



COUNTY OF SAN MATEO
Inter-Departmental Correspondence
Sheriff's Office



DATE: January 6, 2012
BOARD MEETING DATE: January 24, 2012
SPECIAL NOTICE/HEARING: None
VOTE REQUIRED: Majority

TO: Honorable Board of Supervisors

FROM: Greg Munks, Sheriff

Chris Flatmoe, CIO/Director Information Services Department

SUBJECT: BayWEB BOOM and Site Access and Use Agreements

RECOMMENDATION:

Adopt a Resolution authorizing the:

- A. County's Bay Area Regional Interoperable Communications System (BayRICS) Joint Powers Authority (JPA) Representative to execute the regional Build, Own, Operate and Maintain (BOOM) Agreement, for the term February 10, 2012 to February 9, 2022 to include approximately \$300,000 in one-time costs, approximately \$108,000 in annual recurring user subscription fees and approximately \$80,000 in annual recurring site support costs; and
- B. County's Chief Information Officer, acting as the BayRICS JPA Representative, to execute a Site Access and Use Agreement related to the BayWEB system, for the term February 10, 2012 to February 9, 2022.

BACKGROUND:

To provide first responders with the data management tools they need to more effectively respond to emergencies, multiple jurisdictions throughout the Bay Area formed the BayRICS Joint Powers Authority (JPA). On June 7, 2011 Your Board approved Resolution 071459 authorizing the County to participate in the JPA, and named County CIO Chris Flatmoe as the designated representative for San Mateo County. Presently 10 jurisdictions are members of the JPA: Alameda County, Contra Costa County, Marin County, Sonoma County, San Mateo County, Santa Clara County, San Francisco County, The City of Oakland, The City of San Francisco and The City of San Jose. The JPA is the governmental partner for the \$50.5 million Federal Broadband Technology Opportunity Program (BTOP) grant. The grant was awarded to Motorola, Inc. by the National Telecommunications and Information Administration (NTIA). Under this public – private partnership, Motorola, as the Grantee, will supply a \$25 million match and \$22 million in site preparation costs. Participating jurisdictions will supply

radio sites, local support and first responder radio spectrum. Motorola will own the network for the first ten years and will charge participating jurisdictions a monthly fee for using the network. When completed this regional broadband network, called BayWEB (Bay Area Wireless Enhanced Broadband), will provide an interoperable, high speed broadband communications system for first responders. Motorola, JPA and the County desire to enter into the BOOM Agreement and Site Access and Use Agreement to facilitate the installation and maintenance of the Network, with a scheduled completion date of August 1, 2013.

DISCUSSION:

San Mateo County ISD and Real Property have developed a Site Access and Use Agreement (Access Agreement) with Motorola for the 14 radio sites the County will provide. Under the terms of the Site Access Agreement, the County will grant Motorola access to specific County owned radio sites and to the extent possible, radio sites leased by the County, for a 10-year term, effective February 10, 2012 and expiring February 9, 2022. Motorola's use of the County leased sites will be subject to the existing and future leases governing the County's use of the sites, and the County will have no further obligation to provide access to Motorola upon the termination or modification of the County's leases. The County shall not be entitled to compensation from Motorola for such access.

The BayRICS JPA has been provided the final BOOM Agreement, as negotiated by a BayRICS Subcommittee and Motorola, and a funding plan to include one-time costs as well as projected ongoing costs for the BayWEB network. We anticipate the County will incur a one-time cost of approximately \$300,000 in 2013. This cost includes the initial procurement of 200 user devices and the establishment of BayWEB connectivity to County sites. Additionally, two forms of recurring costs will begin late 2013 and continue for the length of the Agreement. These two recurring costs are 1) site support costs, primarily increased commercial power use (estimated to be \$80,000 annually) and 2) \$108,000 annual user subscription fees (estimated to be in the range of \$45 per user, per month).

Benefits to the County for participation in BayWEB include:

- Provides the region's First Responders with a broadband network with protected bandwidth thereby avoiding competing for bandwidth as we would on a commercial broadband network.
- Provides approximately \$100 million in Federal Grant and vendor-matching funds to fund building the BayWEB network.
- Allows the region to share data at broadband speeds when responding to an event.

