



County of Monterey

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Board Report

File #: 16-173, Version: 1

- a. Approve and authorize the Contracts Purchasing Officer or Contracts Purchasing Supervisor to purchase the PacifiCorp Paging and Radiotelephone Service license in the 152/158 MHz band issued by the Federal Communication Commission (the "FCC") to conduct radio operations on certain frequencies (the "Frequencies") within Basic Economic Area 163 (San Francisco-Oakland-San Jose, CA) under FCC Call Sign WQNI862 (the "License," a reference copy of which is attached hereto as Exhibit A) for an amount not to exceed \$980.00;
- b. Purchase from Seller all rights in, to and arising from the License; and
- c. Accept Non-Standard Contract Terms and Conditions Provision as recommended by the Director of Emergency Communications.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Approve and authorize the Contracts Purchasing Officer or his Designee to purchase the PacifiCorp Paging and Radiotelephone Service license in the 152/158 MHz band issued by the Federal Communication Commission (the "FCC") to conduct radio operations on certain frequencies (the "Frequencies") within Basic Economic Area 163 (san Francisco-Oakland-San Jose, CA) under FCC Call Sign WQNI862 (the "License," a reference copy of which is attached hereto as Exhibit A) for an amount not to exceed \$980.00 and
- b. Purchase from Seller all rights in, to and arising from the License and
- c. Accept Non-Standard Contract Terms and Conditions Provisions as recommended by the Director of Emergency Communications.

SUMMARY/ DISCUSSION:

The County serves as the lead agency for the Next Generation (NGEN) Radio Project with the Department of Emergency Communications serving as the project administrator. This project replaces the existing public safety and local government voice and data radio networks to meet a federal mandate. The purchase of the PacifiCorp Paging and Radiotelephone Service license in the 152/158 MHz band issued by the Federal Communications Commission (the "FCC") will allow for communication coverage to the Monterey Peninsula and adjoining counties without interruption thereby meeting the federal mandate. The purchase permits allows for communication within the NGEN Public Safety Radio. The purchase amount is not to exceed \$980.00 payable to the Seller at closing, together with the Purchaser's execution of an amendment to the Parties' March 21, 2012, Mutual Long-Term De Facto Transfer Spectrum Leasing Agreement, as more fully described in Section 7(b) hereto (Lease Agreement).

OTHER AGENCY INVOLVEMENT:

County Counsel reviewed the purchase agreement terms and provided guidance on the acceptability of the agreement terms and has not approved the agreement due to limits on liability and shifting indemnity provisions.

FINANCING:

Purchase costs will be shared by all agencies participating in NGEN project based on the 911 Dispatch Services Agreement executed between the County and partner agencies. There is no additional impact on the General fund at this time.

Prepared by: Claudia S. Garza, Administrative Manager, 8887

Approved by: William Harry, Director of Emergency Communications, 8880

Attachments:

Pacific Corps Asset Purchase Agreement