



## Minutes Nevada Homeland Security Commission

### Attendance

<b>DATE</b>	April 26, 2012
<b>TIME</b>	9:30am - noon
<b>LOCATION</b>	Nevada Highway Patrol, Southern Command 1 <sup>st</sup> Floor Meeting Room #105 4615 West Sunset Boulevard Las Vegas, Nevada 89101
<b>METHOD</b>	Conference
<b>RECORDER</b>	Selby Marks

<b>Committee Members</b>	<b>Present</b>	<b>Legislative &amp; Ex-Officio Members, Staff and Others</b>	<b>Present</b>
Governor Sandoval, Governor	X	Christopher B. Smith	X
Michael Haley	X	Assemblyman Horne	X
Maureen Peckman	X	Senator Lee	X
Andy Flock		Kevin Favreau	
Robert Fisher	X	Karen Burke	
Bertral Washington	X	Chris Ipsen	X
Bill Welch	X	Gonzalo Cordova	X
Doug Gillespie		Todd Renwick (representing Chief Garcia)	X
Adam Garcia		Assistant Sheriff Greg McCurdy	X
Dr. Warren Gilbert		representing Sheriff Gillespie	
Troy Wade			
Tom Lozich	X	Selby Marks, (Staff)	X
Richard Perkins	X	Samantha Ladich, (AG rep)	X
Rosemary Vassiliadis	X		
Alfrieda Jake	X		
Scott Fuller			
Loren Fuller	X		

1. **CALL TO ORDER AND ROLL CALL**

2. **COMMENTS BY THE GOVERNOR**

Official tape recording does not include this commentary

3. **PUBLIC COMMENT**

Official tape recording does not include this commentary

**4. APPROVAL OF MINUTES**

Governor Sandoval entertained a motion to approve the minutes of the April 26, 2012 Commission on Homeland Security Meeting. Sheriff Michael Haley moved to approve the minutes and Tom Lozich seconded the motion. No questions or comments on motion. All voted in favor, no opposition. Motion passed unanimously.

**5. REPORT ON THE NEVADA'S 700 MHz PUBLIC SAFETY BROADBAND INITIATIVE AND DISCUSSION ON THE PUBLIC SAFETY BROADBAND BILL, HOUSE RESOLUTION (HR) 3630**

Governor Sandoval introduced Chris Meganheimer, North Lake Tahoe Fire District. Mr. Meganheimer indicated he was following up on a briefing previously presented to the Commission. He acknowledged Rick Nelson, Assistant Director of NDOT and Chris Perry, DPS Director, as being instrumental in addressing ongoing Commission concerns. Mr. Meganheimer indicated that on 2/22/12, the President signed into law HR 3630 which effectively reallocates the spectrum of D-Block radio frequency spectrum to Public Safety for purposes of forming a nationwide Public Safety broadband network. The Act requires every state to perform certain tasks to progress. The FCC has seated a technical board tasked with the responsibility of creating technical standards required for operations. On the Federal level, the next step is to create a FirstNet Board comprised of governmental agencies and Public Safety officials around the nation. On a state-wide level, there is a need for a governance board that takes direction from FirstNet in order to create the State of Nevada network. Mr. Meganheimer then spoke to a slide presentation which all members were copied on (presentation will be hard-copied as a part of these minutes).

Governor Sandoval asked for any commentary or questions regarding Mr. Meganheimer's presentation. Comments as follows:

Sheriff Haley notes a comment rather than a question. HR 3630 is well established by timeline as the FirstNet Board. In order for us to understand and work in Nevada, we have to have a Board. He supports the SONNet approach as long it's populated with individuals with ideas, necessary skills, and the ability to manage the operation moving forward. He's very much in support of the SONNet Board approach in interacting with FirstNet.

Chief Smith posed a question to Chief Meganheimer in that he made mention of application for hospitals and other entities so they don't necessarily have to be associated with Public Safety down the line and asked for comment. Chief Meganheimer responded by saying the original waiver was only for Public Safety, police, fire, and EMS. The Act does allow for flexibility with other institutions like hospitals, utilities, etc. The more users, the more costs are spread out. The SONNet Board would have to establish usage priority however. In event there is an emergency; Public Safety would take over the entire spectrum of responsibility with other entities falling to a lower priority. Yes, the act does allow for flexibility.

Chief Washington posed a question to Chief Meganheimer to speak to the representatives, or what users are within the representative groups and where SNAC would fit into the equation. Chief Meganheimer responded by stating the core radio system is used by the five players indicated. SNAC is a huge player in Southern Nevada, and through technology they are now bridging the ability for SNAC to operate in this network. They were not part of original waiver request, Chief Washington followed up by asking if we recommend that we identify the SONNet Board as the official governing body, is SNAC officially included in original group? Chief Meganheimer responded that it would most likely be that SNAC would be in from the start as they encompass such a large group of radio users in Southern Nevada.

