

MISSISSIPPI WIRELESS COMMUNICATION COMMISSION

November 10, 2020 -- Called Special Meeting

Via: Teleconference

Commission Members	Commissioner	In Attendance
MS Fire Chiefs Association	Lariviere, Tom (Chair)	Yes
MS Department of Public Safety	Davis, Mandy (Vice Chair)	Yes
MS National Guard	Causey, Lt. Col. Ray	Yes
MS Municipal League	Girod, Arty	--
MS Association of Supervisors	Gray, Steve	Yes
MS Department of Transportation	Huff, Willie	Yes
MS Highway Safety Patrol	Loper, Donald	Yes
MS Department of Wildlife, Fisheries, and Parks	Mann, Doug	Yes
MS Department of Corrections	McAfee, Audrey	Yes
MS Emergency Management Agency	McRaney, Stephen	--
MS Sheriffs' Association	Peterson, Troy	Yes
MS Department of Environmental Quality	Sanders, Chris	Yes
MS Department of Information Technology	Savorgnan, Holly	Yes
MS Association of Chiefs of Police	Stanley, David	Yes
MS Department of Health	Vaughn, Wayne	--
MS Department of Homeland Security	Williams, Jenny	--

Chairman Tom Lariviere called the meeting to order at 2:30 PM and welcomed everyone. The meeting was held via teleconference. Ms. Vicki Helfrich, Executive Officer, employed the use of roll call to check attendance and to ensure that a quorum was attained.

Chairman Lariviere called on Ms. Helfrich for Item #2 on the Agenda - Consideration of House Bill No. 1812 (2020 Regular Session), Section 5001 of the CARES Act and to present MSWIN needs in light of the COVID-19 Public Health Emergency. Ms. Helfrich explained that during the 2020 Regular Session, the Mississippi Legislature passed and the Governor signed H.B. 1812, through which the sum of \$10,000,000 was appropriated to the WCC, from sums made available to the State of Mississippi under the CARES Act's Coronavirus Relief Fund, for the purpose of "making critical upgrades" to MSWIN to serve the reliable communications needs of emergency responders, including those needed for communication with "hospital emergency rooms in connection with the coronavirus Disease 2019 (COVID-19) pandemic as allowed under Section 5001 of the Coronavirus Aid, Relief, and Economic Securities (CARES) Act or any guidance or regulation issued by the United States Department of the Treasury in conformity therewith." In addition, H.B. 1812 also provides that the WCC may not disburse any of these funds without making an "individual determination" that the funds, in the "independent judgment of the WCC, are being used "for necessary expenditures incurred due to the public health emergency and that the recipient will not receive reimbursement for the expenses in question from any other source of funds. The WCC received further clarification from the State Auditor that equipment and services must be in use by December 30, 2020. Ms. Helfrich reminded the Commissioners that a previous project was under consideration, but due to the time constraints, the WCC was unable to continue with that project. In addition, the Legislature intends for all funds to be expended by December 15, 2020, when the accounts will be swept and money will be transferred back to the Legislature.

Ms. Helfrich stated staff has worked with Damon Darsey, M.D., with University of Mississippi Medical Communications Center (MED-COM), to determine the best use of these funds. Ms. Helfrich asked Dr. Darsey to provide an overview of the current plan. Dr. Darsey explained that the new plan will enable the MSWIN System to allow two-way and group text messaging for consoles and radios equipped with integrated data. During the SARS-CoV-2 pandemic it has been challenging to manage hospital acute care bed capacity because of constantly changing patient volumes. The Mississippi Center for Emergency Services (MCES) team, working through MED-COM, developed an online portal listing hospital capacity status in near real time. That portal has been accessed over 200 times a day during the course of the Public Health Emergency

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(PHE). Connecting to this portal requires internet access, which can be difficult for first-responders in many areas of the state, especially rural areas where cellular coverage can be limited. Dr. Darsey further explained to the Commissioners that this type of hospital coordination requires the transmission of larger amounts of data and that this increased volume has been made necessary, for the treatment of COVID and non-COVID patients during the course of the PHE. To ensure fairness of distribution, each County Emergency Manager will receive 8 of these new data-enabled radios for use by their contracted, county, municipal or third-party Emergency Management Service. This will provide connectivity/interoperability for first-responders and hospitals.

