



Meeting Minutes Nevada Commission on Homeland Security

Attendance	DATE	Friday, October 4, 2013	
	TIME	9:30 a.m.	
	LOCATION	Legislative Counsel Bureau Legislative Building – Room 3138 401 S. Carson Street Carson City, NV 89701	
	METHOD	Video-Teleconference	
	RECORDER	Karen Hall	
Commission Members	Present	Legislative & Ex-Officio Members, Staff and Others	Present
Governor Brian Sandoval	X	Karen Burke	X
Michael Haley	X	Gonzalo Cordova	
Laura Bucheit	X	William C. Horne – Assemblyman	
Robert Fisher	X	Chris Ipsen	X
Adam Garcia		Christopher Smith	X
Dr. Warren Gilbert. M.D.			
Doug Gillespie	X		
Frank Gonzales	X	Selby Marks (Staff)	X
Alfreida Jake	X	Samantha Ladich (AG Rep)	X
Dr. Ikram Khan	X		
Tom Lozich	X		
Charles Moore	X		
Richard Perkins			
Pat Spearman			
Rosemary Vassiliadis			
Troy Wade			
Bertral Washington	X		
Bill Welch	X		

1. CALL TO ORDER AND ROLL CALL

Governor Brian Sandoval, Chairman of the Nevada Commission on Homeland Security called meeting to order. Roll call was performed by Selby Marks, Homeland Security Administrator for the Nevada Division of Emergency Management and Homeland Security (NDEM/HS). Quorum was established for the meeting.

2. PUBLIC COMMENT

Governor Sandoval opened discussion for public commentary in both the northern and southern venues. No commentary in either location.

3. APPROVAL OF MINUTES

Governor Sandoval called for approval of the meeting minutes from the Nevada Commission on Homeland Security (NCHS) meeting held June 21, 2013. Motion to approve presented by Dr. Ikram Khan, Quality Care Consultants with a second from Tom Lozich,

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MGM Resorts International. All were in favor with no opposition. Motion passed unanimously.

4. COMMENTS BY THE CHAIRMAN

Governor Sandoval welcomed Federal Bureau of Investigation Special Agent in Charge, Laura Bucheit to the Commission in addition to complimenting Karen Burke, Federal Security Director with the Transportation Safety Administration for her efforts. The Governor also spoke to witnessing the honor flight on his way to Washington D.C.

5. UPDATE ON THE STATUS OF THE SONNet COMMITTEE

Chief Chris Magenheimer, North Lake Tahoe Fire Protection District and SONNet project manager briefed the Commission on the current status of SONNet Committee activities. First Responders Network (FirstNet) is working with the National Telecommunications and Information Administration (NTIA) releasing State and Local Implementation Grant Program (SLIGP) funding. Nevada is in the acceptance phase of receiving \$1.9 Million. The first phase of the project is based on governance and outreach, and the second phase based on asset allocation and identification. Chief Magenheimer spoke to the Broadband Workshop presented by the Office of Emergency Communications (OEC) on 8/26/13 in which SONNet received valuable information on coverage objectives. Richard Nelson, Nevada Department of Transportation and Chief Magenheimer met with Nevada Higher Education and the University of Nevada-Reno Seismology department who both have robust networks. Both are interested in becoming a part of this initiative. Sheriff Michael Haley, Washoe County Sheriff's Office and Chief Magenheimer have also met with NV Energy as well, as they are a crucial partner with the state radio system, particularly the Long Term Evolution (LTE) portion. Chief Magenheimer also discussed meetings with Karen Wong and Sheriff Bonner in Placer County in developing partnerships with bordering communities. Sheriff Haley also met with Bill D'Augustino from FirstNet, Connected Nation, and Connect Nevada as part of the Nevada Broadband Taskforce.

