

MARIN EMERGENCY RADIO AUTHORITY

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27 Bungalow, San Rafael, CA 94901 415-456-7269 Brockarner@yahoo.com

April 27, 2001

Members of the Civil Grand Jury
Marin County Civic Center
3501 Administration Drive
San Rafael, CA 94903

Dear Members:

Thank you for your interest in the Marin Emergency Radio Authority and the report that you have issued. Pursuant to the request contained in that report and California Penal Code Section 933.0, the Marin Emergency Radio Authority is pleased to provide this response. We intend to specifically respond to the two points cited on page 7 of the Grand Jury Report. We also wish to communicate our concurrence with the findings by the Grand Jury as to the need for this system and the inadequacy of the existing systems, which pose an unnecessary risk to the public and to safety personnel.

1. *MERA should take every available opportunity to make up for the impact of past delays and to prevent any future delays. The project is already almost a year behind schedule and it is vital to the safety of the citizens and the public safety workers of Marin County that this emergency communications system becomes operational as quickly as possible. Now that the Land Use Entitlements for the San Rafael antenna sites have been approved, MERA must choose a workable alternate site for Mt. Tiburon, an essential antenna site within the system, as quickly as possible. MERA must also take full advantage of the upcoming good weather season to begin and complete necessary construction of the antenna sites. MERA should anticipate any further delays and develop contingency plans for them.*

Response:

- A. MERA's contractor, Motorola, is currently engaged in developing coverage maps and completing coverage studies at Angel Island as a potential alternate site to Mt. Tiburon. Contingent upon approval by the State Parks Department, this site could be ready for construction by the fall of 2001.
- B. Motorola will award bids for construction of four sites during the first week of May.
- C. MERA staff is meeting with representatives of Bolinas Fire District in an effort to locate an alternate site to the Fire Station.

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- D. MERA prevailed in a Temporary Restraining Order hearing, in which local opponents requested that Judge Smith stay the construction of the San Rafael Hill site. This allows MERA to begin work, and validates the CEQA process utilized by MERA in proposing this project.
2. *An opinion from MERA's attorney, together with a written acknowledgment by Motorola, should be obtained stating that financial responsibility for the delivered equipment rests solely with Motorola and not with the County (MERA?). These actions by Motorola would assure that Marin County is protected against financial loss related to the warehoused equipment under the "without risk" provision.*

Response:

MERA's counsel and Motorola will provide the recommended assurances.

Sincerely,

Steve Kinsey
President

c: MERA Board of Directors
Brock Arner, Executive Director
Richard Chuck, Project Manager