LA-RICS

The Los Angeles Regional
Interoperable Communications
System Authority

Bylaws

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Table of Contents

Article I - Purpose 1

Article II - Participation in the Authority 1

Article III - Governance Issues 1

3.01 Election of At Large and Alternate Directors 1
3.02 At Large and Alternate Director Vacancies 3
3.03 At Large Member City Representation 3
3.04 Appointment of Alternate Members of Advisory Committees 4

Article IV - Special Meetings 4

Article V - Designation of Fiscal Year 4

Article VI - Technical/System Issues 4

6.01 Adverse Impacts on the System 4
6.02 Violations, Penalties & Fines 5

Article VII - Appeals of Decisions 6

The Los Angeles Regional Interoperable Communications System Authority
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Article I - Purpose

Pursuant to Section 2.04 of the LA-RICS Joint Powers Agreement, this document sets forth the bylaws for the Los Angeles Regional Interoperable Communications System Authority (the "Authority").

Article II - Participation in the Authority

Membership in this organization shall be limited to public agencies, as defined by California Government Code Section 6500 et seq. (the "Act"), located in the greater Los Angeles area and as provided in the Joint Powers Agreement, dated January 2009 and incorporated herein. Members shall enjoy all rights and privileges of the Authority.

Entities that do not desire to join the Authority as Members (or are not otherwise eligible for membership) may apply to the Board of Directors for participation in the Authority under one of the following categories:

1. Subscribers: for consideration, as determined by the Board, entities that desire to utilize the System for their primary radio communications; and

2. Affiliates: entities that desire to utilize the System only for mutual or automatic aid, or any other purpose approved by the Board.

New Members, Subscribers and Affiliates shall be approved by the Board of Directors on a case-by-case basis. Subscribers and Affiliates may participate in meetings of the various Committees and advisory bodies to the Board of Directors, but shall not be entitled to vote unless otherwise determined by the Board.

Article III - Governance Issues

3.01 Election of At Large and Alternate Directors

At Large Directors and Alternate Directors assigned to represent the Member cities (excluding the cities of Los Angeles and Long Beach) shall be elected as follows:

1. At least six (6) months prior to the expiration of terms, the Board of Directors shall announce and set the date of the Board of Directors meeting for which a mail-in ballot election of the At Large Director and Alternate Director seats shall be conducted as follows:

a. Seat 1 – Member city that operates both independent police and fire departments (At Large Director);

b. Seat 2 – Member city that operates an independent police and/or an independent fire department (At Large Director);

c. Seat 3 – Member city that operates an independent police and/or an independent fire department (At Large Director);

d. Seat 4 – Member city not otherwise represented on the Board (At Large Director);

e. Seat 5 - Member city that operates both independent police and fire departments (Alternate Director to Seat 1);

f. Seat 6 - Member city that operates an independent police and/or an independent fire department (Alternate Director to Seat 2);

g. Seat 7 - Member city that operates an independent police and/or an independent fire department (Alternate Director to Seat 3);

h. Seat 8 - Member city not otherwise represented on the Board (Alternate Director to Seat 4).

2. Not later than ninety (90) days prior to the date set by the Board of Directors for the mail-in ballot election, Member cities interested in being a candidate to fill an At Large Director or Alternate Director position shall submit to the Secretary of the Board, a written statement containing: (1) the name of their Member city; (2) the name of the primary representative to fill the Board seat; (3) the position and category of the seat for which the Member city is a candidate (i.e., Seat 3 – a city that operates an independent police and/or an independent fire department); (4) a written statement, not longer than five hundred (500) words, of the Member city's qualifications to hold office and any desired statements promoting their eligibility and/or candidacy.

3. Thirty (30) days prior to the date set by the Board of Directors for the mail-in ballot election, the Secretary of the Board shall cause a ballot to be mailed to each Member city containing the names of all declared Member city candidates, the written statements of each candidate and a self-addressed return envelope for the return of such ballots.

4. Each Member city eligible to vote shall complete the ballot and return the ballot to the Secretary of the Board not later than the time and place of the Board of Directors meeting designated for the mail-in ballot election and final call for receipt of the ballots. Completed ballots may be delivered in person or mailed to the Board's designee, as long as the ballots are received prior to the final call for receipt of ballots.

5. Only Member cities (excluding the cities of Los Angeles and Long Beach), shall be eligible to participate in the mail-in ballot election for the At Large Director and Alternate Director seats. Eligible Member cities may vote and have their ballots counted toward only the At Large Director and Alternate Director seats that they meet the criteria to hold (e.g., only a Member city that operates both independent police and fire departments may vote for Seat 1, a seat to be occupied by a Member city that operates both independent police and fire departments).

6. At the Board of Directors meeting so designated, the Chair of the Board of Directors shall announce the final call for receipt of ballots. Upon the close of the final call, the Secretary of the Board shall conduct a canvass of the ballots received. The Member city receiving the highest number of votes for each respective seat shall be deemed elected to that seat.

7. Newly elected At Large Directors and Alternate Directors shall assume office at the convening of the next Board of Directors meeting.