Sheriff Haley indicated the next challenge will be state consultations with FirstNet and the Governor's office. The goal is to identify necessities for Nevada. Governor Sandoval inquired what the next steps are, and Sheriff Haley provided those activities that should happen for SONNet to be successful. As the PSBBN is dynamic and constantly changing, FirstNet keeps adjusting its scope. SONNet must be flexible as well. Sheriff Haley indicated that the adequacy of the current governance structure needs to be examined to begin phase one of this process. Sheriff Haley offered governance structure that is consistent with other state structures defining expenditure priorities with phase one and two requirements. Preparation must be made for the first consultation between FirstNet and the Governor's office. Identification and establishment of Request for Proposals for phase one also important. Planning for outreach and educational programs vital to public and private partners is also necessary. Regional coordination must also continue. The limited funding needs to be assigned to the highest and best use, and Sheriff Haley indicated he does not believe funding should be used on any other tasks other than preparing the Governor. Both the Nevada Assembly and Senate have been briefed on this mission, and they will receive continued updates moving into next legislative session. Sheriff Haley presented his understanding that the Governor is not bound to take a position to either opt in, or opt out of this process, but the Sheriff just wants the Governor to be prepared. Sheriff Haley also indicated that he needs SONNet to be structured in a way to allow the Governor to move on his decision once made, and upon consultation with legal staff, migrate SONNet's structure to allow the Governor to move forward.

Governor Sandoval indicated his appreciation for the time spent with his staff regarding this initiative, presenting curiosity with regard to the adequacy of the current SONNet structure.

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Sheriff Haley indicated some states have yet to develop structure; some are organized as Nevada is, and other states have bill draft requests moving forward to define organizational structure. In order to rapidly answer questions, Sheriff Haley wants to empower the SONNet chair position to make decisions, recommending that all groups making communications decisions are consolidated under SONNet to allow vetting of communication projects in a single forum in order to use limited resources to enhance information for the Governor. Governor Sandoval requested a timeline be provided by Sheriff Haley as to what needs to be accomplished, and Sheriff Haley will provide that to the Governor.

Within the next several months, grant funding will come into Nevada for the planning and outreach portion of this project. Dr. Ikram Khan presented concern that time is running tight, and indicated a need to know if there is a draft based on best practices of existing states. Sheriff Haley indicated that SONNet is currently structured as a subcommittee under the Commission which creates challenges for timing approvals. Chief Magenheimer spoke to the current size of the SONNet membership indicating a need for replacement membership due to retirements and to have broader representation. Nevada needs the ability to identify all assets pertaining to this project. Sheriff Haley may be looking for an Executive Order (EO), caveating that the Governor's staff is looking at governance structures currently. Sheriff Haley believes that if SONNet is to perform its long-term mission, an EO needs to be authored to carry out that mission. The SONNet chair has no authority, but is tasked with moving the state forward. Sheriff Haley does not want to exceed his authority, but needs clarification on what his authority entails. Governor Sandoval inquired on the current active membership indicating there is a need to refill open positions currently, with Sheriff Haley in agreement. Sheriff Haley also asked for clarification on who the single point of contact shall be for Nevada. Governor Sandoval indicated his understanding of the situation and will continue meeting to discuss options. General Gonzales spoke to moving forward from a public perspective noting the involvement of NV Energy in the initiative. Governor Sandoval encouraged the Attorney General's office and Sheriff Haley to work with his legal staff to work on this issue. The Governor is concerned with the current membership, and Sheriff Haley indicated he wants to submit names to get seats filled through the appropriate channels. Robert Fisher, Nevada Broadcasters Association stressed the importance of including rural engineers or broadcasters in a membership role due to their knowledge of broadband communication and ability to perform outreach. Chief Washington thanked Sheriff Haley, Chief Magenheimer, and Governor Sandoval for their efforts regarding SONNet. Sheriff Haley asked that both the private and public sector submit to Chief Magenheimer names of any individuals wishing to represent those areas.

6. REVIEW OF THE NEVADA COMMISSION ON HOMELAND SECURITY (NCHS) DRAFT BYLAWS INCORPORATING SENATE BILL (SB) 39 CHANGES FROM THE LAST LEGISLATIVE SESSION

Chief Christopher Smith, NDEM/HS briefed the Commission on the changes to Senate Bill 39 highlighting that any committee appointed by Nevada Revised Statutes (NRS) may hold closed meetings according to the law. Any committee chair having the need to close any portion, or all of a meeting, can approach the Commission for approval to do so in order to ensure the Commission has full visibility on the request. Dr. Khan inquired if approval to close a meeting is granted by the Commission as a whole, or whether it is granted by the Chair alone. Per Chief Smith, the Commission must approve the decision to close a meeting. Governor Sandoval also clarified this with Chief Smith and that this would be done in accordance with Open Meeting Law (OML). Governor Sandoval requested a statement from Samantha Ladich, Senior Deputy Attorney General to confirm this understanding by the Commission, and Ms. Ladich indicated the proposed language is in conformance with OML as there are only certain circumstances where the Commission can hold a closed meeting. Dr. Khan also presented concern about emergency meetings as to how