Chairman Lariviere opened the floor for any discussion. Commissioner Steve Gray asked if these are new radios with text messaging capabilities and will they be provided to all counties or only counties on MSWIN. Dr. Darsey explained that these are new radios and will be provided to all counties, without regard to whether they are on MSWIN or not. Commissioner Holly Savorgnan asked if, based on discussions with the State Auditor, whether the WCC Staff is of the opinion that this use of funds meets the state and federal requirements. Ms. Helfrich responded in the affirmative, consistent with the Findings, Determination, and Certification presented to the Commissioners for their consideration. Dr. Darsey further commented that, in his opinion, the proposed use of funds is easily justifiable, given the current demands that have been placed on the current MSWIN system and because the improved functionality of the radios and system will give his agency and other first-responders the ability to better serve the public in the course of the PHE. Commissioner David Stanley asked if all radios will be appropriated to local EMS – ambulance and hospitals and does this current plan leave \$4 million on the table and if so, is there any option for this money. Ms. Helfrich explained that yes, the radios will be provided to local ambulances and hospitals. As for unused funds, Ms. Helfrich explained that, given the timeline, there has not been enough time to develop any additional project uses that can be completed by December 15, 2020, and still allow the WCC to ensure the equipment is in use by December 30, 2020. Chief Willie Huff stated that there are several agencies in the State Pandemic Plan that will be involved in a coordinated effort to deliver a Coronavirus vaccine when a vaccine is available. Commissioner Huff noted there will be requirements for distribution, including transportation, storage and dispersal of the vaccine that will be very challenging and complicated. The ability of state and federal agencies and medical personnel to effectively communicate during this phase of the response will be critical.

Chairman Lariviere moved to Item #3 on the Agenda - Consideration of Change Order #19 to the Agreement between Motorola Solutions, Inc. and ITS as contracting agent for the WCC (MSWIN) contract. Chairman Lariviere called upon Ms. Helfrich to provide an overview of Change Order #19. Ms. Helfrich walked through Change Order #19 details including \$3,832,961.50 for radios, \$2,299,353.35 for system upgrades required by the enhanced functionality of these radios, with a total of \$6,123,314.85 for the entire project. Chairman Lariviere opened the floor for discussion. Commissioner Ray Causey asked for a further explanation of the system upgrade portion of the project, specifically if there will be any upgrade capacity above what is included for the MED-COM portion of the project. Mr. Bill Buffington responded that the MSWIN system will be enabled with this functionality across the state. With no further comments, Chairman Lariviere entertained a motion that the Commission adopt Change Order Number 19 to the Terms and Conditions Agreement Between Motorola Solutions Inc. and ITS as contracting agent for the WCC (MSWIN) contract, ITS Project Number 46191/ITS RFP No. 3429 in an amount not to exceed \$6,132,314.85. Commissioner Huff made the motion to approve and Commissioner Doug Mann seconded. With no further discussion, the Chairman requested vote by Roll Call. All present were recorded as Yea, with no Nays nor Abstentions.

Chairman Lariviere moved to Item #4 on the Agenda - Consideration of Findings and Certification. Chairman Lariviere asked Mark Garriga, legal counsel, to provide an overview. Mr. Garriga referred to the document which had been provided to the Commission – Findings, Determination, and Certification regarding HB 1812 (2020 Regular Session) and Proposed Amendment/Change Order to MSWIN Contract for the Public Health Emergency. Mr. Garriga informed the Commission the State and its subrecipients of Relief Funds must comply with all CARES Act and other conditions imposed by the United States Department of the Treasury (“Treasury”): first, expenditures proposed to be funded by the CARES Act are reasonable and necessary for their intended use and represent expenses for public safety measures undertaken in response to the Public

