



**Board of Directors
MINUTES
March 24, 2011**

Phoenix City Council Chambers
200 West Jefferson Street
Phoenix, Arizona 85003

Board Members Present

Wade Brannon**	Chad Dragos	Shannon Tolle*
Mark Brown	David Fitzhugh	Paul Wilson
Carol Campbell*	Jim Heger	Ed Zuercher
Steven Campbell	Charlie Meyer	
Wayne Clement	David Neuman*	
Steven Conrad**	Susan Thorpe	

Board Members Absent

Mike Frazier
Bob Costello
Brad Hartig
Jim Haner
Patrick Melvin
Marc Walker

*Board Alternate

**Non-Voting Board Representative

Staff and Public Present

Tahir Alhassan	Jesse Cooper	Jen Hagen	Mike Rall
Leif Anderson	Theresa Faull	Lonnie Inskeep	John Rowan
Rick Barte	David Felix	Rick Kolker	Vicky Scott
Brenda Buren	Bill Fleming	Doug Mummert	Dale Shaw
Jim Case	John Gardner	Chris Nadeau	Mike Ullman
Dave Clarke	Joe Gibson	Cy Otsuka	Tim Ulery
Dave Collett	Loretta Hadlock	Bill Phillips	Tim Van Scoter

1. Call to Order

Chair Meyer called the meeting to order at 10:04 a.m. and announced the following new members and alternate representatives:

- Board Member Mr. Campbell replacing Mr. Frazier – City of El Mirage
- Board Member Mr. Frazier replacing Mr. Schott – City of Surprise
- Board Alternate Mr. Brannon for Mr. Melvin – City of Maricopa
- Board Alternate Mr. Tolle for Mr. Hartig – City of Scottsdale
- Board Alternate Ms. Campbell for Mr. Frazier – City of Surprise

2. Approval of the Meeting Minutes from January 27, 2011

Chair Meyer asked if the Board had any questions or changes to the minutes; none were received. No amendments were made and the minutes were approved.

3. Glendale Membership

Chair Meyer explained that the Glendale City Council approved and signed the Intergovernmental Agreement (IGA) for Glendale to join the RWC.

Mr. Felix thanked Mr. Conrad for his hard work to bring Glendale's membership to fruition, including working with the technical challenges of Glendale's transition, specifically in reference to the stadium.

Mr. Conrad expressed that Glendale's transition was long overdue and he was glad to be here this day. He commended the RWC staff for assistance in providing information needed to make good and careful decisions. He stated that the Glendale City Council approved entering into the IGA on February 22, 2011. He explained that Glendale was working with Motorola regarding the necessary upgrades required to join the system. He added that on March 22, 2011, Glendale City Council approved the contract with Motorola. He expressed that he was looking forward to working with all the Members and formally requested Glendale's membership to the RWC.

Chair Meyer conveyed his thanks to Mr. Conrad for his hard work to make Glendale's membership possible and stated that the issue of interoperable public safety communications was taken very seriously and having Glendale as a formal participant was a forward movement towards better public safety communications for the entire Valley.

A **MOTION** was made by Vice-Chair Thorpe and **SECONDED** by Mr. Fitzhugh to approve Glendale's RWC membership request. **MOTION CARRIED UNANIMOUSLY.**

4. Interoperability Participant Policy

Mr. Felix presented that the purpose of the policy was to formalize the way an Interoperability Participant can come onto the network. He stated that, in most cases, signed agreements with Interoperability Participants were not on file; therefore, staff would begin obtaining formal agreements from the various participants. He explained that Interoperability Participants would be sent a notice making them aware of the new policy along with a template letter agreement for signature. He stated that the letter agreement would define what Interoperability Participants were authorized to do and what limitations existed. He provided an example that Interoperability Participants should not assume use of dispatch services. He added that such specifics would be articulated in a letter for the Interoperability Participant's signature acknowledgment.

Vice-Chair Thorpe referenced Section 7.4 in the policy, and suggested that limitations such as no dispatch services be included in the policy so that the information would be uniform and consistent in RWC documents, rather than

contained in a letter to an individual participant. Mr. Felix replied that the template letter, which serves a companion document to the policy, covered the concern raised; however, he could take the policy back to the policy committee for further review.

Chair Meyer conveyed that he understood Vice-Chair Thorpe's concerns for the need to have a consistent guideline that applied to all. He stated that often times when a policy is adopted it can be promulgated by administrative guidelines which advance the policy to a more detailed level. He added that administratively, with the Executive Committee, those kinds of guidelines can be developed and promulgated and shared with the Board but not necessarily adopted, thus avoiding the need for future amending by the Board.

Mr. Felix responded that he would bring the template back to the next meeting so the Board could review it, as he believed it addressed the concern raised. He added that the template provided the detailed requirements and limitations for use of the system for Interoperability Participants.

