

WASHOE COUNTY REGIONAL 800 MHz COMMUNICATION SYSTEM

Joint Operating Committee

Tracy Moore, Chair
Charles Moore, Vice-chair
Robert Chisel, Secretary

DRAFT of Minutes

**Friday ~ February 24, 2017 ~ 10:00 a.m.
Washoe County Administration Complex
Second Floor Caucus Room Building A
1001 East Ninth Street, Reno, Nevada**

1. CALL TO ORDER/ROLL CALL [Non-action item]

Chair Moore called the meeting to order at 10:01 a.m. A quorum was established.

PRESENT: Ed Atwell – university of Nevada, Reno; Robert Chisel – City of Reno; Jaime Edrosa – Reno Tahoe Airport Authority; Dave Hunkup – Reno Sparks Indian Colony; Denise Inda – Nevada Department of Transportation; Reid Kaiser – Nevada Department of Transportation; Chris Maples – City of Sparks; Charles Moore – Truckee Meadows Fire Protection District; Tracy Moore – Washoe County School District; David Paulon – Pyramid Lake Paiute Tribe; Jason Reynolds – University of Nevada, Reno; and Ryan Sommers – North Lake Tahoe Fire Protection District.

ABSENT: Brian Allen – City of Sparks; Lance Avansino – Reno Sparks Indian Colony; Charles Atkinson – Truckee Meadows Fire Protection District; Valerie Barr – Reno Sparks Indian Colony; Craig Betts – Washoe County; Bryan Boren – Veterans Affairs; David Curtis – Nevada Air National Guard; Adam Garcia – University of Nevada, Reno; Sam Hicks – Truckee Meadows Fire Protection District; Jon Kelley – Washoe County School District; Chris Ketring – Truckee Meadows Fire Protection District; Arlen Melendez – Reno Sparks Indian Colony; Pat Nielson – Truckee Meadows Water Authority; Don Pelt – Pyramid Lake Paiute Tribe; Mark Regan – North Lake Tahoe Fire Protection Michael Scott – Reno Tahoe Airport Authority; District; Bill Thomas – City of Reno; and Christine Vuletich – Washoe County.

VACANT: Drug Enforcement Administration.

David Watts-Vial – Deputy District Attorney, was also present.

2. PUBLIC COMMENTS [Non-action item]

There were no public comments.

3. APPROVAL OF THE JANUARY 27, 2017, MINUTES [For possible action]

It was moved by Robert Chisel, seconded by Ed Atwell, to approve the January 27, 2017, minutes, as submitted.

There were no public comments

The motion carried unanimously.

4. NEVADA SHARED RADIO SYSTEM CONTRACT [For possible Action] - A review discussion and possible action to recommend that the Washoe County Manager approve,

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deny, or otherwise modify the new Nevada Shared Radio System Contract and Attachments including the Service Level Agreement and the Governance Structure.

Quinn Korbolic – Washoe County Technology Services, recalled the introduction of the agreement at the January JOC (Joint Operating Committee) meeting and narrated a PowerPoint presentation (copy on file) that covers the governance, system administration and cost sharing among and between the three partner agencies NDOT, NV Energy and Washoe County. Once the agreement is finalized the RFP (Request for Proposal) will be released and made available to the member of this body and the public. Additionally, the agreement does provide a means to opt-out of the contract, a technical advisory committee, and division of costs. The presentation will provide the context and service levels along with governing documents. The agreement must be executed before the RFP (Request for Proposal) can be released. Mr. Korbolic then outlined the various sections pointing out that there is a “Non-disclosure” agreement for the RFP. However, once the agreement is approved the RFP can then be made public and brought back for additional discussion. Mr. Korbolic noted that the agreement includes governance, system administrator and cost sharing for the administrator’s position, and system operations and maintenance. It is anticipated that Washoe County will continue to operate much the same once the new NSRS is fully functional with member agencies paying fees based on the number of radios in use. It was emphasized that the 800 MHz JOC will still provide governance for the incoming P-25 system with system changes that affect the entire NSRS being reviewed by the NSRS Governing Board.

