



The Meeting of the Utah Communications Authority Board
Location: 1835 Convention Center Drive
St. George, UT 84790

Meeting Minutes

Tuesday, November 5, 2019

BOARD PRESENT

Lance Davenport
Craig Dearden
John Park
Clinton Topham
Kevin Van Tassell
Dave Crandall
Bryan Low
Gary Giles
Dean Cox
Randy Swalberg
Babbi Hill

BOARD ABSENT

Shelley Peterson
Gary Whatcott

STAFF PRESENT

Dave Edmunds, Executive Director
Quin Stephens, General Counsel/Deputy Director
Patsy Halladay, Chief Financial Officer
Harold Clements, P25 Director
Melanie Crittenden, 911 Division Director
Travis Sylvester, Radio Network Division Director
Gordy Coles, Interoperability Division Director



James Baker, Radio Programming Manager

OTHERS PRESENT

David Lowry, Department of Corrections AP&P

Justin Grenier, SGPD

George Colson, Iron County EM

Chad Imlay, Millard County

Shane Brunson, Millard County

Shane Cook, First Net ATT

Mike Rapich, UHP

Tanya Odenbach, Summit County SO

Jon Tait, Motorola

Tom Henderson, Motorola

Austin Despain, St. George Communications

Cindy Flowers, St. George Communications

Heidi Bylund, Pleasant Grove

Rachel Fisher, Provo

Tricia Breinholt, Orem PD

Neil Johnson, Sanpete County

Laonna Davis, DPS-Uintah Basin

Jeremy Hales, Wasatch County

Catherine Shepherd, Wasatch County

Megan Ramsay, Kane County Sheriff's Office

Alan Alldredge, Kane County Sheriff's Office

Tracy Glover, Kane County Sheriff's Office

Steven Marshall, SL County Sherriff's Office

Jon Fassett, Unified Police Department

Michael Fullerton, UPD

Laurilee Tarbet, LC PD 911

Jack Walkenhorst, All West URTA

Jeff Herriott, HAFB Fire/911 ECC

Dan Byington, Ogden City



Kathy Quarnberg, DPS Communications
Linda Petty, DPS Cedar Communications
Karl Kuehn, Layton PD
Kevin Rose, Weber 911
Michael Veenendaal, CU911
Jeff Knighton, Hamilton NG911
Gary Warren, Hamilton NG911
Keaton McDonald, Hamilton NG911
Abby Magtoto, Hamilton NG911
Tim Doubt, SLC Police
Lisa Burnette, SLC911
John Inch Morgan, SL VECC
Beth Todd, SL VECC
Rusty McMicken, Deputy Chief SLCFD
Jayson Oldroyd, SLC Attorney
Scott Young, Snow, Christensen & Martineau for SLC VECC
Darin Adams, Cedar City PD
Tom Ross, Bountiful PD
Mike Mathieu, Ogden Fire
Tina Mathieu, Weber Area 911
Rob Nelson, L3 Harris
Jacob Cox, UHP
Shawn Guzman, St. George City

1. WELCOME

Lance Davenport welcomed those in attendance and called the meeting to order at 1:00 pm.

2. ROLL CALL

Lance Davenport-Present
Craig Dearden-Present
Gary Whatcott-Absent



John Park-Present
Clinton Topham-Present
Dean Cox-Present
Randy Swalberg-Present
Kevin Van Tassell-Present
Dave Crandall-Present via phone
Bryan Low-Present
Shelley Peterson-Absent
Gary Giles-Present via phone
Babbi Hill-Present

3. MOTION TO APPROVE MINUTES OF SEPTEMBER 18, 2019 MEETING

The minutes for September 18, 2019 meeting were presented to the Governing Board for approval.

Motion: John Park moved to approve the minutes of the Governing Board's Meeting held on September 18, 2019 meeting.

Second: Craig Dearden

Vote: The motion passed with all in favor.

4. DIRECTOR'S REPORT AND UPDATE

Director Edmunds discussed how this meeting was unique in that it was part of an annual stakeholders meeting where UCA's Division Directors all provided an update and report. UCA hopes this meeting provided a wealth of information for our stakeholders and showcased the hard work and dedication of UCA's employees. Director Edmunds also noted that UCA was the subject of an extensive legislative audit and was eager to hear ways it might further improve operations.

Director Edmunds also expressed UCA's pleasure with the Utah Supreme Court's November 1, 2019 decision approving of UCA's latest radio procurement process.

Chairperson Davenport expressed his appreciation.



