



*West Cities Police Communications Center
Joint Powers Authority*

**MINUTES OF THE WEST CITIES POLICE COMMUNICATIONS CENTER
REGULAR MEETING OF THE BOARD OF DIRECTORS
August 18, 2009**

CALL TO ORDER

A Regular Meeting of the West-Comm Board of Directors was called to order at 4:32 pm on Tuesday, August 18, 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
Vice Chairperson – Michael Levitt, City of Seal Beach
Board Member – Marilyn Poe, City of Los Alamitos
Alternate Board Member – David Sloan, City of Seal Beach

Administrative Oversight Staff:

John Bahorski, City Manager, City of Cypress
Jeff Stewart, City Manager, City of Los Alamitos
David Carmany, City Manager, City of Seal Beach

Technical Operations Committee:

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

Staff:

Marie Pope, Acting Dispatch Supervisor, West-Comm
Stephanie Smith, Staff Assistant, West-Comm

ABSENT:

Mark Yokoyama, Chief of Police, City of Cypress
Jamie Raymond, General Counsel, Best Best & Krieger

WELCOME AND INTRODUCTIONS

Introduction of Los Alamitos City Manager/JPA AOS Member Jeff Stewart. Mr. Stewart was welcomed by the Board.

APPROVAL OF MINUTES

A motion was made by Mr. Seymore and second by Mr. Levitt to approve the Minutes of the February 17, 2009, Special Meeting of the JPA Board of Directors.

Motion Passed. Minutes Approved.

Aye: Seymore, Levitt, Poe
Nay: None
Abstain: None
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 – Treasurer’s Reports

Mr. Richard Storey presented the Quarterly Financial Statements for the fiscal year ending June 30, 2009. He noted that this was a somewhat preliminary report until all the accruals for last year are compiled. He noted that there should not be too many more changes. He indicated that the “Expenditure to Budget” as shown in the recommendation, was over budget by approx \$100,000 in personnel costs and overall \$48,000 over budget. The net effect is approximately \$100,000 and the net decrease in the fund balance was \$190,000. Most of this decrease was expected with the changes in salary and a portion of the insurance premium being taken from the annual fund balance until history is established with the insurance policy.

Mr. Storey indicated some other highlights in the past year included an actuary done of the retiree’s health benefits which indicated \$123,000 as the approved actuary liability. Mr. Storey indicated the agency has set up a full liability into this account. We are not depositing it into the trust; the agency is maintaining control over the cash however that amount is what has been funded.

Mr. Storey reported that the net fund balance at the end of the year is \$548,000 which includes \$1,000 set aside for Capital Replacement. Because the agency went over budget, he was not able to set aside the typical \$20,000 per year. He has also set aside \$275,000 for cash-flow purposes with \$35,000 designated for the current year 2009-2010 budget for the insurance premium. This leaves \$237,000 or about 10.8% of the operating budget. In the past, the goal has been to be at approximately 20% of the operating budget, but the drop in the balance was expected when we set up the liability for the retiree's health benefits and the remainder was caused by the increase in the expenditures over revenues.

Mr. Storey also noted the Statement of Expenditures and a Statement of Fixed Assets which shows the JPA's net value at \$180,000 worth of fixed assets in West-Comm is included in the year end reports.

Mr. Storey recommended that the Board approve the recommendation for additional appropriations and to receive and file the Quarterly Financial Statements. He also noted that the Year End Financial Statements would be updated in November and any changes would be explained.

Mr. Seymore questioned the overtime expenses at 26½% over budget for the year and the temporary salaries at 138% of the budget. He indicated that something needed to be done to curtail these overages. He noted that the regular salaries are at 99.41% of the budget. He commented that with the current economic times, taking \$100,000 out of the general fund to pay for these salaries, and for the agency to be unable to put the \$20,000 in our Capital Replacement Fund, some consideration needed to be put into changing this situation.

Ms. Barr indicated that what is not being considered is that this budget was approved prior to the approval of the salary increases, so it was known that there would be a difference. It was expected that there would be more of a savings in the regular salaries with vacancies. She noted that Mr. Storey moves money from the regular salary account left by vacancies into the temporary and overtime salary accounts. She explained that when there are vacancies, it is first attempted to be filled with part-timers which comes from the temporary salaries account which accounts for the increase in this account. The other overtime is for mandatory shifts which are required to meet the minimum staffing levels and filling employee vacation requests.