During the discussion it was noted that the WCRCS will operate in much the same manner as it currently does. As the discussion continued, it was noted that NDOT would no longer be a part of the Washoe County system. Concern was expressed about the potential fiscal impact to other WCRCS member once NDOT withdraws $\pm 1,400$ radios from the funding mix. As the discussion continued it was pointed out that NDOT will be contracted with Washoe County to provide certain professional services that will be funded by NDOT. Other discussion pointed out the need for Nevada Highway Patrol to have statewide interoperability as they travel between the various jurisdictions statewide.

Discussion then noted that the Service Level Agreement addresses minimal levels of services and access accountability. It was pointed out that the partner agencies will be responsible for the operation and maintenance of their portion of the statewide system as a public safety radio system regardless of whether they are in fact a public safety agency.

Discussion then turned to Article 3. It was noted that the original contract expired on December 31, 2018 and will be subject to renewal by the member agencies at that time after which the contract will automatically renew every two years. It was noted that the cost of the system administrator is split equally among the three partner agencies as opposed to the number of radios as is used in the WCRCS Inter-local agreement. It was noted that the JOC will continue to provide input to the BCC for funding approval. In the event of a funding dispute the issue goes to the NSRS Governing Body with an option for third party mediation to resolve the issues. It was pointed out that recommending that Washoe County move forward with the agreement does not in and of itself impose any financial obligations on member agencies. It was reiterated that Attachment C continued the RFP and was at this time restricted by a Non-disclosure Agreement. It was noted that once the matter comes to the BCC (Board of County Commissioners), that

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members of the public and/or representatives of member organizations will be able to express their viewpoints to the BCC in the public forum. Approval of the agreement will allow NDOT to move forward with the RFP, which will then identify the costs of the P-25 system as well as futures costs associated with the agreement. It was again pointed out that member agencies do have the opt-out option.

David Watts- Vial – Deputy District Attorney, explained that this particular agreement focused on the day-to-day operations on how the system would operate going forward and, at this point, does not obligate any WCRCS member to any financial obligation. However, once the RFP is released future costs will be identified with member agencies agreeing to deal with a single vendor that will ultimately have some costs associated with the agreement. The proposed contract will expire at the December 31, 2018 unless renewed. Mr. Watts-Vial pointed out that there is an opt out clause that the City of Sparks or any other member may be able to implement based on the advice of their individual legal counsel. Mr. Watts-Vial strongly recommended that member agencies have their legal counsels review the agreement as well. Mr. Watts-Vial noted that the NSRS governance is also subject to Nevada's OML (Open Meeting Law) which requires an open public meetings, meeting minutes and audio/visual recordation. It appears based on the documents provided that one member of each partner agency must be present at future meeting. Anything less than a representative of each of the three partner agencies will not constitute a quorum on the terms of the proposed agreement. Mr. Watts-Vial believes that the membership will be somewhat similar to that used by the 800 MHz Users and JOC with a primary and alternate member(s) named to establish quorum. Mr. Watts-Vial noted that Attachment 1, page 6, outlines the process for selection of the System Administrator.

Tom Moore – NDOT, explained that while the TAC (Technical Advisory Committee) will have numerous members from each agency, each agency will have a single vote. Mr. Moore noted that a decision has not yet been made if the Governance allows for individuals or outsourcing of assistance as needed nor has the location of meetings been determined and that policies and procedures would be determined by the System Administrator and the Governance board, once it is formed.

Mr. Watts-Vial noted that at this point there is nothing specific to take back to local governing bodies such as cost. However, once the RFP has been released and a vendor chosen the cost estimate will be known. Mr. Watts-Vial noted that NDOT will no longer be a participant in the WCRCS Interlocal agreement once the NSRS is approved.

There was significant discussion and concern about the potential cost impact to remaining WCRCS members with NDOT's withdrawal from WCRCS. It was noted that Attachment B includes a list of requirements that must be met. It was noted during the discussion that NDOT has been paying for radios used by NV Energy.

Tom Moore – NDOT noted that partners would not be charged to come on the NSRS and that NDOT will be contract with Washoe County for certain additional services.

Discussion then noted that the current EDACS system has reached its end of life and that parts are no longer available.

