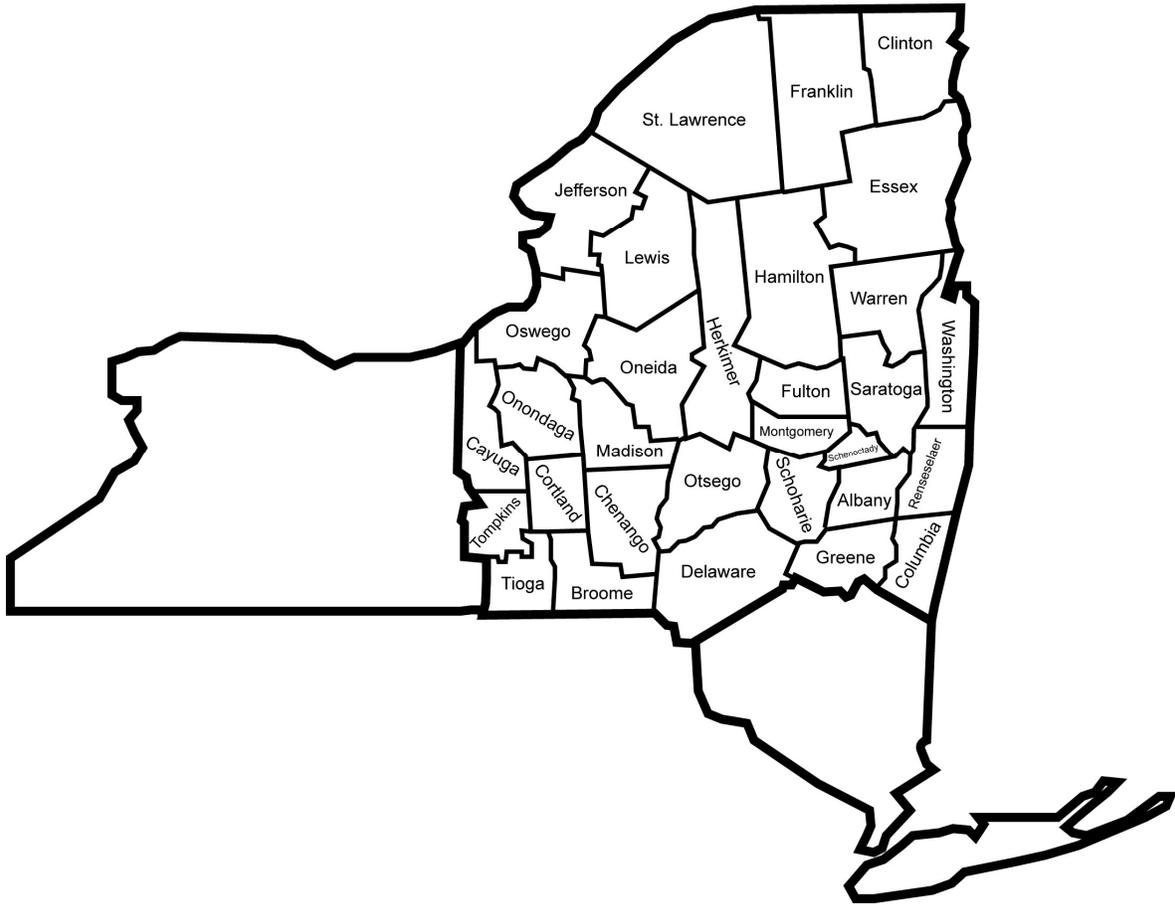


# FCC Region 30 – 800-MHz Bylaws

---



## FCC Region 30 800-MHz

### *Regional Plan Update Committee (RPUC) Bylaws*

# **FCC Region 30 – 800-MHz Bylaws**

This Page Intentionally Left Blank

# FCC Region 30 800-MHz Bylaws



## Table of Contents

<b>1.</b>	<b>REGION 30 800-MHZ PLANNING COMMITTEE ADMINISTRATION .....</b>	<b>1</b>
<b>2.</b>	<b>FCC REGION 30 BYLAWS .....</b>	<b>2</b>
	<i>Article I: Name &amp; Purpose .....</i>	<i>2</i>
	<i>Article II: Members.....</i>	<i>2</i>
	<i>Article III: Meetings.....</i>	<i>3</i>
	<i>Article IV: Officers.....</i>	<i>4</i>
	<i>Article V: Subcommittees.....</i>	<i>5</i>
	<i>Article VI: Correspondence .....</i>	<i>6</i>
	<i>Article VII: Amendments.....</i>	<i>6</i>
	<i>Article VIII: Dissolution .....</i>	<i>6</i>
	<i>Article IX: Rules of Procedures .....</i>	<i>7</i>

