

**AGENDA**  
**REGULAR JOINT MEETING OF THE EXECUTIVE COMMITTEE AND THE USER**  
**COMMITTEE TUESDAY, AUGUST 16, 2:00 PM**  
**SOUTH BAY REGIONAL PUBLIC COMMUNICATIONS**  
**AUTHORITY CONDUCTED VIA TELECONFERENCE**

PLEASE NOTE: PURSUANT TO GOVERNOR NEWSOM'S EXECUTIVE ORDER NOS. N-25-20 AND N-29-20, MEMBERS OF THE EXECUTIVE COMMITTEE, USER COMMITTEE, AND STAFF WILL PARTICIPATE IN THIS MEETING VIA A TELECONFERENCE. IN THE INTEREST OF MAINTAINING APPROPRIATE SOCIAL DISTANCING, THE AUTHORITY ENCOURAGES THE PUBLIC TO PARTICIPATE AND TO PROVIDE COMMENTS ON AGENDA ITEMS OR OTHER SUBJECT MATTER WITHIN THE JURISDICTION OF THE EXECUTIVE COMMITTEE, AND/OR USER COMMITTEE BY JOINING:

**Link:** <https://us02web.zoom.us/j/87115877514?pwd=WE0vNkl0Q1JDZ1NoZ2NTbHlHb09adz09>

**Meeting ID:** [871 1587 7514](#)

**Access Code:** [393077](#)

**A. CALL TO ORDER**

**B. ROLL CALL**

1. Executive Committee
2. User Committee

**C. PUBLIC DISCUSSION**

In the interest of maintaining appropriate social distancing, members of the Executive Committee, User Committee, and staff will participate in this meeting via teleconference. The Authority encourages the public to participate by using one of the following options for public comments:

Email your public comment to [cmanley@rcc911.org](mailto:cmanley@rcc911.org) by 7:30 AM, the day of the meeting to have your comment available to the Executive Committee, User Committee, and the public.

Call (310) 973-1802 ext.100 and leave a message by 7:30 AM, the day of the meeting.

All of your comments provided by the deadlines above will be available to the Executive Committee, User Committee, and the public prior to the meeting.

In addition, you may participate by joining Zoom during the meeting by using the link above and using the "raise hand" button or entering \*9 on the phone's dial pad if you would like to make a comment.

**D. EXECUTIVE COMMITTEE CONSENT CALENDAR**

1. Check Register – 2022  
**RECEIVE AND FILE**
2. AB 361 Findings for Special Brown Act Requirements for Teleconference Meetings  
**MAKE FINDINGS PURSUANT TO AB 361**
3. Quarterly Cash Investment Report as of June 30, 2022  
**RECEIVE AND FILE**
4. A Resolution of the Board of Directors Approving an Annual Consumer Price Index Adjustment for Rates in the Legal Services Agreement with Richards, Watson & Gershon  
**RECOMMEND THE BOARD OF DIRECTORS ADOPT A RESOLUTION APPROVING AN ANNUAL RATE INCREASE**

E. **ITEMS REMOVED FROM THE CONSENT CALENDAR**

F. **EXECUTIVE COMMITTEE GENERAL BUSINESS**

1. A Resolution of the Board of Directors Authorizing the Treasurer to Contract for Banking Services  
**RECOMMEND THE BOARD OF DIRECTORS ADOPT A RESOLUTION AUTHORIZING TREASURER TO CONTRACT FOR BANKING SERVICES**
2. A Resolution Adopting Amended Cost Allocation Policy to Reflect Revised Technical Services Division Workload Support Charges  
**RECOMMEND THE BOARD OF DIRECTORS ADOPT A RESOLUTION AMENDING THE COST ALLOCATION POLICY**
3. Executive Director's Update on the Status of the Mark43 Project  
**RECEIVE AND FILE**
4. Executive Director's Update on Staffing and Recruitment  
**RECEIVE AND FILE**

G. **USER COMMITTEE CONSENT CALENDAR**

1. AB 361 Findings for Special Brown Act Requirements for Teleconference Meetings  
**MAKE FINDINGS PURSUANT TO AB 361**

H. **ITEMS REMOVED FROM THE CONSENT CALENDAR**

I. **EXECUTIVE DIRECTOR'S REPORT**

J. **EXECUTIVE COMMITTEE AND USER COMMITTEE COMMENTS**

K. **EXECUTIVE COMMITTEE CLOSED SESSION AGENDA**

1. CONFERENCE WITH LABOR NEGOTIATOR  
Pursuant to Government Code Section 54957.6

Agency Designated Representative: Executive Director and Liebert, Cassidy, Whitmore  
Employee Organization: Management and Confidential Employees

L. **ADJOURNMENT**

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Posting Date/Time: August 12, 2022/ 12 : 00 p.m.

Signature:



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M. Ross Klun, Executive Director

D-1



## Check Register FY 2022-23

July 2022

<u>Accounts Payable Check Issued Date</u>	<u>Total Check Amount</u>	<u>Notes</u>
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July 1, 2022	\$168,747.40	
July 8, 2022	\$200,350.70	
July 15, 2022	\$150,046.52	
July 22, 2022	\$974,858.08	
July 29, 2022	\$99,548.82	

Accounts Payable Total	\$1,593,551.52	
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<u>Payroll Checks Issued Date</u>		
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July 1, 2022	\$161,709.37	
July 15, 2022	\$370,957.90	includes MOU signing bonus for Teamsters
July 29, 2022	\$163,213.47	

Payroll Total	\$695,880.74	
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Bank : union UNION BANK

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total	
20454	7/1/2022	00696	GUARDIAN	533654-07	6/21/2022	GUARDIAN - DENTAL,VISION,	6,507.67	6,507.67
20455	7/1/2022	00058	CALPERS	1000000168366	6/14/2022	HEALTH PREMIUMS - JULY 20	57,190.29	57,190.29
20456	7/1/2022	00219	INTERNAL REVENUE SERVICE	Ben34492	7/1/2022	FEDERAL WITHHOLDING TAX	35,286.98	35,286.98
20457	7/1/2022	00223	EMPLOYMENT DEVEL DEPT	Ben34496	7/1/2022	STATE DISABILITY INSURANC	14,273.29	14,273.29
20458	7/1/2022	00222	STATE DISBURSEMENT UNIT	Ben34500	7/1/2022	SUPPORT: PAYMENT	184.62	184.62
20459	7/1/2022	00058	CALPERS	Ben34494	7/1/2022	PERS RETIREMENT: PAYMEN	36,079.85	36,079.85
20460	7/1/2022	00221	MISSIONSQUARE RETIREMENT	Ben34490	7/1/2022	DEFERRED COMPENSATION	17,064.62	17,064.62
56528	7/1/2022	00217	CALIFORNIA TEAMSTERS UN	Ben34486	7/1/2022	UNION DUES TEAMSTERS: P	1,694.50	1,694.50
56529	7/1/2022	00218	CWA LOCAL 9400	Ben34488	7/1/2022	UNION DUES CWA: PAYMENT	269.42	269.42
56530	7/1/2022	00996	WAGEWORKS INC., HEALTHCARE	Ben34498	7/1/2022	HEALTH CARE FSA: PAYMEN	196.16	196.16
Sub total for UNION BANK:							168,747.40	

Bank : union UNION BANK

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
56531	7/8/2022	00482	A-A BACKFLOW TESTING & M79173	6/27/2022	BACKFLOW REPAIRS FOR HQ	7,871.00	7,871.00
56532	7/8/2022	00297	AT&T, ATT CALNET	000018337783	6/13/2022	PHONE SERV 5/13/22-6/12/22	2,786.89
			000018431605	7/3/2022	PHONE SERVICE 6/03/22-7/02	549.28	
			000018341919	6/13/2022	PHONE SERV 5/13/22-6/12/22	227.43	
			000018344983	6/13/2022	PHONE SERV 5/13/22-6/12/22	207.38	3,770.98
56533	7/8/2022	00014	CDW GOVERNMENT, INC. Z904318	6/22/2022	CDW-G BILLABLE PARTS	2,237.30	2,237.30
56534	7/8/2022	00017	CHEM PRO LABORATORY, INC. 688550	6/23/2022	WATER TREATMENT SERVICE	91.50	91.50
56535	7/8/2022	00225	COMMLINE INC 0364441-IN	5/31/2022	MONTHLY FEE FOR TECH SE	15,000.00	15,000.00
56536	7/8/2022	00880	JUAN CHAVEZ LANDSCAPING INV0864	6/29/2022	HQ MAINTENANCE - LANDSC	450.00	450.00
56537	7/8/2022	00799	LA UNIFORMS & TAILORING 12704	6/8/2022	UNIFORM SETS FOR COMMII	149.72	
			12705	6/8/2022	UNIFORM SETS FOR COMMII	143.10	292.82
56538	7/8/2022	00087	LIEBERT CASSIDY & WHITMO 220633	5/31/2022	LEGAL SERVICES	3,706.65	
			220634	5/31/2022	LEGAL SERVICES	156.00	3,862.65
56539	7/8/2022	00671	MARC R. COHEN, MD FY21-22-12	6/30/2022	MEDICAL DIRECTOR SERVICE	2,541.63	2,541.63
56540	7/8/2022	01005	ORKIN PEST CONTROL 228936833	6/24/2022	HQ MAINTENANCE	81.00	
			228937347	6/24/2022	HQ MAINTENANCE	59.00	140.00
56541	7/8/2022	00818	RICHARDS, WATSON & GERSH 237650	6/23/2022	GENERAL COUNSEL & LEGAL	5,015.39	5,015.39
56542	7/8/2022	00171	VERIZON WIRELESS 9909508350	6/23/2022	DAC CHARGES HPD/ 5/24/22-	2,029.05	
			9909571843	6/23/2022	GPD DAC CHARGES/ 5/24/22-	1,778.63	
			9909125604	6/18/2022	CELL PH. CHGS: 5/19/22-6/18,	370.90	4,178.58
56543	7/8/2022	00996	WAGeworks INC., HEALTHCARE INV3916341	6/23/2022	MONTHLY COMPLIANCE FEE	66.98	
			INV3916334	6/23/2022	MONTHLY COMPLIANCE FEE	14.52	81.50
56544	7/8/2022	00063	WHELEN ENGINEERING CO., 130857	6/9/2022	WHELEN ENGINEERING CO. E	1,311.75	
			137091	6/22/2022	WHELEN ENGINEERING CO. E	847.82	
			134289	6/16/2022	WHELEN ENGINEERING CO. E	504.06	
			137324	6/22/2022	WHELEN ENGINEERING CO. E	437.25	
			137314	6/22/2022	WHELEN ENGINEERING CO. E	168.02	3,268.90
Sub total for UNION BANK:							48,802.25