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Robert Chisel noted that he favors the current professional manner in which the communications system operates. However, he has significant concerns as to the cost of the P-25 system estimated between \$12-million and \$20-million. Mr. Chisel believes that the City of Reno can meet their communications needs with a stand-alone system using only three antenna sites at a cost far less than what is being considered. Therefore, it is critical that the costs be reviewed beyond fiscal year 2018.

Chair Tracy Moore noted the need to review the mutual and automatic aid agreements for the primary public safety agencies.

Ed Atwell reiterated his previous concerns about NDOT withdrawing from the system and the fiscal impacts on remaining agencies.

Tom Moore – NDOT, noted that the current data indicates that Washoe County usage of NDOT sites that is generally more than originally thought. Additionally, NDOT has entered into discussions with Washoe County for professional services that NDOT will pay for.

Mr. Chisel questioned whether the City of Reno could also opt to use the WCRCS at no cost.

Mr. Korbolic explained that the EDACS system will remain in place until such time as the incoming P-25 system is completed.

Mr. Moore (NDOT) commented that he believes the contract for services with Washoe County will address the concerns being expressed by this body. And that the decision to allow users access to the statewide system at no cost was felt to be in the best interests of all concerned given the logistics and accounting issues.

Mr. Atwell explained that he prefers not to move forward with the recommendation until a fiscal analysis of the impact of the loss of NDOT contributions to future WCRCS budgets. Mr. Atwell is prepared to make that motion if others have similar concerns.

Mr. Maples concurred that Mr. Atwell states a valid concern about the loss of revenue from NDOT.

Mr. Korbolic noted that there had been some staff level meetings to better understand the implications and pointed out that the agreement needs to be moved forward so that the RFP can be released. Currently NDOT will be contributing to WCRCS through the end of 2018.

Chair Tracy Moore commented that the Board looks to staff for guidance on whether the agreement can move forward without financial obligation to the members or negative impacts to public safety.

Mr. Korbolic explained that in this instance it is the best course to move the agreement forward without knowing the full financial obligations in order to transition to the new communications system. Mr. Korbolic believes that the cost of the new P25 System will be the same whether or not NDOT is part of the Washoe County portion of the P25 system.

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Tom Moore – NDOT, noted that alternatives will need to be reviewed should Washoe County decide not to support the agreement. However, for the RFP to move forward the agreement must be in place so that informed decisions can be made.

Mr. Watts-Vial explained that there is no requirement to take action on the item and that staff can be given direction on what information is needed before an informed decision can be made.

Dave Hunkup concurred with Mr. Atwell's concerns and the possibility of Washoe County developing their own communications system. Therefore, Mr. Hunkup would like to see the cost analysis and the impacts of the loss of ±1,400 NDOT radios. Additionally, Mr. Hunkup does not see any issue with moving the agreement forward so that the RFP can be released and final costs determined.

Mr. Korbolic concurred noting that the cost analysis can be developed for review and discuss at the next JOC meeting.

It was moved by Ed Atwell to defer taking any action on the agreement until the information on the monthly system costs can be reviewed.

David Paulson left the meeting at 11:09 a.m.

Mr. Atwell reiterated the motion and indicated that the financial impact of having 1,400 fewer radios in the future needs to be addressed.

Chair Tracy Moore asked that Mr. Atwell restate the motion.

It was moved by Ed Atwell, seconded by Dave Hunkup, to defer action on the agreement pending a staff update on the effects the loss of 1,400 radios (NDOT) on the current budget.

Mr. Chisel expressed his concern about NDOT leaving the Washoe County system and pointed out that the City of Reno will closely analyze the costs of continuing to participate based on the costs of the P-25 system. Mr. Chisel believes that the City of Reno can develop a stand-alone system with about 3 sites at a cost far less than the projected cost of up to \$20-million.

Charles Moore drew attention to the economies of scale and that the project costs need to be projected over a 5-year period with and without partner. Mr. Moore therefore supports moving forward with the agreement to better understand the system costs.

Chair Tracy Moore commented that he believes the best course is to move forward and explore the costs and pointed out that there is an Opt-out clause in the agreement. Responding to Mr. Edrosa's inquiry about the 1/3 cost share, Mr. Korbolic noted that was for the NSRS System Administrator position. Additionally, the WCRCS portion of the system will continue to be funded on a per radio basis as it is now. At this time it is unclear how the Washoe County portion statewide system costs will be shared across WCRCS agencies.

