



# **AGENDA**

## **LOS ANGELES REGIONAL INTEROPERABLE COMMUNICATIONS SYSTEM AUTHORITY**

### **LEGISLATIVE COMMITTEE MEETING**

Wednesday, May 11, 2011 : 10:00 a.m. – 11:30 a.m.

Los Angeles County Fire Department  
1320 N. Eastern Avenue, Room 112, Los Angeles, California 90063

**AGENDA POSTED: May 6, 2011**

Complete agendas are made available for review on the Authority's website at <http://www.la-rics.org>.

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1. CALL TO ORDER
2. ANNOUNCE QUORUM – Roll Call
3. APPROVAL OF February 24, 2011 MINUTES
4. OLD BUSINESS
5. REPORTS
6. NEW BUSINESS – DISCUSSION ITEM
  - 6.1 Key Provisions Summary of HR 607 and SB 28 (see attachment)
  - 6.2 HR 607 – The Broadband for First Responders Act of 2011 (see attachment)
  - 6.3 SB 28 – Public Safety Spectrum and Wireless Innovation Act (see attachment)
  - 6.4 Grant Performance Period Modification
7. FUTURE MEETING DATES, TIMES, and LOCATIONS
8. PUBLIC COMMENT
9. ADJOURNMENT



## LEGISLATIVE COMMITTEE MEETING INFORMATION

Members of the public are invited to address the LA-RICS LEGISLATIVE COMMITTEE on any item on the agenda prior to action by the LEGISLATIVE COMMITTEE on that specific item. Members of the public may also address the LEGISLATIVE COMMITTEE on any matter within the subject matter jurisdiction of the LEGISLATIVE COMMITTEE. The LEGISLATIVE COMMITTEE will entertain such comments during the Public Comment period. Public Comment will be limited to three (3) minutes per individual for each item addressed, unless there are more than ten (10) comment cards for each item, in which case the Public Comment will be limited to one (1) minute per individual. The aforementioned limitation may be waived by the LEGISLATIVE COMMITTEE's Chair.

*(NOTE: Pursuant to Government Code Section 54954.3(b) the legislative body of a local agency may adopt reasonable regulations, including, but not limited to, regulations limiting the total amount of time allocated for public testimony on particular issues and for each individual speaker.)*

Members of the public who wish to address the LEGISLATIVE COMMITTEE are urged to complete a Speaker Card and submit it to the LEGISLATIVE COMMITTEE Secretary prior to commencement of the public meeting. The cards are available in the meeting room. However, should a member of the public feel the need to address a matter while the meeting is in progress, a card may be submitted to the LEGISLATIVE COMMITTEE Secretary prior to final consideration of the matter.

It is requested that individuals who require the services of a translator contact the LEGISLATIVE COMMITTEE Secretary no later than the day preceding the meeting. Whenever possible, a translator will be provided. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or services may be provided upon request. To ensure availability, you are advised to make your request at least 72 hours prior to the meeting you wish to attend.

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# MEETING MINUTES

LOS ANGELES  
REGIONAL INTEROPERABLE COMMUNICATIONS SYSTEM AUTHORITY

## LEGISLATIVE COMMITTEE MEETING

February 24, 2011

LA-RICS Corporate Office  
2525 Corporate Place, Suite 200, Monterey Park, California 91754

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### Official Voting Members Present:

**Daryl Osby, Chair**, representative for the County of Los Angeles Fire Department  
**Mary Giordano**, representative for the City of Torrance, At Large Seat #1  
**Mike Garcia**, representative for the City of Long Beach  
**Greg Simay**, representative for the City of Burbank, At Large Seat #3  
**Mark Wilkins**, representative for the County of Los Angeles Sheriff's Department

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### Representatives For Official Voting Members Present:

**Kyle Lockhart**, representing Manuel Rivas, representative for the County of Los Chief Executive Office  
**Kevin Nida**, representing Andy Fox, representative for the City of Los Angeles Fire Department

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### Official Voting Members Absent:

**Mark Davis**, representative for the City of Los Angeles Chief Administrative Office  
**Chris Hansen**, representative for the City of Los Angeles Police Department  
**June Gibson**, representative for the City of Los Angeles, Office of the Chief Legislative Analyst  
**Gerardo Pinedo**, representative for the County of Los Angeles Department of Health Services  
**Nancy Ramirez**, representative for the Los Angeles School Police Department  
**Harold Scoggins**, representative for the Los Angeles Area Fire Chiefs Association  
**Mitch Tavera**, representative for the City of Culver City, At Large Seat #2



Before the official meeting began, Scott Poster, Interim Director LA-RICS Project, mentioned that he would be the facilitating the Legislative Committee meeting. He said that the meeting was called by his staff to bring forth information that required action by this Legislative Committee.

