



*West Cities Police Communications Center
Joint Powers Authority*

**MINUTES OF THE WEST CITIES POLICE COMMUNICATIONS CENTER
SPECIAL MEETING OF THE BOARD OF DIRECTORS
February 17, 2009**

CALL TO ORDER

A Special Meeting of the West-Comm Board of Directors was called to order at 3:38 pm on Tuesday, February 17, 2009, in the training room of the Seal Beach Police Department, 911 Seal Beach Boulevard, Seal Beach, California, by Chairperson Todd Seymore.

ROLL CALL

PRESENT:

Board of Directors:

Chairperson – Todd Seymore, City of Cypress
Board Member – Marilyn Poe, City of Los Alamitos
Board Member – Michael Levitt, City of Seal Beach
Alternate Board Member – David Sloan, City of Seal Beach

Administrative Oversight Staff:

John Bahorski, City Manager, City of Cypress
Nita McKay, Interim City Manager, City of Los Alamitos
David Carmany, City Manager, City of Seal Beach

Technical Operations Committee:

Mark Yokoyama, Chief of Police, City of Cypress
Todd Mattern, Chief of Police, City of Los Alamitos
Jeff Kirkpatrick, Chief of Police, City of Seal Beach

Treasurer:

Richard Storey, Director Personnel & Finance, City of Cypress

Secretary:

Lisa Barr, Dispatch Administrator, West-Comm

General Counsel:

Jamie Raymond, Best Best & Krieger

WELCOME AND INTRODUCTIONS

Introduction of Los Alamitos Council Member/JPA Board Member Marilyn Poe, and Los Alamitos Interim City Manager/JPA AOS Member Nita McKay. Both were welcomed by the Board.

APPROVAL OF MINUTES

Mr. Seymore stated that the following corrections to the Minutes of the November 18, 2008, Regular Meeting of the JPA Board of Directors were to be made:

Item #1 - Page 3, Line 26: Aye votes to show Levitt, Seymore only, and Mejia absent

Item #2 - Page 4, Line 12: Aye votes to show Levitt, Seymore only, and Mejia absent

Item #3 - Page 5, Line 3: Aye votes to show Levitt, Seymore only, and Mejia absent

With those corrections made, a motion was made by Mr. Seymore and second by Mr. Levitt to approve the Minutes of the November 18, 2008, Regular Meeting of the JPA Board of Directors.

Motion Passed. Minutes Approved.

Aye: Seymore, Levitt
Nay: None
Abstain: Poe
Absent: None

ORAL COMMUNICATIONS

No member of the public was present for Oral Communications.

OLD BUSINESS

None

BOARD ITEMS AND REPORTS

NEW BUSINESS

Agenda Item #1 – Appointment to Fill Vacancy of JPA Board of Directors Vice-Chair Position per Resolution 08-02

Mr. Seymore asked if either Mr. Levitt or Ms. Poe would like to fill the Vice-Chair position of the JPA recently vacated by Ms. Mejia. Ms. Poe advised that she would be willing to fill the position if Mr. Levitt did not want to take the position; however, Mr. Levitt advised that he would fill the position.

Mr. Seymore made a motion to nominate Mr. Levitt for the position of JPA Board of Directors Vice-Chair and it was seconded by Ms. Poe.

Motion Passed.

Aye: Seymore, Levitt, Poe
Nay: None
Abstain: None
Absent: None

Agenda Item #2 – Treasurer’s Reports

Mr. Richard Storey presented the Quarterly Financial Reports for the period ending September 31, 2008. Since these balance sheets have come out, notification has been received regarding the amount of liability for retiree’s health. Therefore, in the future, there will be approximately \$108,000 in additional liability which will cover the agreed upon retiree health liability for West-Comm personnel. Mr. Seymore questioned where that would show up on the next report and Mr. Storey confirmed that it would fall under liabilities. Ms. Poe confirmed that the amount was \$108,000 and Mr. Storey indicated that although it was a little higher than expected, this is what the liability was now estimated to be.

