



AGENDA
LOS ANGELES REGIONAL
INTEROPERABLE COMMUNICATIONS SYSTEM AUTHORITY

LEGISLATIVE REGULAR COMMITTEE MEETING

Wednesday, August 21, 2013 – 1:00 p.m.
LA County Fire Department Headquarters, Training Room 26
1320 N. Eastern Ave., Los Angeles, CA 90063

AGENDA POSTED: August 13, 2013

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

- I. CALL TO ORDER
- II. ANNOUNCE QUORUM – Roll Call
- III. APPROVAL OF MINUTES
 - 1. Legislative Committee Meeting Minutes for May 15, 2013.
Attachment: Item 3
- IV. NEW BUSINESS –
 - 2. Discussion Item: T-Band Issues and Next Steps
 - 3. Discussion Item: Grant Opportunities
- V. PUBLIC COMMENT
- VI. 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.

(323) 881-8291 or (323) 881-8295

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



MEETING MINUTES

LOS ANGELES REGIONAL INTEROPERABLE COMMUNICATIONS SYSTEM AUTHORITY

LEGISLATIVE COMMITTEE MEETING

Wednesday, May 15, 2013 • 1:00 p.m. – 2:30 p.m.

LA County Fire Department Headquarters, Training Room 26
1320 N. Eastern Ave., Los Angeles, CA 90063

Official Voting Members Present:

Greg Doyle, representative for the City of Los Angeles Police Department
Joshua Drake, representative for the City of Los Angeles Chief Legislative Analyst Office
Olyvia Rodriguez, representative for the County of Los Angeles Chief Executive Office
Nancy Ramirez, representative for the Los Angeles School Police Department

Representatives For Official Voting Members Present:

Rowena Magana, representing Gerardo Pinedo for the County of Los Angeles DHS
John Lenihan, representing **Daryl Osby, Chair**, for the County of Los Angeles Fire Department
Sven Crongeyer, representing Mark S. Wilkins for the Los Angeles County Sheriff's Department
Richard Shigaki, representing Mary Giordano for the City of Torrance, At Large Seat #1
Lili Hadsell, representing Mitch Tavera for the Los Angeles County Police Chiefs Association

Official Voting Members Absent:

Stephen Sotomayor, representative for the City of Los Angeles CAO
June Gibson, representative for the City of Los Angeles Fire Department
Daryl Osby, Chair, representative for the County of Los Angeles Fire Department
Mark S. Wilkins, representative for the Los Angeles County Sheriff's Department
Gerardo Pinedo, representative for the County of Los Angeles DHS
Vacant, representative for the City of Long Beach
Timothy Scranton, representative for the Los Angeles Area Fire Chiefs Association
Mitch Tavera, representative for the Los Angeles County Police Chiefs Association
Mark Alexander, representative for the California Contract Cities Association
Mary Giordano, representative for the City of Torrance, At Large Seat #1
Don Pederson, representative for the City of Culver City, At Large Seat #2
Greg Simay, representative for the City of Burbank, At Large Seat #3
Vacant, representative for the City of Pasadena, At Large Seat #4

ITEM 3 ATTACHMENT



1. CALL TO ORDER

2. ANNOUNCE QUORUM – Roll Call taken by Committee Vice Chair Olyvia Rodriguez.

3. APPROVAL OF Legislative Committee Meeting Minutes for April 17, 2013.

Motion to Amend Minutes

Committee Member Greg Doyle stated that his name showed up twice on the attendance sheet and that he was not present, and was represented by Tri Nguyen. **MOTION APPROVED**

4. NEW BUSINESS – ACTION ITEM

Assembly Bill 162, Wireless Telecommunications Facilities

Vice Chair Rodriguez referenced the handout of Assembly Bill (AB) 162 that was most recently amended on Wednesday, May 9, 2013. It was significantly amended and has major strikes throughout the entire document. This is really more of an intent Bill. As indicated in the bill language, it will be amended to include provisions that would increase network capacity on existing wireless structures and to serve the needs of the safety personnel and the people of the state. The author decided to make this a two-year bill; therefore the hearing date was cancelled. The Committee should have it ready as a discussion item and should track closely. Taking a position at this time is not necessary.

Committee Member Greg Doyle stated that his main concern is that the results may not be a public safety grade network and suggested lobbying for the Bill to try and get it more public safety oriented.

Alternate Committee Member Chief John Lenihan stated that the purpose of the Bill was to fast track the approvals for broadband. The problem is that the commercial carriers want this so that they can ride LA-RICS coat tails into the fast track.

Vice Chair Rodriguez stated that there is usually a fact sheet on legislation that is developed by the author's office. Prior to the May 9, 2013 amended version of the bill, there was support from the California Professional Fire Fighters, Peace Officers Researchers Association of California, TechNet, AT&T, and Verizon, just to name a few. Opposition came from the American Planning Association, the League of California Cities, and others, according to the author's fact sheet on the bill. All the information on the fact sheet could change by the next meeting. Once LA-RICS sees an amended version, with provisions that can be specifically responded to, it would be appropriate to meet again and recommend a position on the legislation.

