

User Council meeting

Wednesday November 16, 2005

13:30 - 15:00

3000 C Street, Room 304

- 13:30 p.m. Welcome
- 13:50 p.m. Review/accept minutes from October 26, 2005 meeting
- 14:00 p.m. Review and discuss Draft Charter
- 14:30 p.m. New Business
- 14:55 p.m. Discuss frequency of meetings and set the time and date for next meeting
- 15:00 p.m. Adjourn meeting



Alaska Land Mobile Radio

Users Council Charter

Draft 26 October 2005

Name

ALASKA LAND MOBILE RADIO COMMUNICATIONS SYSTEM USERS
COUNCIL

Mission Statement

The Council is responsible for recommending all operational and maintenance decisions affecting the ALMR Communications System (the "System"). This responsibility is derived from the delegated authority of the ALMR Executive Council and is subject to their review and approval.

Authority

The authority for the creation and operation of the ALMR Users Council derives from Article Nine (9) of the Alaska Land Mobile Radio System Cooperative Agreement. The Users Council will function under the guidance and oversight of the Executive Council.

For the purpose of assisting and advising the Joint Project Team on transition, operations, maintenance and management of operational portions of the System during the implementation phases of the System build out, the Users Council was by motion and vote of the Executive Council prior to the total completion of all tasks and responsibilities for implementing the Alaska Land Mobile Radio System; and/or the entire system having been committed to sustained operations and maintenance solely by the users.

Goals

The Users Council will adopt a written charter stating its purposes, goals, objectives, duties and responsibilities in managing, operating, and maintaining the System. The Users Council will also adopt written operating procedures and administrative procedures, pursuant to the charter.

The ALMR Users Council, under the direction and supervision of the Executive Council, shall assume the responsibility for management oversight and operations of the ALMR

System from the Joint Project Team upon declaration of beneficial use of the ALMR System, as determined and directed by the Executive Council.

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The ALMR Users Council shall oversee the development of System operations plans, procedures, and policies, under the direction and guidance of the Executive Council. Adoption of the Users Council's Charter, its operating and administrative procedures, System plans, procedures, and polices are subject to approval by the Executive Council.

Objectives / Duties

The objectives of the ALMR Users Council are to create and maintain a collaborative user-based management system to establish policy and operational procedures, and to operate and maintain the ALMR System, under the oversight of the ALMR Executive Council. These objectives and duties include, but are not limited to:

1. The Users Council shall be responsible for providing recommendations to the Executive Council regarding approval of the System design and approval of all proposed modifications to the System design, including defining performance standards, modifications to approved performance standards, extensions and expansions of the System, addition of users to the System, and addition of new parties to this agreement.
2. The Users Council shall provide recommendations to the Executive Council regarding the adoption of System operation and maintenance standards, which at a minimum shall include: identification of minimum technical standards for System equipment and subscriber units; identification of protocols for the modification of talk group assignments and their usage; identification of minimum periodic maintenance standards and schedules for System equipment; and identification of problem reporting and resolution practices for System equipment.
3. The Users Council shall provide recommendations to the Executive Council regarding approval of the terms and conditions of access of users of the System, and the approval of user agreements.
4. The Users Council is responsible for conducting the dispute resolution process set out in the ALMR Cooperative Agreement, and for providing recommendations to the Executive Council regarding the final resolution of disputes.
5. The Users Council is responsible for investigating any allegation of breach of the Cooperative Agreement, formulating proposed remedies in instances of alleged breach, and providing recommendations to the Executive Council regarding the final disposition of alleged instances of breach.
6. The Users Council shall receive and review quarterly progress reports and modifications to System implementation schedules from each responsible Party and shall use such reports and schedules as one basis to determine whether Parties

are meeting their obligations as set forth in this agreement. Upon completion of such a review, the Users Council may make recommendations as necessary to the Executive Council regarding actions or decisions needed from the Executive Council.