Referencing again Section 7.4 of the policy, Vice-Chair Thorpe recommended language to address that no disruption of RWC Member operations be allowed by an Interoperability Participant; Members take priority and others come second in regards to operations. She added that because interoperability does not usually include encryption, perhaps the RWC should be charging agencies who want that additional service, since it was not a standard in the interoperability procedure.

Mr. Felix responded that language concerning these issues may already be in the template; however, he would review the template for verification. He added that this item could be brought back with the template to a future Board meeting.

A **MOTION** was made by Mr. Conrad and **SECONDED** by Ms. Campbell to approve the Interoperability Participant Policy with the understanding that a document addressing the issues raised by Vice-Chair Thorpe would be forthcoming at a subsequent meeting. **MOTION CARRIED UNANIMOUSLY.**

5. TRWC Talkgroup Usage and Joint Executive Committee Meeting Update

Mr. Phillips reported that traffic had dropped off on the TRWC talkgroups since December and although some traffic had moved to interoperable channels, it too had dropped off. He added that the busy hour usage had also come down.

Chair Meyer questioned the reason for the drop in usage. Mr. Phillips responded that although it was difficult to know why, it may be that the TRWC was limiting some operations while the two groups were still in discussions for a final solution. Mr. Felix added that he believed that since the Joint Executive Committee (EC) meetings with the TRWC, awareness of interoperability usage and how it was defined, awareness of self-policing, and users being better educated have contributed to the drop in usage.

Chair Meyer inquired whether Mr. Felix believed that there was a drop in usage as a result of a conscious decision to reduce use rather than there having been a spike in use due to a particular police operation that has now ceased. Mr. Felix replied in the affirmative.

Mr. Phillips stated that a second Joint EC meeting was held on March 10, 2011. He stressed that interoperability existed with the TRWC and that had never been an issue; the main point being addressed was how to handle direct operations of one entity working on the other entity's system. He explained that the Joint EC, in determining what constituted interoperability, added intermittent to the definition. He stated that the Joint EC defined intermittent as sporadic use that was generally weeks not months. He noted that the definition was left flexible to address special circumstances on a case-by-case basis.

Mr. Phillips explained that the Joint EC discussed taskforces and whether their use would be considered intermittent. He stated that Federal taskforces have become an everyday occurrence that often last for years or with no defined deadline. He added that they often take an officer or two from different jurisdictions and embed them in the taskforce for the whole duration of time; therefore, the question becomes whether this would be interoperable communications or the operations of that taskforce. He explained that the Joint EC had not yet settled on that issue.

Mr. Felix stated that he was attempting to have a discussion with a central Federal coordinator to see if there was a single way to address all their needs instead of dealing with each agency individually. He explained that, at present, the Federal agencies do not fund the communications component of their taskforces, thus this was usually never addressed.

Chair Meyer inquired whether Mr. Felix was attempting to get one voice to speak for multiple Federal agencies. Mr. Felix responded in the affirmative. He stated that he was in the early stages of discussions and has reached out to Mr. Burke in the Attorney General's Office, who had regular Federal head meetings.

Mr. Zuercher joined the meeting at this time.

Mr. Phillips reviewed the business needs for operational use of another entity's system. He explained that Fire interacts daily with its counterparts in other jurisdictions and that a Fire unit, when dispatched, was under the control of the dispatching agency whether it was the RWC or TRWC. He stated that the joint committee established a technical team to look at various solutions to meet the identified business requirements. He reviewed a wide range of solutions and expressed that implementation of the technical piece would not be the problem area; the challenge would be how to establish what would be fair and equitable and how to set up a cost model for billing.

Vice-Chair Thorpe inquired of the timeline when a final recommendation would be brought to the Board. Mr. Phillips responded that the Joint EC was working with the June 2011 deadline in view; however, if a new customer class was established, a modification to the Intergovernmental Agreement may be required and resigning by Members likely would not be completed by June.

Mr. Campbell inquired whether the solutions were in awareness of other systems (e.g. Yuma system); hence, if an Urban Areas Security Initiative (UASI) team needed to roll out from the Maricopa County area and into other areas that all these processes would create a continual communication element. Mr. Phillips responded that those issues were being looked at from a global perspective; however, this particular solution was for operational use. He explained that the interoperability solution was a little different and the UASI teams put those processes and procedures in place. He added that the Inter Radio Frequency Subsystem Interface (ISSI), a system of systems statewide, was a possible solution but currently had a lot of administrative overhead. He stressed that this particular problem was the operational piece and not the interoperable piece.

No action was taken.