Mr. Seymore questioned what minimum staffing levels were and Ms. Barr explained that minimum staffing was three dispatchers at very low activity times, such as middle of the night, from approximately 2 am to 6 am. Otherwise, minimum staffing levels require four dispatchers to cover the three primary radio channels and personnel to answer phone calls.

Mr. Seymore asked if alternatives to staffing had been considered, such as overlapping shifts or various lengths of shifts which could cover the shifts with the

current employees and not incur the overtime, with the exception of special events such as DUI checkpoints. He noted that he understood that there was going to be a certain amount of overtime and that it was to be budgeted for, however, his concern was the amount that was over the current budget level. Mr. Seymore also questioned if there was a way to curtail this for the future or if this was something that was going to happen year after year. Ms. Barr indicated that she did not think it was going to happen to this extent next year because the budget took into account all of the salary rate increases that have been approved. She reiterated that the budget for FY 2008-2009 did not take into account the salary rate increases that were approved after the budget was approved. She also noted that vacancies and openings are just the nature of the operation in the Communications Center. She explained that currently there are two people out on maternity leave, two people who are expecting and will be going out on maternity leave and one person who is actively attempting to become pregnant.

Mr. Levitt questioned why these vacancies caused overtime and not just backfill for the positions. Ms. Barr explained that when employees are on leave, they are still being paid their regular salaries and additional costs are incurred for their shifts that must be covered. She indicated that the only thing that balances against regular salaries is if there are vacancies that create a salary savings, which currently there is only one.

Mr. Levitt asked if someone was out on maternity leave, does that cause basically double the salary. Ms. Barr explained that yes, it would, unless the shift could be filled by a part-time employee which is why the temporary salaries go up so high. She indicated that every attempt is made to fill open shifts with part-timers to avoid the double salary and overtime.

Chief Kirkpatrick indicated that the current work schedule is probably the most efficient work schedule and that most police departments are operating on this work schedule or something very similar. He also indicated that the special events such as DUI checkpoints are usually funded by grants and do not come out of the overtime impacting the general ledger. He explained that the "holes" in the schedule are experienced by all police departments when there is this type of leave situation. Due to the highly technical skills needed for this position, it must be filled by other experienced personnel.

Mr. Seymore questioned what the temporary salaries included and asked if it included the part-time employees who are already trained or was there any type of temporary services that provided fill-in dispatchers. Ms. Barr indicated that there was no such service available.

Mr. Seymore expressed his concern regarding the percentage of the overtime to the budget and noted that this was a cost to his city of approximately 50%. He noted that everyone was having to make cuts and that this area needed to be examined.

Ms. Barr explained that the information for the staffing in July showed basically four vacancies for dispatchers. These vacancies included one dispatcher off on leave, one person in training and two vacant positions. She noted that during this time, you either run "short" with the two vacant positions and fill behind the person in training as they are not fully-trained to fill a position. She explained that you cannot "double-up" and have one body fill two positions such as working the Cypress radio as well as working the Seal Beach/Los Alamitos radio. It is just a matter of "bodies". There is no overlap as the shifts are 6 am to 6 pm, 24 hours a day, 7 days a week. She stated the agency was able to get the part-time staffing up as well. Due to the economy, several of the part-timers need more hours due to their own personal situation and so, the overtime hours have been able to bring the hours down by half. Although the hours were high in the beginning of the month of June, by the end of the month, it had been reduced by 50% with part-timers filling the positions. This in turn costs less and fringe benefits do not have to be paid.

Mr. Seymore indicated that the fringe benefits are taken into account at the 99.41% of the regular salaries. He then questioned if a certain number of employees had been authorized by the JPA.

Ms. Barr confirmed that there are 12 full-time dispatcher positions, 4 lead dispatcher positions, 1 dispatch supervisor and 1 dispatch administrator as well as 1 staff assistant. She also noted that there is no limit on the number of part-time positions that can be had. Ms. Barr also indicated that the activity level of the JPA has continued to increase or at least remain the same and has not decreased. An adjustment was made to increase the part-time hours for coverage during peak hours which would provide optimal coverage of five dispatchers. Unfortunately, due to the use of the part-timers to fill the other vacancies at this time we are only meeting the minimum staffing of four.

Ms. Barr reiterated that the biggest issue behind the large overage in the budgeted salaries is due to the fact that the budget was approved before the increase in the salary rates was approved.

Mr. Seymore assured the Board that he would take the facts as provided by Ms. Barr into consideration and noted that his concern was backed by the reality that all cities are making cut backs in every area possible.

