



Office of the City Manager

**RECESS ITEM**  
**CONSENT CALENDAR**  
 September 29, 2026

To: Honorable Mayor and Members of the City Council

From: Paul Buddenhagen, City Manager

Submitted by: Jamie Parks, Director, Public Works

Subject: Increased Spending Authority: East Bay Regional Communications System Authority Project Operating Agreement (Contract No. 31900111) for Public Safety Radio Services

**RECOMMENDATION**

Adopt a Resolution ratifying the action taken by the City Manager to increase the spending authority with the East Bay Regional Communications System Authority for public safety radio communications services, increasing the amount by \$2,600,000 for a total not to exceed of \$6,819,482 and requiring Council reauthorization by December 31, 2031.

**NEGATIVE EFFECT IF ACTION IS DELAYED UNTIL AFTER COUNCIL RECESS**

Interoperable radio communications are essential to coordinating emergency responses across jurisdictions. During natural disasters, major accidents, civil unrest, criminal incidents, and mutual-aid responses, first responders must be able to communicate reliably and in real time to protect life and property.

The City's existing annual spending authority is limited to \$280,000, plus a 20% contingency, for a total annual spending authority of \$336,000 with no cumulative limit. Since that authority was approved in 2011, annual service costs and the number of radios using the regional system have increased. As part of best practices, the City needs to add a time limit and an overall financial limit to the contract so that it will be brought back to City Council for reauthorization every five years.

The City Council will not meet again until September 15, 2026, and the current EBRCSA invoices are due by August 31, 2026. City Manager action during the Council recess is necessary to provide sufficient spending authority to pay the outstanding invoices by the required due date. The City Council's next meeting is September 15, 2026, after the payment deadline. Delaying action until after the recess would result in late payment and noncompliance with the agreement's payment requirements and could jeopardize the City's continued access to this critical public safety communications system.

### FISCAL IMPACTS OF RECOMMENDATION

Funding is available in the adopted Fiscal Year (FY) 2027 budget in Measure GG (Fund 140). Funding for future years is subject to appropriation in the FY 2028 to FY 2031 budget in Measure GG (Fund 140).

### CURRENT SITUATION AND ITS EFFECTS

Reliable and interoperable radio communications are critical to supporting the City's emergency response operations. The regional communications system enables Berkeley's first responders to communicate with other participating agencies during routine operations, major incidents, and mutual-aid responses.

In 2011, the City Council adopted Resolution No. 65,421-N.S., authorizing the City Manager to execute a Project Operating Agreement with the East Bay Regional Communications System Authority (EBRCSA). The resolution authorized annual service and operating payments of up to \$280,000, plus a 20% contingency, for a total annual spending authority of \$336,000.

Since 2011, annual service costs and the number of radios using the regional system have increased. The need for additional spending authority was identified during the review and processing of the current East Bay Regional Communications System Authority (EBRCSA) invoices, after the Council recess had begun. The proposed authorization is needed at this time to increase the cumulative not-to-exceed contract amount and extend the agreement through December 31, 2031.

This operating agreement supports the City's emergency response services and interagency coordination capabilities, which are critical to protecting City staff and community members. It aligns with the Strategic Plan Priority of advancing our goal to create a resilient, safe, connected, and prepared city.

Effective January 1, 2026, local agencies are required to satisfy noticing requirements for certain contracts for services that meet the criteria outlined in Government Code Section 3504.1 as amended by AB 339. This project does not meet the criteria in Government Code Section 3504.1 and is exempt from the noticing requirement.

### BACKGROUND

East Bay Regional Communications System Authority (EBRCSA) is a joint powers authority formed in 2007 to develop and operate an interoperable public safety radio communications system serving Alameda and Contra Costa counties. Its member agencies include Alameda County, Contra Costa County, local municipalities, and the University of California, Berkeley. The regional system enables public safety personnel from different agencies and jurisdictions to communicate and coordinate during routine operations, major incidents, and mutual-aid responses.

### ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

There are no identified environmental sustainability or climate impacts associated with the approval of this proposed additional spending authority.

### RATIONALE FOR RECOMMENDATION

Reliable and interoperable radio communications are essential to coordinated emergency response and mutual-aid operations. The increased spending authority will allow the City to meet its current and anticipated payment obligations under the Project Operating Agreement and continue participating in the regional public safety radio communications system through December 31, 2031.

### ALTERNATIVE ACTIONS CONSIDERED

Council could decline to approve the increased funding authorization. This alternative is not recommended because the City would lack sufficient spending authority to pay the current invoices and continue meeting its financial obligations under the Project Operating Agreement.

### CONTACT PERSON

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RESOLUTION NO. ##,###-N.S.

CONTRACT NO. 31900111 AMENDMENT: INCREASED SPENDING AUTHORITY:  
EAST BAY REGIONAL COMMUNICATIONS SYSTEM AUTHORITY PROJECT  
OPERATING AGREEMENT FOR PUBLIC SAFETY RADIO SERVICES

WHEREAS, on July 19, 2011, the City Council adopted Resolution No. 65,421-N.S., authorizing the City Manager to execute a Project Operating Agreement under the East Bay Regional Communications System Authority (EBRCSA) and make annual service and operating payments; and

WHEREAS, Resolution No. 65,421-N.S. authorized annual service and operating payments of up to \$280,000, plus a 20% contingency, for a total annual spending authority of \$336,000; and

WHEREAS, since 2011, annual service costs and the number of radios using the regional system have increased, causing the City's current payment obligations to exceed the existing annual spending authority; and

WHEREAS, funding is available in the Fiscal Year 2027 budget in Measure GG Fund 140 and funding for future years is subject to Council approval of the applicable citywide budgets.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the Council ratifies the action taken by the City Manager to increase the spending authority for the Operating Agreement (Contract No. 31900111) with the East Bay Regional Communications System Authority (EBRCSA) to provide public safety radio communications services, increasing the contract amount by \$2,600,000 for a total not to exceed \$6,819,482, and require Council reauthorization by December 31, 2031.