Bank : union UNION BANK

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
1940	7/8/2022	00012	CALIFORNIA WATER SERVICE5550731926	6/30/2022	FIRE PROTECTION SERVICE,	101.00	101.00
56545	7/8/2022	00836	ALLIANT INSURANCE SERVIC10133714	6/8/2022	FY22-23 INSURANCE COVER	21,286.07	21,286.07
56546	7/8/2022	00936	BERKSHIRE HATHAWAY HC 781565	6/27/2022	FY22-23 WORKERS COMPEN	83,158.00	83,158.00
56547	7/8/2022	00747	BIDDLE CONSULTING GROUF71240	5/24/2022	CRITICAL 911 ANNUAL SUBS	4,495.00	4,495.00
56548	7/8/2022	00322	GEOSPATIAL TECHNOLOGIES18419	6/7/2022	SOFTWARE MAINTENANCE S	13,173.00	13,173.00
56549	7/8/2022	00985	LEFTA SYSTEMS INV-000900	5/1/2022	SOFTWARE LICENSING AND	2,389.60	2,389.60
56550	7/8/2022	00087	LIEBERT CASSIDY & WHITMO219045	6/6/2022	LCW ERC MEMBERSHIP	4,620.00	4,620.00
56551	7/8/2022	00331	MITSUBISHI ELECTRIC INC 428775	7/1/2022	HQ MAINTENANCE - ELEVAT	761.27	761.27
56552	7/8/2022	01022	RACE COMMUNICATIONS RC709599	7/1/2022	COMMUNICATION CONTRAC	1,198.50	1,198.50
56553	7/8/2022	01032	SELECT SYSTEMS TECHNOLINV-2022-0474	6/27/2022	YEARLY MAINTENANCE REN	2,892.96	2,892.96
56554	7/8/2022	00390	SOUTH COAST AQMD 4018474	6/16/2022	DIESEL FUEL STORAGE	468.76	
			4021144	6/16/2022	FY22-23 AQMD FEE	151.85	620.61
56555	7/8/2022	00803	SPARKLETTS 18193479 06102	6/10/2022	HQ MAINTENANCE~	43.00	43.00
56556	7/8/2022	00074	STAPLES INC. 8066778082	7/2/2022	STAPLES SUPPLIES - OFFICE	260.46	260.46
56557	7/8/2022	00194	TORRANCE DAILY BREEZE 901258622	6/1/2022	TORRANCE DAILY BREEZE Y	365.26	365.26
56558	7/8/2022	00044	TYLER TECHNOLOGIES, INC. 045-380181	6/1/2022	TYLER TECCHNOLOGIES AN	6,667.72	6,667.72
56559	7/8/2022	00067	XCEL MECHANICAL SYSTEMS1011	6/23/2022	HQ MAINTENANCE - EFFECT	9,516.00	9,516.00
Sub total for UNION BANK:							151,548.45

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Bank : union UNION BANK

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total	
20461	7/15/2022	00219	INTERNAL REVENUE SERVICE	Ben34598	7/15/2022	FEDERAL WITHHOLDING TAX	64,555.41	64,555.41
20462	7/15/2022	00223	EMPLOYMENT DEVEL DEPT	Ben34602	7/15/2022	STATE DISABILITY INSURANC	31,021.62	31,021.62
20463	7/15/2022	00222	STATE DISBURSEMENT UNIT	Ben34606	7/15/2022	SUPPORT: PAYMENT	184.62	184.62
20464	7/15/2022	00058	CALPERS	Ben34600	7/15/2022	PERS RETIREMENT: PAYMEN	34,939.32	34,939.32
20465	7/15/2022	00221	MISSIONSQUARE RETIREMEI	Ben34596	7/15/2022	DEFERRED COMPENSATION	17,184.35	17,184.35
56560	7/15/2022	00217	CALIFORNIA TEAMSTERS UN	Ben34592	7/15/2022	UNION DUES TEAMSTERS: P	1,694.50	1,694.50
56561	7/15/2022	00218	CWA LOCAL 9400	Ben34594	7/15/2022	UNION DUES CWA: PAYMENT	269.42	269.42
56562	7/15/2022	00996	WAGEWORKS INC., HEALTHE	Ben34604	7/15/2022	HEALTH CARE FSA: PAYMEN	197.28	197.28
Sub total for UNION BANK:							150,046.52	



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8 checks in this report.

Grand Total All Checks: 150,046.52

Bank : union UNION BANK

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
1931	7/22/2022	00069	SOUTHERN CALIFORNIA EDI\$700440732476	7/14/2022	ELEC SERV /6/3/22 - 7/11/22	15,288.86	
			700610392752	7/7/2022	ELECT SERV GRANDVIEW/ 6,	253.62	15,542.48
1932	7/22/2022	00073	STATE BOARD OF EQUALIZAT012-6555960	6/30/2022	SALES & USE TAX PMT WITH	1,694.00	1,694.00
1933	7/22/2022	00621	FIRST BANKCARD				
		00466	AMAZON MARKETPLACE 112-2442753-20	6/8/2022	EMPLOYEE WELLNESS ROO	4,188.40	
		00961	GCAT, LLC, DBA TARGET DIS1139200	6/6/2022	HEADSETS AND AMPLIFIERS	1,829.10	
		00672	WEBSTAURANT STORE 75748556	6/10/2022	OTHER EQUIPMENT	1,528.99	
		00466	AMAZON MARKETPLACE 111-0830621-31	6/23/2022	OFFICE EQUIPMENT	756.10	
		00087	LIEBERT CASSIDY & WHITMO3244	6/9/2022	WEBINAR: BARGAINING OVE	475.00	
		00909	ATLANCO LLC WEB-76661	5/29/2022	TSD EMPLOYEE UNIFORMS	450.27	
		00466	AMAZON MARKETPLACE 112-6243033-77	6/15/2022	OFFICE SUPPLIES	428.87	
		00141	POWERPHONE INC 77077	6/6/2022	MANDATORY EMERGENCY M	399.00	
		00466	AMAZON MARKETPLACE 112-7468888-91	6/2/2022	PARTS - BILLING	303.90	
		00466	AMAZON MARKETPLACE 112-2257114-96	5/27/2022	PARTS - BILLING	298.83	
		00228	COSTCO MEMBERSHIP 286631307	6/13/2022	JANITORIAL SUPPLIES	275.86	
		00466	AMAZON MARKETPLACE 112-6527322-39	6/14/2022	EMPLOYEE WELLNESS ROO	264.94	
		00466	AMAZON MARKETPLACE 065190124X220	6/5/2022	CABLE SERVICE	231.99	
		00466	AMAZON MARKETPLACE 112-4173973-22	6/19/2022	PARTS - BILLING	215.98	
		00466	AMAZON MARKETPLACE 112-7709391-45	6/8/2022	PARTS - BILLING	209.36	
		00466	AMAZON MARKETPLACE 112-4381584-26	6/21/2022	PARTS - BILLING	200.56	
		01036	CLOUDFLARE INC. CFUSA4796895	6/29/2022	SOFTWARE SERVICES	200.00	
		00834	GOVERNMENTJOBS.COM, IN0005E1	5/27/2022	RECRUITMENT	199.00	
		00834	GOVERNMENTJOBS.COM, IN1589-1810	6/15/2022	RECRUITMENT - EXECUTIVE	199.00	
		00905	LOGMEIN (GO TO MEETINGS)33468540	6/19/2022	SOFTWARE SERVICES	192.00	
		00466	AMAZON MARKETPLACE 111-2132823-60	6/16/2022	HQ MAINTENANCE	165.36	
		00466	AMAZON MARKETPLACE 111-1409941-86	6/2/2022	OFFICE SUPPLIES	158.62	
		00458	NENA 200025976	5/26/2022	LEADERSHIP IN THE 911 CEN	139.00	
		00795	MEDIA TEMPLE 324775-47	6/23/2022	MONTHLY WEBSITE HOSTIN	135.00	
		00466	AMAZON MARKETPLACE 112-5992297-95	6/17/2022	PARTS - BILLING	110.22	
		00466	AMAZON MARKETPLACE 112-5158691-89	5/31/2022	PARTS - BILLING	109.14	
		00915	SILVER CHEVRON 00091796 745244116	6/28/2022	FUEL - EXPLORER	94.38	
		00761	BOX INV10117957	6/26/2022	SOFTWARE SERVICES	90.00	
		00466	AMAZON MARKETPLACE 112-2920147-80	6/17/2022	EMPLOYEE WELLNESS ROO	76.06	
		00466	AMAZON MARKETPLACE 112-3724534-66	6/4/2022	OFFICE SUPPLIES	70.08	

Bank : union UNION BANK			(Continued)					
Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total	
		00466	AMAZON MARKETPLACE	111-4856603-83	6/16/2022	HQ MAINTENANCE	44.09	
		00632	U-HAUL OF GARDENA	2E83DF8F	5/31/2022	GENERAL TECH SUPPLIES	38.47	
		00466	AMAZON MARKETPLACE	112-2381317-04	6/16/2022	EMPLOYEE WELLNESS ROO	28.64	
		00466	AMAZON MARKETPLACE	114-4184316-94	6/7/2022	OFFICE SUPPLIES	23.14	
		00466	AMAZON MARKETPLACE	114-8259521-44	6/2/2022	OFFICE SUPPLIES	22.04	
		00466	AMAZON MARKETPLACE	112-7340039-25	6/16/2022	EMPLOYEE WELLNESS ROO	21.14	
		00826	LA TIMES	062022	6/20/2022	LA TIMES MONTHLY SUBSCR	15.96	
		00466	AMAZON MARKETPLACE	113-2752631-55	6/14/2022	OFFICE SUPPLIES	14.03	
		00714	DOOR DASH	070522	7/5/2022	REIMBURSED CHARGE ON C	9.99	
		00466	AMAZON MARKETPLACE	113-1312930-97	6/16/2022	EMPLOYEE WELLNESS ROO	9.91	14,222.42
1934	7/22/2022	00070	GAS COMPANY, THE	059 194 8982 2	7/7/2022	GAS SERVICE HQ/ 6/3/22 - 7/7/22	1,439.12	1,439.12
56563	7/22/2022	00297	AT&T, ATT CALNET	000018482603	7/13/2022	PHONE SERV 6/13/22-7/12/22	2,797.90	
				000018486739	7/13/2022	PHONE SERV 6/13/22-7/12/22	228.82	
				000018489803	7/13/2022	PHONE SERV 6/13/22-7/12/22	202.69	3,229.41
56564	7/22/2022	00785	EXPERIAN	CD2303002620	6/24/2022	CREDIT CHCEK	32.00	32.00
56565	7/22/2022	00047	MOTOROLA SOLUTIONS, INC.	8281408021	6/29/2022	MOTOROLA SOLUTIONS INC	368.63	
				8281407176	6/29/2022	MOTOROLA SOLUTIONS INC	194.02	562.65
56566	7/22/2022	00818	RICHARDS,WATSON & GERSH	237984	7/13/2022	GENERAL COUNSEL & LEGAL	2,501.42	2,501.42
56567	7/22/2022	00171	VERIZON WIRELESS	9909492108	6/23/2022	MODEM SVC. MBPD/ 5/24/22	762.44	
				9909492109	6/23/2022	MODEM SVC. MBPD/ 5/24/22-	78.02	840.46
56568	7/22/2022	00943	YOBITECH	133248	6/22/2022	EXACQVISION SECURITY CA	5,100.00	5,100.00
Sub total for UNION BANK:							45,163.96	

