

BYLAWS
of the
PUBLIC SAFETY REGION SIX 700 MHz/4.9 GHz REGIONAL PLANNING
COMMITTEE
February 10, 2004

ARTICLE I

NAME, GEOGRAPHIC AREA, and PURPOSE, and STRUCTURE

- 1.1 NAME: The name of this organization shall be the Public Safety Region Six 700 MHz/4.9 GHz Regional Planning Committee. The short name of the organization shall be the Region 6 RPC.

- 1.2 GEOGRAPHIC AREA: Region 6 is one of 55 public safety communications planning regions established by the Federal Communications Commission (FCC) to develop spectrum utilization plans for the United States and its possessions. Region 6 covers the 48 counties of California situated north of the southernmost borders of Monterey, Kings, Tulare, and Inyo counties.

- 1.3 1.3 PURPOSE: The purpose of the Region 6 RPC is to fulfill the requirements established by the FCC in Title 47 of the Code of Federal Regulations for public safety communications users to obtain access to wireless spectrum ("public safety bands") subject to the FCC's public safety planning process. The Region 6 RPC achieves this purpose by fostering cooperation between potential users, development and maintenance of regional spectrum utilization plans, and the implementation of these plans within the Public Safety Region 6 area.

- 1.4 STRUCTURE: To accomplish the planning purposes stated in Section 1.3, the Region 6 RPC will establish standing subcommittees and working groups to address specific public safety bands, as chartered by the FCC. The composition of any maintenance subcommittee or working group established pursuant to a FCC planning charter will be delineated in the subject band's planning document.

ARTICLE II MEMBERS

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

- 2.1 MEMBER CLASSES AND QUALIFICATIONS: The Region 6 RPC shall have two classes of members, "voting members" and "non-voting members." New members may be added at a duly noticed annual or special meeting by a simple majority vote of current members present. Any special meetings must be advertised to the public 30 days in advance of said meeting.

- 2.1.1 VOTING MEMBERS: For each regional spectrum planning/frequency coordination committee established for each of the Plans submitted to the FCC for the 4.9GHZ, 700MHz, and 800MHz public safety/ public service bands voting members shall consist of one representative per category (e.g., police - city, fire - county, OES, EMS, highway maintenance). Voting members must be representatives from a public agency engaged in the provision of public safety/public services within the Region 6 geographic area and eligible to hold a license under 47 CFR 90.20, 47 CFR 90.523, 47 CFR 90.1203, or 47 CFR 2.103. A single agency shall be

allowed no more than one vote for each distinct eligibility category (e.g., police, fire, EMS, highway maintenance) within the agency's organization or political jurisdiction. The State of California shall have no more than four voting members. In voting on any issue, the members must identify themselves, and the agency and eligibility category, which they represent.

- 2.1.2 NON-VOTING MEMBERS: Non-voting members are all others interested in furthering the goals of public safety services communications.
- 2.2 TENURE: In general, each member shall hold membership from the date of acceptance until resignation or removal.
- 2.3 POWERS AND RIGHTS: In addition to such powers and rights as are vested in them by law, or by these bylaws, the members shall have such other powers and rights as the membership may determine by majority vote.
- 2.4 SUSPENSION AND REMOVAL: A voting member may be suspended or removed with cause by a two-thirds vote of the voting members after reasonable notice and opportunity to be heard. Failure to attend three consecutive meetings or 50 percent of formal meetings held in a calendar year shall be a specific cause for removal from the membership.
- 2.5 RESIGNATION: A member may resign by delivering written resignation to the chair, vice-chair, treasurer, or secretary of the Region 6 RPC or to a meeting of the members. Those voting members who resign may be replaced by the appointing agency until the annual meeting by submitting a signed memo to the chair. Advance notice of an impending resignation is encouraged.

ARTICLE III
MEETINGS

- 3.1 **ANNUAL MEETING:** The annual meeting of the membership shall be held at a publicly accessible location within Region 6 during the first quarter of each year. If an annual meeting is not held as herein provided, a special meeting of the members may be held in addition to the annual meeting with the same force and effect as the annual meeting. In such cases, all references in these bylaws, except in this section (3.1), to the annual meeting of the members shall be deemed to refer to such special meeting. Any such special meeting shall be called and notice shall be given as provided in Section 3.4.
- 3.2 **SPECIAL MEETINGS:** Special meetings of the membership may be held at any time and at any place within Region 6, or in any of the contiguous regions if the purpose of the meeting is a joint meeting with that region. Special meeting of the members may be called by the chair or by the vice-chair, or in case of death, absence, or incapacity, by any other officer, or upon written application of three or more members. Any such special meeting shall be called and notice shall be given as provided in Section 3.4.
- 3.3 **WORKING MEETINGS:** Meetings of subcommittees or working groups of the Region 6 RPC are considered working meetings and may be conducted in person or by electronic means. Working meetings are not subject to the notice provisions of Section 3.4. Minutes of working meetings shall be filed with the secretary and made available for review by any member of the Region 6 RPC.

No vote may be taken at working meetings. Such notice may include, but not be limited to, website postings.