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Health Emergency; second, the WCC has not received and will not receive reimbursement for the expenses in question from any source of funds other than those provided by the CARES Act through H.B. 1812; and third, expenses must have been incurred from March 1 – December 30, 2020, to be considered necessary expenditures. Mr. Garriga further explained that the Commission must certify that these funds are expended in compliance with these and other CARES Act requirements. Chairman Lariviere entertained a motion that the Commission adopt the Findings, Determination, and Certification Regarding H.B. 1812 (2020 Regular Session) and Proposed Amendment/Change Order to MSWIN Contract for the Public Health Emergency. Commissioner Mann made the motion and Commissioner Audrey McAfee seconded the motion. With no further discussion, the Chairman requested vote by Roll Call. All present were recorded as Yea, with no Nays nor Abstentions.

With no further business to discuss, Chairman Lariviere entertained a motion to adjourn the meeting. Commissioner Causey moved to adjourn and there were no objections. Chairman Lariviere thanked all for participating in the meeting and the meeting was adjourned.



Attested: Executive Officer

November 25, 2020

Date



Approved: Chair or Vice Chair

December 3, 2020

Date

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Via Teleconference

Legislative Liaisons	Present	Absent
Bounds, Representative Scott		
Anderson, Representative Brent		
Beckett, Representative Jim		
Steverson, Representative Jody		
Carter, Senator Joel		
Hopson, Senator Briggs		
Harkins, Senator Josh		
Commissioners		
Lariviere, Tom (Fire Chiefs)	X	
Davis, Mandy (MDPS)	X	
Causey, Lt. Col. Ray (National Guard)	X	
Girod, Arty (Municipal League)		X
Gray, Steve (Supervisors)	X	
Huff, Willie (MDOT)	X	
Loper, Donald (MHSP)	X	
Mann, Doug (MDWFP)	X	
McAfee, Audrey (MDOC)	X	
McRaney, Stephen (MEMA)		X
Peterson, Troy (Sheriffs)	X	
Sanders, Chris (MDEQ)	X	
Savorgnan, Holly (ITS)	X	
Stanley, David (Police Chiefs)	X	
Vaughn, Wayne (MDOH)		X
Williams, Jenny (Homeland Security)		X

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Commission Action

Vote: Yea/Nay

	Adopt Change Order Number 19 to WCC (MSWIN) contract, ITS Project Number 46191/ITS RFP No. 3429 in an amount not to exceed \$6,132,314.85		Adopt the Consideration of Findings and Certification Regarding H.B. 1812 & Change Order to MSWIN 3429 Contract		Motion to Adjourn	
	Yea	Nay	Yea	Nay	Yea	Nay
1st Motion	Willie Huff		Doug Mann		Ray Causey	
2nd Motion	Doug Mann		Audrey McAfee			
Unanimous Consent "No Objection Heard"					Unanimous	
Roll Call Vote (No Unanimous Consent)	Roll Call Vote		Roll Call Vote			
Lariviere, Tom (Fire Chiefs)	Y		Y			
Davis, Mandy (MDPS)	Y		Y			
Causey, Lt. Col. Ray (National Guard)	Y		Y			
Girod, Arty (Municipal League)	absent		absent			
Gray, Steve (Supervisors)	Y		Y			
Huff, Willie (MDOT)	Y		Y			
Loper, Donald (MHSP)	Y		Y			
Mann, Doug (MDWFP)	Y		Y			
McAfee, Audrey (MDOC)	Y		Y			
McRaney, Stephen (MEMA)	absent		absent			
Peterson, Troy (Sheriffs)	Y		Y			
Sanders, Chris (MDEQ)	not recorded		not recorded			
Savorgnan, Holly (ITS)	Y		Y			
Stanley, David (Police Chiefs)	Y		Y			
Vaughn, Wayne (MDOH)	absent		absent			
Williams, Jenny (Homeland Security)	absent		absent			