Bank : union UNION BANK

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total	
1942	7/22/2022	00651	FRONTIER	209-188-0077-04	7/1/2022	PHONE SERVICE 7/1/22 - 7/30	362.76	362.76
1943	7/22/2022	00058	CALPERS	1000000168527	7/1/2022	FY22-23 PERS UAL - PLAN 12	660,966.00	660,966.00
1944	7/22/2022	00058	CALPERS	1000000168527	7/1/2022	FY22-23 PERS UAL - PLAN 26	7,048.00	7,048.00
1945	7/22/2022	00058	CALPERS	1000000168527	7/1/2022	FY22-23 PERS UAL - PLAN 20	8,552.00	8,552.00
56569	7/22/2022	00810	& ASSOCIATES, MAX PARKER	9422	7/10/2022	WEBSITE MAINTENANCE SEI	20.00	20.00
56570	7/22/2022	00836	ALLIANT INSURANCE SERVICE	2018417	7/8/2022	FY22-23 INSURANCE COVER	67,915.79	
				2018400	7/8/2022	FY22-23 INSURANCE COVER	49,480.50	
				2018387	7/8/2022	FY22-23 INSURANCE COVER	30,637.37	
				2005085	6/28/2022	FY22-23 INSURANCE COVER	30,458.75	
				2021884	7/11/2022	FY22-23 INSURANCE COVER	21,518.33	
				2006895	6/29/2022	FY22-23 INSURANCE COVER	11,923.31	
				2015509	7/6/2022	FY22-23 INSURANCE COVER	5,090.23	
				2006775	6/29/2022	FY22-23 INSURANCE COVER	2,164.12	
				1972428	5/27/2022	FY22-23 INSURANCE COVER	1,737.00	
				2003629	6/28/2022	FY22-23 INSURANCE COVER	459.00	221,384.40
56571	7/22/2022	00064	AT&T, ATT PAYMENT CENTER	960 461-1623 55	7/1/2022	PHONE SERVICE 7/01/2022-7/	1,390.39	1,390.39
56572	7/22/2022	00101	CORDOVA, TONY	072222	7/22/2022	RETIREE MED PREM/AUG 20	601.00	601.00
56573	7/22/2022	00879	CROWN CASTLE	1156996	7/1/2022	REDUNDANT INTERNET SER	1,100.00	1,100.00
56574	7/22/2022	00103	DIVINITY, TANJI	072222	7/22/2022	RETIREE MED PREM/AUG 20	570.78	570.78
56575	7/22/2022	00651	FRONTIER	7002Z664-S-221	7/5/2022	PHONE SERV 7/05/22-8/04/22	137.51	
				7002Z665-S-221	7/5/2022	PHONE SERV 7/05/22-8/04/22	93.89	231.40
56576	7/22/2022	00442	LAWSON PRODUCTS, INC.	9309731654	7/9/2022	LAWSON PRODUCTS BILLAB	285.99	
				9309747801	7/14/2022	LAWSON PRODUCTS BILLAB	22.07	
				9309739472	7/12/2022	LAWSON PRODUCTS BILLAB	8.96	317.02
56577	7/22/2022	00116	MEADORS, LATANYA	072222	7/22/2022	RETIREE MED PREM/AUG 20	527.48	527.48
56578	7/22/2022	00577	NEW LOOK AUTO DETAIL	2693	7/11/2022	VEHICLE MAINTENANCE & D	105.00	105.00
56579	7/22/2022	00121	PINELA, ELIZABETH	072222	7/22/2022	RETIREE MED PREM/AUG 20	570.78	570.78
56580	7/22/2022	00994	PRISM	23400560	7/13/2022	FY22-23 CYBER LIABILITY IN	15,709.00	15,709.00
56581	7/22/2022	00060	RIVERA, JOSE	072222	7/22/2022	RETIREE MED PREM/AUG 20	557.02	557.02
56582	7/22/2022	00824	SMART JANITORIAL, COMPLE	21047	7/1/2022	HQ MAINTENANCE - CLEANIN	3,585.00	3,585.00
56583	7/22/2022	00803	SPARKLETTS	18193479 07082	7/8/2022	HQ MAINTENANCE~	43.00	43.00
56584	7/22/2022	00460	SPECTRUM BUSINESS	1133787070422	7/4/2022	COMMUNICATION CONTRAC	1,900.00	1,900.00
56585	7/22/2022	00074	STAPLES INC.	8066913680	7/16/2022	STAPLES SUPPLIES - OFFICE	625.27	625.27
56586	7/22/2022	00034	STEVENS, GARY	072222	7/22/2022	RETIREE MED PREM/AUG 20	601.00	601.00

---

Bank : union UNION BANK		(Continued)						
Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total	
56587	7/22/2022	00063	WHELEN ENGINEERING CO., 148152	7/15/2022	WHELEN ENGINEERING CO E	1,232.82		
			148294	7/15/2022	WHELEN ENGINEERING CO E	437.25		
			143507	7/6/2022	WHELEN ENGINEERING CO E	216.97	1,887.04	
56588	7/22/2022	00735	XEROX FINANCIAL SERVICES3361504	7/10/2022	OFFICE EQUIPMENT LEASE	1,039.78	1,039.78	
Sub total for UNION BANK:							929,694.12	

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24 checks in this report.

Grand Total All Checks: 929,694.12

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Bank : union UNION BANK

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total	
20468	7/29/2022	00219	INTERNAL REVENUE SERVICE	Ben34717	7/29/2022	FEDERAL WITHHOLDING TAX	33,546.53	33,546.53
20469	7/29/2022	00223	EMPLOYMENT DEVEL DEPT	Ben34721	7/29/2022	STATE DISABILITY INSURANC	13,711.12	13,711.12
20470	7/29/2022	00222	STATE DISBURSEMENT UNIT	Ben34725	7/29/2022	SUPPORT: PAYMENT	184.62	184.62
20471	7/29/2022	00058	CALPERS	Ben34719	7/29/2022	PERS RETIREMENT: PAYMEN	35,092.59	35,092.59
20472	7/29/2022	00221	MISSIONSQUARE RETIREMEI	Ben34715	7/29/2022	DEFERRED COMPENSATION	12,509.08	12,509.08
56590	7/29/2022	00002	AFLAC	Ben34713	7/29/2022	AFLAC INSURANCE: PAYMEN	4,308.64	4,308.64
56591	7/29/2022	00996	WAGeworks INC., HEALTHE	Ben34723	7/29/2022	HEALTH CARE FSA: PAYMEN	196.24	196.24
Sub total for UNION BANK:								99,548.82

D-2





# Staff Report

South Bay Regional Public Communications Authority

**MEETING DATE:** August 16, 2022

**ITEM:** D-2

**TO:** Executive Committee

**FROM:** M. Ross Klun, Executive Director

**SUBJECT:** AB 361 FINDINGS FOR SPECIAL BROWN ACT  
REQUIREMENTS FOR TELECONFERENCE MEETINGS

## **SUMMARY:**

Staff has placed this item on the agenda to give the Executive Committee an opportunity to make findings specific in AB 361 (2021) for special Brown Act requirements for teleconference meetings. These special requirements give local public agencies greater flexibility to conduct teleconference meetings when there is a declared state of emergency and either social distancing is mandated or recommended, or an in-person meeting would present imminent risks to the health and safety of attendees.

## **RECOMMENDATION:**

Staff recommends that the Executive Committee make the following findings so that meetings of the Executive Committee will be subject to the AB 361 special Brown Act requirements for teleconference meetings: 1) the Executive Committee has reconsidered the circumstances of the COVID-19 state of emergency; and 2) state and local officials continue to recommend measures to promote social distancing.

## **BACKGROUND**

On March 4, 2020, Governor Newsom proclaimed a state of emergency to exist in California due to the spread of COVID-19. The Governor subsequently issued numerous executive orders suspending or modifying state laws to facilitate the response to the emergency. Among other things, these executive orders superseded certain Brown Act requirements and established special rules to give local public agencies greater flexibility to conduct teleconference meetings. The special rules included provisions allowing local public agencies to conduct teleconference meetings without having to provide a physical location from which the public may attend or comment, without having to use teleconference locations that are publicly accessible, and without having to identify teleconference locations on the agenda. Those special rules expired September 30, 2021.

On September 16, 2021, in anticipation of the then-imminent expiration of his special rules for teleconference meetings, the Governor signed AB 361. In key part, this bill amends the Brown Act to establish special requirements for teleconference meetings if a legislative body of a local public agency makes two findings pursuant to Government Code section

54953(e)(3). Like the special rules in the Governor's executive orders, the special Brown Act requirements in AB 361 include provisions allowing public agencies to conduct teleconference meetings without having to provide a physical location from which the public may attend or comment, without having to use teleconference locations that are public accessible, and without having to identify teleconference locations on the agenda. The AB 361 special Brown Act requirements are scheduled to be repealed on January 1, 2024.

In order for a local public agency to be subject to the AB 361 Brown Act requirements for teleconference meetings, a legislative body of a local public agency first must make a finding that it has "reconsidered" the circumstances of a declared state of emergency. Second, the legislative body must find that such emergency continues to directly impact the ability of the legislative body's members to meet in person. Alternatively, for the second finding, the legislative body must find that state or local officials continue to impose or recommend social distancing measures. These findings must be made within 30 days after the legislative body teleconferences for the first time under AB 361 and every 30 days thereafter.

The COVID-19 state of emergency declaration is still in effect. Furthermore, the State of California and the County of Los Angeles have recommended measures to promote social distancing. Thus, the California Division of Occupational Safety and Health still requires that employers provide training on the effectiveness of physical distancing in the workplace. Additionally, the Los Angeles County Department of Public Health still encourages people at risk for severe illness or death from COVID-19 to take protective measures such as social distancing and, for those not yet fully vaccinated, to physically distance from others whose vaccination status is unknown. The County Health Department also continues to recommend that employers take steps to support physical distancing.

#### **FISCAL IMPACT**

None.

D-3



# Staff Report

## South Bay Regional Public Communications Authority

**MEETING DATE:** August 16, 2022

**ITEM NUMBER:** D-3

**TO:** Executive Committee

**COPY TO:** Tim Lilligren, Treasurer

**FROM:** Vanessa Alfaro, Finance & Performance Audit Manager

**SUBJECT:** Cash & Investments Report/June 30, 2022

**ATTACHMENTS:**

1. Cash & Investments Report for June 30, 2022
2. LAIF Month End Statement for June 30, 2022
3. PMIA Performance Report as of June 30, 2022

### **RECOMMENDATION**

Staff recommends that the Executive Committee receive and file the Cash & Investments Report for June 30, 2022.

### **BACKGROUND**

Section 53646 (a) (2) of the Government Code, states that the treasurer or chief fiscal officer may render a quarterly report (regarding the local agency's cash and investments) to the chief executive officer, the internal auditor, and the legislative body of the local agency. The quarterly report shall be so submitted within 30 days following the end of the quarter covered by the report. The legislative body of a local agency may elect to require the report specified in subdivision (b) to be made on a monthly basis instead of quarterly.

At the November 21, 2006 meeting, the Executive Committee elected to receive the Cash & Investments Report on a quarterly basis. The Board of Directors receives the Cash & Investments Report annually.

### **DISCUSSION**

Staff has completed the bank reconciliation for June 30, 2022. Attached is the Cash & Investments Report for the period.

All idle cash of the Authority is invested 100% with the State's Local Agency Investment Fund (LAIF). This complies with the Statement of Investment Policy. LAIF's monthly performance exhibits an increase from the monthly average yields in 2021.

### **FISCAL IMPACT**

None.

D-3

Attachment 1



## Cash and Investments Report

*As of June 30, 2022*

Funding Source	Bank Balance	Deposits in Transit	Outstanding Checks	Book Balance
<b><u>Active Accounts</u></b>				
MUFG Union Bank (General/Payroll)	\$ 873,261.58		\$ (73,032.17)	\$ 800,229.41
<b><u>Investments</u></b>				
LAIF	\$ 4,568,441.34		\$ -	\$ 4,568,441.34
Total Investments	\$ 4,568,441.34	\$ -	\$ -	\$ 4,568,441.34
<b><u>Other Cash on Hand</u></b>				
Petty Cash	\$ -	\$ -	\$ -	\$ 500.00
				\$ 500.00
<b>Total Cash &amp; Investments</b>				<u>\$ 5,369,170.75</u>
<b><u>Breakdown of cash by fund:</u></b>				
Fund 10 (Enterprise Fund)				\$ 5,339,420.75
Fund 30 (Enterprise Fund)				-
Fund 20 (SHSGP Grant Fund)				29,750.00
Total				<u>\$ 5,369,170.75</u>

D-3

Attachment 2

California State Treasurer  
**Fiona Ma, CPA**



Local Agency Investment Fund  
P.O. Box 942809  
Sacramento, CA 94209-0001  
(916) 653-3001

July 07, 2022

[LAIF Home](#)  
[PMIA Average Monthly Yields](#)

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SOUTH BAY REGIONAL PUBLIC COMMUNICATIONS  
AUTHORITY  
TREASURER  
4440 WEST BROADWAY  
HAWTHORNE, CA 90250

[Tran Type Definitions](#)



**Account Number:** 15-19-001

June 2022 Statement

Effective Date	Transaction Date	Tran Type	Confirm Number	Web Confirm Number	Authorized Caller	Amount
6/3/2022	6/2/2022	RW	1705577	1665873	VANESSA ALFARO	-325,000.00
6/10/2022	6/9/2022	RW	1705848	1666145	VANESSA ALFARO	-150,000.00
6/17/2022	6/16/2022	RW	1706265	1666566	VANESSA ALFARO	-200,000.00
6/30/2022	6/30/2022	RW	1706954	1667268	VANESSA ALFARO	-350,000.00