5. APPOINTMENT OF UCA AUDIT COMMITTEE

At the last meeting Bryan Low was re-appointed as the Treasurer. It is time to reappoint the audit committee. The prior committee members were: Bryan Low, Audit Committee Chair; Craig Dearden; Dean Cox; Mike Waddoups; and Quin Stephens. Members need not be Board members. By way of a motion and a vote, it would be advisable to re-form that committee.

Motion: John Park moved that the Audit Committee be made up Bryan Low as Chair with Dean Cox, Craig Dearden, Kevin Van Tassell, and Quin Stephens.

Second: Clinton Topham

Vote: The motion passed with all in favor.

6. PRESENTATION OF SEPTEMBER INCOME STATEMENT

The Profit/Loss Statement through September of this year was presented with no questions or comments.

7. ADOPTION OF LATEST VERSION OF STRATEGIC PLAN

Each year UCA is required to update its Strategic Plan. Previously this plan has consisted of two parts, Radio and 911. This year the plan is to be supplemented with a third part, Interoperability. UCA's proposed Strategic Plan comprised of the Radio Division Strategic Plan, the 911 Division Strategic Plan, and the Interoperability Division Strategic Plan was presented. These plans were drafted by UCA's Division Directors and Executive Management with the assistance of consultants. All three of these sections have been reviewed by both the PSAP Advisory Committee and the Public Safety Advisory Committee and their comments have been considered and, where appropriate, incorporated. A summary of the substantive comments of these committees and UCA's response was also presented. Pursuant to the motion made by John Park and passed by this Board last year, the 911 Division Strategic Plan discusses the role that functional/virtual consolidation can play in Utah.

Motion: Clint Topham moved to approve UCA's Strategic Plan.

Second: Craig Dearden

Vote: The motion passed with all in favor



8. REPORT FROM THE PUBLIC SAFETY ADVISORY COMMITTEE

In its last meeting on October 18, this committee reviewed and made proposed edits and comments to UCA's strategic plan, as discussed above. This was the only motion passed in that meeting.

9. REPORT FROM THE PSAP ADVISORY COMMITTEE

Deputy Director Quin Stephens reported for Shelley Peterson in her absence and turned the time over to Karl Kuehn to present the motion.

In its last meeting on October 18, this committee reviewed and made proposed edits and comments to UCA's strategic plan. This committee also passed a motion to propose another amendment to the minimum standards. The purpose for this proposed amendment is the contention that the report that is currently measuring the compliance with this standard, a report created and generated by UCA's ECATS software program, does not accurately measure the standard. The proposed amendment is to change the report that is the measuring stick for the standard. UCA's staff does not have any objections to the amendment but does think it advisable to refrain from further amendments for a period of time to permit PSAPs to achieve the current standards and practices. Karl Kuehn reported that the old metric Answer Time Statistics was not a fair measuring stick of PSAP efficacy. The new metric proposed to be used is the PSAP Answer Time Report. This measurement standard baseline as an average of answering each call within 15 seconds of the call 90% of the time. The standard only measures answering the call, there is no standard to hold times, and does not include calls during catastrophic events.

A. MOTION TO AMEND MINIMUM STANDARD NUMBER 7

Motion: Randy Swalberg moved to change the ECATS metric report for the Standard NTPA Answer Time Statistics to PSAP Answer Time Report as Karl has identified it.

Second: Dean Cox

Vote: The motion passed with all in favor.



10. NOTIFICATION OF PSAP MAINTENANCE PAYMENTS

Director Edmunds reported that pursuant to a prior motion of this Board, staff has been requested to report the PSAP maintenance payments that UCA reimburses to PSAPs for the maintenance of their CPE equipment. Those payments made since the last report are as follows: Bountiful received \$18,400 for its year 7 maintenance and DPS Box Elder received \$24,336.22 for its year 8 maintenance.

11. REPORT ON 35 BIDS (18 SITES) AND MOTION TO AMEND BUDGET RELATED THERETO

Director Edmunds reported that as part of UCA's initiative to build 25 new sites, and pursuant to its policy of sending improvements/upgrades out for bid, UCA published 33 bids this last month. Most of the sites being built are very remote and, as a result, UCA only received one response, an offer from Emery Telcom to provide backhaul at the South Moab site. In addition, after negotiating with Emery Telcom, UCA is prepared to present a proposal for co-location and backhaul services at a site called Blackhawk, the product of two prior bids both of which were responded to by Emery Telcom. For the remainder of these sites, those where there was not a private bidder, UCA is seeking amendments to its capital budgets to construct these sites.

Deputy Director Quin Stephens reported on the process for cost per site. When UCA receives a response, it performs a Net Present Value Analysis which compares UCA's cost to the bid.