- 7. Until beneficial use has been attained, the Users Council shall be responsible for recommending methods of funding, expenditures and cost recovery for the System, as provided in Article 10 and Article 12 of the Cooperative Agreement, and for recommending a budget process for the System, as provided in Article 11.
- 8. Subject to the approval of the Executive Council, and to the extent permitted under federal, state and local laws, the Users Council may designate a consenting Party or consenting Parties to act as the User Council's agent to procure and install the System's common network controller equipment. Such procurement and installation shall be:
 - a. consistent with the System's design as approved by the Executive Council;
 - b. subject to User Council supervision and oversight; and,
 - c. subject to the record-keeping, audit and reporting requirements established by the User Council, as provided in the Cooperative Agreement.
- 9. Subject to the approval of the Executive Council, and to the extent permitted under federal, state and local laws, the User Council may designate a consenting Party or consenting Parties to act as the User Council's agent to operate and maintain the System's common network controller equipment or to negotiate, execute and oversee an operation and maintenance agreement with a private or public entity to operate and maintain the System's common network controller equipment in accordance with standards of operation and maintenance approved by the Executive Council; provided further that, said agreement shall contain adequate provisions for emergency repair or replacement of the System's common network controller equipment.

Membership

The Executive Council shall approve the appointment of members and their alternates to the Users Council. In the absence of the member, an alternate will have voting authority. Agencies may request multiple appointments of alternates.

Membership of the Users Council will be composed of twelve members who represent ALMR's four foundational entities (DOD, federal non-DOD, State of Alaska, municipalities). There are no other members of the Users Council. There is no distinction between voting and non-voting members, as there are only twelve members, each of

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whom has a vote. ALMR user agencies and prospective user agencies are represented by one of the members of the User Council as defined below:

DOD: 1 from the US Army
 1 from the US Air Force
 1 ALCOM J-6 representative

Federal Non-DOD: 1 from the US Department of the Interior
 1 representing US Departments of Justice and Homeland Security
 1 representing FAA and all other US non-DOD agencies

State of Alaska: 1 from Alaska Department of Transportation/ Public Facilities
 1 from Alaska Department of Public Safety
 1 representing all other State of Alaska agencies

Municipalities: 1 representing the Northern Region
 1 representing the Central Region
 1 representing the Southeast Region

The DOD, federal non-DOD, and State User Council members will be selected by their respective chains of command. In cases where a single representative must vote on behalf of multiple agencies; the leadership of those agencies must reach accord about who is their designee. Agencies and regions must submit new letters of appointment (including those for alternate members), in a format to be determined, to the interim chair of the User Council upon approval of this charter by the Executive Committee. Letters of appointment for members who will represent multiple agencies should have as many co-signatories as possible; so as to establish the veracity of the appointment.

Replacement of User Council members is expected as members get transferred, promoted, separated, etc. It is the responsibility of agencies and municipal regions to anticipate these changes and to provide updated appointment letters. Individuals will not be accorded voting rights without letters of appointment.

Boundaries of municipal regions are:

-Northern Region includes all agencies which lay north of a line that extends west-southwest from the Alaska Highway's crossing of the border with Canada, to Skwentla (but not including same), and then running northwest to Unalakleet (and including same).

-Southern Region includes all agencies with lay south of a line that extends southwest from the Alaska Highway's crossing of the border with Canada, to McCarthy (but not including same), to the northern tip of Afognak Island, and then running northwest to Egegik (including same) and then extending to the northern tip of St. Matthew Island.

-Central Region is comprised of all agencies not falling into either the northern or southern region.

It is the responsibility of the three municipal voting members to establish methods whereby the needs and preferences of the region they represent can be established. This may be through regularly scheduled teleconferences, meetings, or other arrangements. Minutes from regional meetings should be kept, distributed to regional member agencies and to the User Council Secretary, and be maintained by the regional representatives and transferred as the regional members change over time.