Mr. Storey indicated that through December, we are currently at approximately 53% of the budget. The main factors for this are that the public liability insurance has already been paid for the year and the major equipment purchases have been made. He pointed out that the expenditures were a little high on the salaries and he would wait to see how that balanced out at the end of the fiscal year.

Mr. Seymore questioned the balance of the temporary salaries fund. He noted that there was only approximately \$302.00 left in that fund and questioned how that would affect staffing for the remaining five months of this budget. Mr. Storey explained that the goal was to keep the entire staffing balance below the 100% level. He noted that because there are vacancies in the regular staffing, the funds would be available to be adjusted to cover the deficit in the temporary salaries fund. He indicated that the budget adjustments are made between regular salary, overtime salary and temporary salary to keep the total personnel costs under the total budget of \$1,896,000. Mr. Seymore questioned regarding the \$17,000 budget carryover adjustment amount and Mr. Storey indicated that that the budget covered regular full time staffing and other staffing amounts, such as comp time off and holiday time, are not set in the budget. He noted that the bottom line was that money could be moved around to meet the total budget which currently is at approximately 53%.

Mr. Levitt questioned how the salaries were set for the dispatchers when West-Comm was formed. He asked if the determination was made based on an average of the three cities pay rate for their dispatchers at the time for formation of the JPA

or if the highest pay rate was taken. Mr. Storey indicated that the decision was made at the time of formation of West-Comm for the MOU to be based on the MOU for the City of Cypress. Ms. Barr confirmed that and noted that Cypress had the highest salary at that time.

Mr. Storey explained that it is expected that West-Comm will be within budget for this fiscal year however due to decreases in the interest rates, the reserves may come in a little under our desired 20% reserve amount. Mr. Seymore asked for Mr. Storey's opinion on the performance of the agency in the next two years based on the current economic situation and financial difficulties. Mr. Storey indicated that since the JPA is not affected by sales tax and property tax incomes and that the employee MOUs are set, the responsibility is now on the JPA cities to fulfill their end of the agreed upon budgeted amount to cover the employee MOUs and provide the monies they agreed upon when the MOUs for those years were adopted. He indicated that as long as the cities were able to balance their budgets, the JPA would have the money required to meet its budget.

With no further questions, Mr. Seymore made a motion to receive and file the Quarterly Financial Statements and it was seconded by Ms. Poe.

Motion Passed.

Aye: Seymore, Levitt, Poe
Nay: None
Abstain: None
Absent: None

Agenda Item #3 – Proposed Budget FY 2009/10

Ms. Barr indicated that the Proposed Budget Report included an explanation of how the budgeted amount of \$2,210,243 was reached. She noted that this was an overall increase of 7.42% and that 92.3% of the total budget is for personnel costs which represent the highest portion of the West-Comm budget. She indicated that this is due to the new MOUs as well as the increases in PERS, medical insurance, dental insurance, and disability and retiree health actuary rates. She noted that personnel costs went up by 8.49% in relation to the overall budget. She explained that cuts were made in supplies and services to make up for the large increase in personnel costs, however there were some areas in which there were unavoidable increases such as costs of IT support and Orange County radio services as well as increased maintenance fees for the newly purchased logging recorder.

Ms. Barr indicated that after all reductions are applied, the total JPA member contributions are reduced to \$2,069,158. This was reached by applying \$141,000 in reductions. She noted that the reductions are less than last year because, as mentioned by Mr. Storey, there is an anticipated drop in the interest income as well as POST and State reimbursements. State reimbursements shouldn't change

drastically, however POST reimbursements will drop because fewer people are being sent to training and POST has scaled back on their reimbursements as well. Ms. Barr explained that revenue is still being received from the Orange County Parks contract. The amount received will be different than what is reflected in the budget due to the OCP contract being a calendar year contract as opposed to a fiscal year contract. In January 2010, there will be an increase in the OCP contract based upon the CPI up to a maximum of 5%. Therefore, as of January, there will be an increase in the revenue from OCP; it is just not known what that increase will be.

Ms. Barr indicated that once all of the adjustments are applied, the budget comes out to an 8.59% overall increase for the members, 8.49% of which is the increase in personnel costs.