Vice Chair Rodriguez stated that the deadline for the FCC Request for Comments on the T-Band issue was May 13, 2013. LA-RICS as well as other jurisdictions submitted



MEETING MINUTES
Los Angeles Regional Interoperable Communications System Authority
LEGISLATIVE COMMITTEE MEETING

recommendations and comments. After comments are submitted, the FCC will review them and look for anything that they can do in implementation of the T-Band provision of H.R. 3630. This is something that the Committee should look at and revisit in case Congress takes further action.

5. PUBLIC COMMENT – None

6. ADJOURNMENT AND NEXT MEETING

Vice Chair Rodriguez adjourned the meeting at 1:22 p.m.

The next meeting is scheduled for Wednesday, June 19, 2013, at 1:00 p.m., located at the LA County Fire Department Headquarters, 1320 N. Eastern Ave., Los Angeles, CA 90016.

AMENDED IN ASSEMBLY MAY 9, 2013
AMENDED IN ASSEMBLY APRIL 23, 2013
AMENDED IN ASSEMBLY MARCH 21, 2013
CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 162

Introduced by Assembly Member Holden

January 23, 2013

An act to ~~add Section 65964.5 to the Government Code, relating to telecommunications facilities.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 162, as amended, Holden. ~~Wireless telecommunications facilities; telecommunications; 911 emergency assistance.~~

Existing law, the federal Middle Class Tax Relief and Job Creation Act of 2012, establishes a grant program to make grants to states to assist states and local jurisdictions to identify, plan, and implement the most efficient and effective way to utilize and integrate the infrastructure, equipment, and other architecture associated with the nationwide public safety broadband network to satisfy the wireless communications and data service needs of those jurisdictions.

This bill would make legislative findings and declarations relating to the criticalness of maintaining signal strength and call reliability for 911 calls from cellular telephones, and would state the intent of the Legislature to subsequently amend this bill to include provisions that would increase network capacity on existing wireless structures in order to serve the needs of safety personnel and the people of the state.

~~The Planning and Zoning Law authorizes the legislative body of any county or city to adopt ordinances that, among other things, regulate~~

the use of buildings, structures, and land as between industry, business, residences, and open space. Existing law, the federal Middle Class Tax Relief and Job Creation Act of 2012, prohibits a state or local government from denying an eligible facilities request, as defined, for a modification of an existing wireless tower or base station that does not substantially change the tower or base station.

This bill would prohibit a local government from denying an eligible facilities request, as defined, for a modification of an existing wireless telecommunications facility or structure that does not substantially change the physical dimensions of the wireless telecommunications facility or structure, as specified. The bill would require a local government to act on an eligible facilities request within 90 days of receipt of a request, as specified. The bill would prohibit a local government from requiring proof of gap in coverage as part of the approval of an eligible facilities request. By adding to the duties of a local government, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions:

Vote: majority. Appropriation: no. Fiscal committee: *yes-no*.
State-mandated local program: *yes-no*.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature hereby finds and declares all of
- 2 the following:
- 3 (a) Nearly one in every three Californians communicates only
- 4 via a cellular device and does not own or operate a landline
- 5 telephone.
- 6 (b) Of the 240,000,000 calls to telephone number 911 for
- 7 emergency assistance placed nationwide each year, 70 percent
- 8 now originate from cellular devices.
- 9 (c) In 2010, 5 percent of all 911 calls originating from cellular
- 10 devices were dropped, resulting in 8,400,000 dropped 911 calls.
- 11 (d) Recognizing the public's shift toward cellular telephone use,
- 12 the Legislature passed Senate Bill 1375 (Chapter 332 of the Statutes

1 of 2010), authorizing telephone corporations to deactivate 911
2 emergency service from any landline telephone not subscribing to
3 paid telephone service.

4 (e) Given the increased reliance on cellular phones, maintaining
5 signal strength and call reliability for 911 calls from cellular
6 telephones is critical to protecting public safety and saving lives
7 of Californians.

8 (f) The Final Report of the National Commission on Terrorist
9 Attacks Upon the United States (known as the 9/11 Commission
10 Report) identified the lack of coordination among first responder
11 agencies and communication challenges in the 9/11 attacks and
12 emphasized the need for uniform and reliable communications for
13 all first responders.

14 (g) The federal Middle Class Tax Relief and Job Creation Act
15 of 2012 (Public Law 112-96) creates a framework for the public
16 sector to partner with commercial providers to leverage the private
17 sector's investments in broadband technologies to efficiently
18 deploy an interoperable broadband network for public safety.

19 ~~(h) The federal Middle Class Tax Relief and Job Creation Act~~
20 ~~of 2012 (Public Law 112-96) That act~~ allocated seven billion
21 dollars (\$7,000,000,000) for grants to states to build the nationwide
22 public safety broadband network.

