



AGENDA

LOS ANGELES REGIONAL INTEROPERABLE COMMUNICATIONS SYSTEM AUTHORITY

BOARD OF DIRECTORS REGULAR MEETING

Thursday, September 1, 2011 • 9:00 a.m.
Grace E. Simons Lodge
1025 Elysian Park Drive, Los Angeles, CA 90012

Los Angeles Regional Interoperable Communications Systems Authority (the "Authority")

AGENDA POSTED: August 29, 2011

Complete agendas are made available for review at the designated meeting location during normal business hours and may also be accessible on the Authority's website at <http://www.la-rics.org>.

Members:

1. **William T Fujioka**, Chair, CEO, County of Los Angeles
2. **Mark R. Alexander**, City Manager, representing California Contract Cities Association
3. **Leroy D. Baca**, Sheriff, County of Los Angeles
4. **Charles L. Beck**, Vice Chair, Police Chief, City of Los Angeles
5. **Brian Cummings**, Interim Fire Chief, City of Los Angeles
6. **Reginald Harrison**, Deputy City Manager, City of Long Beach
7. **LeRoy J. Jackson**, City Manager, City of Torrance, representing At Large Seat
8. **Dr. Mitchell H. Katz**, Director, DHS, County of Los Angeles
9. **Gerry Miller**, Chief Legislative Analyst, City of Los Angeles
10. **Daryl L. Osby**, Fire Chief, County of Los Angeles
11. **Donald Pedersen**, Police Chief, City of Culver City, representing At Large Seat
12. **Scott Pickwith**, Police Chief, representing the Los Angeles County Police Chiefs Association
13. **Kim Raney**, Police Chief, City of Covina, representing At Large Seat
14. **Miguel Santana**, CAO, City of Los Angeles
15. **Harold Scoggins**, Fire Chief, representing the Los Angeles Area Fire Chiefs Association
16. **Gregory L. Simay**, Assistant General Manager, City of Burbank Water & Power, representing At Large Seat
17. **Steven K. Zipperman**, Police Chief, Los Angeles School Police Department

Officers:

1. **Patrick Mallon**, Executive Director
2. **Wendy L. Watanabe**, County of Los Angeles Auditor-Controller
3. **Mark J. Saladino**, County of Los Angeles Treasurer and Tax Collector
4. **Patricia Saucedo**, Board Secretary



NOTE: ACTION MAY BE TAKEN ON ANY ITEM IDENTIFIED ON THE AGENDA

I. CALL TO ORDER

II. ANNOUNCE QUORUM – Roll Call

III. APPROVAL OF MINUTES – from the August 4, 2011 Board of Directors Regular Meeting & Special Meeting

IV. CONSENT CALENDAR – (None)

V. REPORTS (1–2)

1. Committee Reports

- A. Finance Committee – Greg Simay
- B. Legislative Committee – No Report
- C. Operations Committee – No Report
- D. Technical Committee – No Report

Attachment: Item 1a

2. Director's Report – Pat Mallon

Attachment: Item 2

VI. DISCUSSION ITEMS – (3)

3. JPA / Deltawrx relationship – Pat Mallon

VII. ADMINISTRATIVE MATTERS (4–8)

4. Request for Proposals – LA-RICS System – Pat Mallon

ACTION ITEM: Proposed RFP for Telecommunications System (one RFP or two RFPs):

1. Recommendation: Direct staff to proceed with a single Request for Proposal ("RFP") for the Telecommunications System – requesting that proposers include alternate pricing in their proposals as follows: (i) a price for the entire Telecommunications System, consisting of both the LMR system and the LTE broadband system; and (ii) a price for the LMR system alone, and a separate price for the LTE broadband system alone.

2. Recommendation: Authorize the Executive Director to release a single RFP for the Telecommunications System through the Los Angeles County Internal Services Department ("ISD"), and authorize the Executive Director to issue addenda to the RFP that the Executive Director determines, in his discretion, are consistent with the general scope of the RFP.