**Account Summary**

Total Deposit:	0.00	Beginning Balance:	5,593,441.34
Total Withdrawal:	-1,025,000.00	Ending Balance:	4,568,441.34



D-3

Attachment 3



# PMIA/LAIF Performance Report as of 07/18/22



## PMIA Average Monthly Effective Yields<sup>(1)</sup>

June	0.861
May	0.684
Apr	0.523

## Quarterly Performance Quarter Ended 06/30/22

LAIF Apportionment Rate <sup>(2)</sup> :	0.75
LAIF Earnings Ratio <sup>(2)</sup> :	0.00002057622201151
LAIF Fair Value Factor <sup>(1)</sup> :	0.987125414
PMIA Daily <sup>(1)</sup> :	0.99%
PMIA Quarter to Date <sup>(1)</sup> :	0.69%
PMIA Average Life <sup>(1)</sup> :	311

## Pooled Money Investment Account Monthly Portfolio Composition <sup>(1)</sup> 06/30/22 \$234.5 billion

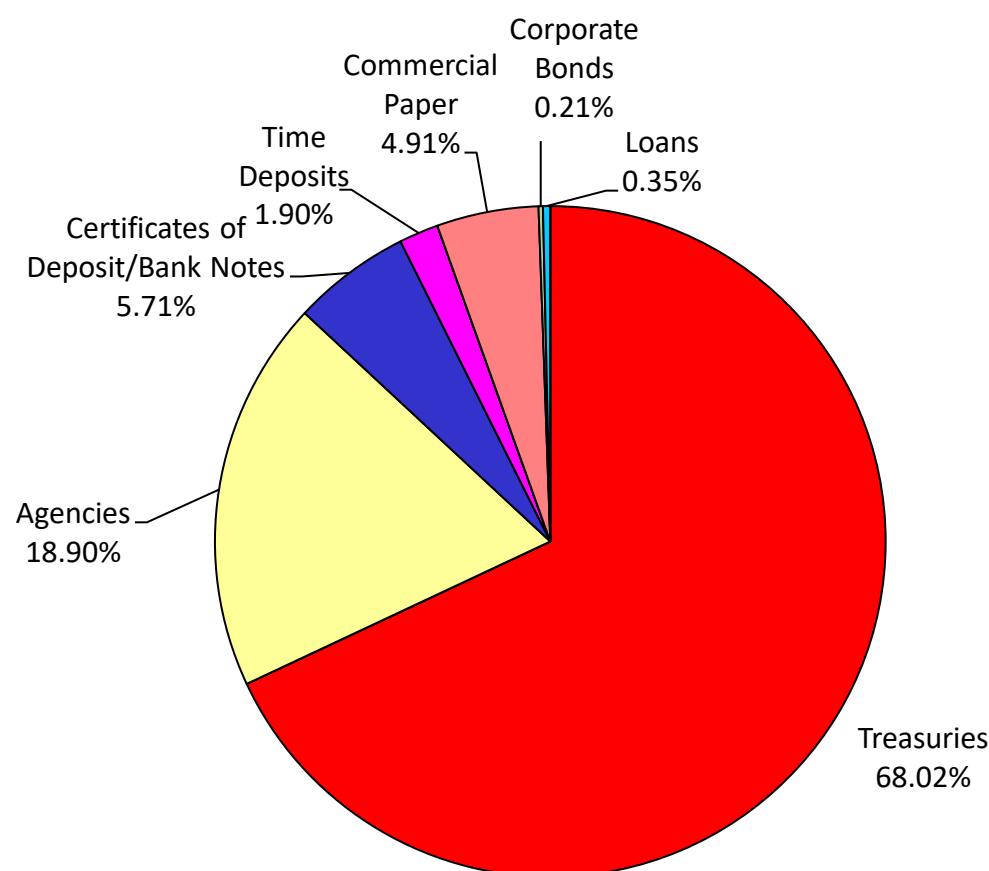


Chart does not include \$4,693,000.00 in mortgages, which equates to 0.002%. Percentages may not total 100% due to rounding.

Daily rates are now available here. [View PMIA Daily Rates](#)

Notes: The apportionment rate includes interest earned on the CalPERS Supplemental Pension Payment pursuant to Government Code 20825 (c)(1) and interest earned on the Wildfire Fund loan pursuant to Public Utility Code 3288 (a).

Source:

<sup>(1)</sup> State of California, Office of the Treasurer

<sup>(2)</sup> State of California, Office of the Controller

D-4



# Staff Report

South Bay Regional Public Communications Authority

**MEETING DATE:** August 16, 2021

**ITEM:** D-4

**TO:** Executive Committee

**FROM:** M. Ross Klun, Executive Director

**SUBJECT:** A RESOLUTION OF THE BOARD OF DIRECTORS  
APPROVING AN ANNUAL CONSUMER PRICE INDEX  
ADJUSTMENT FOR RATES IN THE LEGAL SERVICES  
AGREEMENT WITH RICHARDS, WATSON & GERSHON

**ATTACHMENTS:**

1. Letter from RWG on CPI Increase
2. Legal Services Agreement
3. Rate Adjustment by CPI Increase chart for 2022
4. Resolution No. XXX

## **RECOMMENDATION**

Staff recommends that the Executive Committee recommend that the Board of Directors adopt a resolution approving an annual consumer price index adjustment for rates in the legal services agreement with Richards, Watson & Gershon (RWG).

## **BACKGROUND**

On February 19, 2019, the Executive Committee approved a legal services agreement (Agreement) with the firm of RWG for legal services. The Agreement sets rates for various types of legal services provided with an annual adjustment consistent with the Consumer Price Index (CPI). Pursuant to the Agreement, any annual adjustment of 3.0% or more requires prior written approval of the Board of Directors. Because the requested CPI adjustment for the last period is 7.87%, the Board of Directors approval of the annual adjustment for Fiscal Year (FY) 2022/23 is required.

## **DISCUSSION**

According to Section 5.B. of the Legal Services Agreement between RWG and the Authority, and commencing July 1, 2021, the hourly rate charged by RWG automatically increases annually by the percentage change in the Consumer Price Index. Pursuant to that provision, any annual adjustment at or in excess of 3% requires prior written approval by the Board of Directors. In 2021, the CPI increase from April 2020 to April 2021 came

to 3.61%. However, RWG only applied a 2.95% increase to its rates rather than requesting the full CPI increase of 3.61%.

The CPI increase from April 2021 to April 2022 is 7.87%. As it is more than 3%, the adjustment in rates to reflect the CPI increase of 7.87% requires Board of Directors approval. The following are the revised billing rates after applying this CPI increase to the current billing rates:

- \$247/hr current billing rate for general services would be increased to \$266/hr.
- \$304/hr current billing rate for special services (e.g., real estate, labor & employment, litigation, public finance services) would be increased to \$328/hr
- \$407/hr current billing rate for bond counsel would be increased to \$439/hr
- \$175/hr current billing rate for paralegal services would be increased to \$189/hr

If approved by the Board of Directors, the new rates would go into effect for time billed after the Board of Directors' approval.

### **FISCAL IMPACT**

Legal services fees are budgeted in total and not by specific provider. The proposed FY 2022/23 Budget contains \$100,000 for total legal services across all providers and is anticipated to cover the costs related to the RWG CPI increase.

D-4

Attachment 1



Jennifer Petrusis

T 213.626.8484  
F 213.626.0078  
E [jpetrusis@rwglaw.com](mailto:jpetrusis@rwglaw.com)

350 South Grand Avenue  
37th Floor  
Los Angeles, CA 90071  
[rwglaw.com](http://rwglaw.com)

August 10, 2022

**VIA ELECTRONIC MAIL**

M. Ross Klun, Executive Director  
South Bay Regional Public Communications Authority  
4440 W. Broadway  
Hawthorne, CA 90250

Re: **Automatic CPI Increase Pursuant to Legal Services Agreement**

Dear Mr. Klun:

According to Section 5.B. of the Legal Services Agreement between Richards, Watson & Gershon and the Authority, and commencing July 1, 2021, the hourly rate charged by RWG automatically increases annually by the percentage change in the Consumer Price Index. Pursuant to that provision, any annual adjustment at or in excess of 3% requires prior written approval by the Board of Directors. In 2021, the CPI increase from April 2020 to April 2021 came to 3.61%. However, RWG only applied a 2.95% increase to its rates rather than requesting the full CPI increase of 3.61%.

The CPI increase from April 2021 to April 2022 is 7.87%. As it is more than 3%, the adjustment in rates to reflect the CPI increase of 7.87% requires Board of Directors approval. The following are the revised billing rates after applying this CPI increase to the current billing rates:

- \$247/hr current billing rate for general services would be increased to \$266/hr.
- \$304/hr current billing rate for special services (e.g., real estate, labor & employment, litigation, public finance services) would be increased to \$328/hr
- \$407/hr current billing rate for bond counsel would be increased to \$439/hr
- \$175/hr current billing rate for paralegal services would be increased to \$189/hr

Enclosed for your convenience are a copy of the Legal Services Agreement and a copy of the Rate Adjustment by CPI Increase chart for 2022. If approved by the Board of Directors, the new rates would go into effect for time billed after the Board of Directors' approval.

Please let me know if you have any questions, or need clarification or assistance from me in my private capacity.

Kind Regards,



Jennifer Petrusis

Enclosures

13023-0001\2702720v1.doc



D-4

Attachment 2

## LEGAL SERVICES AGREEMENT

## Contract

THIS LEGAL SERVICES AGREEMENT ("Agreement") is made and entered into as of February 19, 2019, by and between the South Bay Regional Public Communications Authority ("Authority"), a California Joint Powers Authority, and the law firm of Richards, Watson & Gershon ("RWG"), A Professional Corporation. In consideration of the mutual promises set forth herein, the parties agree as follows:

1. **Recitals.** This Agreement is made with respect to the following purposes and facts that each party agrees are true and correct:

A. The Authority wishes to retain RWG to provide legal services and serve as General Counsel to the Authority, as directed by the Authority's Board of Directors ("Authority Board"), Executive Committee, User Committee, and Executive Director;

B. RWG wishes to provide the requested legal services to the Authority;

C. The attorneys of RWG are duly licensed under the laws of the State of California and are qualified and competent to provide General Counsel and Special Counsel legal services as contemplated by this Agreement.

2. **Scope of Work.** RWG shall perform all legal services for the Authority as directed by the Authority Board, Executive Committee, User Committee, or Executive Director, except as provided in Section 6 with respect to matters in which RWG has a conflict under the Rules of Professional Conduct or California law. RWG shall at all times, without limitation, faithfully and competently perform all tasks described herein in a manner satisfactory to the Authority and consistent with that level of care and skill ordinarily exercised by members of the profession currently practicing in the same locality under similar conditions. Legal services shall include the following:

A. Attendance at Authority Board meetings, and any other meeting directed by the Executive Director (hereafter "Executive Director" shall include the Executive Director's designee), unless excused therefrom by the Executive Director;

B. Attendance at staff meetings when directed by the Executive Director;

C. Legal research and legal advice to the Authority Board, any Authority committees or sub-committees, the Executive Director, and Authority Staff;

D. Preparation and review of resolutions and agreements as requested;

E. Representation of the Authority in non-adversarial administrative proceedings, legislative hearings, and other intergovernmental matters;

F. Representation of the Authority and Authority officials and employees in claims and litigation filed by or against the Authority;

- G. Oversight of legal matters handled by outside counsel;
- H. Legal services for entities, if any, created by the Authority;
- I. Bond counsel, disclosure counsel, and issuer counsel services in connection with the issuance of bonds or other obligations by the Authority, or any entity created by the Authority; and
- J. Such other legal services as may be directed by the Authority Board, Executive Committee, or Executive Director from time to time.