Revised as of April 2, 2015 JPA Board of Directors Action

8. In the event that any At Large Director or Alternate Director seat is uncontested, an election by the Member cities for that seat will not be required. An uncontested candidate for an At Large Director or Alternate Director seat may serve on the Board following the Board's action, by a majority vote, approving the uncontested candidate for that seat. Such Board action will occur on the same date that the Board of Directors sets for the mail-in ballot election of the At Large Director and Alternate Director seats.

3.02 At Large and Alternate Director Vacancies

In the event of a vacancy of an At Large Director seat, the Alternate Director designated for the subject vacant seat shall assume the At Large Director seat immediately upon the occurrence of the vacancy. In the event of a vacancy of an Alternate Director seat, the vacancy shall be filled through a mailed-in ballot process as set forth herein; however, the timeline for said process shall be reduced to provide that the election shall be conducted within two (2) months following the occurrence of the vacancy.

3.03 At Large Member City Representation

The At Large Director and Alternate Director seats shall be filled with a staff representative of the duly elected respective Member city and it shall be the Member city that holds the seat, not a specifically-named individual. As such, any Member city's representative (as designated in writing to the Chair of the Board of Directors by the respective city's City Manager or City Administrator) may attend any meeting of the Authority and act with the full rights and privileges of an At Large Director or Alternate Director, as applicable. The Alternate Director shall assume the rights and privileges of an At Large Director in the event that the At Large Director Member city is absent from a meeting, withdraws from the JPA or is otherwise unable or incapable of fulfilling its duties and responsibilities.

Revised as of August 4, 2011 JPA Board of Directors Action

3.04 Appointment of Alternate Members of Advisory Committees.

In addition to the appointment by each Director of a voting member to each Advisory Committee under Section 3.08 of the Joint Powers Agreement, each Director shall also appoint one alternate voting member to each Advisory Committee. An alternate voting member may act in its voting member's absence and shall exercise all rights and privileges of a voting member.

Article IV - Special Meetings

The Chair shall be authorized to call special meetings of the Board of Directors provided that such calls are conducted in conformance with the Ralph M. Brown Act and notice is provided to each member of the Board of Directors at least twenty-four (24) hours in advance of the time and date of the special meeting. The notice shall contain the time, date and location of the meeting and shall set forth all matters to be discussed at the special meeting. Alternatively, special meetings may be called by not less than a majority of the Board of Directors who concur with calling a special meeting provided that all notice requirements, as described herein, are met.

Article V - Designation of Fiscal Year

The Authority shall operate under an annual fiscal year that shall commence on the first (1st) day of July of each year and continue to the thirtieth (30th) day of June of the following year.

Article VI - Technical/System Issues

6.01 Adverse Impacts on the System

The Chair of the Technical Committee or his/her designee has the responsibility and authority to determine whether the actions, operations or equipment of a System user is detrimental to, adversely impacts, or is otherwise harmful to the Authority's System. In such event, the Chair of the Technical Committee or his/her designee shall work with the user to eliminate or otherwise protect against such harmful or adverse impacts.

The Chair of the Technical Committee or his/her designee shall have the authority to immediately suspend a user's action, operation or equipment if such action, operation or equipment poses an immediate or imminent threat to the Authority's System. Notice of such suspension shall be given to the user and the Chair of the Board of Directors as soon as practicable and shall be reported to the Board of Directors at the next scheduled Board meeting.

The Chair of the Technical Committee or his/her designee may also recommend to the Board of Directors an appropriate long term remedy to the situation for the Board consideration, including without limitation, termination of the user's right to use the Authority's System.

6.02 Violations, Penalties & Fines

Any violations, penalties and/or fines imposed by the Federal Communications Commission (FCC) onto any Member, Subscriber or Affiliate as a result of non-conformance with FCC regulations and requirements, shall be the sole responsibility of the entity committing the violation (regardless of who is the FCC licensee).

Upon receipt of notice of potential violation from the FCC, the licensee and the Authority shall exercise all reasonable diligence in determining the cause and source of the violation, and notify the alleged violating agency of the FCC notice. The licensee and the Authority shall reasonably cooperate with the alleged violating agency's efforts to remedy or otherwise address the violation.

Nothing in this section shall preclude the licensee from taking reasonable steps to protect its license. If the Authority or the affected licensee elects to pay such penalties or fines, the entity that committed the violation shall reimburse the Authority or licensee within a reasonable time frame for all such penalties and/or fines.

Article VII - Appeals of Decisions

The final decision of any committee, body or individual with final decision-making authority delegated by the Board of Directors may be appealed to the Board of Directors provided that such appeal is submitted in writing to the Chair of the Board no later than fifteen (15) calendar days following the date of the decision. The written appeal shall set forth the reasons and/or basis of the appeal and the desired remedy. Upon receipt of the written appeal, the Chair of the Board shall cause the appeal to be placed on a Regular Meeting agenda of the Board of Directors as soon as practicable. The Board of Directors shall have the discretion to hear the appeal, deny hearing the appeal or continue the matter to another date. A decision of the Board of Directors to deny the hearing of such appeal shall render the previous decision of the committee, body or individual as the final decision of the Authority.

The Authority shall give notice pursuant to Section 7.01 of the JPA on denials of applications, decisions impacting a Member's, Subscriber's or Affiliate's actions, operations, equipment or financial obligations, prior to the commencement of the appeal period.