

CITY COUNCIL STUDY SESSION MINUTES

September 18, 2012

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in a study session at 5:30 p.m. in the Municipal Building Council Chambers on the 18th day of September, 2012, and notice and agenda of the meeting were posted at the Municipal Building at 201 West Gray, and the Norman Public Library at 225 North Webster 24 hours prior to the beginning of the meeting.

PRESENT:

Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal

ABSENT:

None

Item 1, being:

DISCUSSION REGARDING THE COMPUTER AIDED DISPATCH/RECORDS MANAGEMENT PROJECT FOR THE FIRE AND POLICE DEPARTMENTS AND OTHER PUBLIC SAFETY RELATED NEEDS.

Mayor Rosenthal said in March 2011, after contemplating whether the City of Norman should buy additional land for fire stations, the Citizens Public Safety Oversight Committee asked for a briefing on the highest priority capital improvement projects in public safety. Staff identified the Computer Aided Dispatch/Records Management System/Mobile Data Software Project (CADS/RMS/Mobiles) as the number one priority for the community since it affects police, fire, emergency management, communications staff, and EMSSTAT. She said the CADS/RMS/Mobiles Project was part of the City's lobbying initiative in 2006 to attempt garnering grant funds to help finance the improvements needed. She said in 2010, Council was briefed on funding options including the use of Public Safety Sales Tax (PSST) funds and a project schedule was composed to identify a consultant, execute the Request for Proposal (RFP), and outline project specifications. In 2012, Council was briefed on the use of PSST funds for several projects including technology needs and Councilmember Kovach had suggested no projects be funded until Fire Station No. 9 was completed; however, other Councilmembers endorsed the need to identify and program the highest priority public safety projects. As a result the Fire Chief and Police Chief were asked to identify top priorities in their departments. In March 2012, the Fire and Police Departments presented the Finance Committee with the results of that request with CAD/RMS/Mobiles being the top priority of both departments along with a number of facility needs, two fire truck replacements, other emergency vehicle replacements, and the Smalley Center renovation. The Finance Committee asked the City Manager to include the CAD/RMS/Mobiles upgrade, replacement of two fire engines, and the Smalley Center renovations in the 2013 Capital Budget. Mayor Rosenthal said in May 2012, Council reviewed the Capital Budget, which they adopted unanimously in June 2012, with no amendments. She said Major J.D. Younger, Major of Police Support Services, has worked through the CAD/RMS/Mobiles process with the Information Technology (IT) Division, and communication, fire, and police staff representing a major interdepartmental initiative.

Major Younger said a project team consisting of representatives from fire, police, communications, IT, and EMSSTAT reviewed priority projects and CAD/RMS/Mobiles was at the top of the list. He said Computer Aided Dispatch is the primary tool a communication officer uses to manage calls for service for first responders and manage resources available to respond to those calls. He said Law Enforcement Management is an information repository for police officers and civilian personnel to use in the field and at communication headquarters for immediate response and future planning. Fire Records Management serves the same purpose as Law Enforcement Management. Mobile Data Computer Network is the hardware system in the emergency vehicles and the infrastructure that connects the system. Major Younger said communication officers currently use two different computerized maps and the key component of an integrated solution will be an integrated mapping solution so when a communication officer receives a call, they will use a single map to improve efficiency and process.

Major Younger highlighted current solutions and said Police and Fire Departments have 30-plus database solutions, whether equipment inventory or scheduling processes that are not included or connected to today's primary public safety solution.

Major Younger said over the years, Staff has identified several issues with the current public safety software solution that include structural problems consisting of back-up limitations, excessive support service demands, lack of redundant capabilities, and lack of disaster recovery capability. There are also functional problems that consist of delays in service, integration, and interoperability obstacles when responding to calls. He said there are process limitations that include undependable in-field reporting, access to information on analysis and intelligence, non-integrated databases, and redundant data entry.

Major Younger discussed the connectivity problems with the current system and how a public safety software solution can provide connectivity to all emergency services in the City of Norman.

Mayor Younger said City Council approved a consultant contract with RCC Consultants on February 22, 2011, to assist with the project. He said the initial charge of RCC Consultants was to conduct an independent evaluation and recommendation in regard to the current public safety software solutions for the City of Norman. Some components of that process include individual interviews, focus groups, and solution observation. RCC Consultants recommended replacement of the existing CAD/RMS/Mobiles system. Their recommendation noted the mission's critical nature in relationship between a public safety solution and the delivery of public safety software services and said that replacement is warranted.