Attachment: Item 4



5. Request for Proposal – Environmental Support – Pat Mallon

ACTION ITEM: Recommend the Authority approve release of the Request for Proposal for Environmental Consultant Services

Attachment: Item 5

6. Membership Admission Approval/Inglewood Unified School District - Pat Mallon

ACTION ITEM: Recommend the Authority approve the admission of the Inglewood Unified School District Police Department as a member of the LA-RICS Joint Power Authority

Attachment: Item 6

7. Senate Bill 1040 – Sara Henry

ACTION ITEM: Recommend the Authority authorized the Executive Director send a letter on behalf of the Authority to support provisions of Senate Bill 1040 (S. 1040)

Attachment: Item 7

VIII. MISCELLANEOUS – (None)

IX. ITEMS FOR FUTURE DISCUSSION AND/OR ACTION BY THE BOARD

8. Project Funding and Guidance Feedback

- To what extent a subscriber unit would control part of the financing packet
- To what extent will that be viewed as the responsibility of the agency

9. Project Risk Controls

10. The Lifespan of Equipment and Associated Costs

- Depreciation and Replacement of Equipment
- Annual License Costs related to any proposals (e.g., software or other elements)
- Annual Anticipated Maintenance Costs
- Annual Management Operational Costs

X. PUBLIC COMMENT

XI. ADJOURNMENT and NEXT MEETING:

Thursday, October 6, 2011 at 9:00 a.m., at the Grace E. Simons Lodge.



BOARD MEETING INFORMATION

Members of the public are invited to address the LA-RICS Authority Board on any item on the agenda prior to action by the Board on that specific item. Members of the public may also address the Board on any matter within the subject matter jurisdiction of the Board. The Board 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 Board'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 Board are urged to complete a Speaker Card and submit it to the Board 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 Board Secretary prior to final consideration of the matter.

It is requested that individuals who require the services of a translator contact the Board 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 at (323) 881-8291 or (323) 881-8295.

SI REQUIERE SERVICIOS DE TRADUCCION, FAVOR DE NOTIFICAR LA OFICINA CON 72 HORAS POR ANTICIPADO.

The meeting is recorded and the recording is kept for 30 days.



LOS ANGELES REGIONAL INTEROPERABLE COMMUNICATIONS SYSTEM AUTHORITY

2525 Corporate Place, Suite 200
Monterey Park, California 91754
(323) 881-8291

PATRICK J. MALLON
EXECUTIVE DIRECTOR

September 1, 2011

Board of Directors
Los Angeles Regional Interoperable Communications System (LA-RICS) Joint Powers Authority (the "Authority")

Dear Directors:

SUBCOMMITTEE ON MEMBERSHIP PLAN

SUBJECT

Finance Committee to form a subcommittee to review membership policy.

BACKGROUND

On June 2, 2011, the Board of Directors proposed a subcommittee of the Finance Committee to evaluate membership policies. The subcommittee would consider the following topics:

1. Opt-in and opt-out policies
2. Commitment to broadband system separate from committed to land mobile radio system
3. Phasing approach

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Recommends the Board of Directors discuss and provide direction as to the objectives and structure of the subcommittee.

FISCAL IMPACT/FINANCING

There is no fiscal impact.

FACTS AND PROVISIONS/LEGAL REQUIREMENT

The Authority's counsel has reviewed the recommended action.

AGREEMENTS/CONTRACTING

No Agreements necessary.

Respectfully submitted,



PATRICK J. MALLON
EXECUTIVE DIRECTOR

C: Counsel to the Authority

AGENDA ITEM 1a



LOS ANGELES REGIONAL INTEROPERABLE COMMUNICATIONS SYSTEM AUTHORITY

2525 Corporate Place, Suite 200
Monterey Park, California 91754
(323) 881-8291

PATRICK J. MALLON
EXECUTIVE DIRECTOR

September 1, 2011

Board of Directors
Los Angeles Regional Interoperable Communications System ("LA-RICS") Authority (the "Authority")

Dear Directors:

AUTHORIZE THE EXECUTIVE DIRECTOR TO RELEASE REQUEST FOR PROPOSAL FOR THE DELIVERY OF THE LA-RICS VOICE AND DATA SYSTEMS

SUBJECT

In order to proceed with the procurement of the interoperable communications system, it is necessary that your Board direct staff regarding which of the following two Request for Proposals ("RFP") alternatives (A or B) staff is to use for the delivery of the Project 25 land mobile radio ("LMR") system and the Long Term Evolution ("LTE") broadband system (the combined LMR system and LTE broadband system are collectively referred to as the "Telecommunications System"):