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The motion failed: Members Atwell, Edrosa and Hunkup assenting; and Members Chisel, Kaiser, Maples, Moore, Sommers, and Chair Moore dissenting.

It was moved by Robert Chisel, seconded by Charles Moore, to recommend that the Washoe County Manager approve the Nevada Shared Radio System Contract and requested that Washoe County Technology Services staff provide improved communications on activities and costs in the future.

Responding to Member Sommers' inquiry about seeking an analysis on the loss of revenue with NDOT withdrawing from the Washoe County system Mr. Watts-Vial explained that the board could add that as a future agenda item. However, Mr. Watts-Vial cautioned that that does not mean that the JOC can withdraw the approval at the next meeting.

Robert Chisel restated the motion to recommend that the Washoe County Manager approve the agreement as presented by Washoe County technology Service staff and request that Washoe County staff provide updates at all future JOC meetings as the costs of the new system are developed. Charles Moore restated the second.

Ed Atwell reiterated his fiscal concerns and stated the he believes any negotiating ability will be lost by moving forward without knowing the costs. It is Mr. Atwell's belief that the operating costs will be similar with a significant reduction in the number of users on the system to share the cost.

Reid Kaiser – NDOT, commented that NDOT understands those concerns and is willing to discussion methods to cover those costs. Mr. Kaiser does not believe it is in the best interests of NDOT for Washoe County to be independent of the system and would rather keep Washoe County as a partner.

Chair Tracy Moore again pointed out the opt-out clause in the contract and noted that the only way to determine actual costs is to move the agreement forward so that the RFP can be released. Chair Moore noted that Washoe County School District had opposed any additional costs.

Chris Maples noted that once the RFP is released that an estimate for a stand-alone system for Washoe County could be developed if the bottom line indicates that it would be cost effective to have a stand-alone system.

In respond to Chris Maples' question about walk away from the agreement if the costs are prohibitive, Mr. Watts-Vial reiterated that Article 2 indicates that if for any reason the County and/or State funding is withdrawn that an agency may withdraw from the agreement without penalty.

Tom Moore – NDOT, stated that NDOT is committed to continue the relationship with the current partnership and noted that NDOT had already expended nearly \$1-million to get to this point. Once the RFP is released an informed decision can then be made.

Chair Moore noted funding that had already been approved to make certain mountain top sites compatible with the new system. However, there appears to be a large gap that he believes will be less of an impact given the equipment upgrades already made.

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The motion carried. Ed Atwell – UNR opposed.

- 5. 800 MHz JOINT OPERATING COMMITTEE MEMBERS AND/OR STAFF ANNOUNCEMENTS, REQUESTS FOR INFORMATION AND SELECTION OF TOPICS FOR FUTURE AGENDAS** [Non-action item] – *The next regular meeting of the 800 MHz JOC (Joint Operating Committee) is scheduled for Friday, April 28, 2017. No discussion among Committee Members will take place on this agenda item.*

The April 28, 2017, meeting agenda may include, but is not limited to: 1) a budget analysis and cost comparison with and without NDOT participation and related information.

Ryan Sommers recommended that all future agendas include undated fiscal impact information associated with the incoming communications system.

Ed Atwell suggested an agenda item to keep the JOC informed as to the on-going negotiations and NDOT's continued support in the next fiscal year and beyond.

Jamie Edrosa noted that the additional detail would add a higher level of transparency to the process.

David Watts-Vial – Deputy District Attorney, noted members may speak to the matter at the BCC (Board of County Commissioners) meeting as individuals or as a representative of their individual agency.

Chair Tracy Moore indicated he would be present to present the JOC's (Joint Operating Committee) concerns and encouraged the City of Reno and other agencies to be present as well.

Mr. Watts-Vial explained that members of the JOC may not deliberate or discuss any actions taken outside the public forum of the JOC meeting. Mr. Watts-Vial emphasized the need for JOC members addressing the BCC members to make it clear whether they are speaking as an individual or as a representative of their specific entity.

- 6. PUBLIC COMMENTS** [Non-action item]

There were no public comments.

- 7. ADJOURNMENT** [Non-action item]

Chair Tracy Moore adjourned the meeting at 11:41 a.m.