The sites UCA was seeking a budget amendment for were Beaver Canyon, Book Cliffs, Bovine, Goslin, Horse Flat, Indian Canyon, Mountain Home, Muley Point, Raft River N., Rudd's Roost, Salina Canyon, part of South Moab, Top of Rocks, Triangle, and Trout Creek. UCA was seeking budget amendments to construct these sites as part of the 25 sites that were announced. The proposed budget amendments were presented for the Board's review and consideration.

With respect to the Blackhawk site, Emery Telcom has proposed a partnership with UCA and Carbon County. Carbon County currently owns the land where the site is to be built. Under this proposal, Carbon County would deed the land to Emery Telcom, UCA would construct a site, and Emery Telcom would pay \$120,000 toward the bringing of commercial power to the site. When completed, Emery Telcom would own the land, the tower, and the shelter and both Carbon County and UCA would be permitted on the site rent free. As will be shown in the summary, the NPV analysis justifies this partnership for UCA as Emery Telcom would maintain the tower, and shelter,



including generators and air conditioners under this plan. However, UCA is waiting to hear whether or not Carbon County is agreeable with this proposal and, is waiting to hear if Emery Telcom is still interested in this proposal. Specifically, when UCA spoke with Emery Telcom a few days ago, Emery Telcom was vacillating on whether or not it wanted to withdraw this offer and simply have UCA and Carbon County partner on that site without Emery Telcom's involvement. UCA is seeking a contingent budget amendment, i.e., if Emery Telcom does not want to proceed as proposed, or if Carbon County does not accept the terms of the proposal, that UCA's budget be amended sufficient to construct this site.

Public Comment: John Tate pointed out the staff has worked closely with the rural telecom. Initially we were putting out large encompassing bids and now we have broken them down into bite size pieces and tried to get them involved as much as we can, even though they don't seem to be involved here. It is important to reach out and have those private partnerships.

Kevin Van Tassell: The majority of this list are out in very remote areas where there are no services. The private sector is making a business decision as well. As we send out more bids to areas that are more populated, we may see more activity.

Randy Swalberg: It's nice that we can show that the offer was made, this is the response we received and this is the analysis.

Director Dave Edmunds: With the new P25 upgrade there will be significant opportunities for backhaul. We do need fiber and microwave on many sites. We have a deal with Emery Telcom to construct a 100' tower in Hanksville. We can choose where we will be on that tower for public safety purposes and they can use that tower for commercial purposes. The instruction we received from the legislature was to work with the private sector where possible and both benefit.

Deputy Director Stephens noted that these 25 sites are not part of the P25 upgrade. It will necessitate a change order to the contract to bring these sites on. Our team has the skillset to build sites but they are very lean in manpower. In the event our team would need to build these sites it would draw out the time line of implementation to a point that they wouldn't be useful to the areas we try to serve. We sought co-location and that wasn't a possibility so now we will be seeking private partners to construct these sites.

Motion: Dean Cox moved that the budget be amended as shown on the proposed spreadsheet with the black hawk site being an approved budget amendment in the



event that Emery Telcom and/or Carbon County does not receive the proposal that has been put out by UCA.

Second: Randy Swalberg

Vote: The motion passed with all in favor.

12. MOTION TO AMEND BUDGET RE: WAREHOUSE EXPENSES;

Director Edmunds reported that the construction of UCA's new warehouse is moving ahead quickly and positively. The walls have been poured and lifted into place. The completion is still set for late December or early January. Accordingly, UCA is seeking some budget amendments in anticipation of this transition and move. In advance of the move, UCA intends to hire a warehouse consultant. In addition, UCA proposes increasing its personnel by one FTE to hire a warehouse/purchasing manager. Finally, UCA will have to furnish the facility, purchase warehouse equipment, and fully outfit the building. Accordingly, UCA is seeking a budget amendment of both its capital budget and its operating budget in the areas of Salaries and Wages, Professional Services, and Administrative Costs, funds to purchase the building and Equipment as shows on Exhibit G hereto.

Deputy Director Stephens reported on the budget needed. The capital amount is \$3,963,565.00 and the increase on the operating budget is \$159,203.32.

Motion: John Park moved to accept the budget amendment as outlined.

Second: Craig Dearden

Vote: The motion passed with all in favor.

13. INTRODUCTION AND COMMUNICATIONS RE: VECC/SLC911 CAD GRANT;

Deputy Director Stephens gave a history of the CAD Grant that in 2016 UCA issued to VECC and Salt Lake City 911 with the purpose of enhancing public safety and creating a shared dispatch center. He recounted the money issued to date and the money VECC and Salt Lake City 911 (the "Coalition") has spent on record to date and the specific codes for the use of those funds. The questions of remaining funds, and who has stewardship over the funds, and how they should be distributed in the future remains to be decided.

