



To: Bay Area UASI Approval Authority

**From: Barry Fraser, Interim General Manager
BayRICS Authority**

Date: September 13, 2012

**RE: Item #11: Report from the Bay Area Regional Interoperable Communications
System Joint Powers Authority (BayRICS JPA)**

REPORT

1. BayRICS Administration

The BayRICS Authority held its regular monthly Board of Directors meeting on Thursday September 6, 2012. The BayRICS Board was expected to endorse a regional “Fleetmap” radio coordination plan, consider selection of a permanent general manager, and approve a plan to issue a Request for Qualifications (RFQ) for technical consulting services. Staff also provided an unaudited final financial report for the 2011-2012 Fiscal Year and is working with the BayRICS Authority Treasurer to complete an audit.

Staff has developed a prototype web site for the BayRICS Authority, www.bayrics.net. The site provides online access to meeting information, agendas and supporting materials for the BayRICS Board and Technical Advisory Committee (TAC).

2. Site Status

Bay Area jurisdictions have committed 116 sites through Site Use Agreements with Motorola. Another 20 sites are pending through BART. Jurisdictions are proceeding to the zoning approval process, with the zoning process completed/not needed for 21 sites to date.

3. BayLoop

Staff and members of the BayLoop Working Group have completed negotiations with Aviat on a master Maintenance and Network Monitoring Agreement that includes maintenance services, technical support, corrective maintenance, preventive maintenance, and advanced Network Operations Center (NOC) services. Upon TAC’s final recommendation, staff will recommend that the Board approve this agreement at the October Board meeting.



The BayLoop Working Group is also nearing completion of a standard Memorandum of Understanding (MOU) for each of the eight jurisdictions operating BayLoop equipment. Each jurisdiction will be required to execute the MOU in order to take advantage of these maintenance and monitoring services. Because these MOUs must be executed prior to the start of the Maintenance and Monitoring contract (anticipated to begin January 1, 2013), staff and TAC strongly encourage Board members with BayLoop facilities to ensure that staff responsible for BayLoop in each jurisdiction are informed and engaged in the MOU process.

Staff has been advised that it will need to enter into a sub-grantee agreement with another Bay Area UASI grantee in order to obtain the funding to pay for the maintenance and monitoring services. Staff will present a recommendation on this matter to the Board at the October BayRICS Board meeting.

4. Fiber Backhaul

Staff has facilitated weekly meetings with BART, CENIC and Motorola engineers to evaluate ways to incorporate CENIC resources into BayWEB. Participants review the engineering feasibility and costs of enhancing the system by integrating additional backhaul infrastructure. These fiber connections and enhancements are being incorporated into the fiber route exhibit of the BART reciprocal use agreement.

5. Regional and State Planning

Staff continues to meet with staff from Los Angeles Regional Interoperable Communications System Authority (LA-RICS), the California Technology Office and California Emergency Management Agency (Cal-EMA) to implement State planning for FirstNet and for the NTIA's State and Local Implementation Grant Program. Staff, Chair Lucia and Vice Chair Wong participated in an informational hearing on August 6, 2012 before the California Joint Legislative Committee on Emergency Management. Staff also gave a presentation in Sacramento on August 29, 2012 for a State public safety radio strategic planning group.

6. 700MHz Spectrum Waiver, Spectrum Act and FirstNet Update

FCC Spectrum Transition Order

On July 31, 2012 the Federal Communications Commission issued an Order terminating all waivers and spectrum leases for the 700 MHz Public Safety Broadband Spectrum, effective September 2, 2012. The FCC also developed a procedure whereby early builders may obtain "Special Temporary Authority" (STA) for spectrum rights to continue work on projects, if they can demonstrate that they have made substantial progress toward deployment of their networks.



Because BayRICS members have made substantial investment in our BayWEB network, staff worked with Chair Lucia and our attorneys to analyze the FCC's STA requirements and prepare an application seeking a STA for the BayRICS Authority. That application was filed on August 20, 2012. Staff Chair Lucia and public safety representatives from the Bay Area also met with FCC Public Safety Bureau staff in-person and via telephone conference to discuss the application and answer questions. The FCC indicated in the Order that it would make a determination on STA requests with 30 days of the application filing.

The FCC has indicated that only a few jurisdictions will meet the deployment requirements established in the Order. In addition, even if the STA is granted, it will be temporary, only six months. The FirstNet Board will eventually make the permanent decision on these spectrum rights.

