



Commission Board
Bill Zoslocki, President
Bill O'Brien, Vice President
Jim Holgersson, City Manager, City of Modesto
Stan Risen, Stanislaus County C.E.O.
Raul Mendez, City Manager, City of Hughson
Adam Christianson, Sheriff, Stanislaus County
Sean Slamon, Fire Chief, City of Modesto
3705 Oakdale Rd.
Modesto, CA 95357
Phone: 209.552.3900 Fax: 209.552.3950

CONSOLIDATED EMERGENCY DISPATCH AGENCY COMMISSION MINUTES

December 16, 2015

1:00 p.m.

Commission Members Present: Bill O'Brien, Vice President, Jim Holgersson, Modesto City Manager; Stan Risen, Stanislaus County C.E.O.; Raul Mendez, Hughson City Manager; Adam Christianson, Sheriff, Stanislaus County, Sean Slamon, Fire Chief, City of Modesto; Doug Ridenour Sr., City of Modesto

Absent: All members were present

Open and Welcome

Pledge of Allegiance to the Flag

Public Comment Period – There were no public comments

Christianson/Holgersson (6-0) Ridenour abstained Adopted the Consent Calendar

A-1 Approved the Minutes from November 18, 2015

Holgersson/Ridenour (6-1) (Mendez opposed) **B.1.** Denied the Request from the City of Newman for its Final Invoice for Police Dispatch Services

SR911 Director Joel Broumas presented to the Commission the history surrounding the City of Newman request for its final invoice for Police Dispatch Services, outlining the series of events leading to the request presented for consideration.

Newman City Manager, Michael Holland, addressed the Commission outlining the merits of the request. The City of Newman has been with Emergency Dispatch since Day 1. Although not named in the Joint Powers Agreement (JPA) specifically as a partner, the city has been a participant. The City of Newman has contributed to capitol costs, approximately 3.5% of the total budget, in addition to operational costs. The City of Newman requested what would be fair and equitable in a private partnership should someone divest. Mr. Holland referred to the GASB68 Pension Pronouncement implemented in June 2015 as simply a snapshot in time, arguing that it does not provide an accurate picture of available fund balance. Mr. Holland cited CA Gov. Code 6512, referencing when a JPA or partnership ends, any surplus money would be allotted back from the cash on hand. Mr. Holland reiterated that the City of Newman is not a named partner in the JPA.

Commission Vice-President O'Brien inquired regarding GASB 68 and Newman's requesting 3.5% of assets, seeking direction regarding the liability of the unfunded pension account.

Mr. Holland indicated they are no longer asking for 3.5% of assets, but based on Newman City Council's recommendation, would accept a 50% reduction of the final bill. He further commented that this is the first year that GASB 68 has been implemented, noting that it can't be taken as gospel as things change over time. He concluded that applying the GASB 68 Pronouncement was not an accurate reflection of the financial situation for the department.

Commissioner Ridenour inquired regarding the original JPA agreement, for specific wording regarding a city's departure from participation.

Stanislaus County Counsel Doering indicated that the question more broadly put is whether or not the agreement contemplates partners in the JPA that would leave and what obligations and rights they have in that withdrawal.

Modesto City Attorney Lindgren added that the citation that Mr. Holland provided to the law is generally correct. As a party to a JPA by law when the JPA dissolves the assets of the JPA are disposed of proportionally. Mr. Holland in his request indicated that Newman is not a formal party to the JPA Agreement, which would make the law persuasive or informative to the body's policy choice but not binding on the discussion before the Commission today.

Commissioner Risen added that the formal partners in the JPA have termination requirements, (in the 7th year of a 10-year term), whereby September 2016 a notice of non-renewal needs to be filed if a partner intends to depart by 2019. The fact that the City of Newman was able to exit the agreement without this requirement demonstrates they were an informal partner.

Commissioner Mendez inquired regarding the status of the most recent audit from June 30, 2015, as the audit referenced in the staff report is older. SR911 Business Services Manager, John Bettencourt, confirmed that the June 2015 audit has not been completed yet, but anticipated it any time now. Commissioner Mendez further inquired what latitude the Commission has regarding the request from the City of Newman; is the determination for reimbursement within the purview of the Commission based on the request or is there another mechanism that would need to be followed.

Stanislaus County Counsel Doering indicated that upon consultation with Modesto City Attorney Lindgren, the conclusion is that the Consolidated Emergency Dispatch Agency Commission has discretion to decide this matter. There are no legal impediments to action today or in the future.

Commissioner Mendez added that he still considers the City of Newman a partner, and that in the past this Commission has demonstrated a tendency and practice of working with all the partners in one way or another. He hoped that the Commission could afford that opportunity to work with the City of Newman as best as can be. If there is opportunity to maybe have better information to review more closely somehow coming to a compromise or an agreement, he hoped that could be provided.

Commissioner Holgersson added that the Commission would like to work with our fellow cities and fellow partners. In this particular case, in the interest of acting like a business, which is the mutual concern on both sides; there doesn't appear to be a vested interest given the way Newman entered and then exited the JPA. The City of Newman is not a formal partner with the JPA and the JPA is not being disinvested or dismantled as is what occurred with the Fire side (Stanislaus Consolidated Fire District) and their JPA. He didn't see that there's any standing on the part of the City of Newman.