Mr. Bahorski provided some possible direction for the situation in recommending several steps for creating a Board policy with regards to the personnel costs within the budget. He first recommended the creation of an action plan which laid out containment of both temporary and overtime hours. He then recommended further analysis of what specifically those expenses are used for whether it be training, sick leave, etc. He noted that Cypress had to undergo the same analysis to determine where these overtime hours were coming from. He indicated that the action plan is the most important thing in containing these costs.

Mr. Seymore commented on several other budget issues including the IT services. He noted that \$18,000 was spent on IT services and wondered if the computers were really breaking down this often.

Ms. Barr explained that everything that is done in the dispatch center is done on computers. She noted that this service cost covers six workstations in the dispatch center, the 3 work stations in administration as well as all of the servers in the computer room. She indicated that the IT support is actually being obtained at a bargain cost in comparison to other vendors.

Mr. Seymore questioned when the vendor contract was up for our current IT provider and Ms. Barr stated that his contract had been renewed yearly because his prices have stayed well under the market costs.

Mr. Bahorski provided a suggestion based on action taken by Long Beach in which a letter was sent out asking vendors to voluntarily reduce their prices. He offered to provide a copy of this letter to Ms. Barr.

Mr. Seymore reiterated the current economic situation and that this situation needed to be contained in regards to expenses.

Ms. Poe commented that discussion had already taken place at the last Board meeting regarding the expectation of the budget overage. She noted that the actual overage was a little more than was expected but it had already been discussed. She stated that she did see a need for some sort of containment of these expenses and that she thought the letter was a great recommendation. She indicated that her city had done something similar with financial issues.

Ms. Poe made a motion for West-Comm administration to send letters to the JPA's vendors asking for a voluntary reduction in fees and for West-Comm administration to prepare a breakdown of the reasons for overtime hours. This motion was seconded by Mr. Levitt.

Motion Passed.

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

Mr. Seymore asked if the copier lease was a stand alone lease or is it a piggy back on one of the City accounts. Ms. Barr indicated that it was a piggy back on the City of Cypress account.

Ms. Barr pointed out that in the supplies and other areas, the JPA did not go over budget. Mr. Seymore advised that he was simply attempting to make cutbacks in any areas possible to make up for the deficit in the personnel costs.

Mr. Seymore questioned the cost of the psychological testing and wanted to know how many people the fee of \$800 covered. Ms. Barr advised that this covered the testing of one person. He asked how often this testing was performed and Ms. Barr indicated that it was every time someone was hired, this test was performed.

This should be clarified that the \$800 is for one Background Investigation and the cost of one Psychological Investigation is \$400.

Mr. Seymore questioned the Voice Print International expense and wanted to know if the \$21,829 expense was a one-time or recurring expense. Ms. Barr indicated that the report was in error, it should not state the Reverse 9-1-1 system, and it should state the upgrade was to the logging recorder. She noted that this would be corrected to show that it was an upgrade to the digital logging recorder equipment that was previously purchased approximately six years ago and that it was a one-time expense. She confirmed that this same expense would not be seen again next year.

Mr. Seymore expressed his concern of the JPA fund taking another \$100,000 out of the general fund next year and depleting this fund to way below the 10% of unreserved fund balance. Ms. Barr reassured the JPA that unless there was a drastic change in the staffing levels, the same type of "hit" would not be taken by the general fund next year with regard to personnel. She did note that there were several planned vacancies in the upcoming year due to planned leave.

Ms. Poe questioned how long these employees would be out on leave and Ms. Barr explained that it varied by employee. Ms. Barr reported that the FLMA was 12 weeks, but in cases of complications, it could be much longer. She gave the example of one dispatcher who had to be taken off work early by her doctor due to complications with her pregnancy, and once she had the baby, she still had the 12 weeks leave. Ms. Barr noted that this leave could be up to several months. Mr. Seymore questioned if these employees went on disability during this leave time and Ms. Barr confirmed that they do go on short-term disability and whatever disability plans they may have individually, but that the JPA is still responsible for the salaries of these employees.

Mr. Storey indicated that the cost of leave is picked up through sick leave, then through the other fringe benefits including the short-term and long term disability which is covered through those premiums. Ms. Barr noted that very few employees go without pay during these leave times as they use either sick time, comp time, vacation time or holiday time as their compensation while they are off on leave.

Mr. Levitt questioned what the short-term disability covered and Mr. Storey explained that it was a separate insurance policy that covered the 12 weeks that you are off work after pregnancy. He indicated that it pays two-thirds of the employee's salary and then the employee can either double up with their leave time (sick/holiday/etc) or use the

leave time to make up the difference in their salary. Ms. Barr noted that the employees do not get State disability.