He stated that the Legislative Committee Chair, P. Michael Freeman had recently retired and that the new Fire Chief of the County of Los Angeles Fire Department, Daryl Osby, was present. He further stated that one of the items on the Agenda was the election of officers. He went on to say that since Chief Freeman was not there and that Chief Osby was, it was beneficial to have him chair or share until the officers are selected.

1. CALL TO ORDER

A meeting of the LA-RICS Legislative Committee was called to order on February 24, 2011 at 3:05 p.m. by Interim Director Scott Poster.

2. ANNOUNCE QUORUM – Roll Call

Interim Director Scott Poster conducted a formal roll call and determined there was a quorum present.

A. ANNOUNCEMENT

Interim Director Scott Poster announced that this was a public meeting and it was being recorded, and that there are people who are not representatives of this particular LA-RICS entity. He also mentioned that Deputy Chief Mike Garcia, Long Beach Fire Department, will be the official member, replacing former Committee Member Alan Patalano. He also asked that each person introduce themselves.

3. APPROVAL OF MINUTES – (None)

4. ELECTION OF OFFICERS

A decision was made to go ahead and take Nominations for the Chair position.

- Election of Chair

Committee Member Mark Wilkins nominated Fire Chief Daryl Osby for the Chair position. Motion seconded by Captain Kevin Nida. **MOTION APPROVED.** It was reported that Chair Daryl Osby will serve a one-year term.

Chair Daryl Osby thanked everyone for his appointment. He mentioned that he will be reviewing the files left by Retired Fire Chief Freeman and is looking forward to serving as the Chair of this Committee.

- Election of Vice Chair and Secretary

It was recommended to hold-off on electing these vacancies until more members are present. Interim Director Scott Poster stated that for the record, we would elect the Vice Chair and Secretary at the next Legislative Committee Meeting. Everyone agreed to this recommendation.



5. OLD BUSINESS – (None)
6. NEW BUSINESS – DISCUSSION ITEM
  - 6.1 D-Block Auction

Kevin Nida, Chair of the Technical Committee, stated that the Technical Committee had met and based on external and internal review, voted to support relocating the D-Block to Public Safety. That information was provided to the LA-RICS Board of Directors a couple of months ago. RCC Consultants, Inc., made a presentation to the Committee on the D-Block. He said that if LA-RICS gets the D-Block, it will give LA-RICS another 10 MHz, for a total of 20 MHz (a lot of bandwidth for high speed data) and the things needed for Public Safety countywide.

Chair Nida also said that President Obama announced last month [January 2011] that they were going to support LA-RICS getting the D-Block. There were a couple of wireless carriers who had not received what they felt was enough spectrum and the government wanted to auction that spectrum off to them. With LA-RICS going to D-Block and this Motion moving forward, there will be other spectrum auctioned for them. This may result in a revenue generating tool for the government and also provides wireless carriers additional spectrum to operate and have more capacity as well.

Interim Director Scott Poster stated there has been controversy nationally on the D-Block, whether it should go to auction or to public safety; and that the LA-RICS Board of Directors has been asked to comment on what LA-RICS would like to do. Therefore, the Joint Powers Authority (JPA) Board assigned the project to the Technical Committee to analyze, make a determination, and recommendation to the Legislative Committee regarding direction to take. The Technical Committee has advised the Legislative Committee that they are not in support of any auction. Therefore, Chair Daryl Osby will be requesting the Board of Directors asking their support of the D-Block going to Public Safety and not going to Auction, in line with President Obama's State of the Union Address.

**ACTION TO BE TAKEN:** Chair of the Legislative Committee to report back to the Board of directors the decision to support the D-Block to Public Safety and not to Auction.

Mike Thayer, DELTAWRX, mentioned that LA-RICS had been approached by the Congressional Delegation asking that LA-RICS not take a position regarding the D-Block. He asked if the Legislative Committee wanted to reach out to the members of our Congressional Delegations regarding its position to not come out in favor of the D-Block being reassigned to public safety. He also stated that the Federal Communications Commission (FCC) chairperson still wants to auction the D-Block.

