

National Regional Planning Council



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Constitution and Bylaws

Revised December 8, 2020

The NRPC

The National Regional Planning Council (NRPC) is a collaborative network consisting of both 700 MHz and 800 MHz (National Public Safety Planning Advisory Committee – NPSPAC) public safety Regional Planning Committees as established by the Federal Communications Commission.

The purpose and activities of the NRPC shall be to represent the interests and responsibilities of the Regional Planning Committees, and to conduct the business of the NRPC in a manner that best represents these interests. The NRPC shall promote the advancement of spectrum management knowledge and establishment of best practices for the responsible assignment, use and licensing of spectrum for eligible public safety entities.

ARTICLE I – NRPC Membership

1.1 Membership

NRPC members shall consist of the respective Regional officers, Chair, Vice Chair, and Secretary from each of the one hundred ten (110) FCC Regional Planning Committees, fifty-five (55) each in the 700 MHz and 800 MHz NPSPAC frequency bands.

1.1.1 Regional Membership Qualifications

Regional Membership:

- a) To be eligible to hold regional office and be a voting member within a Regional Planning Committee (RPC) the member must be employed by a Public Safety Agency full time, retired from employment by a Public Safety Agency, or contracted directly with a Public Safety agency which is eligible to hold a Public Safety FCC Part 90 (47 C.F.R. Part 90) License. Those that are contracted to provide consulting services, radio service, and other services or provide equipment or other types of commercial support to a Public Safety Agencies are not eligible for voting membership within a RPC.
- b) "Public Agency" as used here is defined to mean the government of a State or political subdivision thereof; or any interstate governmental agency. The public agency definition

does not extend to private companies that are engaged in work activities normally performed by public employees.

- c) Retired Public Safety Members may be eligible as a voting member and may serve in a subcommittee to provide experience and assist in mentoring other members within the Region.
- d) Retired Public Safety Members shall not be voting members if they receive compensation for consulting or other services directly or indirectly as an employee of a private company providing services to public safety agencies or entities within the continental USA.

Commercial Membership:

- a) Commercial participation within individual Regions is available to commercial entities, but is limited to an advisory role. Representatives of commercial entities who are identified as an advisor within a region, are not eligible to hold an office or be assigned any authorities within the Region and serve at the pleasure of the Region Executive Board/Membership. This representative is identified as a non-voting member and is limited. The Region shall determine whether to approve the commercial person to be an advisor or not.
- b) There are no requirements that any Commercial entity or persons must be allowed to be recognized as general member of any Region, or have any influence within the Region member processes and it could be considered a conflict of interest for a Commercial Member to vote on the approval of any Region action. Commercial entities may send representative to any open meeting, as identified and scheduled by the Region, to observe and/or when requested by the Executive/Membership to provide certain technical information related to the requirements of the Chapter.
- c) Those Commercial persons which a Region Identifies as an adviser, shall be listed in the membership list as a Non-Voting member and are prohibited to be present during Technical/Executive Committee deliberations or voting procedures for the Region business (In no way shall a Commercial entity or their representatives attempt to influence the Executive/or Sub Committees members).
- d) If it is found that a Commercial entity or its representative is presently in any position which is contraire to these guidelines, that entity or its representative shall immediately resign/or

the Region shall terminate the person from those positions and the Region shall find immediate suitable replacements for those positions.

1.2 NRPC Voting Members

Eligible voting members of the NRPC shall be a Regional officer (one person) from each of the 110 FCC Regional Planning Committees and are entitled to vote at any meeting of members or any adjournment thereof and shall have one (1) vote, one for each of the fifty-five (55) NPSPAC 800 MHz RPC, and one vote for each of the fifty-five (55) 700 MHz RPC. The NRPC Secretary shall make available, at least five (5) business days before each meeting of members, a complete record of the voting members entitled to vote at such meeting, arranged by numeric Region order. Such record shall be produced and kept open at the time and place of the meeting and shall be subject to the inspection of any member or region during the whole time of the meeting for the purposes thereof.

1.3 Proxy

In the event one of the Regional officers is unable to be in attendance at a meeting, the Chairperson of the Region may appoint one of their active members as a proxy in accordance with section 4.3 to cast the Region's vote on any issue subject to a vote of the membership during any meeting. The Chairperson of the Region shall provide the NRPC Secretary the name of the proxy who will act as voting member of the Region at least ten (10) business days prior to the meeting.

ARTICLE II – NRPC Executive Committee

2.1 Offices

The NRPC Executive Committee shall consist of a Chair, Vice Chair, Secretary, four (4) District Directors representing the Northern, Southern, Eastern, and Western Districts, and three (3) Standing Committee Chairs. The Chair, Vice Chair and Secretary shall be elected by the members at the annual meeting. District Directors shall be elected by the Regional Planning Committee voting members of their regional districts. Standing Committee Chairs shall be elected by the Chair, Vice Chair, Secretary and the four (4) District Directors. The Executive Committee may appoint additional ex-officio non-voting officers as necessary for the purpose of conducting NRPC business.

2.2 Authority and Duties

The Chair shall have the general charge and authority to carry out all NRPC business, including orders, actions and resolutions of the Executive Committee. The Chair shall perform other duties as set forth in these Bylaws, or other necessary authorities and duties determined by the Executive Committee as necessary to accomplish NRPC business and actions. Officers other than the Chair shall have authority to perform the duties set forth in these Bylaws, and other duties determined by the Executive Committee as necessary to accomplish NRPC business and actions. Authorities and duties of the Chair or any other officer of the Executive Committee shall be subject to review and revision by the Executive Committee at any time.