# FCC Region 30 800-MHz Bylaws



This Page Intentionally Left Blank

# FCC Region 30 800-MHz Bylaws



## Revision History

Date	Description	Version
11/9/2006	The scope of this document is as follows: <ul style="list-style-type: none"><li>▪ Identifies the RPC 30 800-MHz Committee Administration, and</li><li>▪ Contains the bylaws generated by the RPC 30 800-MHz Regional Plan Update Committee (RPUC).</li></ul>	1.0
11/10/2006	<ul style="list-style-type: none"><li>▪ The revisions discussed at the FCC RPC 30 800-MHz meeting on 11/9/2006 have been implemented.</li><li>▪ Verbiage, grammar, and formatting changes were made throughout the document.</li></ul>	2.0
2/7/2007	<ul style="list-style-type: none"><li>▪ Verbiage changes implemented in Article VI.</li></ul>	3.0
4/12/2007	<ul style="list-style-type: none"><li>▪ Section 1 was revised to reflect a change in the Committee Administration.</li></ul>	4.0

# FCC Region 30 800-MHz Bylaws



This Page Intentionally Left Blank

# FCC Region 30 800-MHz Bylaws



## 1. REGION 30 800-MHZ PLANNING COMMITTEE ADMINISTRATION

Membership in the FCC Region 30 800-MHz Planning Committee shall be in accordance with the Region 30 Bylaws, Article II.

The officers of the FCC Region 30 800-MHz Planning Committee are:

### **David A. Cook - FCC Region 30 Chair**

State Capitol, ESP

P. O. Box 2062

Albany, New York 12220-0062

Telephone: (518) 486-1035

FAX: (518) 474-7529

eFax: (408) 580-8496

Email: david.cook@oft.state.ny.us

### **Robert F. Schlieman - FCC Region 30 Vice Chair**

State Capitol, ESP

P. O. Box 2062

Albany, New York 12220-0062

Telephone: (518) 474-9700

FAX: (518) 474-7529

Email: robert.schlieman@oft.state.ny.us

### **Maribel Martinez - Bradwell - FCC Region 30 Secretary**

R&J Telecom, Inc.

38 Dussault Drive

Latham, New York 12110

Telephone: (518) 506-4373

Email: mmartinez5@nycap.rr.com

# FCC Region 30 800-MHz Bylaws



## 2. FCC REGION 30 BYLAWS

### Article I: Name & Purpose

- 1.1 Name and purpose. The name of this organization shall be the FCC Region 30 (New York-Albany) 800-MHz Regional Planning Committee, herein referred to as RPC 30. Its primary purpose is to plan, coordinate, and administer the 800-MHz National Public-Safety Planning and Advisory Council (NPSPAC) public-safety radio frequencies that are allocated, allotted, and assigned in the RPC 30 geographic area.

Further, RPC 30 shall coordinate, negotiate, and monitor the usage of the 800-MHz NPSPAC frequencies with its neighboring RPCs and with Canada. The Committee shall actively participate in interregional and international interference dispute-resolution proceedings.

### Article II: Members

For purposes of this Article, the term “member,” unless otherwise specified, refers to both voting and non-voting members.

- 2.1 Number, Election, and Qualification. RPC 30 shall have two classes of members: “voting members” and “non-voting members.” New members may be added at any official meeting.
  - a. Voting Members. Voting members shall consist of one representative each from any single governmental public-safety agency that is eligible to hold a license under FCC regulations 47 CFR 90.20 (a) and that has jurisdiction within the RPC 30 geographic boundaries. However, any single agency shall be allowed no more than one vote for each distinct eligibility category (e.g., police, fire, EMS, highway) within the agency’s organization or political jurisdiction. In voting on any issue, the individual must identify himself/herself and the agency and eligibility category that he or she represents. Voting members shall not vote on application-scoring-and-approval matters that directly benefit themselves or the organizations they represent.
  - b. Voting Status. Eligible voting members shall attain voting status after having attended two (2) consecutive Committee meetings. The status of eligible voting members shall be evaluated at the initiation of each Committee meeting based on their attendance over the previous twelve (12) months.
  - c. Non-Voting Members. Non-voting members are all others interested in furthering the goals of public safety communications.
- 2.2 Tenure. In general, each member shall hold membership from the date of acceptance until resignation, permanent incapacity, removal, or no longer representing an eligible agency.