Comments from Board:



Dean Cox: We have been directed under state statute to follow the procurement code. If we award these grants and some are substantial, does the mandate follow the grant to the point that the entity we grant money to has to follow a procurement code so that we are in compliance?

Deputy Director Quin Stephens: With this grant, they are to follow procurement code. The terms of that grant require that the funds follow the state procurement code.

Dean Cox: It is his opinion that with large grants such as the coalition, the Utah State procurement code should be followed. And concern about a Utah state audit questioning if the procurement code was followed.

Discussion ensued about the specifics of use of Grant funds now and in the future with varying sizes of grants.

Chair Davenport invited the public to comment:

Mike Rapich-We have reached out to those involved with this particular grant and try to get more information and how it will scope into a statewide CAD to CAD. Does this project enhance the ability to accomplish a statewide CAD to CAD functionality? Is the original funding consistent with how it is being used now contractually?

Justin Grenier-Did the Original grant include the TOC?

Mike Rapich-The original grant with Hexagon required interoperability; it required a CAD to CAD interface. The project never completed it, but yes, that was part of the original agreement.

Mike Mathieu- Is it agreed that when a caller calls and assistance needs to be sent from another PSAP, that the caller will stay on the line and just the information will be sent to another PSAP to send for assistance? Did VECC and Salt Lake City 911 follow state procurement guidelines and turn in invoices to UCA?

Justin Grenier-Transfer of calls. 2019 call transfer data is high is suboptimal to the people of Utah. He expressed he is nervous about another process. We need to tackle the issues that were in the original grant package. We all voted for the grant to go through with the idea that the specific issues outlined in the grant would be met. We need to deal with those issued today.



Shawn Guzman - Concerned about the state of the grant and where it is in respect to the original grant agreement that was submitted by Chief Mathieu. Can this goal be accomplished with only \$800,000.00 left? Procurement policies should be followed, it should not be carte blanche for spending a grant of any size.

Tina Mathieu-When the grant became available, there was a lot of frustration because it should be shared with all PSAP's in the State. As I listened to the original Board Meeting when the grant started, the main question asked was "Will the phone calls be transferred?" There answer was no. In the presentation that day they said the caller will not be transferred. It was a unanimous vote because they promised that it was an Intergraph system.

Beth Todd- Fire Departments and Police Departments are not on the same CAD system so they can't communicate. The operations at VECC right now are not acceptable in a 911 situation. Lives are at risk every day we operate this way.

Kevin Van Tassell-What is your solution? He shared a personal story with a 911 call.

Beth Todd- I'm familiar with that circumstance and it's not acceptable. VECC receives 700-1000 calls per day and we have a call load problem with calls in respect to staffing.

Deputy Director Stephens- Replacement solution is appropriate to be discussed in the open meeting.

Beth Todd-we have the Spillman and Versaterm systems both on the floor and both operational. The proposed solution is to expand the current contract that was turned over to VECC with the merger of the Unified Police Department. We would be expanding that contract and letting the other contract expire. That system already has a working CAD to CAD system with Salt Lake City. We have difficulty in training dispatchers on new Versaterm system and training new dispatchers after a 41 dispatcher turnover. We would train on the Versaterm and then transfer all systems to Versaterm. In December we can move the phones systems and then move over the agencies. That is the plan moving forward. We know Versaterm works and the CAD to CAD works, because it has been working for us.

John Park- How is a call managed from Cottonwood Heights?



Beth Todd- It depends on the type of call. We try not to transfer Fire and Medical calls. Because law enforcement calls can be so dynamic, the dispatch center prefers to handle those calls.

Lisa Burnette, Director of Salt Lake City 911- Another piece of this puzzle is working toward the same work flows. Explanation of how a call is handled. Any call would be processed the same.

Bryan Low- How does this solution impact the dispatch centers that Justin mentioned? The U of U, airport, TLC, Granite, UTA.

Conversation ensued between Lisa Burnette and Bryan Low and John Morgan about the specifics of various calls and how they are processed.

Craig Dearden brought up the fact that Versaterm wasn't a solution that would work and now VECC is accepting that as a solution to the problem. What has changed? We would like to hear "We won't transfer any calls"

John Morgan-cannot talk about agreement with the terms of the agreement. We cannot go forward with the terms of the agreement so we need to move forward.

Kevin Van Tassell- Will any call have to be transferred? Are there systems out there that are better than Versaterm?