Mr. Carmany commented that the only thing that made the partnership of the JPA successful is the respect of the partnership. He stated he did not want to let this thought go by without being addressed. He noted that the contributions by the member agencies were kept at an absolute minimum because we wanted to respect one of the partners who was struggling and so we used some fund balance. He indicated that this would not be able to be done year after year and that things will have to be put on the horizon to pay for the deficit from this year.

Mr. Seymore reiterated the success of the partnership of the three cities and it was commented that Mr. Storey had done a great job of navigating the finances through these difficult times.

Mr. Bahorski noted that Ms. Barr needed to prepare for future increases in expenses and include in the action plan how these situations will be addressed in the future as the fund balance would not be able to be continually used. He indicated that the member agencies needed to be presented with what amount their contributions needed to be increased to cover these shortages.

Mr. Carmany also brought up the issue of additional revenue sources and indicated that if anyone knew of any other agencies that were in need of dispatch services that West-Comm should be open to meet with them. Ms. Barr assured the Board that she is and that she does meet with any interested parties.

Ms. Barr also noted that the revenues budgeted to be received from OC Parks is lower than what will actually be seen. She stated that OC Parks will see an increase in their fees as of January 1, 2010. She advised that the OC Parks contract is a calendar contract from January to December and that they should see an increase each January. Although the exact amount of the increase is not known until the CPI is received, we do expect that it will be more.

It should be noted that the CPI came in at a deficit, and therefore the OC Parks contract will not be increased and will remain the same amount as indicated in the 2009/2010 budget.

Mr. Seymore questioned if there were any other agencies that were inquiring about joining the JPA. Ms. Barr advised that she gets inquiries on a regular basis and they are provided with information and an opportunity to come see the center. She noted that there have not been any serious considerations so far.

Mr. Seymore asked that if one of those agencies were to seriously want to join the JPA, would there be room to expand? Ms. Barr indicated that a very small agency could be taken on without increasing the expenses or personnel costs greatly. She noted to take on a larger agency, personnel would have to be increased and that although those costs would be passed on to that agency and that is when it comes

down to whether it is cost-effective or not for the other agency to keep dispatch service in-house.

Chief Kirkpatrick also mentioned that there were physical limitations of expansion of West-Comm if we were to take on another agency. He noted that at some point, the amount of benefit would begin to slide when additional personnel and space would be needed.

Ms. Poe commented that it is important to look at the next budget and for the member agencies to be prepared for the increases in their expected contribution. She stated she would appreciate some type of an idea before the mid-year budget to provide some sort of picture of what the future budget would be and what type of increases would be needed.

Mr. Seymore questioned if as a JPA, would West-Comm be affected by the increases in the state taxes? Mr. Storey advised that the impact would be minimal, possibly in the P.O.S.T. reimbursements, but at a very minimal amount. He also noted that it may affect the OC Parks, but at this time it would not be significant. Ms. Barr also noted that we receive some State 9-1-1 funding and it was unknown at this time if this would be impacted.

With no further questions or comments, Mr. Seymore made a motion to approve the staff recommendation to approve the additional appropriations and accept and file the Quarterly Financial Statements. Ms. Poe seconded the motion.

Motion Passed.

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

DISCUSSION ITEMS

#1 – Comments from Board of Directors:

Mr. Seymore indicated that he received an amendment to the bylaws of the CJPIA for the voting members of West Cities Police Communications which was due on August 20, 2009 regarding Article 27 which has to do with cancellation of membership. It indicates that the Board of Directors may cancel the membership of a member based upon a $\frac{3}{4}$ vote of the entire Board of Directors. Upon this cancellation, the member shall be treated as if they had voluntarily withdrawn their membership. Said member shall have the same responsibilities. Cancellation shall be within the sole discretion of the Board of Directors and may occur with or without cause and the sole discretion of the Board will not be subject to any further review or appeal.

He indicated that the mailer had been sent out because at their meeting, they did not have a $\frac{3}{4}$ majority present. He noted that if there were no objections to this, he would mail it in.

Mr. Seymore also congratulated Cypress Officer Ross Bowlin for delivering his first baby out in the field.

#2 – Comments from the Administrative Oversight Staff: None

#3 – Comments from the Technical Operations Committee: None

ADJOURNMENT:

There being no further business, Mr. Seymore adjourned the meeting at 5:08 pm. The next Board Meeting will be a Regular Meeting at 4:30 p.m. on November 17, 2009, at the Seal Beach Police Department.

Todd Seymore, Chairperson

Date