# FCC Region 30 800-MHz Bylaws



- 2.3 Duties. In addition to such duties as are vested in them by the FCC or these Bylaws, the members shall have such other duties as the membership may from time to time determine by majority vote at any annual, special, or regular meeting.
- 2.4 Suspension and Removal. A representative may be suspended or removed for cause by vote of a majority of voting members after reasonable notice and opportunity to be heard. Failure to attend at least 50% of the meetings held in the previous twelve (12) months may be a specific cause for removal from the voting membership.
- 2.5 Resignation. A member may resign by delivering his or her written resignation to the chair, vice-chair, or secretary of the RPC, or to a meeting of the members.

## Article III: Meetings

An annual meeting of the membership shall be held at a time and place to be specified and published at least thirty (30) days prior to the day of the meeting. If a voting member is unable to attend the annual meeting, he or she shall so notify the Chair in advance of the meeting.

- 3.1 Other Meetings. Meetings of the members may be held at any date and time, with at least thirty (30) days advance notice, and at any place within the RPC area. Meetings of the members may be called 1) by the chair, or 2) by the vice-chair, or 3) by any other officer in case of the absence or incapacity of the chair or vice-chair, or 4) upon written application of two or more members.
- 3.2 Working Group Meetings. Working group meetings may be conducted in person or via electronic means for the purpose of developing consensus and making recommendations to an official meeting.
- 3.3 Meeting Notice. In addition to notification by public notice, each member shall be notified of the date, time, and place of such meeting at his or her e-mail address or U.S. Postal Service address on file with the Committee. A tentative meeting agenda shall be included in this notification correspondence.
- 3.4 Continuation of Meetings. Any meeting may be adjourned to such date or dates not more than ninety (90) days after the first session of the meeting by a majority of the votes cast upon the question by the quorum present. The meeting may resume on the adjourned-to date with as much notice as may be reasonably practicable under the circumstances.
- 3.5 Quorum. A quorum is defined as a majority of the voting members present plus any voting members represented by proxies.
- 3.6 Action by Vote. Each voting member, as the official representative for a particular agency/entity, shall have one (1) vote; non-voting members have no right to vote. A majority of the votes properly cast by voting members present or by proxies shall decide any question, including election to any office, unless otherwise provided by law, rule, regulation, or these Bylaws.

# FCC Region 30 800-MHz Bylaws



- 3.7 Action by Writing. Any action required or permitted to be taken at any meeting of the members may be taken without a meeting if: 1) all members entitled to vote on the matter have been given at least thirty (30) days notice, 2) consent to the action in writing, and 3) the written consents are filed with the records of the meetings of the members. Such consents shall be treated for all purposes as a vote at a meeting.
- 3.8 Proxies. In their absence, voting members may vote by written proxy dated not more than one month before the meeting named therein. Such proxies shall be filed before the meeting with the secretary or other person responsible for recording the proceedings of the meeting. Unless otherwise specifically limited by their terms, such proxies shall entitle their holders to vote at any resumed session of the meeting if it is adjourned to a future date. The proxy shall terminate after the final adjournment of the meeting or upon attendance at the meeting by the voting member who issued the proxy.

## Article IV: Officers

- 4.1 Number and qualification. The officers of the RPC shall be a chair, vice-chair, and secretary. Only voting members of the RPC may serve as officers.
- 4.2 Election. The officers shall be elected for a three-year term by the voting members, beginning with the founding meeting and thereafter at an annual meeting of the voting members.
- 4.3 Chair. The chair shall be the chief executive officer of the RPC and, subject to the control of the voting members, shall have general charge and supervision of the affairs of the RPC. The chair shall preside at all meetings of the RPC and appoint such subcommittees as may be necessary, and shall not vote unless to determine the result of a tie vote, as cast by the body.
- 4.4 Vice Chair. The Vice Chair shall have such duties and powers as the voting members shall determine. The vice-chair shall have, and may exercise, all the powers and duties of the chair during the absence of the chair or in the event of the Chair's inability to act.
- 4.5 Secretary. The secretary shall record and maintain records of all proceedings of the members in a file or series of files kept for that purpose. Such file or files shall be open at all reasonable times to the inspection by any member. Such file or files shall not only contain records of all meetings, but also the original, or attested copies, of Bylaws and the names of each member and the address (including e-mail address, if available) of each. If the secretary is absent from any meeting of members, a temporary secretary chosen at the meeting shall exercise the duties of the secretary at the meeting. The secretary shall also be responsible to keep and maintain all documents, including (but not limited to) the Regional Plan and channel allotments.
- 4.6 Tenure. An officer shall hold office until his/her term expires, his/her replacement/successor is chosen, he or she sooner resigns, becomes permanently incapacitated or disqualified, is removed from office, or no longer represents an eligible agency.