- A. One RFP for the Telecommunications System – requesting that proposers include alternate pricing in their proposals as follows: (i) a price for the entire Telecommunications System, consisting of both the LMR system and the LTE broadband system; and (ii) a price for the LMR system alone, and a separate price for the LTE broadband system alone; or
- B. Two separate RFPs – one RFP for the LMR system and one RFP for the LTE broadband system.

Recommendations:

- 1. Direct staff to proceed with alternative A – a single RFP for the Telecommunications System, requesting that proposers include alternate pricing in their proposals as follows: (i) a price for the entire Telecommunications System, consisting of both the LMR system and the LTE broadband system; and (ii) a price for the LMR system alone, and a separate price for the LTE broadband system alone.
- 2. Authorize the Executive Director to release a single RFP for the Telecommunications System through the Los Angeles County Internal Services Department ("ISD"), and authorize the Executive Director to issue addenda to the RFP that the Executive Director determines, in his discretion, are consistent with the general scope of the RFP.

BACKGROUND

On August 4, 2011, your Board directed Authority staff to prepare a new RFP for the delivery of the Telecommunications System, consisting of a both the LMR system and LTE broadband system.

As previously discussed with your Board, as presently envisioned, the procurement will consist of three phases: (1) an RFP for the design of the Telecommunications System, including both LMR and broadband, and including the supply and installation of telecommunications equipment, (2) a second solicitation for an architectural/engineering firm to prepare plans for the construction elements of the project, and (3) a third solicitation for contractors to submit bids for the construction elements of the project.

Today's recommendations concern the first phase – the RFP for the design of the Telecommunications System

Per the Board's direction, Authority staff has prepared an RFP for the following:

1. **Telecommunication System Design**

The initial work will be the detailed design of the Telecommunications System, consisting of the LMR system and the LTE broadband system. This work will also requires the successful Proposer to develop a statement of site needs ("Statement of Site Needs") for each Telecommunications System site and all other LA-RICS sites to enable (a) a third party architectural/engineering firm to prepare specifications for the work needed to develop each such site and (b) a third party construction firm to construct each such site.

2. **Supply Telecommunications System Components**

Subject to an option exercisable by the Authority, the successful Proposer will supply all Telecommunications System components, including, without limitation, development, fabrication, and provision of such Telecommunications System components.

3. **Installation of Telecommunications System Components**

Subject to an option exercisable by the Authority, the successful Proposer will, without limitation, install, test, and commission the Telecommunications System, including all hardware, software, data, and all other deliverables and other work necessary to implement the full functionality of the Telecommunications System.

4. **Telecommunications System Maintenance**

Subject to an option exercisable by the Authority, the successful Proposer will provide ongoing maintenance for the Telecommunications System, including, without limitation, system enhancements and support services.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

RFP Structure

The RFP requires proposers to submit a technical and cost proposal for the complete Telecommunications System, consisting of the LMR system and the LTE broadband system. In addition, the RFP requires proposers to submit two alternate price proposals, one for only the LMR system and one for only the LTE system. The RFP specifies that the Authority will evaluate and score the proposals based upon the complete Telecommunications System, consisting of both the LMR system and the LTE broadband system, and that the Authority will determine who is the highest

ranked proposer based on the scoring of the proposals for the complete Telecommunications System. The RFP further provides, however, that the Authority expressly reserves the right to award a resultant contract for all or any portion of the Telecommunications System.

The Board needs to consider and approve one of the following alternatives as to the structure of the RFP:

1. A single RFP for the Telecommunications System – requesting that proposers include alternate pricing in their proposals as follows: (i) a price for the entire Telecommunications System, consisting of both the LMR system and the LTE broadband system; and (ii) a price for the LMR system alone, and a separate price for the LTE broadband system alone; or
2. Two separate RFPs, one RFP for the LMR system and one RFP for the LTE broadband system.