County Counsel has reviewed and approved the Resolution and the BOOM and Site Access and Use Agreements as to form and content.

Approval of these Agreements contributes to the Shared Vision 2025 outcome of a Collaborative Community by supporting multi-jurisdictional communication and by

providing broadband services to Public Safety First Responders.

Measure	FY 2010-11 Actual	FY 2013-2014 Projected
Number of applications available to first responders at broadband speeds	4	15

FISCAL IMPACT:

The term of the BOOM Agreement is February 10, 2012 to February 9, 2022. The term of the Site Use Agreement is February 10, 2012 to February 9, 2022. Expenditures to include projected one-time costs and recurring costs for these Agreements will begin in Fiscal Year 2012 – 2013. Costs include approximately \$300,000 in one-time and approximately \$108,000 in annual recurring user support costs and approximately \$80,000 in annual recurring site support costs. Funding for these Agreements will be included in the FY 2012-13 Recommended Sheriff's Office and ISD budgets.

RESOLUTION NO. _____

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

* * * * *

RESOLUTION AUTHORIZING THE: A) COUNTY'S BAY AREA REGIONAL INTEROPERABLE COMMUNICATIONS SYSTEM (BAYRICS) JOINT POWERS AUTHORITY (JPA) REPRESENTATIVE TO EXECUTE THE REGIONAL BUILD, OWN, OPERATE AND MAINTAIN (BOOM) AGREEMENT, FOR THE TERM FEBRUARY 10, 2012 TO FEBRUARY 9, 2022 TO INCLUDE APPROXIMATELY \$300,000 IN ONE-TIME COSTS, APPROXIMATELY \$108,000 IN ANNUAL RECURRING USER SUBSCRIPTION FEES AND APPROXIMATELY \$80,000 IN ANNUAL RECURRING SITE SUPPORT COSTS; AND B) COUNTY'S CHIEF INFORMATION OFFICER, ACTING AS THE BAYRICS JPA REPRESENTATIVE TO EXECUTE A SITE ACCESS AND USE AGREEMENT RELATED TO THE BAYWEB SYSTEM, FOR THE TERM FEBRUARY 10, 2012 TO FEBRUARY 9, 2022.

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, that

WHEREAS, since 2004, the Bay Area Region has been awarded several grants to fund public safety radio expansion and interoperability; and

WHEREAS, on June 7, 2011 this Board approved Resolution 071459 authorizing the County's participation in the Joint Powers Authority (JPA) to establish the Bay Area Regional Interoperable Communications System (BayRICS); and

WHEREAS, the JPA is a governmental partner, for a \$50.5 million Federal Broadband Technology Opportunity Program (BTOP) grant that will be used for a multi-jurisdictional communication and broadband network - Bay Area Wireless Enhanced Broadband Network (BayWEB); and

WHEREAS, Motorola was awarded the BTOP grant and will supply a \$22 million for site preparations, and \$25 million in match funds, while participating jurisdictions will supply radio sites, local support and first responder radio spectrum; and

WHEREAS, the JPA has been provided the final Build, Own, Operate and Maintain (BOOM) Agreement, for BayWEB, as negotiated by a BayRICS subcommittee and Motorola; and

WHEREAS, this County's Information Services Department and Real Property have developed a Site Access and Use Agreement for 14 radio sites the County will provide for BayWEB; and

WHEREAS, this Board has considered the BOOM Agreement and Site Access and Use Agreement, approves them as to both form and content, and desires to authorize the County's BayRICS JPA representative to enter into them.

NOW THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that the Board of Supervisors hereby authorizes the County's Bay Area Regional Interoperable Communications System (BayRICS) Joint Powers Authority (JPA) representative to execute the regional Build, Own, Operate and Maintain (BOOM) Agreement, the County's BayRICS JPA Representative be and is hereby authorized and directed to execute said Agreement for and on behalf of the County of San Mateo.

BE IT FURTHER RESOLVED that the County's Chief Information Officer, acting as the BayRICS JPA Representative, is hereby authorized to execute a Site Access and Use Agreement related to the BayWEB system.

* * * * *