

Appendix E

Bylaws of the 700 MHz Regional Planning Committee- Region 35 (Oregon)

Revised December 16, 2008
BYLAWS OF REGION 35

NAME & PURPOSE

1.1 Name and purpose.

The name of the Committee shall be Region-35 700 MHz Regional Planning Committee (Committee). Its primary purpose is to foster and promote cooperation, planning, development and evolution of Regional Plans and the implementation of these plans, and specifically approval of the 700 MHz Public Safety Band Plan within the State of Oregon for Region 35 (Plan).

MEMBERS

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

2.1 Officers.

The Chair, Vice-Chair, Secretary and Treasurer shall constitute the Officers of the Region 35-700 MHz Regional Planning Committee. The Officers shall approve Membership applications and conduct such other business as necessary in the interim between general Membership meetings.

2.2 Members, Election and Qualification.

The Committee shall have two classes of Members, “voting Members” and “non-voting Members.” Individuals interested in Membership shall complete a Membership form and submit the form to the Secretary. The individual submitting the form shall indicate whether they intend to become a voting or non-voting Member. New Members may be added at special or annual meetings by approval of the Officers.

2.3 Voting Members.

Voting Membership shall be granted to one (1) representative from any single government agency engaged in public safety eligible to hold a license under 47 CFR 90.20, 47 CFR 90.523 or 47 CFR 2.103. Alternately, a single agency shall be allowed up to 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 in which he or she represents. No single person shall represent more than one vote. Voting Members may not vote on issues involving their entity.

2.4 Non-Voting Members.

Non-voting Members are all other parties interested in furthering the goals of public safety services communications.

2.5 Tenure.

Each Member shall hold Membership from the date of acceptance until resignation or removal.

2.6 Member Powers and Rights.

In addition to such powers and rights as are vested in them by law, or these bylaws, Members shall have such other powers and rights as the Membership may determine.

2.7 Responsibilities, Suspensions, Removal and Reinstatement.

A Member may be suspended or removed with cause by vote of a majority of Members after reasonable notice and opportunity to be heard. Reinstatement of voting rights requires attendance at a meeting (Special or Annual) and a request to the Officers to reinstate voting privileges. A vote of the Officers is the final determining factor regarding removal or reinstatement of a Committee Member.

2.8 Voting Eligibility

To retain consistent voting rights, Members shall attend at least one half (1/2) of all Annual and Special meetings held in a 24-month period. The voting limitations of an individual have no effect on the voting ability of the agency. The agency reserves the right to appoint another Member representative to vote on issues regarding 700 MHz implementation, or send the original voting representative to the next Special or Annual meeting with a request for reinstatement of voting rights.

2.9 Resignation.

A Member may resign by delivering written notice of resignation to an Officer, or at a meeting of the Members. A resigning Member is eligible for reinstatement to the Committee after a period of six months, beginning on the first day of resignation.

2.10 Annual Meetings.

The annual meeting of the membership shall be held at a publicly accessible location within Region 35 during the first quarter of each year. Committee meetings will not be held on holidays or weekend days, unless such scheduling is deemed necessary by the Chair. When deemed necessary by the Chair, an additional meeting of the Committee may be called. The use of the Region 35

website, electronic E-mail and the Region 35 list-server (region-35.org) will be utilized by Members and officers of Region 35 as needed to convey regional issues at hand. It should be noted the use of E-mail does not remove the voting eligibility requirement of the Member as outlined in the Voting Eligibility Section. Reasonable notice of the time and place of scheduled meetings of the Members, not being less than 30 days, shall be given to each Member. Announcements of meetings, stating the time and place where the meeting is to be held will be posted on the website, at a minimum. Notice will be made to the FCC when a meeting time and place has been established for the Committee to vote on approving the Plan.

2.11 Special Meetings.

The Chair has the authority to call a Special Meeting of the Committee when deemed in the best interest of the Region, and will provide notice of the Special Meeting to existing Members of the Region and the public at least five business days prior to the meeting. Special Meetings of the Members may be held at any time and at any place within the Region. Special Meetings of the Members may be called by the Chair or Vice-chair, or in case of death, absence, incapacity, by any other officer or, upon written application of two or more Members.