It is recommended that the Authority adopt the first approach, a single RFP for the delivery of the entire Telecommunications System, with two alternative pricing submissions 1) price proposals for the combined Telecommunications System, and alternatively, 2) an individual price proposal for the LMR system and an individual price proposal for the LTE broadband system. This approach involving the selection of one vendor to deliver both the LMR system and the LTE broadband system is most advantageous to the Authority as it will provide the following benefits:

- Allow for the shared use of resources, such as fiber and microwave backhaul
- Reduce potential conflicts with scheduling site access and site work (e.g., redesign if two vendors planned to use same location on tower, priority access issues, etc.)
- Eliminate the potential finger pointing that may result from the involvement of multiple prime contractors
- Inadequate designs (i.e., design for expansion of building may not be sufficient if factoring equipment for both systems versus equipment for one system)
- Simplify overall project management and oversight (i.e., schedules, payments and invoices, deliverables, collecting data for federal reporting purposes)

Preparation of RFP

As discussed at our last Board meeting, member agencies have been invited to send staff to the LA-RICS offices to provide input in the drafting of the revised RFP. Your Executive Director thanks those member agencies whose staff have participated in the RFP review and provided their comments which have been considered and where appropriate incorporated.

Due to the extremely tight time constraints of preparing the revised RFP, the RFP, which is subject to ongoing revision, is not being distributed with the agenda.

RFP Release

It is recommended that your Board authorize the Executive Director to release the RFP through ISD, and to issue addenda to the RFP that the Executive Director determines, in his discretion, are consistent with the general scope of the RFP. If your Board approves and instructs the Executive Director to structure the RFP as a single RFP for the delivery of the Telecommunications System consisting of the LMR system and LTE broadband system, as outlined in Recommendation 1 above, then the current timeline for the RFP procurement process is as follows:

Event	Date
Release of RFP	September 6, 2011
Due date to submit Non-Disclosure Agreement	September 13, 2011
Mandatory Proposers' Conference	September 13, 2011
Final Day to Submit Written Questions	September 13, 2011
Written responses to questions received on or before September 13, including those from the Mandatory Proposers' Conference	September 18, 2011
Final Day to Submit a Request for a Solicitation Requirements Review	September 20, 2011
Proposal Submission Deadline	October 11, 2011
Complete Evaluation of Proposals	November 11, 2011
Complete Negotiations	December 9, 2011
Board Meeting to Approve Contract	January 5, 2011

Once evaluations and negotiations are completed, the Executive Director will provide your Board with a final report detailing the procurement process with a signature ready contract for your Board's approval.

If your Board instructs the Executive Director to structure the RFP as two separate RFPs, one RFP for the LMR system and a separate RFP for the LTE broadband system, then the Executive Director will report back to your Board within seven (7) days with a revised timeline for the procurement process.

FISCAL IMPACT/FINANCING

There is no fiscal impact at this time.

FACTS AND PROVISIONS/ LEGAL REQUIREMENT

ISD will utilize approved policies and procedures to post and distribute the RFP to the vendor community, and receive proposals from proposing vendors.

AGREEMENTS/ CONTRACTING

No agreement is necessary at this time. The Executive Director will present a finalized contract to the Board for approval after evaluations and negotiations are complete.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Patrick J. Mallon", written in dark ink.

Patrick J. Mallon
Executive Director
PJM:sh

cc: Counsel to the Authority



LOS ANGELES REGIONAL INTEROPERABLE COMMUNICATIONS SYSTEM AUTHORITY

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PATRICK J. MALLON
EXECUTIVE DIRECTOR

September 1, 2011

Board of Directors
Los Angeles Regional Interoperable Communications System (LA-RICS) Joint Powers Authority
(the "Authority")

Dear Directors:

AUTHORIZE THE EXECUTIVE DIRECTOR TO RELEASE A REQUEST FOR PROPOSALS FOR ENVIRONMENTAL SUPPORT SERVICES

SUBJECT

It is recommended that the Authority's Board of Directors authorize the Executive Director to release a single Request for Proposal (RFP) for environmental support services necessary to comply with both the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA) with requests for separate and combined proposals for the land mobile radio (LMR) system and Long Term Evolution (LTE) broadband system. It is also recommended that the Executive Director be authorized to issue any necessary addenda to the RFP which do not substantially change the scope of the requested services.