- 3.4 NOTICE OF MEETINGS: Notice of the time and place of annual and special meetings of the Region 6 RPC shall be provided to each member and to the public not less than 60 days in advance of the date of the meeting. Except as otherwise expressly provided, it shall be reasonable and sufficient notice to members to send notice by mail, addressed to such members at their usual or last known business address; by e-mail/facsimile; in person; or by telephone. Notice of each annual and special meeting shall also be provided to the Wireless Technology Branch (or successor unit) of the FCC; placed on any electronic information distribution sources used by the Region 6 RPC, and distributed to any or all professional organizations designated by the officers or membership of the Region 6 RPC.
- 3.5 QUORUM: At any meeting of the members, a majority of the officers and 50 percent plus one of the voting members shall constitute a quorum. Any meeting may be adjourned to such date or dates not more than 90 days after the first session of the meeting by a majority of the votes cast upon the question, whether or not a quorum is present, and the meeting may be held as adjourned without further notice.
- 3.6 ACTION BY VOTE: Each voting member representing a particular category of public safety services (e.g., fire, law enforcement, medical) shall have one vote; non-voting members have no right to vote as per Section 2.1. When a quorum is present at any meeting, a majority of the votes properly cast by voting members present shall decide any question, including election to any office, unless otherwise provided by law or these 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 two thirds of the members entitled to vote on the matter consent to the action in writing and 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: Voting members may vote either in person or by written proxy dated not more than one month before the meeting named therein. Such proxies shall be filed 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 the holders thereof to vote at the meeting by the proxy. Proxies shall terminate after the final adjournment of such meeting. Voting by written proxy at a meeting shall not be considered the same as attending the meeting to satisfy the requirements of Section 2.4.
- 3.9 VOTING ON ONE'S OWN APPLICATION: At no time can voting members vote on their own applications.
- 3.10 SPECIAL INTEREST VOTING: Voting members cannot have a commercial interest in telecommunications in any of their regions, and/or adjacent regions', application(s) which they are reviewing, approving and/or voting on.

ARTICLE IV
OFFICERS AND AGENTS

- 4.1 **NUMBER AND QUALIFICATION:** The officers of the Region 6 RPC shall be consist of a chair, vice chair, treasurer, secretary, and such other officers, if any, as the voting members may determine. With the exception of the secretary, all officers must be voting members of the Region 6 RPC. The chair and vice chair shall not be employed by the same agency.
- 4.2 **ELECTION:** The officers shall be elected by the voting members at the first meeting. At the first annual meeting of the members after these bylaws have been adopted, the vice chair and the secretary shall be elected for a term of two years. At the second annual meeting of the members, the chair and the treasurer shall be elected for a term of two years. Thereafter, at the annual meeting of the members, the vice chair and the secretary, or the chair and the treasurer, shall be elected on alternating years.
- 4.3 **TENURE:** The officers shall each hold office until the annual meeting of the members in which the term of their office expires and elections are held, or until their successors, if any, are chosen, or in any case until they die, resign, are removed or become disqualified.
- 4.4 **CHAIR AND VICE 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 Region 6 RPC. The chair shall preside at all meetings of the Region 6 RPC. The vice chair, if any, 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 his or her inability to act.

- 4.5 **TREASURER:** The treasurer shall be the chief financial officer and the chief accounting officer of the Region 6 RPC. The treasurer shall be in charge of its financial affairs, funds, and valuable papers and shall keep full and accurate records thereof.
- 4.6 **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 kept within the region and shall be open at all reasonable times to the inspection of any member. Such file or files shall also contain records of all meetings and the original, or attested copies, of bylaws and names of all members and the address of each (including e-mail addresses, if available). 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.
- 4.7 **COMBINED POSITION:** A single individual may hold the positions of treasurer and secretary, but the terms of the positions will not be combined.
- 4.8 **SUSPENSION OR REMOVAL:** An officer may be suspended or removed from office with cause by a two-thirds vote of the voting members.
- 4.9 **RESIGNATION:** An officer may resign by delivering a written resignation to the chair, vice chair, treasurer, or secretary of the Region 6 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.
- 4.10 **VACANCIES:** If any office becomes vacant, the voting members shall elect a successor. The successor shall hold office for the remainder of the

term and in the case of the chair, vice chair, treasurer, and secretary until a successor is elected and qualified, or in each case until the successor, resigns, is removed, or is disqualified.

ARTICLE V AMENDMENTS

- 5.1 **METHOD OF MODIFICATION:** These bylaws may be altered, amended, or repealed in whole or in part by vote. The voting members may, by a two-thirds vote, alter, amend, or repeal any of the bylaws adopted by the Region 6 RPC members or otherwise adopt, alter, amend, or repeal any provision that requires action by the voting members, per FCC regulations or these bylaws.

ARTICLE VI DISSOLUTION

- 6.1 **DISSOLUTION:** This Regional Planning Committee may be dissolved by the consent of two thirds plus one of the members in good standing at a special meeting called for such purpose. The FCC shall be notified in writing by the chair or, in the chair's absence, the vice chair.

ARTICLE VII RULES OF PROCEDURES

- 7.1 **GOVERNANCE OF MEETINGS:** The conduct of Region 6 RPC meetings, including, without limitation, debate and voting, shall be governed by the most current edition of *Robert's Rules of Order*.