

**Cowlitz 911 Public Authority Board of Directors**  
**Meeting Minutes**  
**Wednesday November 25<sup>th</sup> 2020 @ 10:00 AM**  
**Remote ZOOM Meeting**

**Attendance**

**Board Members:** Alan Headley; Jim Kambeitz; Chet Makinster (entered at 10:52); Joe Gardner; Bill LeMonds; Kurt Sacha; Scott Neves; Andrew Hamilton

**Staff:** Bob Gregory; Rachael Fair; Deanna Wells; Frank Randolph (general counsel)

**Guests:** Brandon Poff; Chris Smith; Vic Leatzow; Jim Nelson; Dave LaFave; Brad Thurman; Norm Krehbiel; Ron Easterday; Scott Bauer; Nancy Neraas; Ryan Neumeister; Jim Kelly;

**Board Members Absent and No Alternate:**

**1. Call to Order and Introductions**

Joe Gardner called the meeting to order at 10:00 AM.

**2. Approval of the Agenda**

**Recommended Action:** A motion to approve the agenda as presented.

Neves made the recommended motion. Headley seconded; all in favor, motion carried.

**3. Approval of Meeting Minutes**

**A. 10/28/20**

**Recommended Action:** A motion to approve the meeting minutes from 10/28/20.

Headley made the recommended motion. Thurman seconded; all in favor, motion carried.

**4. Public Comment**

- A. The public comment period allows any member of the public to speak to any item that is not on the regular agenda. There is a time-limitation of 3 minutes. All comments should be directed to the Chair.

**5. Payables (4-5)**

**The following transactions are approved as presented**

ACCOUNT	TRANS NUMBER	AMOUNT
Claims 10/27/20	1140	\$349.00
Payroll 11/05/20	1141-1178	\$114,795.40
Claims 11/13/20	1188-1212	\$50,494.03
Payroll 11/20/20	1215-1252	\$ 124,864.05
TOTAL		\$290,502.48

**Recommended Action:** Motion to approve the payables as presented.

Neves made the recommended motion. Headley seconded; all in favor, motion carried.

**6. Monthly Financial Report**

**7. Resolutions**

**A. Approval of the Bond Resolution 2020-009 for Issuance of Bonds for 911 Center Project**

Cowlitz 911 staff, in collaboration with our bond counsel, Foster Garvey, bond underwriter, D. A. Davidson & Co., and bond adviser, Northwest Municipal Advisors, have analyzed the financial resources of Cowlitz 911 Authority, reviewed the financial requirements and need



for the Cowlitz 911 Center, and prepared the attached resolution for consideration by the Board for issuance of \$15.0 million for financing the 911 Center. The bond resolution stipulates the amount of bond proceeds being authorized, the requirements that must be carried out by the Authority for the sale of the bond, and pledges sales tax collected by the Authority as the security for repayment of the bonds.

Subject to Board approval of the resolution, a preliminary official statement will be issued on November 30 to prospective bond purchasers in the bond market. Sale of bonds is scheduled for December 15 and closing of the bonds and funds would be made available to the Authority by December 30.

A summary of the project budget is as follows:

Architectural, project management, and technology evaluation & design	\$2,100,000.00
Building & site construction, furnishings & technology, contingency	\$12,100,000.00
<u>Soft costs including permits, utility charges, and project contingency</u>	<u>\$800,000.00</u>
Total Project Cost	\$15,000,000.00

Representatives from Foster Garvey, bond counsel, D.A. Davidson & Company, bond underwriter, and Northwest Municipal Advisors will be attending the Board meeting and will be available to answer any questions.

**Recommended Action:** Motion to approve Resolution 2020-009 providing for the issuance of Sales Tax Limited Obligation Bonds in the amount of \$15 million.

Sacha made the recommended motion. Neves seconded; all in favor, motion carried.

**B. Resolution 2020-011 Finding of Existence of Emergency Pursuant to RCW 39.04.280(2)(b)**

Failure of the Alcatel microwave in the Rainier Tower, on or about November 20, 2020, with a degraded communications system and with the further prospect of losing all dispatch communications, for the possible duration of several weeks, and that therefore the Executive Director thereby acted within his authority, based on RCW 39.04.280, and in compliance with the desires of the Board of Directors, as required by RCW 39.04.280(2)(b), by ordering the replacement part without competitive bidding and then bringing the matter to the attention of the Board of Directors at the soonest opportunity.

**Recommended Action:** Motion to approve Resolution 2020-011 Finding of Existence of Emergency pursuant to RCW 39.04.280(2)(b).

Neves made the recommended motion. Sacha seconded; all in favor, motion carried.