BACKGROUND

The proposed land mobile radio (LMR) system project and broadband system (LA-SafetyNet) project must both comply with NEPA and CEQA prior to the commencement of any activities that would constitute a project under CEQA and NEPA. The Authority has a critical need for consultant services to provide adequate programmatic and project-level review of the LMR project and the LA-SafetyNet project under CEQA and NEPA.

- CEQA requires state and local agencies within California to analyze and disclose potential environmental impacts of proposed projects and adopt all feasible measures to mitigate those impacts. CEQA applies to projects undertaken, funded or requiring issuance of a permit by a public agency that could have adverse effects on the environment.
- NEPA provides a framework to assess the potential environmental impacts of actions undertaken by Federal agencies, including actions involving Federal funds.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

It is recommended that your Board authorize the Executive Director to release a RFP for the preparation of environmental documents for the LA-RICS LMR project and the LA-SafetyNet project. Compliance with the requirements of CEQA and NEPA is required prior to the implementation of the projects by the Authority.

The services are described in the RFP include preparation of environmental documents to provide adequate programmatic and project-level review of the LA-RICS voice network project and the LA-SafetyNet project to comply with both CEQA and NEPA, including all federal lead agency requirements, preparation of any specialized studies required for preparation of the environmental documents, and the provision of assistance to the Authority in securing any required regulatory permits.

FISCAL IMPACT/FINANCING

There is no fiscal impact.

FACTS AND PROVISIONS/LEGAL REQUIREMENT

The Authority's counsel has reviewed the recommended action and form of the RFP for environmental services.

AGREEMENTS/CONTRACTING

No agreement is necessary at this time. The Executive Director will present a finalized contract to the Board for approval after the procurement and negotiations are complete. Approval of the release of the RFP does not constitute a project pursuant to the requirements of CEQA since it is an organization or administrative activity of government that will not result in direct or indirect changes to the environment. We will return to your Board to recommend consideration of required environmental documents prior to implementation of any activities that would constitute a project pursuant to CEQA or NEPA.

Respectfully submitted,



PATRICK J. MALLON
EXECUTIVE DIRECTOR

PJM:sh

c: Counsel to the Authority



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PATRICK J. MALLON
EXECUTIVE DIRECTOR

September 1, 2011

Board of Directors
Los Angeles Regional Interoperable Communications System (LA-RICS) Joint Powers Authority
(the "Authority")

Dear Directors:

APPROVAL OF ADMISSION OF THE INGLEWOOD UNIFIED SCHOOL DISTRICT POLICE DEPARTMENT AS A MEMBER OF THE LA-RICS JOINT POWERS AUTHORITY

SUBJECT

It is recommended the Authority approve the admission of the Inglewood Unified School District Police Department (IUSD-PD) as a member of the Authority.

BACKGROUND

Section 7.02 of the LA-RICS Joint Powers Authority Agreement ("Agreement") provides:

"7.02 Amendment; Addition of Members.

(a) In addition to the original signatories to this Agreement, other public agencies may join the Authority as a Member, subject to the provisions of Section 1.03. The addition of any Member shall become effective upon:

(1) The execution on behalf of such entity of a counterpart of this Agreement and the delivery of such executed counterpart to the Board; and

(2) The adoption of a resolution of the Board admitting that agency to the Authority."

On June 23, 2011, the IUSD-PD provided an executed counterpart of the Agreement to the Authority and in a letter expressed that participation in a countywide interoperable solution is in their best interest.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Pursuant to Section 7.02 of the Agreement, it is recommended that the Authority adopt the attached resolution admitting IUSD-PD as a Member of the Authority.

FISCAL IMPACT/FINANCING

There is no fiscal impact.

AGENDA ITEM 6

FACTS AND PROVISIONS/LEGAL REQUIREMENT

The Authority's counsel has reviewed the recommended action.

AGREEMENTS/CONTRACTING

It is recommended that the Board approve the attached resolution regarding the membership of IUSD-PD.