Major Younger said a desirable upgrade process is an integrated solution with demonstrable implementation in cities of similar size and scope that includes stable resource management; integrated mapping solution; integrated mobile solution; data access and tracking; redundant capabilities and disaster recovery; and consolidates technical support and maintenance.

Major Younger said three identified funding sources are as follows:

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| ▪ Public Safety Sales Tax | \$2,330,000 |
| ▪ City Funding (budgeted in FYE 2006) | \$ 105,000 |
| ▪ Community Oriented Policing Services (OPS) Grants | \$ 400,000 |
| ▪ Total Cost Estimate (acquisition, implementation, 1st year maintenance) | \$2,835,000 |

Major Younger said the budget approved by Council in June 2012, included the \$2,330,000 from the PSST Fund Balance for the CAD/RMS/Mobiles.

Major Younger said potential future agenda items include an addendum to the RCC Consultants contract for implementation and mobile data networks services. He said these are critical to the overall success of the Public Safety Software Project for oversight, acceptance testing, and cutover to ensure effective and efficient network success. He said the technical skills involved in the acceptance testing require highly educated and demonstrable skill sets and RCC Consultants has that. He said Mobile Data Network services will ensure computer connectivity to the main system is effective and efficient. He said potential funding in the amount of \$248,388.16 is available in the PSST Fund Balance and \$5,951.84 in 2009 COPS grants.

The second agenda item will include funding for necessary network upgrades and expansion including network servers, software licenses, and installation and configuration services that are required for core infrastructure. He said funding in the amount of \$388,584.44 is available in 2009 and 2010 COPS grants.

The third agenda item will include funding for auxiliary network upgrades to include software, hardware, and installation and configuration services, which are foundational requirements needed for the system to function appropriately. He said potential funding in the amount of \$410,240 is available in a FYE 2013 budget reallocation from the 24th Avenue S.E. Widening Project and \$258,300 in the PSST Fund Balance.

Councilmember Kovach asked if the Capital Budget reallocation in the amount of \$410,240 was in addition to the \$2,835,000 total estimated costs and Mr. Anthony Francisco, Director of Finance, said yes, that amount is outside the original scope of the RFP. He said the auxiliary network services were identified as something needed to make the project work, but is not part of the project itself. He said although this is not a part of the CAD/RMS/Mobiles Project, they are items that have been needed citywide for a long time.

Councilmember Kovach said there is a perception and promise to the public about not using PSST funds until the ribbon cutting of Fire Station No. 9 and asked what options were available without holding up the CAD/RMS/Mobiles Project. Mr. Steve Lewis, City Manager, said approximately \$1.3 million in the FYE 2013 Budget will be available due to the recent passage of General Obligation Bonds and that could be an alternative funding source. He said another option could be reviewing the status of projects in the FYE 2013 Capital Budget, specifically looking at deferring some projects to later years. He said a final option would be innovative financing through the vendor or a local bank.

Mayor Rosenthal said more information is needed regarding the PSST Fund Balance and the language in the PSST ordinance that states excess funds should be used for public safety projects. Mr. Francisco said the PSST Fund Balance is \$7.3 million and it is anticipated \$8 million will be available by the end of FYE 2013. He said that included the appropriation made for the PSST contribution of \$2,033,000 for the CAD/RMS/Mobiles Project. Mayor Rosenthal asked how that compares to the Capital Budget and Mr. Francisco said the Capital Budget is \$7 million. She asked about the financial status on completion of Fire Station No. 9 and Mr. Francisco said funds were encumbered to a vendor in FYE 2012 so that money has basically been spent and is no long part of the Fund Balance.

Councilmember Castleberry asked for the amount of PSST funds needed for annual salaries of additional police and fire personnel and Mr. Francisco said approximately \$5.8 million per year for both departments. Councilmember Castleberry asked if the PSST is a temporary tax that may or may not be renewed and Mr. Francisco said yes.

Councilmember Jungman asked when the PSST ends and Mr. Francisco said September 30, 2015. Councilmember Jungman asked how much money would be left in the PSST Fund Balance at the end of the sales tax period and Mr. Francisco said approximately \$15 million.