Governor Sandoval asked for other questions, none were posed. The Governor indicated the law requires the State of Nevada to move forward with this process. Chief Meganheimer indicated that the Commission should look at what is legislatively required. Looking back to mandates by the

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Portable Healthcare Act, the State of Nevada had the option of creating a health exchange through last legislature. The SONNet Board can look at the repurposed RFP and decide if an Executive order is required. Legislative action may be required. Governor Sandoval posed whether this brings into question whether we have the authority to establish the Board. Chief Meganheimer does not believe so currently. Chief Meganheimer explained how many members would be on the Board as well, five, maybe six with SNACC, plus non-voting members, the Director of Public Safety, Director of Homeland Security, and a member of the Commission to be Chair. That is it initially, then look at governance, who has voting member rights, and who has input (tribal, hospitals)

Assemblyman Horne indicated that we are at the end of April now and Board has yet to be established. One of the priorities is identifying the laws that need to be changed. Time is needed to get this drafted by February. Is this a doable time frame? Governor Sandoval indicated that is a short time line. There are deadlines for bill draft submissions. Chief Meganheimer understands and indicated that the State of Nevada is ahead of the curve nationwide on what needs to be accomplished.

Sheriff Haley commented that one of the reasons we are ahead besides the platforms we all sit on is the FCC waiver process that we collectively worked on setting in motion some of the things the SONNet board will address and move forward with.

Governor Sandoval inquired whether the open meeting law will apply to this Board. Samantha Ladich inquired if this would be a sub-committee of this group, is that what we're proposing? Chief Meganheimer agreed.

Sheriff Haley, understanding that the motion would establish the SONNet Board and that Board would define its roles and priorities and expand to establishing voting/non-voting members:

"I move, the Commission recommend the Governor issue an appropriate Executive Order establishing a Board to govern the development and deployment of the State of Nevada Network, know as SONNet. That the Executive Order provide for the creation of a SONNet Board and other authorities necessary to carry out the State's obligations as identified in HR 3630." Motion amended to include Sheriff Haley as a non-voting member representing DHS/Nevada to the SONNet Board.

Chief Washington had question on the motion inquiring if SNACC will be a representative or included on the Board or sub-committee. He is not suggesting that SNACC become a member of the SONNet Board, just representative in the formation Governor Sandoval will move forward to appoint SNACC as part of this endeavor. Sheriff Haley confirmed that SNACC would be a point of contact with FirstNet.

Governor Sandoval moved to approve the motion. Second by Maureen Peckman. No opposition, motion passes unanimously.

**6. REPORT FROM THE MEETING OF THE FINANCE COMMITTEE CONCERNING REQUESTS TO REALLOCATE HOMELAND SECURITY GRANT PROGRAM (HSPG) FUNDS**

Chief Smith reported that on Commission recommendation, the recommended project changes were voted upon in Sub-Committee 3/14/12. Changes went through with limited discussion and no additional concerns presented. Reallocation set forth looked at numerous items. All requests were brought to the Finance Committee as they were above the \$100K threshold. Sub-Committee voted to move forward with obtaining the Governor's recommendation and approval.

More detail was required for H35. Chief Smith indicated that there was a representative from the Southern Nevada Health District commenting on the move of \$250K of software to target. Dr. Geoffrey Tyson from the Southern Nevada Health District reported that the monies allocated initially for a proprietary software solution for disease surveillance investigations were no longer required as a result of open-source solutions. However, these monies can be transferred to fund additional

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needs in anticipation of messaging requirements due to MOU implementation and contracts related to all 16 hospitals in the valley system. Governor Sandoval clarified there was a balance of money with the request to change from planning and training to personnel contracts and exercise funding.

Jane Shunney from Southern Nevada Health District explained that what they want to do is to apply monies to contract with outside contractor to do and design their exercises. They have had 5 responses to their RFP and have selected a contractor. Anyone familiar with this understands that it takes 18 months to plan a full scale exercise. The plan is to take isolation/quarantine bench-book and test in a tabletop, then combine epidemiology surveillance components and combine that with future full scale exercise in 2013. She wants to test the whole system.

Rosemary Vissiliadis posed question asking if this a one-time shot or is this something you would like to do every time you want to do a full scale exercise? Jane Shunney reiterated that she feels this would most likely be a one-time shot to see how well the bench-book performs

Governor Sandoval accepts motion for full Commission to approve recommendation of the Finance Committee. Motion approved by Sheriff Haley with second by Tom Lozich. All members approved. Motion passes unanimously.