Respectfully submitted,



PATRICK J. MALLON
EXECUTIVE DIRECTOR

PJM:sh

Attachment

c: Counsel to the Authority



**A RESOLUTION OF THE LOS ANGELES REGIONAL INTEROPERABLE
COMMUNICATIONS SYSTEM (LA-RICS) JOINT POWERS AUTHORITY (AUTHORITY)
BOARD OF DIRECTORS APPROVING THE ADMISSION OF THE INGLEWOOD
UNIFIED SCHOOL DISTRICT POLICE DEPARTMENT AS A MEMBER OF LA-RICS**

Whereas, the need for seamless public safety communications is crucial to the successful coordination of regional public safety resources in response to large-scale disturbances, major disasters and acts of terrorism, and the day-to-day efforts of public safety responders to protect life and property;

Whereas, it is the collective view within the Los Angeles region that interoperable public safety communications can best and most cost-effectively be attained by developing a shared voice and data radio system;

Whereas, the Authority has been created to oversee the development of the Los Angeles Regional Interoperable Communications System to address these critical needs;

Whereas, the INGLEWOOD UNIFIED SCHOOL DISTRICT POLICE DEPARTMENT recognizes the strategic and operational importance of this regional public safety effort, has requested to become a Member of the Authority and has received approval from its governing body to become a Member of the Authority; and,

Whereas, the INGLEWOOD UNIFIED SCHOOL DISTRICT POLICE DEPARTMENT has executed a counterpart to the LA-RICS Joint Powers Agreement, and has delivered such executed counterpart to this Board.

Now, therefore, the Board of Directors of the Authority does hereby resolve that:

- 1) Pursuant to Section 7.02 of the LA-RICS Joint Powers Agreement, the INGLEWOOD UNIFIED SCHOOL DISTRICT POLICE DEPARTMENT is admitted as a Member of the Authority; and
- 2) The Chair, or presiding officer, is hereby authorized to affix his signature to this Resolution signifying its adoption.

APPROVED AND ADOPTED THIS _____ DAY OF _____, 2011.

CHAIR (or Presiding Officer), LA-RICS Joint Powers Authority
Board of Directors

ATTEST:

Secretary, LA-RICS Joint Powers Authority

AGENDA ITEM 6 - ATTACHMENT



LOS ANGELES REGIONAL INTEROPERABLE COMMUNICATIONS SYSTEM AUTHORITY

2525 Corporate Place, Suite 200
Monterey Park, California 91754
(323) 881-8291

PATRICK J. MALLON
EXECUTIVE DIRECTOR

September 1, 2011

Board of Directors
Los Angeles Regional Interoperable Communications System (LA-RICS) Joint Powers Authority
(the "Authority")

Dear Directors:

APPROVE RECOMMENDATION OF LEGISLATIVE COMMITTEE TO SUPPORT PROVISIONS OF SENATE BILL 1040 (S. 1040)

SUBJECT

It is recommended that the Authority authorize the Executive Director to send a letter on behalf of the Authority to support provisions of S.1040. Furthermore, this action would authorize the Executive Director to develop an outreach strategy to disseminate the Authority's position to organizations and agencies across the country.

BACKGROUND

On May 19, 2011, Senators Joe Lieberman and John McCain introduced Senate Bill 1040, The Broadband for First Responders Act of 2011. The bill was referred to the Senate Committee on Commerce, Science and Transportation, however, there is no status at this time regarding when the Committee will consider the bill.

Key Provisions of the S. 1040 include the following:

- Allocates 10 megahertz of spectrum, known as the "D Block," to public safety.
- Directs the Federal Communications Commission to:
 - Establish rules to permit the public safety broadband licensee to authorize providers of public safety services to construct and operate a wireless public safety broadband network in public safety broadband spectrum;
 - Provides for roaming by Federal, State and local governments;
 - Provides priority access to public safety entities;
 - Authorizes the shared use, sublicensing or leasing of the public safety broadband spectrum and network infrastructure by entities that are not defined as public safety services, subject to the requirements that public safety services retain priority access to the spectrum, pursuant to procedures adopted by the Commission;
 - Any revenues derived from such shared use shall be deposited in the Public Safety Interoperable Broadband Network Maintenance and Operation fund.