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Commissioners deliberate not knowing what was discussed in a closed meeting. Chief Smith presented a hypothetical case similar to the Kenyan Mall shooting incident in which if a Critical Infrastructure Committee required a closed meeting regarding sensitive information, all the Chair of that Committee would have to do is say he would like to have a secure brief to the Committee about the topic.

Robert Fisher presented concern regarding the necessity for the Nevada Legislature to have visibility on what the Commission does for the state of Nevada. He indicated his concern comes from speaking with legislators that are still unclear what the Commission does. Mr. Fisher is particularly concerned about those legislators that sit on the Commission, and the importance of their attendance to Commission meetings. With limited terms, those legislators that miss more than 2 meetings per year lose opportunity for valuable input into Commission activities. Governor Sandoval spoke to Assemblyman Horne's current status, and that he will reach out to the new senator, Pat Spearman as well.

Sheriff Haley inquired that as the Public Safety Broadband initiative move forward and disparate communications information comes in, there will be a process of consolidating that information into a single document. That document, due to its sensitive nature, may fall under close examination and require closed meetings to do so. Chief Smith reiterated that going into the Legislature, he agreed the existing amendment to the law would allow closing meetings. Chris Ipsen, Nevada Department of Administration agrees with consolidated approach, noting a chief challenge in cyber security is discussing threats in an open forum. Mr. Ipsen agrees that this must be done with transparency.

Alfreida Jake, Te-Moak Tribes thanked Governor Sandoval and the Commission for inclusion of tribes on this body.

Motion to approve presented by Dr. Khan, with a second provided by Sheriff Doug Gillespie, Las Vegas Metropolitan Police Department. All were in favor with no opposition. Motion passed unanimously.

7. REQUEST TO REALLOCATE HOMELAND SECURITY GRANT PROGRAM (HSGP) FUNDS

Chief Smith briefed the Commission on the NCHS-88 Re-Obligation request to purchase a backup power system in the amount of \$77,000.00 for Governor Emergency Operations. Sheriff Gillespie indicating this was a unanimous vote from the Finance Committee as the project met criteria guidelines set forth by the Department of Homeland Security (DHS). Governor Sandoval clarified this was the result of a DHS inspection looking at vulnerability assessment, and this request originated from that recommendation.

Motion to approve presented by Dr. Khan, with a second provided by General Frank Gonzales, Nevada National Guard and NV Energy. All were in favor with no opposition. Motion passed unanimously.

8. NATIONAL GUARD BRIEFING ON FULL-DEPTH CHEMICAL, BIOLOGICAL, RADIOLOGICAL, NUCLEAR AND HIGH YIELD EXPLOSIVE (CBRNE) RESPONSE

General Gonzales introduced this agenda item prompting the Commission to discuss, after the presentation, whether Nevada is using its capability resources to the fullest capacity.

Lieutenant Colonel Cory Shultz, Nevada National Guard briefed the Commission on the CBRNE Enterprise presentation which highlighted the following (*actual presentation will be an attachment to these minutes for reference*):

- The mission and objectives of the CBRNE Enterprise Mission to include managing forces, saving lives, minimizing suffering, and maintaining public confidence.

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- Field fast, flexible consequence management response forces including Civil Support Teams (CST), CBRNE Enhanced Response Force Packages (CERFP), Homeland Response Force (HRF), Defense CBRNE Response Force (DCRF), and Command and Control Response Element.
- CST and Weapons of Mass Destruction (WMD) key characteristics.
- Capabilities in Pre-Event, Event, and Post-Event periods.
- CBRNE CERFP mission, key characteristics, and capabilities.
- HRF mission, composition, and key characteristics.