**8. Agreements**

**A. Public Safety Radio Site and Equipment Transfer of Ownership**

The Cowlitz 911 Center in coordination with our Attorney and Cowlitz County staff have drafted an Interlocal Agreement between Cowlitz 911 and Cowlitz County transferring ownership of all public safety radio tower sites, facilities, equipment, and property from



Cowlitz County to Cowlitz 911. Cowlitz County Public Works will remain a public safety radio system user occupying our sites in exchanged for continued ground maintenance at our radio sites. The County will maintain ownership of the HOJ tower, however public safety radio equipment will transfer to Cowlitz 911.

**Recommended Action:** Motion to approve the Public Safety Radio Site and Equipment Transfer of Ownership.

Headley made the recommended motion. LeMonds seconded; all in favor, motion carried.

#### **9. Cowlitz 911 Center-Notice of Intent to award contract to Patriot Construction LLC**

- A. Bids for the Cowlitz 911 Center were submitted at 2:00 p.m. on November 16, 2020 and bids were opened and publicly read aloud at 3:00 p.m. There was significant interest in the project and a total of 18 bids were received.

The apparent low bidder, Forma Construction informed Cowlitz 911 of a bid error and has withdrawn their bid. The second low bid was submitted by Patriot, in the amount of \$8,669,438.88, including Alternate 1 for the covered parking structure.

Rice Fergus Miller, our project architect, has reviewed the bids and is in receipt of the following:

1. Forma Construction request to withdraw their bid.
2. Legal review of this request provided by the Cowlitz 911 Public Authority legal counsel regarding Forma's request and Cowlitz 911 Public Authority's intent to allow Forma to withdraw their bid. RFM takes no exception to this action.
3. Bid form from Patriot Construction LLC and Subcontractor Forms A and B.

RFM has reviewed information regarding Patriot Construction LLC posted on WA State Department of Licensing and WA State L&I websites. It lists no lawsuits against the bond or savings, no L&I tax debts, no license violations, and no debarments issued.

As such we recommend Cowlitz 911 Public Authority accept Patriot Construction LLC as the lowest responsive, responsible bidder.

The Board finds that while Forma may have been the lowest responsible bidder, that, prior to reliance by the Public Authority, and as they had the right, Forma withdrew its bid, as of November 17, 2020, and thus cannot be considered by the Board for the pending construction contract.

**Recommended Action:** The Board therefore finds that Patriot Construction LLC is the lowest responsible bidder and makes a motion to award the contract for the Cowlitz 911 Center project, including Alternate 1, to Patriot Construction LLC in the amount of \$8,669,438.88 plus Washington States Sales Tax.

Sacha made the recommended motion. Headley seconded; all in favor, motion carried.

#### **10. Board Comments/Board Committee Reports**

##### **A. LAW TAC Update**

## **B. FIRE TAC Update**

### **11. Director's Report**

- A. **Staff Update:** Koehler has taken a position with Life Flight out of Aurora. Gilbert is on Maternity leave.
- B. **Facility Update:** The demolition is about 50% done.
- C. **Radio Infrastructure:** Work won't begin until the 1<sup>st</sup> of the year so costs have been moved to the 2021 budget.
- D. **Climate and Culture**

### **12. Budget**

#### **A. Approval of Resolution 2020-008 Adopt the 2020 Budget Amendment 1**

The 2020 Budget was adopted November 13<sup>th</sup>, 2019. At that time, the board had approved a federal grant that would cover \$604,000 toward the Cowlitz and Clark County Next Generation (NG)911 project as a continuation of previous projects to improve interoperability, resilience, reliability, redundancy, security, reduce costs, improve service, and a commitment to fully utilize NG911 technologies. Later in 2020, the board made a decision to relinquish the federal grant and instead move forward with the purchase of the Spillman CAD system. The budget amendment will remove the Federal Grant Fund, and reallocate funds to the Equipment Reserve Fund to purchase the new Spillman CAD.

**Recommended Action:** A motion to Approve Resolution 2020-008 Adopting the 2020 Budget Amendment 1.

Sacha made the recommended motion. Thurman seconded; all in favor, motion carried.

#### **B. Final Review of the 2021 draft budget**

### **13. Old Business**

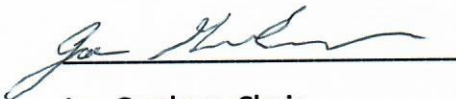
#### **14. Executive Session: RCW 42.30.110(1)(g)**

The board entered executive session for 15 minutes at 11:00. Executive session ended at 11:15, no decisions were made.

#### **15. Adjournment**

Meeting adjourned at 11:17 AM.

#### **16. Closed Meeting (If Needed)**



**Joe Gardner, Chair**

ATTEST: 

**Rachael Fair, Clerk of the Cowlitz 911 Board**