C1. Staffing Update – SR911 Operations Manager, Wendy Silva updated the Commission regarding the status and progression of the eight newly hired dispatchers that are in training. One is already training on radio, four are working independently as call takers, with the remaining about to also be cut loose and working independently. After they become comfortable as call takers, they will move up to the radio training. The agency is still short three Emergency Dispatchers.

C2. 800 MHz/Simulcast Radio System Update – Project Manager Barbara Jackson updated the Commission on the final site for the five-site scope of the project. Funding is in place and purchase orders have been generated. Tait Communications (Contractor) has ordered the tower and the equipment shelter for Fire Station 6 and the project is now waiting on engineering for structural and foundation work. Ms. Jackson expects work to commence the latter part of January 2016. Permits will be completed and then construction can begin. The project is still on track for late April 2016 completion, including Simulcast as well.

Commissioner Ridenour inquired regarding the quality of radio transmission at Vintage Faire Mall. Barbara indicated that testing has been conducted and even without Fire Station 6, there is penetration for radio signal at the mall with their mobile radios. Fire Station 6 is the last piece which will provide better coverage.

Commissioner Reports – Commission Vice-President O'Brien thanked former Commission President Zoslocki for his service to this Commission, and welcomed Modesto City Council Member Ridenour to the Commission.

Commissioner Christianson inquired for CAD to CAD status update, and Sheriff's VHF simulcast update.

Commission Vice-President O'Brien suggested it would be good to have an update on all the projects currently underway.

SR911 Director Joel Broumas shared that there have been recent meetings regarding CAD to CAD. The issue with the CAD to CAD interface with AMR is SR911's upgrade to the 2.0 CAD system. There has been difficulty getting the vendor to deliver the test environment which was promised on October 1, 2015. City of Modesto Information Technology Manager Kevin Harless has a meeting scheduled with the vendor December 21, 2015 to discuss the hardware upgrade necessary for the 2.0 upgrade at SR911 so there is some movement with the hardware package needed from the vendor. Director Broumas also met with MPD December 15, 2015 regarding issues with the RMS program they use through the same vendor (Tri-Tech). SR911 and Modesto Police Department will be meeting with TriTech's Vice President to express dissatisfaction with their lack of follow through on the CAD to CAD 2.0 upgrade as well as the Police Department's RMS program. A reply has not been received from the vendor as correspondence has just started today.

Director Broumas noted that all the necessary paperwork is completed regarding the Diablo Grande upgrade, which is now in the engineering stage, getting ready to order product. He expressed that he hoped to have a conference call again this week. Director Broumas is not satisfied with the timeline the vendor has given and is trying to expedite the process to get it done as soon as possible before the weather would not permit access to Mt. Oso, or would be more difficult in the Diablo Grande area for construction.

Commissioner Christianson added that the 800 simulcast project is a benefit to everyone and the City of Modesto is transitioning to an 800 system. Based on geography and some cost prohibitive issues, the Sheriff's office cannot transition to 800 MHz and must stay on VHF, continuing to invest in the infrastructure specific to that frequency spectrum. He hoped that the completion of simulcast on VHF will improve the Sheriff's Office communication footprint as well. Narrow Banding did not help and the Sheriff's primary concern is for officer safety and the inability for deputy sheriff's to communicate outside their vehicles on portable radios.

Commissioner Risen inquired regarding the deposit for half of the funds for the CAD to CAD project and the vendor's failure to perform. He questioned whether there should be a request for those funds to be reimbursed or an inquiry with legal regarding breach of contract.

SR911 Director Joel Broumas indicated there was a separate contract signed with Tiburon for the CAD to CAD interface. It was separate and not in addition to the current upgrades. At the time of signing, there was a request for the 50% down payment, a little more than \$60,000, which was given to Tiburon (now Tri-Tech). In October 2014, there was correspondence indicating that the CAD to CAD interface could not happen without the 2.0 upgrade. In May, SR911 upgraded to 1.7 and was promised the test environment for 2.0 in October 2015. Director Broumas is asking to wait for the face to face meeting with the Vice-President of Tri-Tech to discuss these concerns to see if it will help to expedite the process.

Director Broumas spoke with AMR as they are also upgrading their CAD system. He learned they are expecting to have their upgrade completed by March 2016, so there is still time to get the 2.0 upgrade. The hope is that by the time AMR has their upgrade in place, we'll be close and can get the CAD to CAD interface completed. Director Broumas is acutely aware of the importance of this project to AMR, SR911 and the Board of Supervisors, and is pushing to insure it gets completed.

Adjournment at 1:30

ATTESTED: Kaye-Marie Newell, Consolidated Emergency Dispatch Agency Commission Clerk.
The above is a summary of the minutes of the governing Board of the Consolidated Emergency Dispatch Agency Commission. Complete audio minutes are available from the Stanislaus Regional 9-1-1 Administrative office.