FirstNet Board

The Middle Class Tax Relief and Job Creation Act of 2012, signed into law in February 2012, created FirstNet, an independent authority within the Department of Commerce's National Telecommunications and Information Administration (NTIA). Congress directed that FirstNet be run by a 15-person Board of Directors, with the Secretary of Homeland Security, the Attorney General, and the Director of the Office of Management and Budget named as permanent members of the Board.

On August 20, 2012 the Acting Secretary of the Department of Commerce announced the remaining 12 members of the FirstNet Board. They are:

- Tim Bryan, CEO, National Rural Telecommunications Cooperative
- Charles "Chuck" Dowd, Deputy Chief, New York City Police Department
- F. Craig Farrill, Wireless telecommunications executive
- Paul Fitzgerald, Sheriff, Story County, Iowa
- Samuel "Sam" Ginn, Telecommunications executive
- Jeffrey Johnson, Fire Chief (retired); former Chair, State Interoperability Council, State of Oregon; CEO, Western Fire Chiefs Association
- William Keever, Telecommunications executive (retired)
- Kevin McGinnis, Chief/CEO, North East Mobile Health Services
- Ed Reynolds, Telecommunications executive (retired)
- Susan Swenson, Telecommunications/technology executive
- Teri Takai, Government information technology expert; former CIO, states of Michigan and California
- Wellington Webb, Founder, Webb Group International; former Mayor, Denver, Colorado



Samuel “Sam” Ginn was appointed as the Chairman of the FirstNet Board. Mr. Ginn, a pioneer and leader in the wireless telecommunications industry, has served as chairman and CEO of Pacific Telesis from 1988-1994 and chairman of AirTouch from 1993-1999. The FirstNet Board is expected to hold its first meeting in September.

State and Local Implementation Grant Program Guidelines

On August 21, the National Telecommunications and Information Administration (NTIA) issued a Notice of Initial Requirements for the \$135 million State and Local Implementation Grant Program (SLIGP) authorized by section 6302 of the Middle Class Tax Relief and Job Creation Act of 2012 (Act). The NTIA reviewed 70 responses to a Request for Information (RFI) issued earlier this year, and relied heavily on the comments of BayRICS, LA-RICS and the State of California to support various points made in the guidelines. The Notice is available online at http://www.ntia.doc.gov/files/ntia/publications/fr_sligp_08212012.pdf

The Notice does not include details or procedures for submission of grant applications. Instead, the NTIA intends to release a Federal Funding Opportunity (FFO) that will provide more information on: (1) the amount of funding available for award; (2) how NTIA will allocate funds to applicants; (3) instructions on the application process; and (4) evaluation criteria for application review. Subject to its requirement to consult with FirstNet, NTIA expects to issue the FFO and open the application window during the first quarter of calendar year 2013.

The Act directs NTIA to make grants directly to states. NTIA will specify in the FFO the exact contents of the application packets; however, the NTIA has indicated that it will likely require applicants to address the following:

- The Act directs each state to certify in its application for grant funds that the state has designated a single officer or governmental body to serve as the coordinator of the grant funds. NTIA will allow states flexibility in determining which state officer or governmental body to designate as the coordinator of the grant funds.
- States will be asked to describe how they plan to collect input from local and tribal jurisdictions to ensure that their public safety needs are adequately represented during the consultation process with FirstNet and in the coordination of the grant funds.
- States will be asked to discuss how they will leverage their existing governance structures in the FirstNet consultations.
- Because these public safety governance structures have traditionally focused solely on interoperable Land Mobile Radio (LMR) voice communications, states will be asked to describe how they intend to expand the expertise of their governance structures to include representatives with an understanding of broadband and Long Term Evolution (LTE) technology to facilitate their consultations with FirstNet.



In addition, NTIA will likely require grant recipients to show that they have accomplished the following activities by the end of the grant period of performance:

- Established a governance structure, or expanded existing structures, to consult with FirstNet;
- Developed procedures to ensure local and tribal representation and participation in the consultation process with FirstNet;
- Created a process for education and outreach, through program development or through other efforts, among local and tribal officials, public safety users, and other stakeholders about the nationwide public safety broadband network;
- Identified potential public safety users of the public safety broadband network;
- Developed standard MOUs to facilitate the use of existing infrastructure, or identified the legal barriers to creating standard MOUs and described potential remedies; and
- Developed staffing plans that include local and tribal representation to participate in the public safety governance structure and to prepare for data collection activities in consultation with FirstNet.

NTIA may also consider having grant recipients prepare a comprehensive plan, similar in concept to their existing Statewide Interoperability Communications Plans (SICPs), describing the public safety needs that FirstNet should address.