John Morgan-We are trying to expand the contract rather than write up another RFP that took us almost a year to write. I can't guarantee another call won't be transferred. Trying to find the perfect system is going to take another 3-5 years.

Discussion about timing for new system, the present system, costs for maintaining systems.

The agenda calls for a closed session which will include attorney/client privileged communications meant just for the Board, and then to invite John Inch Morgan and Lisa Burnette of VECC and SLC911, respectively, to provide additional information about this CAD Grant issue.

14. MOTION TO CLOSE MEETING TO DISCUSS PENDING OR REASONABLY IMMINENT LITIGATION AND ATTORNEY CLIENT COMMUNICATIONS;



Motion: Kevin Van Tassell moved to close the meeting to discuss pending and eminent litigation and attorney/client communications.

Second: John Park

Vote:

Roll Call vote:

Lance Davenport: Yes

Craig Dearden: Yes

John Park: Yes

Clinton Topham: No

Kevin Van Tassell: Yes

Dave Crandall: Yes

Bryan Low: No

Dean Cox: No

Randy Swalberg: No

Discussion ensued about what percentage of a vote is needed to pass.

John Park moved to take a break.

After the break Chairman Davenport announced the vote was not a 2/3's vote.

Clinton Topham spoke with counsel and found that if we adhere to a very narrow agenda in that meeting we are in firm ground. Clinton Topham changed his vote to a yes vote.

Motion: John Park moved to close the meeting to discuss pending and eminent litigation and attorney/client communications

Second: Craig Dearden

Vote:

Lance Davenport: Yes

Craig Dearden: Yes

John Park: Yes

Clinton Topham: Yes

Kevin Van Tassell: Yes



Dave Crandall: Yes
Dean Cox: No
Randy Swalberg: No
Motion Passes

Chairman Davenport invited everyone to wait in the hallway.

[Closed Meeting]

Present at the Closed Session:

Lance Davenport, Chair UCA Board
Craig Dearden, Board member
John Park, Board Member
Clinton Topham, Board Member
Kevin Van Tassell, Board Member
Dean Cox, Board Member
Randy Swalberg, Board Member
Babbi Hill, non-voting Board Member
Dave Edmunds, UCA Director
Quin Stephens, UCA Deputy Director
Lisa Burnette, Salt Lake City 911
Tim Doubt, Salt Lake City Police Department
Jake Petersen, Undersheriff of Salt Lake City
Beth Todd, Salt Lake VECC
Jaysen Oldroyd, Salt Lake City Attorney's Office
Scott Young, Snow, Christensen, and Martineau Counsel for Salt Lake City VECC
John Inch Morgan, Salt Lake VECC

Not Present:

Gary Giles
Dave Crandall



Motion: Clinton Topham moved to come out of the closed session.

Second: John Park

Vote: The motion passed with all in favor.

15. CLOSED SESSION

Motion: Clinton Topham moved to reopen the meeting.

Second: John Park

Vote: The motion passed with all in favor.

16. MOTION RE: REQUEST FROM VECC/SLC911 TO APPROVE REPLACEMENT CAD PROJECT AS QUALIFYING FOR UTILIZATION OF CAD FUNDS AND RELATED ISSUES;

Motion: Craig Dearden moved that prior to the closed session VECC/SLC911 represented that they would be able to come to a common CAD system with Versaterm for approximately \$997,600.00 one-time fees. Applying a 20% match, which was the original grant request, VECC/SLC911 needs approximately \$800,000.00. Based on the accounting provided by VECC/SLC911 to UCA the coalition has \$844,162.76 of grant funds still in their accounts. UCA has also learned that VECC/SLC911 will also be receiving settlement funds as a result of the mediation with Hexagon. I would make a motion that these settlement funds be returned to UCA to be placed in a CAD account upon VECC/SLC911's receipt of these funds. I would also include in my motion that, contingent upon a future presentation by VECC/SLC911 satisfying the board that the proposed Versaterm solution meets the conditions of the statute and the grant complies with the procurement code, VECC/SLC911 be permitted to retain \$844,162.76 in its account for utilization of the Versaterm solution. This presentation needs to occur within ninety (90) days. With respect to the maintenance that was mentioned, the \$.06 and the \$.04 directed to PSAPs by SB198 should be sufficient to cover these costs, like the other 31 PSAPs. Additionally, CAD funds will not be dispersed until the UCA Governing Board adopts rules related thereto.

Second: Kevin Van Tassell

The motion Passes with all in favor.



17. GENERAL PUBLIC COMMENTS; AND

Chairman Davenport opened the meeting for public comment, there was none.

18. MOTION TO ADJOURN.

Kevin Van Tassell moved to close the meeting.