6. **RWC Auditor Section Update**

Mr. Alhassan reported that nine solicitation requests were sent to various auditors on the City of Phoenix's Qualified Vendor List and the response was as follows: three had no response, three declined, and three submitted proposals. He explained that Clifton Gunderson, LLP was the recommended choice based on the firm's experience with joint ventures, the audit hours were in line with other similar audits, and the firm's familiarity with SAP, the City of Phoenix accounting system. He expressed that although Henry and Horne had the lowest overall fee, the firm did not have experience with joint ventures and the proposed audit hours were believed to be underestimated. He stated that the timeline for the audit would be a kickoff meeting in July, field work in October, and final review and audit opinion in November. He added that the audit budget was short \$3,500 but would be realigned in the fall to accommodate the difference.

Mr. Felix stated that the Executive Committee was briefed by Mr. Alhassan and it was in concurrence with his recommendation.

A **MOTION** was made by Mr. Zuercher and **SECONDED** by Vice-Chair Thorpe to approve staff's recommendation of the auditor selection of Clifton Gunderson, LLP. **MOTION CARRIED UNANIMOUSLY.**

7. **Associate Member Billing**

Mr. Felix explained that at a prior Board meeting, a question was raised whether direct billing to for-profit entities, and in this case ambulance companies, would compromise the tax-exempt status of bond money used in building the RWC

system. He explained that the issue was reviewed by the Phoenix Law Department and the following summarized the legal opinion:

- a. An ambulance company may not use nor purchase, from the City, radios that were originally obtained by the City through bond money.
- b. An ambulance company may be charged Operations & Maintenance (O&M) only.
- c. O&M charges may not be applied towards upgrades to the RWC network.
- d. The O&M should be calculated based upon an ambulance company's proportionate Operations & Maintenance cost of the RWC network.
- e. The RWC may direct bill an ambulance company for O&M, or an RWC Member may bill an ambulance company for O&M; however, Law recommends being as consistent as possible and that ideally the RWC do the billing.
- f. Referring to an ambulance company as an "Associate Member" is not consistent with the governance and should be replaced with the term "Associate".

Mr. Heger inquired if the billing would be on a per radio basis. Mr. Felix confirmed that the calculation was based on that formula; however, it would be billed as the Associate's proportionate use of the system.

In response to questions by Chair Meyer, Mr. Felix replied that he had not heard from any Members who would prefer to do their own billing. He added that it was administratively more burdensome for Members to perform their own billing and affirmed that it was more beneficial for the RWC to assume the billing.

Chair Meyer, referencing letter "a" above, recognized that although the advice was from the City of Phoenix Law Department, it could be applied to individual Members; therefore, he inquired that if cities allowed these affiliates to purchase from them radios, was there anything that needed to be done or were Board Members being advised to take the information back to their respective jurisdictions. Mr. Felix replied that the information had already been disseminated through the Operations Working Group and the Board Members; however, information could continue to be provided.

No action was taken; this item was for information and discussion.

8. RWC Lifecycle Planning and Federal Communications Commission (FCC) Mandates Briefing for 800 MHz Re-Banding and 700 MHz Narrow-Banding

Mr. Felix introduced this item stating that the re-banding/narrow-banding mandates had significant financial implications to the RWC. He expressed that the issue was being worked on from several different areas; however, it was important to bring it to the Board's attention. He recapped a discussion he had with representatives from the Regional Planning Committee (RPC), which was a group that addressed FCC mandates and strategies of how to move forward.

Mr. Phillips presented that the FCC was mandating that 800 MHz frequencies be re-banded in order to move public safety frequencies closer together to eliminate interference from commercial cellular carriers. He stated that Sprint/Nextel was financing the project, although our region was on hold pending a US treaty with Mexico.

He further explained that narrow-banding was when channels are cut in half and the existing space was used to create more channels to provide more capacity for systems throughout the nation. He stated that the FCC had an unfunded mandate that narrow-banding occur on the 700 MHz frequencies by 2017. He expressed that national discussions were occurring that included extending the deadline or eliminating the mandate for areas in the country where plenty of 700 MHz frequencies existed.

In response to a question by Chair Meyer, Mr. Phillips replied that we could be one of those parts of the country, as there were plenty of frequencies.

In response to a question by Vice-Chair Thorpe regarding the rationale behind the mandate, Mr. Phillips replied that the amount of spectrum available was fixed and as communications was growing so was the demand for spectrum.

Mr. Phillips stated that in planning for this mandate, equipment being purchased today was narrow-band capable but would require a software upgrade. He explained the need to change protocols from Frequency Division Multiple Access (FDMA) to Time Division Multiple Access (TDMA) because a single talkgroup could not talk on multiple subsystems on two different protocols (FDMA and TDMA), which defeats the purpose of having a wide area interoperable communications system.