AGENDA ITEM 7

- Establishes rules to enable nationwide interoperability and roaming across any commercial network.
- Requires each State to submit a plan to the Secretary of Homeland Security and the Federal Communication Commission (FCC) detailing the terms and aspects of the phased deployment for the network.
- Specifies organizations to serve as Board of Directors.
- Directs the Treasury to:
 - Establishes in the Treasury the “Public Safety Interoperable Broadband Network Construction Fund”;
 - Establishes in the Treasury the “Public Safety Interoperable Broadband Network Maintenance and Operation Fund”; and,
 - Directs Secretary of Treasury to deposit proceeds from auctions into these two funds;
- Establishes grant program to assist States, municipalities, and Indian tribes to establish a nationwide public safety interoperable broadband network in the 700 MHz band.
- Authorizes the FCC to auction various specified spectrum ranges to fund the construction, maintenance and operation.
- Directs each federal law enforcement agency, within 10 years, to move all non-commercial network communications to spectrum allocated in 700 MHz and 800 MHz band.
- Spectrum below 512 MHz:
 - Prohibits FCC from renewing public safety licenses on frequencies above 170 MHz and below 512 MHz, unless licensee is able to demonstrate:
 - Migration will cause considerable economic hardship to the State or local government;
 - Migration will adversely impact ability of the licensee to protect and serve the community; and,
 - Insufficient number of frequencies above 700 MHz band to support land mobile communication needs.
 - Not later than 5 years after enactment – recommendation to Congress on feasibility of public safety entities ending their use of spectrum located on frequencies above 170 MHz and below 512 MHz and moving all such use to spectrum licensed to public safety services in 700 MHz and 800 MHz bands; and,
 - Secretary shall make funds from Maintenance and Operation Fund to facilitate migration of public safety entity use of spectrum located above 170 MHz and below 512 MHz to 700 MHz and 800 MHz bands.
- Eligibility for Use
 - Non-governmental entities may use the spectrum on secondary basis provided that:
 - Secondary use does not cause harmful interference to public safety users of that spectrum;
 - The non-governmental entity seeking such secondary use demonstrates to the Commission that such secondary use will not cause interference to public safety users of that spectrum; and,
 - If such secondary use causes any interference to a public safety user, such entity shall immediately cease such use until such interference has been mitigated to the satisfaction of the public safety user.

- Fee for Secondary Use – The Commission shall charge a recurring licensing fee to each non-governmental entity for any secondary use.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

S. 1040 will impact the LA-RICS broadband network, LA-SafetyNet, since the Authority received a waiver from the FCC to permit early building in the public safety spectrum band. S. 1040 is similar to S. 911 in that it allocates the D-Block to public safety and allows the public safety broadband licensee to establish rules for roaming, interoperability and access. Additionally, it provides for an initial funding source for construction and maintenance of the broadband system.

LA-RICS staff has expressed serious concern regarding Section 207 of the bill, which states that the FCC shall not renew any license to use spectrum located on frequencies above 170 MHz and below 512 MHz granted to a public safety licensee unless the licensee is able to demonstrate:

1. That migration to a different spectrum band will cause considerable economic hardship to the State or local government jurisdiction in which such license is located;
2. Migration to a different spectrum band would adversely impact the ability of the licensee to protect and serve the community which such licensee is located; and,
3. There are an insufficient number of frequencies above 700 MHz band to support the land mobile communication needs of the licensee.

This section is an effort to force public safety systems to relocate to the 700/800 MHz spectrum. Although LA-RICS is likely to meet the criteria, LA-RICS staff recommends opposing this section.

On June 16, 2011, the Legislative Committee convened and approved supporting the current version of the bill, insofar that it is consistent with the following themes:

- Supporting the allocation of the D-Block to public safety.
- Including in communications to Congress that frequencies used by the Los Angeles region must not be auctioned.
- Supporting the bill contingent upon public safety retaining the VHF (136-174 MHz) and UHF (450-520 MHz) frequencies bands.

FISCAL IMPACT/FINANCING

There is no fiscal impact.