General Gonzales indicated that Las Vegas has one of only 17 CERFP groups in the nation. As the CST came into operation in 2002, they were equipped with the best equipment. In present day, both fire and law enforcement agencies have received new equipment. As there is substantial decline in the activity of the CST, the question is whether the CST is in the right place to support the state as a whole. Governor Sandoval inquired about the utilization of equipment as noted, noting maximum utilization is important and duplicative efforts need to be addressed. General Gonzales indicated that over the past 10 years, the support from the Defense Threat Reduction Agency (DTRA) is the lowest in relationship to what other states have done. There are more resources available to Nevada than currently being requested. Though large metropolitan areas have updated equipment, smaller rural communities may not.

Chief Smith praised the dedication of the National Guard staff and the model it sets for working together as he relayed briefly an incident which happened in Carlin, Nevada. When local first responders needed help, they requested a CST. The CST was mobile and responsive, yet the local responders ran the incident management. Chief Smith supports the ability for the CST to be mobile around the state.

Dr. Khan presented concern that there be adequate training and exercises pertaining to this type of assistance with hospitals in the state to ensure plans are in place for surge capacity. Governor Sandoval agreed this is necessary. Lieutenant Colonel Schulz indicated that those relationships are built and continue to build on necessary capabilities on an ongoing basis. Deputy Chief Fernandez Leary, Clark County Fire Department spoke to the efforts pertaining to triage due to CBRNE, and he feels that the Nevada National Guard should be introduced into that coalition to bring in more capability. Bill Welch, Nevada Hospital Association indicated that all hospitals have surge capacity plans and participate in regional coalitions which meet regularly. Mr. Welch indicated that it may be beneficial to ask Angela Krutsinger, Nevada Hospital Association to provide a presentation on surge capacity in whatever catastrophic event which occurs. Governor Sandoval indicated that he was pleased with this discussion and wants the National Guard to be included in this conversation moving forward. Sheriff Gillespie spoke to Clark County's strength in handling triage issues for larger events. Sheriff Gillespie indicated with regard to CBRNE, and to where assets are assigned, first responders should push to elected officials the need of having more responders. If there isn't a need established, there is no funding granted. Sheriff Gillespie indicated that he feels the CST should remain where it is as they will be utilized more in that area, but they will still be deployable when needed. Preparedness must be emphasized. Robert Fisher spoke to Nevada citizens serving Nevada citizens noting experiences he has had with students from Israel. The need to communicate is crucial, particularly in different languages. Chief Bertral Washington, Clark County Fire Department spoke to his experience with CST and the incredible job done by this team, noting the value of having this partnership. Chief Washington also indicated he believes the CST should remain in Southern Nevada as services are needed to support the larger risk.

Chief Smith echoed some of the concern presented by Sheriff Gillespie noting that luck isn't a response capability. The Commission allocated monies to training and exercise. Moving

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forward with the next round of priorities, the Commission needs to know that the Threat Hazard Identification and Risk Analysis (THIRA) is a baseline to determine how best to respond. This is perfect timing to take the next step in what the Commission feels is important with future funding.

Tom Lozich thanked the Nevada National Guard for the presentation speaking to Armor's capability and CST use during major events such as New Year's Eve. Mr. Lozich indicated that Armor is just as good as the CST. Speaking to response times, Mr. Lozich indicated the ability to respond is tied to expenditures related to fixed-wing aircraft.

General Gonzales presented concern that with all of this input is Nevada doing everything it can use the right resources for the right reasons. The major concern is geographic in nature, and if it makes sense to have all assets within the state in one place. Governor Sandoval recommended to Chief Smith that this should be a topic of concern and between now and the next meeting there should be a recommendation made to analyze this data.

9. PUBLIC COMMENT

Governor Sandoval called for public commentary. No public commentary in the Las Vegas venue. Regina Marotto, Inter-Tribal Emergency Response Commission (ITERC) echoed Alfreida Jake's earlier commentary regarding the need for tribal representation on the Commission body. Ms. Marotto asked that the Governor appoint tribal seats to Finance Committee, State of Nevada Network (SONNet) Committee, and the Nevada Communications Steering Committee (NCSC). Governor Sandoval indicated that Ms. Marotto's request would be addressed.

10. ADJOURN

Governor Sandoval called for a motion to adjourn the meeting. Motion to adjourn was provided by Sheriff Gillespie, with a second provided by Dr. Khan. All were in favor with no opposition. Meeting adjourned.