7. **REPORT TO THE NEVADA COMMISSION ON HOMELAND SECURITY – UPDATE ON THE HOMELAND SECURITY GRANT PROGRAM (HSGP) FUNDING ALLOCATION FOR FEDERAL FISCAL YEAR (FFY) 2012**

Chief Smith discussed briefly the Homeland Security grant process. The process began on 3/19/12 with a push to submit a final product to the Department of Homeland Security next week. Two urban area working group meetings have ensued as well as two Homeland Security Working Group meetings to date. A body of 29 subject matter experts came together for the Homeland Security group to help vet these investment justifications.

Irene Navis spoke to the urban area progress. Considered UASI only, looking at all proposals to give biggest bang for the buck knowing that we had \$2.5M worth of requests with allocation of only \$1.6M. For three years in a row, it has been a goal to balance the budget on behalf of UASI to ensure priorities are straight with a clear picture. They have met that goal and came forward with \$1,648,798. This was accomplished through significant collaboration inside/outside of meetings reaching compromise. This shows our leadership in national preparedness and resiliency. She came in last night from SLTTCC was full of high level DHS personnel to speak to resiliency and regional collaboration, process improvement, and critical infrastructure protection. We are being noticed and are a model for fusion and critical infrastructure especially for the Silver Shield program and cyber capabilities.

Chris Smith relayed the Homeland Security working group held three meetings with 25 representatives ranking 21 products. After the first run, only six projects were funded. Through cooperation, particularly from Aaron Kenneston in Washoe County, they were able to fund ten projects. There are projects below the red line that did not receive funding this year. A recommendation to this body is to fund the ten projects above the red line, however, the Commission has the authority to look at this list. The process this year was exceptionally open to make sure everyone had access to all information. Projects were ranked with all ideas/commentaries noted on ranking sheets.

Governor Sandoval asked Commission for any questions. Questions noted below:

Alfrieda Jakes posed commentary noting that as the State of Nevada is unique and in the forefront in working with the tribes regarding Homeland Security, she appreciates the effort the State has shown in engaging all 27 tribes and the liaison efforts associated with that engagement. The tribes took a cut three years ago, and she is requesting that the Governor reconsider their programs.

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Governor Sandoval posed question to Chief Smith regarding de-obligated funding availability with response from Chief Smith indicating there are de-obligated funds both nationwide and within the State of Nevada respectively. Potentially, projects falling below the red line could benefit from these funds. The only caveat is that these funds have strict timelines requiring extension from the Department of Homeland Security. Governor Sandoval asked if we can include this extension in our motion. Chief Smith indicated this would most likely be done anyways, but the Governor can direct him to do so as well.

Gonzalo Cordova posed question to the Governor with concern for critical infrastructure regarding if there were a plan in place to focus efforts toward unfunded projects. Chief Smith responded that the Commission would need to address, especially for the NTAC. Sheriff Haley posed additional commentary asking that if projects below the red line were funded. Chief Smith indicated that some of the projects had initial funding but were out of necessary funding to sustain the projects, while several of the projects had no funding at all.

Governor Sandoval inquired as to how much money in de-obligated funds there actually was. Kelly Anderson reported that currently there is \$229K FFY08, approximately \$40K FFY09, and approximately \$300K FFY10, with no de-obligated funding for FFY11.

Irene Navis stated that because 2011 monies have been so recent in receipt, there is opportunity to reprogram/reprioritize funding for existing projects. This is another avenue we can take to shift monies around to apply to higher priority project needs including those under the red line.

Governor Sandoval posed a question to Chief Smith regarding any potential consequences affecting the de-obligated funds which would make them unavailable. Chief Smith indicated that the funds were indeed available with no consequence. Governor Sandoval stated the State of Nevada should seek extension and decide how to allocate \$569K in de-obligated funding while inquiring on the actual process to do so moving forward. Additional commentary by Samantha Ladich relating to re-obligation guidelines passed last year with those projects under \$100K requiring SSA approval and those projects over \$100K requiring Finance Committee approval. Commission should seek to use the same process.

Kelly Anderson spoke to the Commission in regards to the fact that there are guidelines in effect and they are approved through the Commission, however she has concerns with de-obligated funding particularly because the maximum extension is 6 months. The extension is already in draft form currently. In addition, re-obligation guidelines indicate that anything with a scope change requires scope commission and finance committee approval which may eat up valuable time. Chief Smith added there are several projects that do not require scope change and are already funded IJ's. Kelly Anderson agrees, however the IJ's in question still have potential for scope change from original application when reallocating funds. Chief Smith inquired if there were any projects below the line that could be funded quickly. Kelly Anderson indicated that those projects with larger staffing roles posed payroll issues that may not be able to be addressed quickly.