3. **Term.** This Agreement shall commence on February 19, 2019, and shall continue in effect until terminated by the Authority or RWG. The Authority or RWG may terminate this Agreement at any time, with or without cause, by giving thirty (30) days written notice to the other party prior to termination of this Agreement. In the event of termination, RWG shall comply with all provisions of the Rules of Professional Conduct for the termination of a client relationship, shall assist the Authority in the transition to a new firm, and shall be compensated for such assistance at the rates provided for in this Agreement.

4. **Designation of General Counsel.** Jennifer Petrusis shall be designated as General Counsel to the Authority to serve at the will and pleasure of the Authority Board. Jennifer Petrusis will be the RWG attorney with responsibility for providing legal services for the Authority, and will be the principal contact for the Authority Board, the Executive Committee, the User Committee, the Executive Director, and Authority staff. Other RWG attorneys will be assigned by Jennifer Petrusis to work on legal matters for the Authority on an "as-needed" basis under her supervision.

5. **Compensation, Expenses and Billing.**

A. **Compensation Rates.** RWG shall be compensated for the performance of legal services in accordance with the compensation rate schedule for the Authority ("Compensation Rate Schedule"), attached to this Agreement as Exhibit A and incorporated herein as though set forth in full. The terms of this Agreement and the Compensation Rate Schedule shall apply to legal services performed for entities affiliated with the Authority that may be established. Except as provided in paragraph B of this Section, the Compensation Rate Schedule shall remain in effect until amended by mutual agreement of the parties.

B. **Adjustment in Rates by Change in CPI.** Commencing July 1, 2021, and annually thereafter, the hourly rates set forth on Exhibit A shall automatically increase by the percentage change in the Consumer Price Index (All Urban Consumers; Los Angeles-Riverside-Orange County). The calculation shall be made using the month of April over the month of April in the prior year. Any such annual adjustment that equals or exceeds three percent (3%), and any other adjustments in the rates, shall require prior written approval of the Authority Board.

C. **Reimbursable Expenses and Other Costs.** RWG shall be compensated for the expenses and costs as set forth in the attached Compensation Rate Schedule.

D. **Billing.** RWG shall provide to the Authority a monthly invoice for services provided, time spent providing those services, and costs incurred in the form customarily supplied by RWG to public agency clients being billed on an hourly basis. The Authority shall process and cause such invoices to be paid promptly and no later than within thirty (30) days of receipt of invoice.

6. **Conflicts of Interest.** RWG shall comply with all applicable laws and professional rules and standards relating to any known conflict of interest involving the Authority and matters upon which RWG is providing legal services under this Agreement. RWG shall not reveal confidential information of the Authority except with the consent of the Authority Board, or Executive Director, or as otherwise required by law. RWG shall notify the Authority Board or Executive Director, depending on the circumstances, of any conflict of interest related to matters upon which it is providing legal services under this Agreement upon discovery of any such conflicts. In the event that such conflict is not or cannot be waived or resolved, the Authority shall retain alternate legal counsel and RWG shall assist and cooperate with such legal counsel retained by the Authority on the matter for which the conflict arose.

7. **Client Files.**

A. At the conclusion of RWG's legal representation of the Authority, the original client files for the work performed under this Agreement for the Authority shall be made available to the Authority. RWG will be entitled to make copies of the client files. Authority shall take possession of any and all original contracts, and other such important documents that may be in the client files, and RWG shall have no further responsibility with regard to such documents.

B. If the Authority does not take possession of all client files at the conclusion of RWG's legal representation of the Authority, RWG shall store any remaining client files for a period of at least one (1) year. At the conclusion of such one (1) year period, RWG may send to the Authority a notice, advising of RWG's intention to dispose of the client files. The Authority shall have sixty (60) days from the date of such notice to take possession of the client files. If the Authority does not take possession of the client files during that time, the Authority agrees that RWG may dispose of the client files without further notice.

C. This section shall survive the expiration of this Agreement.

8. **Insurance.**

A. **Coverage Levels.** RWG shall maintain at all times during the term of this Agreement policies of insurance with at least the minimum coverage specified below:

- 1) General liability insurance with a combined single limit of not less than two million dollars (\$2,000,000);
- 2) Workers' compensation coverage in compliance with California law;

3) Professional liability coverage with a minimum limit of liability of two million dollars (\$2,000,000) per claim and four million dollars (\$4,000,000) in the aggregate. Such insurance may be subject to a self-insured retention or deductible to be borne entirely by RWG which shall not exceed two hundred fifty thousand dollars (\$250,000) per claim, without prior approval of the Executive Director.

B. All such policies of insurance specified above shall:

1) Except as to professional liability insurance, provide minimum thirty (30) days' notice of cancellation by insurer, except in the event of non-payment of premium, in which case ten (10) days' notice is to be provided;

2) Be maintained in full force and effect throughout the term of this Agreement; and

3) Be placed with insurance carriers with an A.M. Best rating of no less than A-:VII or otherwise acceptable to Authority.

9. **Independent Contractor.** No employment relationship is created by this Agreement. RWG shall be an independent contractor of the Authority, except that at all times providing services under the Agreement, RWG's shareholders and employees shall be acting as public officials.

10. **General Provisions.**

A. **Non-Discrimination.** In the performance of this Agreement, RWG shall not unlawfully discriminate against any employee or applicant for employment because of race, religion, color, sex, national origin, sexual orientation or medical condition.

B. **Assignment/Delegation.** This Agreement contemplates the personal professional services of RWG to Authority and neither this Agreement, nor any portion thereof, shall be assigned or delegated by either party without the prior written consent of both parties.

C. **Interpretation.** The following rules of legal construction shall apply:

1) This Agreement is made and entered into in the State of California and shall in all respects be interpreted, enforced, and governed under the substantive laws of the State of California.

2) The article and section captions and headings in this Agreement have been inserted for convenience only, and shall not be considered or referred to in resolving questions of interpretation or construction.

3) Whenever in this Agreement the context may so require, the masculine gender shall be deemed to refer to and include the feminine and neuter, and the singular shall refer to and include the plural.

D. Attorney's Fees. The parties acknowledge and agree that each will bear its own costs, expenses and attorney's fees arising out of or connected with the negotiation, drafting, and execution of this Agreement.

E. Notices, etc. Any notice required to be given shall be deemed to have been given by depositing such notice in the United States mail, postage prepaid, and addressed as follows:

TO AUTHORITY:

South Bay Regional Public  
Communications Authority  
4440 West Broadway  
Hawthorne, California 90250  
Attention: Executive Director

TO RWG:

Jennifer Petrusis  
Richards, Watson & Gershon  
355 South Grand Avenue, 40th Floor  
Los Angeles, California 90071-3101

Either party may, from time to time, by written notice to the other, designate a different address or contact person, which shall be substituted for the one above specified. Notices, invoices and other documents delivered under this Agreement shall be deemed delivered upon receipt by personal service or as of the third (3rd) day after deposit in the United States mail.

F. Signatories. Each signatory warrants and represents that he or she is competent and authorized to execute this Agreement on behalf of the party for whom he or she purports to sign.

G. Entire Agreement. This Agreement contains the entire understanding between the parties relating to the obligations of the parties described in this Agreement. All prior or contemporaneous agreements, understandings, representations and statements, oral or written, are merged into this Agreement and shall be of no further force or effect. Each party is entering into this Agreement based solely upon the representations set forth herein and upon each party's own independent investigation of any and all facts such party deems material.

H. Modification of Agreement. This Agreement and the provisions set forth herein may be modified only by way of a written amendment to this Agreement that has been approved and executed by and on behalf of both RWG and the Authority.

IN WITNESS WHEREOF, the parties have caused their duly authorized representatives to sign below.


February \_\_, 2019

SOUTH BAY REGIONAL PUBLIC COMMUNICATIONS AUTHORITY



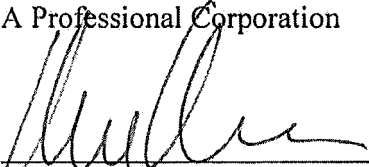
Edward Medrano  
Chairperson, Executive Committee

SOUTH BAY REGIONAL PUBLIC COMMUNICATIONS AUTHORITY



Erick B. Lee  
Executive Director

RICHARDS, WATSON & GERSHON,  
A Professional Corporation



Kayser O. Sume  
Chairman, Board of Directors

## **EXHIBIT A**

### **RICHARDS, WATSON & GERSHON COMPENSATION RATE SCHEDULE FOR SOUTH BAY REGIONAL PUBLIC COMMUNICATIONS AUTHORITY**

**(EFFECTIVE FEBRUARY 12, 2019)**

Legal services provided by Richards, Watson & Gershon ("RWG") to the South Bay Regional Public Communications Authority ("Authority") shall be billed to, and compensated by, the Authority as follows:

#### **A. General Services.**

General Services are defined as all legal services that are not defined below as Special Services, or Bond Counsel Services. Without limitation, all of the following are General Services:

1. Attendance at Authority Board of Director meetings, and any other meeting directed by the Executive Director (hereafter "Executive Director" shall include the Executive Director's designee), unless excused by the Executive Director;
2. Attendance at staff meetings when directed by the Executive Director;
3. Legal research and legal advice to the Authority Board of Directors, any Authority committees and sub-committees, the Executive Director, and Authority Staff;
4. Preparation and review of resolutions and agreements as requested;
5. Oversight of legal matters handled by outside counsel;
6. Legal services for entities created by the Authority; and
7. Such other legal services as may be directed by the Authority Board of Directors or Executive Director from time to time.

General Services shall be billed to, and compensated by, the Authority at a composite hourly rate for all attorneys of \$240 per hour.

#### **B. Special Services.**

Special Services are defined as legal services provided in the following matters:

1. Real estate matters;
2. Labor and employment law matters;



3. Environmental law matters, including but not limited to, hazardous waste, Clean Air Act, and Clean Water Act matters;
4. Litigation services including, without limitation, representation of the Authority (i) in all aspects of the initiation, advancement, or defense of claims in litigation, arbitration, or mediation and (ii) in administrative proceedings before other public agencies;
5. Insurance coverage matters; and
6. Public finance services other than Bond Counsel Services.

Special Services shall be billed to, and compensated by, the Authority at a composite hour rate for all attorneys of \$295 per hour.

**C. Bond Counsel Services.**

Bond Counsel Services will be defined as bond counsel, disclosure counsel, and issuer counsel services in connection with the issuance of bonds or other obligations by the Authority, or any entity created by the Authority. Bond Counsel Services will be billed to, and compensated by, the Authority as follows:

1. RWG shall charge a composite hourly rate for all attorneys of \$395 per hour for any of these services. The maximum total fee charged for an issuance shall not exceed an amount that the Executive Director deems fair and reasonable.
2. RWG's costs and expenses shall be paid in accordance with this Exhibit.
3. In the event the proceedings for issuance of the bonds are terminated before closing, RWG would expect to be paid for its services to the date of abandonment at the composite hourly rate set forth above, but the amount of that payment would not exceed an amount that the Executive Director deems fair and reasonable.
4. In the event the Authority forms or is a member of a joint powers authority that has the power to issue bonds or other obligations; RWG shall provide bond counsel, disclosure counsel, and issuer counsel services to the joint powers authority in connection with the issuance of bonds or other obligations, if and when requested by the joint powers authority. The compensation for Bond Counsel Services in connection with service to the joint powers authority shall be as specified in this Exhibit unless there is a separate contract or agreement with the joint powers authority that provides a fee schedule or rate.

**G. Paralegal Services.**

Paralegal services shall be billed to, and compensated by, the Authority at a composite hour rate for all paralegals of \$170 per hour.

**H. Reimbursable Costs and Other Expenses.**

Mileage will be billed at the standard rate established by the IRS for deducting the operating expenses of an automobile used for business purposes. The IRS mileage reimbursement rate was 58 cents per mile on the effective date of this Exhibit. Copying costs will be charged at 5 cents per page. There will be no charge for facsimiles. All other costs, such as long distance telephone charges, messenger and delivery services, and legal research services will be charged at RWG's actual out-of-pocket expenses, with the exception that the Authority will not be billed for telephone calls within California. RWG will not charge for word processing and similar clerical tasks, or for the costs of first-class postage.