Councilmember Williams asked for the total cost of the CAD/RMS/Mobile Project including all addendums and extra items necessary to make it work and Mr. Francisco said approximately \$3.4 million plus ongoing annual maintenance costs that will be budgeted in the General Fund and PSST fund. Councilmember Lockett said when the RFP was sent out did that include an inventory of hardware and Major Younger said yes. Councilmember Lockett asked if it was recently discovered that additional hardware would be needed and Mr. Keith Humphrey, Police Chief, said yes, 21 laptops for police vehicles. Councilmember Lockett asked why it took so long to realize additional hardware was needed and will there be more items found that are needed? Major Younger said when the RFP went out in 2011, the City was clear on inventory, but there has been a new release of software since that time so 21 of the current laptops are not efficient enough to run the new version of software. He said he did not anticipate additional cost items at this time. Councilmember Lockett asked for the life expectancy of the software and Major Younger said the software is expected to last 10 to 12 years, but with proper maintenance it is not uncommon for software to last up to 20 years. Councilmember Spaulding asked if the laptops were for police and fire or police only and Major Younger said police only.

Councilmember Castleberry asked about the timing of the project such as when it would start and when the City would pay for the software. Major Younger said there is generally a 12 to 15 month timeline based on project initiation. He said based on current IT demands, the earliest anticipated initiation process will be January 2013, which would make the go live date around September 2013. However, factoring in acceptance testing will probably moved the date to January 2014, at the earliest with final project completion by June 2014. He said terms and payment of the project are tied to benchmarks, which is currently under negotiation, but as a general rule there are four to five benchmarks in this type of project. He said the City would withhold 15% to 20% to be paid when the software goes live and is demonstratively successful.

Councilmember Williams asked if the 2009 and 2010 grants had a timeline that restricts the City in moving forward and Major Younger said they do and that is one of the critical natures of the submissions that will go before Council for consideration. He said if the grants are not expended and accounted for by the close of the federal fiscal year, September 30, 2012, those funds could become unavailable. Mr. Lewis said Staff has worked with the Department of Justice to obtain extensions and was told the City would have until the end of the calendar year to expend the funds, but Staff was recently informed the deadline would be September 30th. Councilmember Williams asked if September 30th is the deadline for signing the contract and Mr. Lewis said it is the deadline for expending grant funds.

Councilmember Kovach asked when the bulk of funds for the project would be paid and Major Younger said Staff anticipates benchmarks for any pending contract with a vendor to be 12 to 15 months with a couple of early benchmarks such as signing the contract and delivery of the software. He said the major closing benchmarks would come towards the end of the project, approximately nine to fifteen months. He said auxiliary network upgrades for foundational services have to be done prior to the initiation of any contract because the software will not work properly without the auxiliary network in place. Councilmember Kovach asked the timeframe on when the contract would be signed and Major Younger said Staff is currently in negotiations to finalize a contract for presentation to Council with an anticipated date sometime in this fall. He said the need for IT. projects may impact the signing date of the contract because in addition to benchmarks for the vendor, there are benchmarks on having network infrastructure in place and being prepared for the vendor to provide their services.

Councilmember Kovach asked when Fire Station No. 9 will be completed and Mr. Lewis said the contract states a completion date of March 29, 2013. He said the contractor got behind a couple of weeks when pouring the new pad and the architect has asked the contractor to demonstrate how they will meet the March deadline and the City is waiting for that information. Councilmember Kovach said there is flexibility in the Capital Project Fund Balance, due to the approval of the bond issues, and asked if those funds could be used for benchmark payments until Fire Station No. 9 is complete and Mr. Lewis said Staff will review that.

Mayor Rosenthal asked if there were other consequences to delaying the project in addition to the possibility of losing the grant money and Major Younger said since the City is in contract negotiations, the inability to provide a funding source for required or core projects related to the project could impact the City's ability to negotiate that contract. Mayor Rosenthal asked if those impacts would affect public safety and Major Younger said the current public software solution has deficiencies, but there are not specific impacts he could name at this time.