**QUESTIONS:**

- 1) Is our taking a position going to change the outcome of what is going to happen?
- 2) Does it make sense to step back, not alienate anybody in the Congressional Delegation that's helpful to get us the Broadband Technology Opportunity Program (BTOP) money or another initiatives coming down the line and kind of see where it goes?



Interim Director Poster stated that there is strong support from the Board of Directors to have the Technical Committee completely evaluate and provide a recommendation that the Board of Directors can forward to the Legislative Committee. The Legislative Committee would then advise the Board of Directors on the direction to take, whether to do more research and/or make political contacts. While the County is sensitive to the Delegation, this is LA-RICS, separate from the County Delegation.

Mike Thayer commented that during the State of the Union Address additional spectrum would be made available to those who wanted it. Although they weren't going to give them 700 MHz, the D-Block or Auction, they were going to auction other spectrum to make up the money. The latest was that rather than the D-Block, they were going to resolve the issue by making other spectrum available to them via auction.

Committee Member Mark Wilkins, asked for clarification on what the Board of Directors has asked the Legislative Committee to provide. An opinion, one way or another on whether it is in support of the D-Block going to Public Safety.

Mike Thayer, felt it's an opinion on the D-Block and remaining neutral is a possibility.

Committee Member Mark Wilkins also asked if it would be on whether or not we should take a position and maybe not take a position at all.

Interim Director Poster asked for a Motion from the Legislative Committee members.

- Committee Member Mark Wilkins made a Motion that the Legislative Committee hold off making a decision, one way or another today; and that they either consult with their local Congressional Delegation or go back to their agencies and cities and discuss this some more as well.

Committee Member Greg Simay recommended that D-Block with Safety would be a great technical advantage to LA-RICS. He said that this could be an excuse to visit the Congressional Delegation staff to update them on the issue and let them know we are not taking an official position at this time, however, to take into account LA-RICSs position. This would ensure that a good relationship is maintained. The Congressional Delegation would prefer that for political reasons, LA-RICS defer from taking an official position at this time.

- Committee Member Greg Simay made a Motion that for now LA-RICS contact the appropriate representative from each Congressional Delegation and update and educate them on D-Block, particularly the findings of the Technical Committee, making it clear that we have not decided to take any position nor are we asking them to take any position at this time. **Motion was seconded.**

Mike Thayer added that the two chairs of the House Energy and Commerce Committee and the Communications and Technology Subcommittee are still supportive of the auction; and they released a joint statement on President Obama's comment in the State of the Union saying they look forward to receiving more information on how they can continue to trim the



budget deficit and still forego that auction. The people who are in a position to chair those committees to hear the legislation are not on-board yet.

Kevin Nida stated that the reason the Technical took the position they did is because they are going to build a Long Term Evolution (LTE) BTOP network with hundreds of sites and with that 700 D-Block, essentially going to run on half a tank of pipeline. LA-RICS needs a full tank to be able to handle the incidents in Los Angeles County that are very unique. Both Los Angeles County and the City of Los Angeles, the second largest region in the Country, have different issues than what some of the other cities and regions around the country encounter. While he did not want to go against his Committee's recommendation, he agreed with Committee Member Greg Simay that LA-RICS needs to do more education. The Congressional Delegation representatives need to be aware of why the D-Block is needed and the additional cost to do what we want if they don't allow us to have the D-Block.

Committee Member Greg Simay said that if we decide in the end to remain neutral, the Congressional Delegation will know that we've done them a genuine favor because it is in spite of it being in LA-RICS best interest.

Interim Director Poster stated that the Motion is for LA-RICS to contact our Delegation to update findings. Motion failed as there was no Second. He asked if there was a Motion of what to do with the D-Block at this point. The group has been advised by the Technical Committee to support the D-Block going to Public Safety.

Chair Daryl Osby asked if we have the latitude to arbitrarily or independently go out and do things or does it need to go through the JPA. Interim Director Poster responded that this is a Committee formed by the Board of Directors of the JPA. The Legislative Committee's task is to give the JPA Board input so it can make a decision. Based on the input it is provided, it will then prepare a response to our representatives to support or not support the auction or remain neutral. The COLA has decided to remain neutral at this point.