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Attachment 3

**SOUTH BAY REGIONAL PUBLIC COMMUNICATIONS AUTHORITY - RATE ADJUSTMENT BY CPI INCREASE**

CPI for All Urban Consumers (CPI-U)							CURRENT	CPI INCR.	7/1/2022			
Original Data Value												
							\$175	7.87%	\$189			
Series Id:	CUURS49ASA0						\$247	7.87%	\$266			
Not Seasonally Adjusted							\$304	7.87%	\$328			
Series Title:	All items in Los Angeles-Long Beach-Anaheim, CA, all urban consumers, not seasonally adjusted						\$407	7.87%	\$439			
Area:	Los Angeles-Long Beach-Anaheim, CA											
Item:	All items											
Base Period:	1982-84=100											
Years:	2012 to 2022											
Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
2012	233.441	234.537	236.941	236.866	237.032	236.025	235.776	237.222	238.104	240.111	237.675	236.042
2013	238.015	239.753	239.995	239.043	239.346	239.223	238.920	239.219	239.611	239.940	238.677	238.742
2014	239.857	241.059	242.491	242.437	243.362	243.528	243.727	243.556	243.623	243.341	241.753	240.475
2015	239.724	241.297	243.738	243.569	246.093	245.459	247.066	246.328	245.431	245.812	245.711	245.357
2016	247.155	247.113	247.873	248.368	249.554	249.789	249.784	249.700	250.145	251.098	250.185	250.189
2017	252.373	253.815	254.525	254.971	255.674	255.275	256.023	256.739	257.890	258.883	259.135	259.220
2018	261.235	263.012	264.158	265.095	266.148	265.522	266.007	266.665	268.032	269.482	268.560	267.631
2019	269.468	269.608	271.311	273.945	274.479	274.380	274.682	274.579	276.054	278.075	277.239	275.553
2020	277.755	278.657	276.589	275.853	276.842	278.121	279.899	280.116	279.366	279.947	280.102	279.560
2021	280.178	281.347	282.648	285.808	287.620	289.218	290.890	291.333	292.209	294.961	296.790	297.925
2022	301.209	302.164	306.679	308.302	310.649							
		CPI INCREASE		22.494								
		% OF INCREASE		7.87%								

D-4

Attachment 4

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
SOUTH BAY REGIONAL PUBLIC COMMUNICATIONS  
AUTHORITY APPROVING AN ANNUAL CONSUMER  
PRICE INDEX ADJUSTMENT FOR RATES IN THE LEGAL  
SERVICES AGREEMENT WITH RICHARDS, WATSON &  
GERSHON**

WHEREAS, the Board of Directors approved a legal services agreement with the firm of Richards, Watson & Gershon (RWG) on February 19, 2019, for the provision of legal services; and

WHEREAS, said legal services agreement provides that the service rates for legal services shall be adjusted annually on July 1 consistent with the Consumer Price Index (CPI); and

WHEREAS, the applicable CPI adjustment for the 2021 - 2022 one-year period is 7.87%; and

WHEREAS, said legal services agreement requires Board of Directors approval of any annual adjustment of 3.0% or more.

NOW THEREFORE, BE IT RESOLVED that the South Bay Regional Public Communications Authority Board of Directors approves an annual Consumer Price Index adjustment to the rates set forth in the legal services agreement with the firm of Richards, Watson & Gershon by 7.87% effective upon approval of this resolution, as listed in Exhibit A, attached hereto.

WE HEREBY CERTIFY that the foregoing is a true copy of the resolution adopted by the Board of Directors of the South Bay Regional Public Communications Authority in a meeting thereof held on the 20th day of September, 2022, by the following vote.

AYES:

NOES:

ABSENT:

ABSTAIN:

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Rodney G. Tanaka, Chair  
Board of Directors

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M. Ross Klun, Secretary  
Board of Directors

## **Exhibit A**

- \$247/hr current billing rate for general services would be increased to \$266/hr.
- \$304/hr current billing rate for special services (e.g., real estate, labor & employment, litigation, public finance services) would be increased to \$328/hr
- \$407/hr current billing rate for bond counsel would be increased to \$439/hr
- \$175/hr current billing rate for paralegal services would be increased to \$189/hr

F-1





# Staff Report

South Bay Regional Public Communications Authority

**MEETING DATE:** August 16, 2022

**ITEM:** F-1

**TO:** Executive Committee

**FROM:** M. Ross Klun, Executive Director

**SUBJECT:** A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SOUTH BAY REGIONAL PUBLIC COMMUNICATIONS AUTHORITY AUTHORIZING THE TREASURER TO CONTRACT FOR BANKING SERVICES

**ATTACHMENTS:** 1. Resolution No. XXX

## **RECOMMENDATION**

Staff recommends that the Executive Committee recommend that the Board of Directors adopt a resolution authorizing the Treasurer to contract for banking services on behalf of the Authority. The purpose of this resolution is to avoid any confusion about who is authorized to contract on behalf of the Authority for banking services.

## **BACKGROUND**

On August 14, 2014, the Executive Committee adopted Resolution No. 301 authorizing the Executive Director to enter into a contract with Union Bank, N.A. Staff believes it would be in the best interest of the Authority to change banking institutions to take advantage of lower banking fees.

## **DISCUSSION**

Government Code section 53679 provides that all money belonging to a local agency under the control of any of its officers or employees other than the treasurer shall be deposited as active deposits or inactive deposits. Government Code section 53679 states at subsection (a) that for deposits in excess of the amount insured pursuant to federal law a contract in accordance with Government Code section 53649 is required.

Government Code section 53649 states that the treasurer is responsible for the safekeeping of money in his or her custody and shall enter into any contract with a depository relating to any deposit which in his or her judgment is to the public advantage. Section 53649 sets forth specific requirements for that contract.

According to the Government Code, it is the Authority's Treasurer that must enter into the contract with the banking institution on behalf of the Authority. In order to clear up any confusion about who is authorized to enter into the contract on behalf of the Authority, staff recommends that the Board of Directors approve the resolution attached as Exhibit 1 to this report.

### **FISCAL IMPACT**

Due to recent increases in current banking fees, staff expects that changing banking institutions will decrease fees approximately 50-75%.

F-1

Attachment 1

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
SOUTH BAY REGIONAL PUBLIC COMMUNICATIONS  
AUTHORITY AUTHORIZING THE TREASURER TO  
CONTRACT FOR BANKING SERVICES**

WHEREAS, Government Code section 53679 provides that all money belonging to a local agency under the control of any of its officers or employees other than the treasurer shall be deposited as active deposits or inactive deposits.

WHEREAS, Government Code section 53679(a) states that for deposits in excess of the amount insured pursuant to federal law a contract in accordance with Government Code section 53649 is required.

WHEREAS, Government Code section 53649 states that the treasurer is responsible for the safekeeping of money in his or her custody and shall enter into any contract with a depository relating to any deposit which in his or her judgment is to the public advantage, and Section 53649 sets forth requirements for that contract.

NOW THEREFORE, BE IT RESOLVED that the South Bay Regional Public Communications Authority Board of Directors authorizes the Treasurer of the Authority to contract for banking services and to establish a bank account on behalf of the Authority in accordance with the requirements of the Government Code.

This delegation supersedes any and all prior resolutions and delegations by the Board of Directors or Executive Committee related to contracting for banking services.

WE HEREBY CERTIFY that the foregoing is a true copy of the resolution adopted by the Board of Directors of the South Bay Regional Public Communications Authority in a meeting thereof held on the 20th day of September, 2022, by the following vote.

AYES:

NOES:

ABSENT:

ABSTAIN:

---

Rodney G. Tanaka, Chair  
Board of Directors

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M. Ross Klun, Secretary  
Board of Directors

F-2



# Staff Report

## South Bay Regional Public Communications Authority

**MEETING DATE:** August 16, 2022

**ITEM NUMBER:** F-2

**TO:** Executive Committee

**FROM:** M. Ross Klun, Executive Director  
Vanessa Alfaro, Finance & Performance Audit Manager  
John Krok, Administrative Services Manager

**SUBJECT:** Revised Technical Services Division Workload Support Charges

**ATTACHMENTS:** 1. Redlined Amended Cost Allocation Policy  
2. Amended Cost Allocation Policy  
3. Resolution Amending Cost Allocation Policy

### **RECOMMENDATION**

Staff recommends the Executive Committee recommend the Board of Directors adopt a resolution amending the Cost Allocation Policy to reflect a revised methodology for calculating Technical Services Division Workload Support Charges based on a rolling three-year average of labor hours beginning in FY2023/24.

### **BACKGROUND**

In September 2019, the Board of Directors adopted a resolution amending the Bylaws to modify the method of assessment and approved a Cost Allocation Policy. In October 2020 the Cost Allocation Policy was amended, which was reaffirmed on January 19, 2021. Based on the policy, Technical Services Division (TSD) costs are divided into two major categories:

Dedicated Support and Workload Support.

Dedicated Support charges are derived by each agency's corresponding percentage of police and fire vehicles that are anticipated to be active in inventory (either in-service or pending commissioning/ decommissioning) during the assessment year. All such vehicles are listed on each agency's "Active Vehicle Inventory List" and certified annually by its Chief of Police or Fire Chief. Accounting and billing for Dedicated Support occurs as part of the annual assessment process.

Workload Support Charges were previously derived by each agency's corresponding percentage of vehicle installation and repair work orders. In October 2020, the Board of

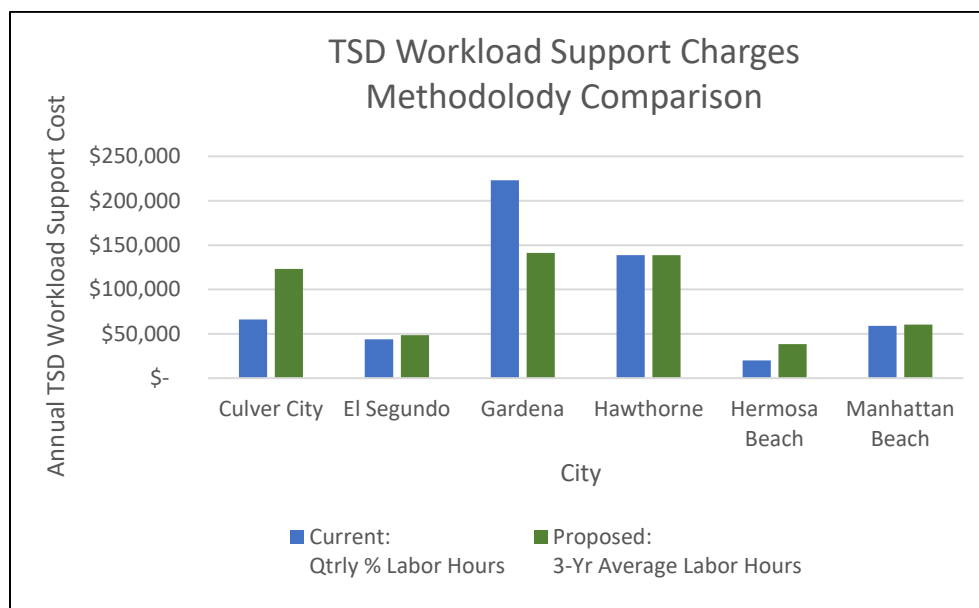
Directors amended the Cost Allocation Policy to change from number of work orders to labor hours associated with work orders to better reflect use of resources. Accounting and billing for Workload Support charges occurs on a quarterly basis following the end of a quarter.

## **DISCUSSION**

Workload Support charges, at present, are calculated on a quarterly basis based on each agency's corresponding percentage of labor hours associated with work done in that quarter. The Authority believes that a change to a rolling three-year average of labor hours used by each agency, as the basis for billing is more equitable and advantageous to the member and contract cities. Staff began tracking corresponding labor hours in July 2019 and we have now acquired three years of data to calculate a rolling average. The chart below provides the number of Workload Support labor hours used by each city over a three-year period.