Councilmember Spaulding asked Councilmember Kovach if his suggestion not to spend PSST funds until Fire Station No. 9' was complete is because funds cannot be appropriated or a check cannot be cut. Councilmember Kovach said the funds are appropriated, but he did not believe Council should spend any of the money because he felt Council made a promise to the public to not expend further PSST monies until projects are complete. He said Council can approve the CAD/RMS/Mobiles project by using money in the Capital Budget that is now available due to bond election passage. He said this will give Council time to look at other funding options without violating Council's promise to the public. Mayor Rosenthal said the ribbon cutting ceremony is a symbolic issue and the Finance Director has indicated the money for Fire Station No. 9 has been fully encumbered. She said Capital Budget projects were discussed during the Council Retreat and priority items identified were park maintenance/facilities and building maintenance/facilities. She the City has \$7 million in surplus in the PSST, which is more than what is in the entire Capital Budget in a given year. She asked Council to think about the things that will not get funded in order for the City to have a ribbon cutting. She reminded Council there is \$3.5 million in unfunded park maintenance projects that has been documented by the Parks Master Plan. She said money freed up from the bond election is money that could go to those unfunded park maintenance projects. Councilmember Kovach said he is not talking about taking money from other projects, he is talking about money made available because of the bond election. He asked other Councilmembers what their thoughts were.

Councilmember Spaulding asked if money is spent out of the Capital Budget to move the CAD/RMS/Mobiles project along, would the PSST refund that money at a later date and Mr. Francisco yes, \$248,300 could be reallocated to capital funds then refunded from the PSST.

Councilmember Spaulding said if Council tells the public they are going to spend certain money at a certain time on certain projects, they need to do that. He said every time the City gets a bond project passed, the City does exactly what it says it will do with that money and there are no questions on whether or not the public should trust Council and Staff. He said Council should keep their promise not to spend any PSST funds until after the grand opening of Fire Station No. 9 and Councilmember Castleberry agreed.

Councilmember Williams said if Council spends the grant money are they committed to paying for the rest of the project and Major Younger said the grants specifically address a public safety solution project and once that money is expended for this component of the project, the implication is the City will complete the project. Councilmember Williams asked if the grant money involved a timeframe on the completion of the project and Major Younger said he would have to check with the Grant Administrator to see what documentation is required, but said part of the City's ability to receive future grants is using the grants for the purposes intended.

Councilmember Jungman asked when the City would encumber the total project costs on the software upgrades and Mr. Francisco said the full amount is encumbered at the time the contract is awarded. Councilmember Jungman said if the City must encumber specific funds then the Council needs to decide what they want to do now and Mr. Francisco said, at it relates to this project, yes. Councilmember Jungman asked if the Capital Fund could be paid back from PSST funds and Mr. Francisco said there is currently not enough money available due to the bond election to cover the total project costs. Councilmember Jungman asked if it was optional to encumber the total project cost or does the City have to encumber that money from specific funds and Mr. Francisco said he has never seen a vendor agree to a contract where the total costs were not encumbered. Councilmember Jungman said he would welcome alternative funding sources, but any alternative has to suggest how the City is going to encumber the total project costs and not just pay any one portion of the expense.

Councilmember Griffith said he is amazed how convoluted some straight forward projects can be. He said he did not see any conflict between what Council promised the public relative to the use of the PSST funds. He said Fire Station No. 9 construction has begun and is fully encumbered so Council has honored their promise. He said to symbolically wait for the fire station to be completed before surplus funds are used when the need has been demonstrated to be vital to the community is absurd. He is concerned about contract negotiations being compromised by further delays and costing more money in the end. He asked if there could be conflicts or problems if the project is delayed and Major Younger said if the City does not have an identified funding source it would negatively impact the City's ability to negotiate a contract. Councilmember Griffith said he would fully support moving forward with the project using PSST funds.

Councilmember Spaulding asked if there was a possibility that Fire Station No. 9 could have overages requiring an addendum to the initial contract and Mr. James Fullingim, Fire Chief, said yes, there is a possibility that a change order could come forward although Staff does not anticipate one and there is money in the budget to cover contingency issues. Councilmember Spaulding said he is fully supportive of the Fire and Police Departments and there is no argument the project is needed or can be afforded. The argument is about whether the Council should do exactly what they said they would do or not.