Chair Daryl Osby then asked Kevin Nida if we were done with the timeframe as far as neutrality or decision making. Kevin Nida responded that the original comment period has passed. The due date was late last month [January 2011] to provide comments so it was felt that at this point LA-RICS had taken a position. Both [Secretary Janet] Napolitano (United States Secretary of Homeland Security) and President Obama were in support so it was felt that it was pretty much a done deal and LA-RICS could move forward with the position.

- Kevin Nida moved that the Legislative Committee take the position of the Technical Committee and support D-Block for public safety. **Motion Seconded.**

Interim Director Poster asked if there was any opposition in support of the D-Block. As there is no opposition, this will be a recommendation to the JPA Board of Directors; and that the Board of Directors will make the final decision.

Committee Member Greg Simay asked if Kevin Nida could provide the findings of the Technical Committee so if they run across people, they can educate them. Kevin Nida agreed and will send it out.





## 6.2 FCC Notice of Proposed Rulemaking regarding Channels 14-20

Ron Wong stated that the FCC issued an inquiry on repurposing Channel 14-20. One of the goals of the Administration is to increase broadband access/internet access and make it available to the general population. As part of their inquiry, there are issues that are involved with the ability to share the TV channels between public safety users and other co-primary users. The Southern California area is very unique because we have varied terrain which requires high mountain-top sites. This makes it very susceptible to interference from devices even if they were operating outside the defined service area. The recommendation is that we oppose this unless there is a quiet zone that they can establish for Southern California. In the past, we have encountered interference to our high mountain-top site receivers from TV stations, low power TV stations, survey devices, and wireless microphones. Therefore, our recommendation is that we not support this proposal.

Committee Member Mark Wilkins asked Mr. Wong if this was regarding the rulemaking on Channels 14-20 or regarding the fixed station.

Ron Wong responded it was regarding Channels 14-20.

Mehrdad Larijaniha mentioned that Los Angeles County is very unique in its topography and population. TV Channels 14-20 have been exclusively offered by FCC for our agency's use in areas like Los Angeles County and New York City. Either all of these channels utilized or to be utilized by LA-RICS are within the band that we need protection from. Within our existing systems there is a history of interference. For example, for TV stations in Bakersfield, we have to build a system to protect the Los Angeles Police Department from those TV stations. Therefore, we are also opposed to this in our area.

Sara Henry stated that LA-RICS has a telecommunications expertise attorney on contract, Mr. Bob Gurst. And if this Legislative Committee proposes to take a stance either for or against notices from the FCC and the Board of Directors approves, we would then refer to Mr. Gurst and ask him to prepare feedback and pleading for a filing to the FCC.

Interim Director Poster added that when it gets posted in the Federal Register, then there is usually response time. As LA-RICS two (2) Subject Matter Experts (SMEs) are both opposed to the FCC Notice of Proposed Rulemaking, when it comes to the point where we can comment on it, the recommendation to this Committee is to use our Counsel in Washington, D.C., to oppose.

- Committee Member Mark Wilkins made a Motion to oppose the FCC Notice of Proposed Rulemaking regarding Channels 14-20. Motion seconded by Committee Member Mike Garcia. **MOTION APPROVED with one Abstention.** As this was Committee Member Mary Giordano's first meeting and did not have enough knowledge to participate in the vote, she chose to abstain at this time in the voting process.

Interim Director Poster stated that there was no opposition, Motion passes with one abstention.





### 6.3 FCC Order of Permanent Fixed Systems in 700 MHz

Ron Wong stated that New Mexico asked that on the 700 MHz broadband to allow fixed stations primary status. Other issues discussed related to technical use having to do with roaming but they were repeated in the next item. The primary issue is allowing fixed operations (i.e., traffic lights, cameras, streaming video) to have the same level of priority as with mobiles. The FCC came back and said the primary mission for this particular band is to allow for mobile interoperability which is the key for a nationwide system. In the FCC's notice, they indicated that it does not prohibit fixed operations. They would make it secondary and allowable on a non-interference basis.

Recommendation: None. (No need to address at this time).