In the event that users feel their perspectives are not being given sufficient consideration by other members of a region, (or in the case of non-municipal agencies) users may provide written petitions or letters to the User Council chair for consideration at the Council's next scheduled meeting.

While it may be desirable; it is not necessary, among municipal agencies, that the regional member be from the largest agency.

Because, user agencies who are not User Council members are represented by their regional or agency-specific member, they may observe User Council meetings, but may not participate without specific permission of the User Council chair. Each regular User Council meeting will have a limited period of time set aside for the Chair to recognize individuals who may have dissenting viewpoints, or for those who feel they have information that may have been overlooked.

In order for the User Council to become operational as rapidly as possible, members from municipal regions will be elected at the first User Council meeting following approval of this charter by the Executive Committee, unless regions have taken other organizational steps already.

Organizational Procedures

The Users Council will provide a fundamental organizational structure for the management and operations of the System, via the development of a committee structure. Committee functionality is discussed more fully in a subsequent section labeled "Committees."

The chair, vice chair and secretary positions will be elected annually, in whatever month is eleven months following their accession to office. They will assume their duties at the first meeting following their election.

Chair

A chair will be elected from among the twelve members of the User Council to be responsible for coordinating and facilitating the User Council meetings and agenda items. The chair will represent the User Council at Executive Council meetings. The chair shall serve for a period of one year, beginning at the start of the first scheduled meeting following their election.

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Vice Chair

A vice chair will be elected with responsibilities as defined by the Users Council, but primarily will serve as a partner to the chair, and will assume the responsibilities of the chair in their absence. The vice-chair will not be from the same user sector as the chair. The vice-chair shall serve for a period of one year, beginning at the start of the first scheduled meeting following their election.

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Secretary

A Secretary will be elected with responsibilities as defined by the Users Council, but will serve as principal record keeper and paperwork manager for the User Council. The secretary shall serve for a period of one year, beginning at the start of the first scheduled meeting following their election.

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Meetings

Regular meetings will be established and shall be composed of action items as well as new business introduced by members. Written notes shall be kept from all meetings and distributed to User Council members and the Executive Council, at a minimum.

Unless urgent circumstances dictate otherwise, at least five working days notice shall be given to User Council members before a User Council meeting. The chair may call a non-scheduled User Council meeting if urgent business makes it necessary.

Attendance

Meetings may be attended in person or by teleconference to facilitate statewide participation.

Quorum

A quorum for User Council meetings shall exist when one-half, plus one, of members are present or are participating via teleconference.

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Voting

Only the twelve members, or their alternates, in the event of the primary appointee's absence, who have valid letters of appointment shall have voting authority to decide matters brought forth for adoption and recommendation to the Executive Council. Matters brought before the Users Council may be approved by simple majority of those members in attendance at any scheduled meeting, during which a quorum exists.

Committees

The Users Council shall recommend an organizational structure for the management and operations of the System, including the development of a committee structure for receiving advisory input on executive matters, management matters, operating

matters, technical matters, user concerns, concerns of local disaster response groups and other matters as deemed necessary by the Users Council. Ad hoc committees and subcommittees may be formed as deemed necessary by the Users Council.

Committees may be composed of User Council members only. This does not restrict committees from obtaining advice or testimony from other ALMR users or prospective users, or from technical experts who are not ALMR users.

Appointed committees shall provide reports and recommended action to the Users Council at each regularly scheduled meeting.

Amendments to the Charter

It is anticipated that this document will require amendments over time. No later than six months after approval of the charter by the Executive Council, and at any time the User Council may determine, the User Council shall review the charter and consider changes that will enhance transparency and efficiency of the User Council's deliberations and functioning.

Reporting

The Users Council shall develop a reporting system to meet the System's various reporting requirements. The reporting system will encompass reporting requirements which arise from federal, state and local laws and regulations, from policies of the Users Council, from contracts and agreements, and from policies and decisions of the Executive Council. Areas of reporting, as determined by the Users Council, may include management, budgeting, administration, finance, communications, outreach, and other areas deemed necessary.