

**BayRICS JOINT POWERS AUTHORITY
BOARD OF DIRECTORS MEETING**

STAFF REPORT

MEETING DATE: THURSDAY JULY 14, 2016
**AGENDA ITEM: ITEM 7: ADDING NEW PUBLIC SAFETY AGENCIES AS
BayRICS MEMBERS**

Background

At the April 14, 2016 Board of Directors meeting, Board members asked staff to report back on the interest and feasibility of adding new BayRICS members, including agency members from outside the Bay Area. In April 2012, the Board considered a proposal to expand into the Sacramento area, but staff and legal counsel determined that the expansion would require modification of the BayRICS JPA Agreement. The Board declined to take action at that time. At the August 14, 2014 Board meeting, the Board took action to affirm the language in the JPA Agreement setting Subsequent Membership Fees for eligible new members at an amount equal to the Initial Membership Fee as established in Section 5.01(a)(ii) of the JPA Agreement (\$24,500 for agencies with seats on the Board, and \$5,000 for other agencies). These fees apply only to “eligible agencies” that have jurisdiction in the Bay Area.

Discussion

Expansion of BayRICS to include agencies, both within the Bay Area and in Sacramento and the Central Valley, represents an opportunity for the JPA to enhance mission critical public safety communications beyond our current boundaries. In the event of a catastrophic disaster in the Bay Area, our first and nearest mutual aid support may come from agencies in Sacramento and San Joaquin Counties. Current upgrades to P25 voice systems in those Counties now provide opportunities to improve mission critical voice interoperability. In addition, the potential build-out of FirstNet’s nationwide broadband public safety network will provide significant opportunities for regional voice and data sharing. BayRICS could provide a valuable governance structure for local control of the FirstNet network across the regions.

In informal discussions over the past three months, Staff identified several agencies, both within and outside of the Bay Area that have expressed interest in joining BayRICS. However, as we identified in April 2012, specific requirements of the BayRICS JPA agreement remain obstacles to increasing membership. Specifically:

1. To be eligible for membership, agencies must “have jurisdiction in the Bay Area.” (Section 1.03). Agencies in Sacramento or San Joaquin Counties currently not eligible;
2. Eligible agencies must pay high initial membership fees to become BayRICS members (Section 5.01 (a-b)). In particular, Bay Area agencies that would have seats on the Board expressed concern that \$24,500 is an excessively high fee for joining the JPA.

Either of these two requirements may be changed by minor amendments to the JPA agreement. However, any amendment requires (1) a two-thirds supermajority vote of the Members and (2) a unanimous vote of the Board (Section 7.02). In the past, the Board has been reluctant to make changes to the JPA Agreement.

Recommended Action

Direct staff to take additional actions as warranted, including working with counsel to develop proposed amendments to the JPA Agreement to address these concerns.