2.12 Sub-Committees.

The Officers or the Chair may establish Sub-Committees as deemed necessary to conduct the business of the Region 35-700 MHz Regional Planning Committee. The Officers may appoint Members and Chairs of Sub-Committees, or may ask the Membership to vote on the Members and Chair of Sub-Committees.

2.13 Quorum.

At any meeting of the Members, at least two (2) Officers and a minimum of three (3) voting Members who are not Officers shall constitute a quorum. Any meeting may be adjourned to such date or dates not more than ninety 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.

2.14 Action by Vote.

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.

2.15 Action by Writing.

Any action required or permitted to be taken at any meeting of the Members may be taken without a meeting if all Members entitled to vote on the matter consent to the action in writing and the written consents are filed with the records of the

meeting of the Members. Such consents shall be treated for all purposes as a vote at a meeting.

2.16 Proxies.

Voting Members may vote either in person or by written proxy dated not more than one month before the meeting named therein, which proxies shall be filed before being noted 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 any adjournment of the meeting for which the proxy exists and the proxy shall terminate after the final adjournment of such meeting.

2.17 Voting on One's Own Application.

At no time can a voting Member vote on his/her FCC license application.

2.18 Special Interest Voting.

A voting Member cannot have a commercial interest in any of his/her Region and/or adjacent Region's application(s) on which he/she is reviewing, approving and/or voting.

OFFICERS AND AGENTS

3.1 Number and qualification.

The Officers of the Region 35-700 MHz Regional Planning Committee shall consist of a Chair, Vice-chair, Treasurer and Secretary. All Officers must meet voting Member eligibility requirements.

3.2 Election.

The Officers shall be elected by the voting Members at their first meeting and, thereafter, at a meeting determined by the Membership. The terms of the Officers will be for two (2) years. In order to allow for consistency in the plan creation and initialization process, the terms of elected Officers will re-set to begin on the date of the FCC's approval of the Plan.

3.3 Term.

The Officers shall each hold office until the biannual election meeting of the Members held within two years from the previous election, or until their successor, if any, is chosen, or in each case until he or she sooner dies, resigns, is removed or becomes disqualified.

3.4 Chair and Vice-Chair.

The Chair shall be the chief executive officer of the Committee and, subject to the control of the voting Members, shall have general charge and supervision of the affairs of the Committee. The Chair shall preside at all meetings of the Committee. 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 his or her inability to act.

3.5 Treasurer.

The Treasurer shall be the chief financial officer and the chief accounting officer of the Committee. The Treasurer shall be in charge of its financial affairs, funds, and valuable papers and shall keep full and accurate records thereof. In the absence of a treasurer within the Committee, the Chair shall assign Treasurer duties as deemed necessary.

3.6 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, which 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 (including e-mail address, if available) of each. If the Secretary is absent from any meetings of Members, a temporary Secretary chosen at the meeting shall exercise the duties of the secretary at the meeting. In the absence of the Secretary within the Committee, the Chair shall assign Secretary duties as deemed necessary.

3.7 Suspensions or Removal.

An Officer may be suspended with cause by vote of a majority of the voting Members in attendance.

3.8 Resignation.

An Officer may resign by delivering his or her written resignation to the Chair, Vice-chair, Treasurer, or Secretary of the Committee. 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.

3.9 Vacancies.

If the office of any Officer becomes vacant, the Committee may appoint a successor from the voting Membership. Each such appointed successor shall hold office for the remainder of the term of the position to which he or she has been appointed.

AMENDMENTS

These bylaws may be altered, amended or repealed in whole or in part by vote. Voting Members may, by a two-thirds vote of a quorum, alter, amend, or repeal any bylaws adopted by the Regional Committee Members or otherwise adopt, alter, amend or repeal any provision which FCC regulation or these bylaws requires action by the voting Members.

DISSOLUTION

This Committee may be dissolved by the consent of two-thirds plus one of an assembled quorum of the Membership at a Special Meeting called for such purpose. The FCC shall be notified.

RULES OF PROCEDURES

The Conduct of Regional Meetings including without limitation, debate and voting, shall be governed by Robert's Rules of Order, newly revised 1990 edition, ninth edition, Sarah Corbin Robert, Henry M. Robert III, and William J. Evans.