<b>TSD Workload Support Labor Hours</b>				
City	FY20	FY21	FY22	Average
Culver City	1,280	717	417	804
El Segundo	579	215	159	317
Gardena	673	965	1,127	922
Hawthorne	1,007	1,016	691	905
Hermosa Beach	290	397	64	250
Manhattan Beach	760	203	222	395
<b>Totals</b>	<b>4,588</b>	<b>3,513</b>	<b>2,679</b>	<b>3,593</b>

The graph below utilizes actual FY2021-22 TSD Workload Support charges based on quarterly billing of labor hours and compares to costs based on a rolling three-year average of labor hours. A comparison of the current method versus the proposed method reveals that the latter addresses concerns of large fluctuations in quarterly use of services and stabilizes Workload Support costs for cities.



In addition, the Authority believes the inclusion of Workload Support as part of the annual assessment process would alleviate the challenges faced by our member and contract city chiefs in budgeting for these costs.

**FISCAL IMPACT**

None. Technical Services Division Workload Support Charges are fixed costs that will continue to be recovered through the Cost Allocation Policy regardless of the methodology used.



F-2

Attachment 1

# Cost Allocation Policy

**Section 1. Background.** This Cost Allocation Policy is based on the Matrix Consulting Group's *Report on the Cost of Services and Cost Allocation Study – August 2019* that was accepted by the Executive Committee on August 20, 2019.

**Section 2. Updating of Policy.** In accordance with the consultant's recommendations, the assessment methodologies and corresponding cost allocation model that serve as the foundation of this Cost Allocation Policy should be updated every 5-7 years or when a new agency begins to receive, or an existing agency ceases to receive, services from the Authority.

**Section 3. Total Fiscal Year Costs.** As established by the Authority's Budgetary Policy, staff shall develop a preliminary fiscal year operating and capital outlay budget for presentation to the Executive Committee in February of each year. This budget will include the total costs to operate the Authority for the fiscal year ("Total Fiscal Year Costs"). Based on this preliminary budget, staff shall separate the Total Fiscal Year Costs into the following three categories:

1. Administrative costs
2. Operations Department costs
3. Technical Services Division costs

Each agency shall be assessed its proportionate share of Operations Department and Technical Services Division costs, including commensurate allocations of indirect Administrative costs, as part of the fiscal year budget adopted by the Board of Directors in March of each year.

**Section 4. Administrative Costs.** The portion of the Total Fiscal Year Costs relating to the Authority's Administration shall be determined to be its Administrative costs. Such costs shall include:

1. Personnel Costs: Administration Department salaries and benefits
2. Operating Costs: Administration Department supplies, equipment, and services
3. Fixed Assets: Annual depreciation costs associated with building and equipment
4. Capital Outlay: Any capital improvement program expenses
5. Reallocation of Technical Services Costs: Any Authority-wide costs budgeted in the Technical Services Division
6. Revenue Offsets: Reimbursement and investment earnings revenues

**Section 4.A. Administrative Functions.** Administrative costs shall be allocated to the following four functional areas:

Function	Allocation of Administrative Costs
Authority-wide support	14%
Financial support	10%
Personnel and support services support	54%
Operations support	22%
<b>Total</b>	<b>100%</b>

**Section 4.B. Allocation of Administrative Costs.** Administrative costs from the four functional areas shall be allocated between the Operations Department and the Technical Services Division in accordance with the following schedule:

Function	Operations Department	Technical Services Division	Total
Authority-wide support	81%	19%	<b>100%</b>
Financial support	50%	50%	<b>100%</b>
Personnel and support services support	92%	8%	<b>100%</b>
Operations support	100%	0%	<b>100%</b>

**Section 5. Operations Department Costs.** The portion of the Total Fiscal Year Costs relating to dispatching services shall be determined to be the Operations Department costs. Such costs shall include:

1. Personnel Costs: Operations Department salaries and benefits
2. Operating Costs: Operations Department supplies, equipment, and services
3. Revenue Offsets: Reimbursement revenues
4. Incoming Indirect Support: Administrative costs and support received from the Technical Services Division

**Section 5.A. Operations Department Functions.** As part of the annual budget development process, the Executive Director shall develop a staffing allocation plan that allocates Communications Operator staffing between the Operations Department's three functional areas of Call-Taking, Police Dispatch and Fire Dispatch. All Operations Department costs shall be allocated according to this staffing allocation plan.

Beginning in Fiscal Year 2020-2021 and until a modified staffing allocation plan is recommended by the Executive Director and approved by the Executive Committee, the staffing allocation plan and corollary allocation of Operations Department costs between the three functional areas is as follows:

Function	Position Allocations	Allocation of Operations Department Costs
Call-Taking	3.5	32%
Police Dispatch	6.0	55%
Fire Dispatch	1.5	13%
<b>Total</b>	<b>11.0</b>	<b>100%</b>

**Section 5.B. Allocation of Operations Department Costs.** The allocation of Operations Department costs between its three functional areas shall be in accordance with the following schedules:

<b>Call-Taking</b>	<b>Percent of Call-Taking Allocation</b>	<b>Percent of Total Operations Department Costs</b>
9-1-1 Calls	60%	19%
Non-Emergency Calls	40%	13%
<b>Total</b>	<b>100%</b>	<b>32%</b>

Call-Taking charges will be derived by each agency's corresponding percentage of 9-1-1 calls and non-emergency calls. In developing the Call-Taking allocations, a rolling three-year average of calls for each agency, as of December 31, shall be used, except in cases where three years of reliable data is not available. In such cases, a two-year average, one year of actual data, or an annual projection may be used.

<b>Police Dispatch</b>	<b>Percent of Police Dispatch Allocation</b>	<b>Percent of Total Operations Department Costs</b>
Assigned Staff	70%	39%
CAD Incident Volume	30%	16%
<b>Total</b>	<b>100%</b>	<b>55%</b>

For Police Dispatch, Assigned Staff costs for each agency will be determined by the assessment year's staffing allocation plan. CAD Incident Volume charges will be derived by each agency's corresponding percentage of all police calls for service. In developing the CAD Incident Volume allocation, a rolling three-year average of calls for service for each agency, as of December 31, shall be used, except in cases where three years of reliable data is not available. In such cases, a two-year average, one year of actual data, or an annual projection may be used.

<b>Fire Dispatch</b>	<b>Percent of Fire Dispatch Allocation</b>	<b>Percent of Total Operations Department Costs</b>
Assigned Staff	70%	9%
CAD Incident Volume	30%	4%
<b>Total</b>	<b>100%</b>	<b>13%</b>

For Fire Dispatch, Assigned Staff costs for each agency will be determined by the assessment year's staffing allocation plan. CAD Incident Volume charges will be derived by each agency's corresponding percentage of all fire calls for service. In developing the CAD Incident Volume allocation, a rolling three-year average of calls for service for each agency, as of December 31, shall be used, except in cases where three years of reliable data is not available. In such cases, a two-year average, one year of actual data, or an annual projection may be used.

**Section 6. Technical Services Division Costs.** The portion of the Total Fiscal Year Costs relating to vehicle upfitting services shall be determined to be the Technical Services Division costs. Such costs shall include:

1. Personnel Costs: Technical Services Division salaries and benefits
2. Operating Costs: Technical Services Division supplies, equipment, and services
3. Excluded Costs: Certain line items relating to Authority-wide functions and support
4. Revenue Offsets: Reimbursement revenues
5. Incoming Indirect Support: Administrative costs

**Section 6.A. Technical Services Division Functions.** The Technical Services Division costs shall be allocated to the following two functional areas:

Function	Allocation of Technical Services Division Costs
Dedicated Support	50%
Workload Support	50%
<b>Total</b>	<b>100%</b>

**Section 6.B. Allocation of Technical Services Division Costs.** The Technical Services Division's functional costs will be allocated in accordance with the following schedules:

Dedicated Support	Percent of Dedicated Support Allocation	Percent of Total Technical Services Division Costs
Number of Police & Fire Vehicles	100%	50%
<b>Total</b>	<b>100%</b>	<b>50%</b>

Dedicated Support charges will be derived by each agency's corresponding percentage of police and fire vehicles that are anticipated to be active in inventory (either in-service or pending commissioning/decommissioning) during the assessment year. All such vehicles shall be listed on each agency's "Active Vehicle Inventory List" and certified annually by its Chief of Police or Fire Chief. Accounting of and billing for Dedicated Support will occur as part of the annual assessment process.

Workload Support	Percent of Workload Support Allocation	Percent of Total Technical Services Division Costs
Number of Labor Hours	100%	50%
<b>Total</b>	<b>100%</b>	<b>50%</b>

Beginning in Fiscal Year ~~2020-2021~~2023-2024, Workload Support charges will be derived by each agency's corresponding percentage of labor hours associated with vehicle installation and repair work orders. In developing the Workload Support allocation, a rolling three-year average of labor hours used by each agency, as of June 30, shall be used, except in cases where three years of reliable data is not available. In such cases, a two-year average, one year of actual data, or an annual projection may be used. Accounting of and billing for Workload Support will occur ~~on a quarterly basis~~as part of the annual assessment process.

**Section 7. Cost Adjustment Surcharge for Contract Agencies.** In addition to the assessments for Operations Department and Technical Services Division costs, each contract agency shall be required to pay any cost adjustment surcharge as established by a resolution of the Executive Committee. This cost adjustment surcharge can be assessed in order to fund future costs related to unfunded liabilities associated with the California Public Employees' Retirement System ("CalPERS"), Other Post-Employment Benefits ("OPEB") and/or long-term capital improvement needs, which are not currently accounted for in annual budgets. The aforementioned resolution shall specify the source(s) of costs for the surcharge, provide for surcharge funds to accumulate in a separate restricted fund, and designate parameters and conditions under which surcharge funds may be expended.

**Section 8. Policy Exceptions.** This policy shall be not be applicable to any contract agency that has entered into an agreement with the Authority which authorizes a specific assessment amount that is less than this policy would otherwise require.

F-2

Attachment 2

# Cost Allocation Policy

**Section 1. Background.** This Cost Allocation Policy is based on the Matrix Consulting Group's *Report on the Cost of Services and Cost Allocation Study – August 2019* that was accepted by the Executive Committee on August 20, 2019.

**Section 2. Updating of Policy.** In accordance with the consultant's recommendations, the assessment methodologies and corresponding cost allocation model that serve as the foundation of this Cost Allocation Policy should be updated every 5-7 years or when a new agency begins to receive, or an existing agency ceases to receive, services from the Authority.

**Section 3. Total Fiscal Year Costs.** As established by the Authority's Budgetary Policy, staff shall develop a preliminary fiscal year operating and capital outlay budget for presentation to the Executive Committee in February of each year. This budget will include the total costs to operate the Authority for the fiscal year ("Total Fiscal Year Costs"). Based on this preliminary budget, staff shall separate the Total Fiscal Year Costs into the following three categories:

1. Administrative costs
2. Operations Department costs
3. Technical Services Division costs

Each agency shall be assessed its proportionate share of Operations Department and Technical Services Division costs, including commensurate allocations of indirect Administrative costs, as part of the fiscal year budget adopted by the Board of Directors in March of each year.