FACTS AND PROVISIONS/LEGAL REQUIREMENT

The Authority's counsel has reviewed the recommended action.

AGREEMENTS/CONTRACTING

No Agreements necessary.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Patrick J. Mallon", with a long horizontal flourish extending to the right.

PATRICK J. MALLON
EXECUTIVE DIRECTOR

PJM:sh

Attachment

c: Counsel to the Authority



LOS ANGELES REGIONAL INTEROPERABLE COMMUNICATIONS SYSTEM AUTHORITY

2525 Corporate Place, Suite 200
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PATRICK J. MALLON
EXECUTIVE DIRECTOR

SENATE BILL 1040 FACT SHEET

Senate Bill 1040, Section 207, mandates a migration of the existing VHF and UHF (frequencies above 170 MHz and below 512 MHz) public safety spectrum to the 700 and 800 MHz bands. LA-RICS opposes this bill due to following reasons:

- The LA-RICS JPA is geographically located in the State of California Emergency Management Agency Region 5. Region 5 consists of government agencies from ten counties: Imperial, Kern, Los Angeles, Orange, Riverside, Santa Barbara, San Bernardino, San Diego, San Luis Obispo, and Ventura. These agencies are currently using a total of 677 frequencies in these VHF and UHF bands for public safety. Ninety-five percent of public safety agencies in Los Angeles County currently operate in the UHF TV channels 14, 15, 16, and 20 which the LA-RICS Analog Conventional Voice Radio Subsystem (ACVRS) and Digital Voice Trunked Radio Subsystem (DVTRS) will utilize. Most of the secondary users are already on 800 MHz systems. Note that the Region 5 frequency usage is only a part of many other regions throughout the state which also use frequencies between 170-512 MHz, including federal law and fire. The number of occupying channels will be in the thousands if we consider the whole country in these current bands.
- Due to the above reasons, the existing spectrum located in the 700 MHz and 800 MHz bands does not provide enough capacity or coverage to meet the needs of public safety entities throughout the County for voice and broadband data, especially in the densely populated cities.
- The mandate that the FCC shall not renew Public Safety Radio Licenses for system operation above 170 MHz and below 512 MHz is an effort to force Public Safety Systems to relocate to the 700/800 MHz spectrum. This will cost billions of dollars and will not be an effective solution for public safety in large metropolitan cities currently in the UHF (450-512 MHz band). It will essentially make the system we are trying to build now obsolete before its end of life.
- The 170 to 512 MHz spectrum should not be part of any spectrum auctions or reallocation due to the day-to-day needs of public safety and the heavy frequency use in the region, especially between the L.A. County Sheriffs & Fire Departments and that of the Los Angeles County and Los Angeles City Fire Departments needs for metropolitan fire-fighting operations.

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- The proposed legislation will not achieve long-term interoperability and efficient use of public safety spectrum because it does not meet the capacity requirements of the L.A. region.
- Currently, the L.A. Region has approximately two hundred 700 & 800 MHz frequencies available for use, while the capacity of LA-RICS will require at least 400 UHF channels. County and City secondary responders will have to remain on current 800 MHz trunked systems and be linked as needed to the LA-RICS system due to the availability of 400 UHF channels for 34,000 users. Six hundred channels are required to place all primary and secondary users in LA-RICS jurisdiction on one system. There will be capacity for the Independent cities to operate on the LA-RICS UHF system. There is not enough spectrum to place all users on one 700/800 system.
- Migration from UHF, which we operate on now to a different spectrum, will cause considerable economic hardship since upgrading current equipment to the new frequencies is an unaffordable cost. Migrating from VHF for wildland fire to 700/800 MHz will be very inefficient due to the propagation of the 700/800 MHz band in the wildland and forests.
- In addition to the above public safety agencies, existing Los Angeles Regional Tactical Communications System (LARTCS) participants also include California Highway Patrol (CHP), California Army National Guard, State of California Emergency Management Agency, and Federal Agencies, including the Secret Service and FBI. The mandatory migration is not recommended due to lack of sufficient spectrum and will minimize or cause interference to the current communications capability of all states and local public safety agencies.