In response to a question by Chair Meyer, Mr. Phillips replied that TDMA separates the frequency band into channels, and each frequency channel is separated into two timeslots, and each timeslot can carry one conversation. He explained that wide area roaming forces one protocol or the other, and the FCC mandate requires TDMA on 700 MHz; therefore, it necessitates the whole system to convert.

Mr. Phillips reviewed the Lifecycle issues and future products that would become obsolete with or without the FCC mandate and the related costs. He stated that there was no manufacturer, other than Motorola, that had TDMA capable radios. He expressed that moving the mandate deadline may: (1) allow time for competitor manufacturers to develop a products which could mean lower costs, and (2) allow more time to spread out the costs. He explained that an option may exist to forgo re-banding the 800 MHz and negotiate a buy-out from Sprint/Nextel and thus apply the buy-out funds to the 700 MHz narrow-banding and TDMA.

Vice-Chair Thorpe inquired whether the first two bulleted items totaling \$40M dollars (depicted on the slide) were the RWC costs and other two bulleted items were individual Member costs. Mr. Phillips replied in the affirmative.

Mr. Phillips reviewed the Members' radio counts and estimated subscriber costs at \$6,500 per radio. He added that agencies depicting no costs were because radios counts were still being obtained from Fire districts.

Mr. Tolle inquired whether the costs were based on the 6000 or 7000 model APX. Mr. Phillips replied that it was an average rough cost. He added that municipal user radios were less expensive than public safety radios.

Mr. Phillips summarized that without the FCC mandate the timeline for subscriber replacements could be extended beyond 2017, and he recommended filing in support of any existing extensions or filing to set aside the mandate entirely, thus not converting to TDMA.

In response to a question by Chair Meyer, Mr. Phillips affirmed that the filing would be done with the FCC.

Mr. Felix expressed that he had a conference call with the Chair of the National Regional Planning Committee, Steve Devine, and local representative Mark Schroeder to discuss the reality of the 2017 deadline. He added that Phoenix's Office of Government Relations participated in the call in the event the RWC requests assistance from the congressional delegation. He relayed that it was possible that the date may move to 2019 or that the mandate may not occur at all. He stated that other states have already submitted filings and the RWC's filing may include signatures from each Board Member. He noted that Mr. Devine was performing research of what other states have done.

Vice-Chair Thorpe inquired for clarification whether the possibility existed that nationally the conversion would not need to occur or just our region. Mr. Felix responded that dense areas such as New York City may need to do the conversion; however, it may not be applicable to the Southwest. He added that nationwide the mandate could change, but we would be asking for a waiver for our region.

Mr. Phillips explained that the RWC could move to 700 MHz, perform the hardware changes, and remain FDMA, thus the cost to replace subscriber units could be spread out. He added that more hardware would be needed than converting to TDMA; however an analysis would be performed. He stated that this report was for information and in the future the Executive Committee would put forth its recommendation.

Vice-Chair Thorpe commended Mr. Phillips for his use of the graphics in the presentation, as it explained the information well.

Chair Meyer commented that he believed the RWC should move forward with an extension or waiver request. He added that most agencies fund these types of projects as capital projects and that capital funds were based on an agency's ability to issue debt. He stressed that in these economic times moving deadlines out two years could make a big difference.

Chair Meyer inquired whether the TRWC was in the same situation as the RWC. Mr. Phillips responded that the TRWC has both 800 MHz and 700 MHz frequencies, although the RWC has more split subsystems.

Chair Meyer commented that he believed the TRWC and RWC deliver a unified message in regards to the mandate. Mr. Felix responded that the two Executive Committees were prepared to have this discussion so that we have a unified approach.

Mr. Wilson stated that the change in technology was an area to consider with regards to the potential waiver request. He added that the TRWC was pursuing Long Term Evolution (LTE) broadband and since agencies need voice radios and text that this should be part of the technology on future radios. Mr. Phillips agreed and added that one reason there had not been a lot of action or concern with the 2017 deadline was due to the focus on the D Block and LTE. He commented that although LTE technology is ready for data communications and may one day be a solution for voice communications, it still had a long way to go for the latter, and was further out into the future.

No action was taken; this item was for information and discussion.

9. Call to the Public

None.

Vice-Chair Thorpe made two announcements:

- a. Mr. Roy Minter from Denton, Texas was selected as Peoria's new Police Chief.
- b. Mr. Mark Nichols, Peoria's Fire Training Chief will be the new Fire Chief for Daisy Mountain Fire Department.

10. Next Meeting: May 26, 2011; 10:00 – 11:30 a.m.

Chair Meyer announced the date of the next meeting.

11. Adjournment

Chair Meyer adjourned the meeting at 11:20 a.m.

Respectfully submitted,
Theresa Faull, Management Assistant I