**Section 4. Administrative Costs.** The portion of the Total Fiscal Year Costs relating to the Authority's Administration shall be determined to be its Administrative costs. Such costs shall include:

1. Personnel Costs: Administration Department salaries and benefits
2. Operating Costs: Administration Department supplies, equipment, and services
3. Fixed Assets: Annual depreciation costs associated with building and equipment
4. Capital Outlay: Any capital improvement program expenses
5. Reallocation of Technical Services Costs: Any Authority-wide costs budgeted in the Technical Services Division
6. Revenue Offsets: Reimbursement and investment earnings revenues

**Section 4.A. Administrative Functions.** Administrative costs shall be allocated to the following four functional areas:



Function	Allocation of Administrative Costs
Authority-wide support	14%
Financial support	10%
Personnel and support services support	54%
Operations support	22%
<b>Total</b>	<b>100%</b>

**Section 4.B. Allocation of Administrative Costs.** Administrative costs from the four functional areas shall be allocated between the Operations Department and the Technical Services Division in accordance with the following schedule:

Function	Operations Department	Technical Services Division	Total
Authority-wide support	81%	19%	<b>100%</b>
Financial support	50%	50%	<b>100%</b>
Personnel and support services support	92%	8%	<b>100%</b>
Operations support	100%	0%	<b>100%</b>

**Section 5. Operations Department Costs.** The portion of the Total Fiscal Year Costs relating to dispatching services shall be determined to be the Operations Department costs. Such costs shall include:

1. Personnel Costs: Operations Department salaries and benefits
2. Operating Costs: Operations Department supplies, equipment, and services
3. Revenue Offsets: Reimbursement revenues
4. Incoming Indirect Support: Administrative costs and support received from the Technical Services Division

**Section 5.A. Operations Department Functions.** As part of the annual budget development process, the Executive Director shall develop a staffing allocation plan that allocates Communications Operator staffing between the Operations Department's three functional areas of Call-Taking, Police Dispatch and Fire Dispatch. All Operations Department costs shall be allocated according to this staffing allocation plan.

Beginning in Fiscal Year 2020-2021 and until a modified staffing allocation plan is recommended by the Executive Director and approved by the Executive Committee, the staffing allocation plan and corollary allocation of Operations Department costs between the three functional areas is as follows:

Function	Position Allocations	Allocation of Operations Department Costs
Call-Taking	3.5	32%
Police Dispatch	6.0	55%
Fire Dispatch	1.5	13%
<b>Total</b>	<b>11.0</b>	<b>100%</b>

**Section 5.B. Allocation of Operations Department Costs.** The allocation of Operations Department costs between its three functional areas shall be in accordance with the following schedules:

<b>Call-Taking</b>	<b>Percent of Call-Taking Allocation</b>	<b>Percent of Total Operations Department Costs</b>
9-1-1 Calls	60%	19%
Non-Emergency Calls	40%	13%
<b>Total</b>	<b>100%</b>	<b>32%</b>

Call-Taking charges will be derived by each agency's corresponding percentage of 9-1-1 calls and non-emergency calls. In developing the Call-Taking allocations, a rolling three-year average of calls for each agency, as of December 31, shall be used, except in cases where three years of reliable data is not available. In such cases, a two-year average, one year of actual data, or an annual projection may be used.

<b>Police Dispatch</b>	<b>Percent of Police Dispatch Allocation</b>	<b>Percent of Total Operations Department Costs</b>
Assigned Staff	70%	39%
CAD Incident Volume	30%	16%
<b>Total</b>	<b>100%</b>	<b>55%</b>

For Police Dispatch, Assigned Staff costs for each agency will be determined by the assessment year's staffing allocation plan. CAD Incident Volume charges will be derived by each agency's corresponding percentage of all police calls for service. In developing the CAD Incident Volume allocation, a rolling three-year average of calls for service for each agency, as of December 31, shall be used, except in cases where three years of reliable data is not available. In such cases, a two-year average, one year of actual data, or an annual projection may be used.

<b>Fire Dispatch</b>	<b>Percent of Fire Dispatch Allocation</b>	<b>Percent of Total Operations Department Costs</b>
Assigned Staff	70%	9%
CAD Incident Volume	30%	4%
<b>Total</b>	<b>100%</b>	<b>13%</b>

For Fire Dispatch, Assigned Staff costs for each agency will be determined by the assessment year's staffing allocation plan. CAD Incident Volume charges will be derived by each agency's corresponding percentage of all fire calls for service. In developing the CAD Incident Volume allocation, a rolling three-year average of calls for service for each agency, as of December 31, shall be used, except in cases where three years of reliable data is not available. In such cases, a two-year average, one year of actual data, or an annual projection may be used.

**Section 6. Technical Services Division Costs.** The portion of the Total Fiscal Year Costs relating to vehicle upfitting services shall be determined to be the Technical Services Division costs. Such costs shall include:

1. Personnel Costs: Technical Services Division salaries and benefits
2. Operating Costs: Technical Services Division supplies, equipment, and services
3. Excluded Costs: Certain line items relating to Authority-wide functions and support
4. Revenue Offsets: Reimbursement revenues
5. Incoming Indirect Support: Administrative costs

**Section 6.A. Technical Services Division Functions.** The Technical Services Division costs shall be allocated to the following two functional areas:

Function	Allocation of Technical Services Division Costs
Dedicated Support	50%
Workload Support	50%
<b>Total</b>	<b>100%</b>

**Section 6.B. Allocation of Technical Services Division Costs.** The Technical Services Division's functional costs will be allocated in accordance with the following schedules:

Dedicated Support	Percent of Dedicated Support Allocation	Percent of Total Technical Services Division Costs
Number of Police & Fire Vehicles	100%	50%
<b>Total</b>	<b>100%</b>	<b>50%</b>

Dedicated Support charges will be derived by each agency's corresponding percentage of police and fire vehicles that are anticipated to be active in inventory (either in-service or pending commissioning/decommissioning) during the assessment year. All such vehicles shall be listed on each agency's "Active Vehicle Inventory List" and certified annually by its Chief of Police or Fire Chief. Accounting of and billing for Dedicated Support will occur as part of the annual assessment process.

Workload Support	Percent of Workload Support Allocation	Percent of Total Technical Services Division Costs
Number of Labor Hours	100%	50%
<b>Total</b>	<b>100%</b>	<b>50%</b>

Beginning in Fiscal Year 2023-2024, Workload Support charges will be derived by each agency's corresponding percentage of labor hours associated with vehicle installation and repair work orders. In developing the Workload Support allocation, a rolling three-year average of labor hours used by each agency, as of June 30, shall be used, except in cases where three years of reliable data is not available. In such cases, a two-year average, one year of actual data, or an annual projection may be used. Accounting of and billing for Workload Support will occur as part of the annual assessment process.

**Section 7. Cost Adjustment Surcharge for Contract Agencies.** In addition to the assessments for Operations Department and Technical Services Division costs, each contract agency shall be required to pay any cost adjustment surcharge as established by a resolution of the Executive Committee. This cost adjustment surcharge can be assessed in order to fund future costs related to unfunded liabilities associated with the California Public Employees' Retirement System ("CalPERS"), Other Post-Employment Benefits ("OPEB") and/or long-term capital improvement needs, which are not currently accounted for in annual budgets. The aforementioned resolution shall specify the source(s) of costs for the surcharge, provide for surcharge funds to accumulate in a separate restricted fund, and designate parameters and conditions under which surcharge funds may be expended.

**Section 8. Policy Exceptions.** This policy shall be not be applicable to any contract agency that has entered into an agreement with the Authority which authorizes a specific assessment amount that is less than this policy would otherwise require.

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Attachment 3

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
SOUTH BAY REGIONAL PUBLIC COMMUNICATIONS  
AUTHORITY ADOPTING AN AMENDED COST  
ALLOCATION POLICY**

WHEREAS, Article X of the South Bay Regional Public Communications Authority's Bylaws requires that the Cost Allocation Policy be adopted by resolution of the Board of Directors;

WHEREAS, pursuant to Resolution No. 336, and reaffirmed by Resolution No. 337, the Board of Directors of the South Bay Regional Public Communications Authority adopted an amended Cost Allocation Policy;

WHEREAS, pursuant to that amended Cost Allocation Policy, Workload Support Charges are calculated on a quarterly basis based on each agency's corresponding percentage of labor hours associated with work done;

WHEREAS, the Board of Directors desires to amend the Cost Allocation Policy and adopt the Cost Allocation Policy attached hereto as Exhibit A, which uses a rolling three-year average of labor hours to calculate the Workload Support charges;

WHEREAS, the Board of Directors desires that the amended Cost Allocation Policy attached hereto as Exhibit A be the effective Cost Allocation Policy starting July 1, 2023;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the South Bay Regional Public Communications Authority:

SECTION 1. The Board of Directors adopts the amended Cost Allocation Policy attached hereto as Exhibit A.

SECTION 2. The amended Cost Allocation Policy attached hereto as Exhibit A becomes the effective Cost Allocation Policy on July 1, 2023 and, at that time, supersedes any previous versions of the Cost Allocation Policy.

WE HEREBY CERTIFY that the foregoing is a true copy of the resolution adopted by the Board of Directors of the South Bay Regional Public Communications Authority in a meeting thereof held on the \_\_\_\_ day of September, 2022, by the following vote.

AYES:

NOES:

ABSENT:

ABSTAIN:

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Rodney G. Tanaka, Chair  
Board of Directors

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Ross Klun, Secretary  
Board of Directors

G-1





# Staff Report

South Bay Regional Public Communications Authority

**MEETING DATE:** August 16, 2022

**ITEM:** G-1

**TO:** User Committee

**FROM:** M. Ross Klun, Executive Director

**SUBJECT:** AB 361 FINDINGS FOR SPECIAL BROWN ACT  
REQUIREMENTS FOR TELECONFERENCE MEETINGS

## **SUMMARY:**

Staff has placed this item on the agenda to give the User Committee an opportunity to make findings specific in AB 361 (2021) for special Brown Act requirements for teleconference meetings. These special requirements give local public agencies greater flexibility to conduct teleconference meetings when there is a declared state of emergency and either social distancing is mandated or recommended, or an in-person meeting would present imminent risks to the health and safety of attendees.

## **RECOMMENDATION:**

Staff recommends that the User Committee make the following findings so that meetings of the User Committee will be subject to the AB 361 special Brown Act requirements for teleconference meetings: 1) the User Committee has reconsidered the circumstances of the COVID-19 state of emergency; and 2) state and local officials continue to recommend measures to promote social distancing.

## **BACKGROUND**

On March 4, 2020, Governor Newsom proclaimed a state of emergency to exist in California due to the spread of COVID-19. The Governor subsequently issued numerous executive orders suspending or modifying state laws to facilitate the response to the emergency. Among other things, these executive orders superseded certain Brown Act requirements and established special rules to give local public agencies greater flexibility to conduct teleconference meetings. The special rules included provisions allowing local public agencies to conduct teleconference meetings without having to provide a physical location from which the public may attend or comment, without having to use teleconference locations that are publicly accessible, and without having to identify teleconference locations on the agenda. Those special rules expired September 30, 2021.

On September 16, 2021, in anticipation of the then-imminent expiration of his special rules for teleconference meetings, the Governor signed AB 361. In key part, this bill amends the Brown Act to establish special requirements for teleconference meetings if a legislative body of a local public agency makes two findings pursuant to Government Code section

54953(e)(3). Like the special rules in the Governor's executive orders, the special Brown Act requirements in AB 361 include provisions allowing public agencies to conduct teleconference meetings without having to provide a physical location from which the public may attend or comment, without having to use teleconference locations that are public accessible, and without having to identify teleconference locations on the agenda. The AB 361 special Brown Act requirements are scheduled to be repealed on January 1, 2024.

In order for a local public agency to be subject to the AB 361 Brown Act requirements for teleconference meetings, a legislative body of a local public agency first must make a finding that it has "reconsidered" the circumstances of a declared state of emergency. Second, the legislative body must find that such emergency continues to directly impact the ability of the legislative body's members to meet in person. Alternatively, for the second finding, the legislative body must find that state or local officials continue to impose or recommend social distancing measures. These findings must be made within 30 days after the legislative body teleconferences for the first time under AB 361 and every 30 days thereafter.

The COVID-19 state of emergency declaration is still in effect. Furthermore, the State of California and the County of Los Angeles have recommended measures to promote social distancing. Thus, the California Division of Occupational Safety and Health still requires that employers provide training on the effectiveness of physical distancing in the workplace. Additionally, the Los Angeles County Department of Public Health still encourages people at risk for severe illness or death from COVID-19 to take protective measures such as social distancing and, for those not yet fully vaccinated, to physically distance from others whose vaccination status is unknown. The County Health Department also continues to recommend that employers take steps to support physical distancing.

#### **FISCAL IMPACT**

None.