# FCC Region 30 800-MHz Bylaws



- a) Suspension or Removal. An officer may be suspended or removed with cause by vote of a majority of the voting members.
- b) Resignation. An officer may resign by delivering his or her written resignation to the chair, vice-chair, or secretary of the RPC. Such resignation shall be effective upon receipt (unless specified to be effective at some other time), and acceptance thereof shall not be necessary to make it effective unless it so states.
- c) Vacancies. If the office of any officer becomes vacant, the voting members may elect a successor. Each such successor shall hold office for the remainder of the vacated term.

## Article V: Subcommittees

### 5.1 Administrative Subcommittee

Members of the RPC 30 Administrative Subcommittee shall include the elected officers. The RPC Chair shall serve as the Administrative Subcommittee Chair.

The RPC 30 800-MHz Administrative Subcommittee shall be responsible for addressing all administrative aspects of the Committee's operations, including (but not limited to) publishing meeting schedules and agendas, preparing, packaging, and distributing adjacent-region concurrence packages, filling Committee vacancies, and collaborating efforts and facilitating relationships with the neighboring RPCs and State and Federal government agencies.

### 5.2 Technical Subcommittee

Members and Chair of the Technical Subcommittee shall be appointed by the RPC 30 Chair.

The RPC 30 800-MHz Technical Subcommittee shall be responsible for addressing all engineering and technology oriented aspects of the Committee's operations, including evaluating applications for 800-MHz NPSPAC channels within the RPC 30 geographic area. Upon receiving the results of such evaluations from the Technical Subcommittee, the RPC Committee will approve, by consensus and if approval is warranted, the evaluation(s) for subsequent coordination and licensing.

Additional responsibilities of the RPC 30 Technical Subcommittee include conducting intraregional and interregional coordination and concurrence of the approved channel allotments; working with Federal, State, and local bodies to facilitate interoperability; and providing overall technical and engineering guidance to RPC 30. Letters of concurrence shall be submitted to the RPC Chair for execution.

This Committee shall review interference-allegation reports and determine whether the alleged interfering system's operations comply with that station's license. If the system is deemed noncompliant with the license parameters, the Committee will decide what

# FCC Region 30 800-MHz Bylaws



appropriate action(s) to take. If the system complies with the station license, the Committee will assist the impacted parties in devising an interference-resolution solution.

## 5.3 Regional Plan Update Committee

Upon completion of the Plan, the RPC 30 800-MHz Regional Plan Update Committee (RPUC) shall remain in place to recommend changes in the Regional Plan, to evaluate applications for channel allotment(s), and to provide a mechanism for interregional concurrence and resolution for any problems that arise.

The RPC Chair shall serve as chair of the RPUC. The elected officers of the RPC shall serve in their same capacity on the RPUC. The standing membership of the RPUC shall consist of an FCC-certified Local Frequency Advisor (LFA) and of two members each (eight total) representing the four geographic areas of Region 30 — Albany, Binghamton, Syracuse, and Plattsburgh. From time to time, the RPUC Chair may appoint one or more members-at-large. Subsequent to the initial RPUC appointments, all future RPUC appointments will be subject to majority approval of the current RPUC membership. In no case shall any radio service have voting membership greater than 49%.

Subject to majority approval, other individuals may serve on the RPUC in only a non-voting status. The RPUC Chair may exclude such members from attendance at any RPUC executive session.

With the approval of the Chair, one member of the RPUC shall serve as the RPC 30 800-MHz Computer-Assisted Pre-Coordination Resource and Database (CAPRAD) Manager, and a second member shall serve as an assistant CAPRAD manager.

## Article VI: Correspondence

6.1 The RPC's primary correspondence channel with Committee members and applicants shall be via electronic mail with read receipt. Committee members who do not have electronic mail service will be corresponded with via U.S. mail (certified, with return receipt requested, to confirm delivery as needed strictly for items of critical importance).

## Article VII: Amendments

7.1 These Bylaws may be altered, amended, or repealed in whole or in part after thirty (30) days advance notice to the members by a two-thirds vote of the quorum.

## Article VIII: Dissolution

8.1 This RPC may be dissolved by the consent of two-thirds of the voting members at a special meeting called for such purpose. The FCC and adjacent regions shall be notified if dissolution is approved.

# FCC Region 30 800-MHz Bylaws



## Article IX: Rules of Procedures

- 9.1 Unless otherwise specified by the Bylaws, the conduct of the Regional Meetings — including, without limitation, debate and voting — shall be governed by the most recent edition of Robert's Rules of Order.

# FCC Region 30 800-MHz Bylaws



This Page Intentionally Left Blank