23 (i)

24 (h) The Federal Communications Commission has found that
25 delays by local governments in approving ministerial requests have
26 delayed the implementation of next-generation broadband services
27 for consumers and first responders.

28 (j)

29 (i) It is the intent of the Legislature to *subsequently amend this*
30 *measure to include provisions that would increase network capacity*
31 *on existing wireless structures in order to serve the needs of safety*
32 *personnel and the people of the state.*

33 SEC. 2. ~~Section 65964.5 is added to the Government Code, to~~
34 ~~read:~~

35 ~~65964.5. (a) Notwithstanding any other law, and pursuant to~~
36 ~~Section 6409 of the federal Middle Class Tax Relief and Job~~
37 ~~Creation Act of 2012 (47 U.S.C. Sec. 1455), a local government~~
38 ~~shall approve and shall not deny any eligible facilities request for~~
39 ~~a modification of an existing wireless telecommunications facility~~

1 or structure that does not substantially change the physical
2 dimensions of the wireless telecommunications facility or structure.

3 (b) ~~The failure to act on an eligible facilities request within 90~~
4 ~~days of receipt of a request shall be deemed an approval of the~~
5 ~~request. The 90 days shall be tolled if the request is determined to~~
6 ~~be incomplete. If the request is determined to be incomplete, the~~
7 ~~local government shall comply with subdivision (c) of Section~~
8 ~~65943 of the Government Code.~~

9 (c) ~~A local government shall not require proof of gap in coverage~~
10 ~~as part of the approval of an eligible facilities request.~~

11 (d) ~~For purposes of this section, the following definitions shall~~
12 ~~apply:~~

13 (1) ~~“Collocation” means the mounting of the wireless~~
14 ~~telecommunications facility and related equipment on an existing~~
15 ~~tower, building, or structure for the purpose of transmitting or~~
16 ~~receiving signals for telecommunications or public safety services.~~

17 (2) ~~“Eligible facilities request” or “request” means any request~~
18 ~~for modification of an existing wireless telecommunications facility~~
19 ~~or collocation on an existing structure that involves any of the~~
20 ~~following:~~

- 21 (A) ~~Collocation of upgraded transmission equipment.~~
- 22 (B) ~~Removal of transmission equipment.~~
- 23 (C) ~~Replacement of transmission equipment.~~
- 24 (D) ~~Collocation and deployment of transmission equipment~~
25 ~~necessary to construct or maintain public safety broadband~~
26 ~~communication systems.~~

27 (3) ~~“Public safety broadband communications system” means~~
28 ~~any regional interoperable communications system, the nationwide~~
29 ~~public safety broadband network, the first responder analog-D~~
30 ~~block, or any other government-operated communications system~~
31 ~~used by first responders or emergency management systems.~~

32 (4) ~~“Substantially change” means any of the following:~~

- 33 (A) ~~The mounting of the proposed antenna on the wireless~~
34 ~~telecommunications facility or structure would increase the existing~~
35 ~~height of the wireless telecommunications facility by more than~~
36 ~~10 percent, or by the height of one additional antenna array with~~
37 ~~separation from the nearest existing antenna not to exceed 20 feet,~~
38 ~~whichever is greater, except that the mounting of the proposed~~
39 ~~antenna may exceed the size limits set forth in this subparagraph~~
40 ~~if necessary to avoid interference with existing antennas.~~

1 (B) The mounting of the proposed antenna would involve the
2 installation of more than the standard number of new equipment
3 cabinets for the technology involved, not to exceed four equipment
4 cabinets, or more than one additional equipment shelter.

5 (C) The mounting of the proposed antenna would involve adding
6 an appurtenance to the body of the wireless telecommunications
7 facility or structure that would protrude from the edge of the
8 wireless telecommunications facility more than 20 feet, or more
9 than the width of the wireless telecommunications facility at the
10 level of the appurtenance, whichever is greater, except that the
11 mounting of the proposed antenna may exceed the size limits set
12 forth in this subparagraph if necessary to shelter the antenna from
13 inclement weather or to connect the antenna to the wireless
14 telecommunications facility via cable.

15 (D) The eligible facility request fails to comply with all existing
16 aesthetic requirements imposed by a local government for the
17 specific facility subject to the request. Nothing in this section shall
18 be construed to require that any new aesthetic enhancements to be
19 made to an eligible facility that were not existing requirements at
20 the time the eligible facility request was made.

21 (5) "Wireless telecommunications facility" means equipment
22 and network components, including towers, utility poles,
23 transmitters, base stations, and emergency power systems that are
24 integral to providing wireless telecommunications services.

25 SEC. 3. If the Commission on State Mandates determines that
26 this act contains costs mandated by the state, reimbursement to
27 local agencies and school districts for those costs shall be made
28 pursuant to Part 7 (commencing with Section 17500) of Division
29 4 of Title 2 of the Government Code.