With no further questions, Mr. Levitt made a motion to approve and adopt the Fiscal Budget for 2009-2010 and it was seconded by Ms. Poe.

Motion Passed.

Aye: Seymore, Levitt, Poe
Nay: None
Abstain: None
Absent: None

Agenda Item #4 – Proclamation recognizing “National Public Safety Dispatcher Week”

Ms. Barr provide background information indicating that the second week in April is declared “National Public Safety Dispatcher Week” and explained that it is being presented to the Board so early because there is no other Board Meeting scheduled prior to this week in April. She noted that the Board has always been asked to present a proclamation from the Board of Directors to the West-Comm dispatchers. She indicated that the member agencies also present the dispatchers with proclamations as well.

Mr. Seymore assured Ms. Barr that this had been placed on the agenda for an upcoming Cypress City Board Meeting. Ms. Barr explained that it has always been the practice to stagger the proclamations so they are not presented all on the same day. She noted she would coordinate that with the city clerks.

Ms. Poe asked when the proclamations needed to be presented and Ms. Barr explained that usually they were presented something prior to the second week of April or occasionally after that week.

With no further questions, Mr. Seymore made a motion to approve the Proclamation recognizing “National Public Safety Dispatcher Week” and it was seconded by Ms. Poe.

Motion Passed.

Aye: Seymore, Levitt, Poe
Nay: None
Abstain: None
Absent: None

Agenda Item #5 – Driver Alliant Insurance Services Notice of Class Action

Ms. Barr indicated that another notice had been received notifying the agency that there was a class action suit filed against Driver Alliant Insurance. West-Comm is a policy holder with this company and as such, has the option to remain a part of the suit or to notify, in writing, of our desire to opt out of the class action. If it is decided to remain a part of the class action, West-Comm's portion of the settlement could be up to \$1,800 and could increase if other entities elect to not be part of the settlement. If we do nothing, we remain part of the class action, however, if it is our desire to opt out, there must be written notification made by March 4, 2009.

Mr. Levitt asked if there was any reason to opt out and Ms. Barr indicated that the class action had been reviewed by JPA General Counsel, Ms. Jamie Raymond, and also noted that many of the members of CJPIA are insured by Driver Alliant and sent emails indicating their recommendation to participate in the class action.

Ms. Poe wanted to know what the financial impact would be for the agency to pursue this suit independently and it was explained that it would be significantly higher than any settlement that could be received. Ms. Barr indicated that it costs the agency nothing to remain a part of this class action and Ms. Raymond explained that the recovery would probably be the same.

With no further questions, Mr. Levitt made a motion to elect to remain a part of the Driver Alliant Class Action and it was seconded by Ms. Poe

Motion Passed.

Aye: Seymore, Levitt, Poe
Nay: None
Abstain: None
Absent: None

CLOSED SESSION

Board Chair Seymore recessed the meeting to Closed Session at 3:55pm for a conference with Legal Counsel regarding anticipated litigation pursuant to Government Code Section 54956.9.

Board Chair Seymore called the Regular Meeting of the West-Comm JPA Board of Directors back to order at 4:15pm.

General Counsel Jamie Raymond reported a discussion was held regarding one potential case of initiation of litigation pursuant to Government Code Section 54956.9. No reportable action was taken.

DISCUSSION ITEMS

#1 – Comment from Board of Directors:

Ms. Poe extended her appreciation for the welcome and her pleasure to be a part of the Board of Directors.

Mr. Seymore indicated that the recent packet received included dates for the upcoming meetings for the year. He requested that they be marked so everyone can be present and business can be completed. He thanked the members of the Board for the work put into the closed session items.

#2 – Comment from the Administrative Oversight Staff: None.

#3 – Comment from the Technical Operations Committee:

Chief Kirkpatrick recognized Ms. Barr for the outstanding job on her recent performance evaluation.

ADJOURNMENT:

There being no further business, Mr. Seymore adjourned the meeting at 4:17 pm. The next Board Meeting will be a Regular Meeting at 4:30 p.m. on May 19, 2009, at the Seal Beach Police Department.

Todd Seymore, Chairperson

Date