### 6.4 Notice of Proposed Rulemaking regarding the Technical Framework of the Broadband System – 45 Days (March 11, 2011)

Sara Henry handed out three (3) documents. The first document is a packet provided by the FCC dated January 26, 2011 regarding the Notice of Proposed Rulemaking on the 700 MHz usage. LA-RICS as a waiver recipient is involved with a group of other waiver recipients to help form the future of the technical requirements prerequisite of the broadband initiative. The comment date does not begin until it is published, which gives us 45 days to make recommendations on all the items within this packet. These items dictate what the broadband portion of the system should be made up of in terms of system minimums, whether it is coverage or roaming. It has been reviewed by a committee comprised of LA-RICS staff. The second document lists items that the engineers and the technical staff feel strongly to either support or oppose. Our goal is to have the Board of Directors approve and allow us to refer to Bob Gurst for reply based on the notes in the document. The third handout provides basic information. It was also presented to the technical team and approved.

Mehrdad Larijaniha said that the Committee met and determined that to ensure the success of the build-out of the system, it would be beneficial to partner with the City of Los Angeles Department of Water and Power and other utilities because of their resources (i.e., the fiber optic system) that could be of value to LA-RICS. They would be considered a secondary user to public safety. The other concept is that rather than FCC getting into the technology aspect, it is recommended that they allow the appropriate agencies (i.e., National Public Safety Telecommunications Council) to address and communicate these technical issues to FCC for approval. In addition to that we also want to make sure that public safety would have the opportunity to partner up with commercial carriers as needed in order to ensure they would be able to provide the necessary capacity when they exhaust what they have at their disposal within their privately owned system.

Sara Henry said that the Committee looked at the entire document but felt it was important to comment on some of the factors. They went through and agreed/disagreed on other points but only highlighted the important ones they actually want to comment on.

Chair Daryl Osby said that after review of the one page document, it appears that LA-RICS is in support of the proposal.



Kevin Nida mentioned that the FCC has given LA-RICS an opportunity to review this document on a line-by-line basis so that we can provide comments on what we don't agree with. Once the JPA Board of Directors approves, these comments will then be forwarded to Counsel, who prepares a document and forwards LA-RICS' comments to the FCC.

Ron Wong stated that the FCC is looking for comments/suggestions from this Committee on the Proposed Rulemaking. Once they gather the input from the communities, they will take it and come up with a rule in the Code of Federal Regulations (CFR). We will then have 45 days to comment on the actual rules.

**ACTION:** Sara Henry to verify date it was published.

Committee Member Greg Simay asked if the FCC not propose that there be secondary users on the broadband.

Mehrdad Larijaniha responded that it specifically focused on public safety. He did not recall any discussion regarding utilities or political interests being accommodated. We want that Ruling to be modified based on our comments. Committee Member Greg Simay agreed with that and added that the phrase, "Logistical Support" be included so they understand it's not just because other secondary users find it useful but they can be in a helpful role to first responders.

Interim Director Poster stated that Bullet No. 2 is consistent with that portion of our JPA members.

Ron Wong stated that in the Notice of Proposed Rulemaking, public safety is defined very specifically. They recognize that there needs to be other support of the system. This is why they were asking for the community's view on secondary users. LA-RICS is in support of this.

Committee Member Greg Simay replied that you might want to add that "those agencies that could offer support for first responders should be particularly considered" and that would include a lot of our public works departments, utilities we have, and whatever agency we depend on. If a public safety agency is large enough to have some of those resources internally, that would cover those smaller agencies that might need to communicate with us.

Jaime Urrutia said that it also includes non-governmental agencies. For the Fire Department, ambulance services is a contract and there is a need to have them use those services.

Felipe Perez, DELTAWRX recommends that the Motion be phrased to give flexibility in the actual drafting. When we go to Bob Gurst, he may identify a paragraph or two that did not get picked up in the technical review but may have an impact. He did not want the Motion to limit that drafting only to what is being presented here. There should be a provision that allows us to capture something upon fourth and fifth review.



- Committee Member Greg Simay made a Motion to comment to the FCC regarding the bullet points and any other points that may be necessary to point out. Motion seconded by Committee Member Mark Wilkins. **MOTION APPROVED.**

Interim Director Poster stated that we would give instructions to Counsel to work and provide comments to the FCC on the Notice of Proposed Rulemaking.

7. FUTURE MEETING DATES, TIMES, and LOCATIONS

Future meetings will be held based on information requested or required by the Board of Directors.

The next meeting date/time – TBD

8. PUBLIC COMMENT – (None)

9. ADJOURNMENT

Meeting adjourned at 3:56 p.m.