legislative bodies and staff.
3. The Board of Directors and EBRCSA's legislative bodies may continue to meet remotely in compliance with AB 361, in order to better ensure the health and safety of the public and staff in accordance with the provisions of Government Code section 54953(e).
4. The Board of Directors will revisit the need to conduct meetings remotely within 30 days of the adoption of this resolution.
5. Staff is authorized and directed to take all actions necessary to implement the intent and purpose of this resolution, including conducting open and public meetings in accordance with Government Code section 54953(e) and all other application provisions of the Ralph M. Brown Act; and
6. Staff is directed to return no later than 30 days after this resolution is adopted with an item for the Board of Directors of East Bay Regional Communications System

Authority to consider whether to continue meeting under the provisions of Assembly Bill 361.

PASSED AND ADOPTED by the Board of Directors of East Bay Regional Communications System Authority at a regular meeting on the 6th Day of May 2022, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

ATTEST: _____
Caroline Soto, Secretary

5101368.1