Councilmember Kovach felt there was some confusion on what Council is discussing tonight. He said Council is discussing the auxiliary items for the CADS/RMS/Mobiles and Council is in agreement they want to move forward on the project without losing the grant money or delaying the project. He said he is not wanting to use money from the PSST funds on auxiliary items to be considered by Council on September 25, 2012. He said the larger question will come forward when the contract is negotiated. He said Council has the ability to move other projects around in the Capital Fund, if necessary, to encumber the total cost of the contract. In the meantime, Fire Station No. 9 will be completed, Council will have kept their promise to the public, and the project will not be delayed so he did not see a problem. He said you do not take money from the federal government then not do what they expect you to do with the money then expect them to continue giving you grants. He said the public entrusted the City with their tax dollars and expect things to be done in a certain order and he feels the City can meet those expectations and still find a way to fund the project.

Councilmember Gallagher said there is nothing more important than public safety and everyone on Council wants to improve public safety, but Council is trying to honor the voters' trust in the City. If that trust is abused, the next bond issue might die and that bond issue could be very important. He suggested finding alternative sources of funding by moving around other capital projects. He said he would like to see dollar figures before the next City Council meeting and felt that, if needed, the PSST fund could reimburse the Capital Budget Fund.

Mayor Rosenthal reminded Councilmembers there are other budgeted projects such as the purchase of two fire trucks that take nine to ten months for delivery. She said by delaying the purchases, we are denying citizens that protection for that additional amount of time. She said the Smalley Center is desperately needed by the Police Department for physical and space needs and not doing that project potentially puts the City at risk of losing cases and evidence. She said while the City may be able to juggle and postpone a number of projects, is the City going to lose projects needed for fundamental, basic public safety needs? She said it is not symbolic that the City has effectively paid for Fire Station 9, it is done. It is not symbolic that the City has cadets going through the Fire Academy. She said a ribbon cutting is symbolic, but Council's instructions are clear that they want to see alternative financing packages and she is sure the City Manager will respond accordingly.

Councilmember Spaulding said he takes exception to the insinuation that the attitude of not lying to the public and doing what Council said they would do leads to the denial of public services. Mayor Rosenthal said she was not insinuating Council was denying public services, she is just quoting the reality of what it takes to get a replacement fire truck. Mayor Rosenthal asked Mr. Fullingim to speak to the issue. Chief Fullingim said the last fire truck ordered had a 225 day delivery period as part of the contract and it is not uncommon for that to take an additional 30 days. Councilmember Gallagher asked if the Fire Department has ever turned down a call for a fire or had inadequate equipment because of the age of some of its current fleet and Chief Fullingim said no, the Fire Department has contingency plans to keep that from happening. Councilmember Gallagher asked if the Fire and Police Departments are working on a "wish list" using money from the PSST Funds and Chief Fullingim said the departments were requested to bring a priority list to the next PSST Oversight Committee meeting. Councilmember Castleberry asked how much a new fire truck costs and Chief Fullingim said \$1,042,000 is budgeted for the two trucks. Councilmember Castleberry said the money has been budgeted so Council is not denying public services and what Council is trying to say is bring us a proposal for an alternate funding source that does not include spending the PSST money prior to the opening of Fire Station No. 9. He said the City needs to use the money as appropriately allocated and to characterize it any other way is simply for political purposes.

Mayor Rosenthal said the Citizens Public Safety Oversight Committee voted unanimously, 8-0, to support the use of PSST Funds for this project.

Ms. Joy Hampton, The Norman Transcript, asked for clarification on the funds being discussed tonight as the amounts seem to be similar and Mr. Francisco said \$248,000 is the amount of PSST funds already in the FYE 13 PSST Budget proposed to be spent. He said \$258,000 is to pay for the police laptops and fire station reconfiguration that was not anticipated in the original RFP to be paid out of the PSST funds. He said it is a coincidence the funds are similar in amount.

Items submitted for the record

1. PowerPoint presentation entitled, "Public Safety Computer Aided Dispatch, Records Management System, and Mobile Data Project (CAD/RMS/Mobiles)," prepared by J.D. Younger, Police Support Services Major, and Kari Madden, I. T. Network Manager
2. City Council Oversight Committee minutes of June 6, 2012

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Participants in discussion

1. Major JD Younger, Police Support Services
2. Mr. Steve Lewis, City Manager
3. Mr. Anthony Francisco, Director of Finance
4. Mr. Keith Humphrey, Police Chief
5. Mr. James Fullingim, Fire Chief
6. Ms. Joy Hampton, The Norman Transcript

The meeting adjourned at 7:10 p.m.

ATTEST:

City Clerk

Mayor