Bill Welch recommended moving forward immediately prior to extension authorization with the extension based upon the assumption that the extension would be approved giving the State more time. Funding would be contingent upon funding extension. There is a responsibility of the Commission to reach out to the underfunded/unfunded projects on the ranked list to give them an opportunity to address funding concerns/challenges, and to ask them to come back with additional information addressing the concerns.

Governor Sandoval moved to accept motion to accept request to fund the top ten projects. Chief Smith responded with informing the Governor that the Finance Committee makes that recommendation to the Commission having vetted the working groups. The proposal should be to direct the Division to proceed. The Governor inquired if this should be split into two sections. Items above the red line, and those items below the red line to be addressed with Mr. Welch's concept to utilize the \$569K.

8. **REPORT ON THE APRIL 9, 2012 MEETING OF THE FINANCE COMMITTEE TO EVALUATE THE FFY 2012 HOMELAND SECURITY GRANT PROGRAM (HSGP) PROJECTS**

Irene Navis reported the Finance Committee has had similar discussions to those presented in Agenda Item #7 regarding options for funding beyond the top ten projects indicated. The Finance Committee strongly agrees to fund the top 10 projects with funding recommendation at the level of \$2.661 Million for those ten projects while seeing alternative sources of funding for those projects falling beneath the red line.

Question posed by Governor Sandoval as to whether any de-obligated monies will be used to enhance funding for any of the top 10 projects. Chief Smith indicated his understanding is that all the top 10 projects are funded to a level where performance will not be an issue. Sheriff Haley added that in many of the top 10 projects, personnel issues and the like are being absorbed to handle the funding allocated. Irene Navis added that there is an 18 month performance period restricting what actually can get done. Some projects were scaled back, compromises made, deferment of equipment purchases was made, and personnel levels were scaled back allowing these top projects to be funded as is.

Bob Fisher voiced concern that for those project under the red line, the Committee may want to consider that additional funding be applied in the ranked order already assigned. Much time and energy was involved in ranking all projects. He wants to ensure the decision making process is equitable in that Project #11 is just as important as Project #10.

Governor Sandoval will adhere to the process already undertaken by the Finance Committee to address \$569K worth of de-obligated funds moving forward.

No further comments were presented, and Governor Sandoval accepted the request to fund the top 10 projects above the red line as presented. Governor Sandoval put forth motion to approve. Chief Washington approved motion with Bob Fisher seconding the motion. All were in favor. Motion passed unanimously.

9. **PUBLIC COMMENT**

Governor Sandoval opened the floor to public comment with several commentaries noted below:

Chief Smith congratulated both the UASI and Homeland Security group for coming together and meeting the challenge to do what is best for the State of Nevada. Additional gratitude was given to the Department of Emergency Management, the Grants section, Kelly Anderson, and Sonja Williams for their performance during this process. Governor Sandoval added his appreciation with the immense amount of preparation and information that is presented to the Committee.

There were no members of the public from Southern Nevada that accepted Governor Sandoval's invitation to speak. Several members of the public from Northern Nevada did accept this invitation as noted below:

Chris Ipsen updated the Committee with the current progress on the statewide cyber assessment project. There are plans for meetings in both the north and south with scheduled exercises already on the calendar. The north will have a closed door exercise on 5/23/12, and the south will have an exercise on 6/21/12. He's pleased the program is moving forward well.

Bob Fisher posed a question as to whether it was necessary to place on the agenda a request to submit press releases after these committee meetings aimed at both the public sector and emergency management personnel in the rural areas. Of particular importance to Mr. Fisher is getting this information to those emergency management personnel that are unable to attend these committee meetings. He stressed that those people that attend these Committee meetings have understanding of the issues at hand, while the general public may not. Governor Sandoval addressed the group by inquiring if there was a need to actually put this issue on a future agenda,

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and the consensus is that this can happen immediately. In addition, Mr. Fisher stressed that although his business often sees negativity portrayed at a heightened level, he feels that this Commission is an entity to be proud of in light of the Governor's support, appointments made, and all of the personnel involved which keep the State of Nevada safe. Governor Sandoval complimented this as well noting that there are many people counting on the State for protection.

Irene Navis updated the Committee on the critical infrastructure protection resiliency project. In conjunction with input from Gonzalo Cordova and Chief Smith, she noted that the State of Nevada had been selected as one of two areas in Region 9 to look at issues relating to resiliency in regional fashion. The state, local, tribal, and territorial council is responsible for creating regional resiliency reports, and as part of that process they were selected to conduct interviews regionally throughout the state discussing critical infrastructure protection resiliency. She is excited about this honor.

**10. ADJOURNMENT**

Governor Sandoval put forth a motion to adjourn. Sheriff Haley moved to adjourn with Bob Fisher seconding the motion.