2.3 Qualifications

A member of the NRPC Executive Committee shall be a Regional officer, the Chair, Vice Chair or Secretary from one of the 110 FCC Regional Planning Committees. The business affairs of the NRPC shall be managed by an Executive Committee of not less than three (3) officers, and not more than fourteen (14) officers. The number of Executive Committee members may be increased or decreased at any time by resolution of the Executive Committee or by simple majority vote of the members present and by proxy at the annual meeting (reference section 3.2).

2.4 Term of Office

The officers of the NRPC shall be elected bi-annually by the voting members at the annual meeting in accordance with Section 4.1 and serve a two-year term.

2.5 Resignation and Removal

An Executive Committee member may resign at any time by sending written notice to the Chair or Secretary of the NRPC. The resignation is effective upon receipt, unless a later effective date is specified and is prior to the current term expiring. Resignation shall be without prejudice. The Executive Committee may remove any officer with or without cause by majority vote.

2.6 Vacancies

In event of a vacancy on the Executive Committee, including a vacancy resulting from an increase in the number of officer positions, or the non-election of a District Director position pursuant to Section 4.6, the Executive Committee may fill the vacancy.

2.7 Compensation

No member of the Executive Committee shall be paid a monetary compensation for their service, except for reimbursable expenses.

ARTICLE III – NRPC Meetings

3.1 Executive Committee

Meetings of the Executive Committee may be called by a majority of the Executive Committee or by the Chair. Meetings of the Executive Committee may be held without notice at the time and location determined by the Executive Committee to conduct NRPC business as necessary. The location and or manner in which the Executive Board Meetings takes place is dependent on the available resources provided to the NRPC at that scheduled time. Meetings can vary from Face to Face which could include travel and lodging, electronic means, to a conference call or webinars. A simple majority of the Executive Committee shall constitute a quorum to conduct NRPC business. Attendance at the Executive meetings shall be restricted to the members of the executive committee and those persons who are contracted to help facilitate those meetings.

3.2 Annual Meeting

The Executive Committee shall endeavor to schedule and convene an annual congress of the 110 FCC Regional Planning Committees. The annual meeting shall serve to transact NRPC business, provide for technical and regulatory training of the members, conduct the election of the Executive Committee officers, and to transact other necessary business that may be submitted to conduct at the annual meeting. The Executive Committee shall schedule the annual meeting on a date no later than the end of the second quarter of the calendar year. The location and or manner in which the Annual NRPC Meeting takes place is dependent on the available resources which are provided to the NRPC at that scheduled time. Meetings may be assembled and can vary from Face to Face which could include travel, per diem and lodging reimbursement or could be by electronic means to include but not be limited to a conference calls or webinars. Whichever the NRPC Executive Boards elects and has resources to provide. Attendance at the annual meeting shall be restricted to the members of the NRPC, those persons who are contracted to facilitate those meetings, and any persons who the Executive Committee deem are necessary and invite to be in attendance at those meetings including but not limited to companies or organizations who provide services to the NRPC.

3.3 Meeting Locations

In person meetings of the members, when funding is available, shall be held within the continental United States, or territories. Meeting locations are subject to the requirements and approval of the federal agency providing the funding for the meeting. The Executive Committee, or committee authorized by the Executive Committee, shall determine the meeting location, obtain necessary approvals, and provide proper notice before announcing a meeting.

3.4 Notice of Meetings

Meeting notifications shall be emailed to NRPC members and posted on the NRPC web site front page at least sixty (60) days prior to the meeting date. Emails shall be sent to member email addresses as on record, which shall be updated as necessary.

3.5 Organization of Meetings

The Chair, or an Executive Committee officer designated by the Chair, shall preside over the meeting. In the absence of the Chair, or a designation by the Chair, the Executive Committee shall designate an Executive Committee officer to preside over the meeting. The NRPC Secretary shall act as Secretary of such meeting. In the absence of the Secretary, the Chair or acting Chair may appoint a Secretary for the meeting.

3.6 Order of Business

The Chair, in accordance with Section 2.2, shall have discretion to establish the order of business, subject to any order determined necessary by the Executive Committee.

3.7 Quorum of Members

Forty (40) Regional officers shall constitute a quorum for conducting the business of the NRPC.

3.8 Adjournment

A meeting may be adjourned by a simple majority of the members present, even if less than a quorum is present. The Executive Committee may set a different meeting date, time, and place, with appropriate notice if the meeting is to be resumed subsequent to the adjournment.

3.9 Special Meetings

Special meetings may be called by the Executive Committee as necessary and for any purpose. The purpose(s) of the meeting shall be provided by the Executive Committee at least five (5) business days prior to the meeting, which may be conducted via conference call or webinar. If the special meeting is not declared urgent by the Executive Committee the meeting shall be scheduled at a time to encourage the participation by as many members as feasible to conduct the purpose of the meeting and solicit the input of the members. Special meetings can be either closed to NRPC members and meeting facilitators only, or open with attendance by non NRPC members subject to Executive Committee prior approval.

ARTICLE IV – NRPC Elections and Term of Office

4.1 Executive Committee

The Executive Committee shall be elected during the annual meeting (reference section 3.2) by a vote of the eligible members present. Elections shall be in accordance with the following terms.

a) In even numbered years:

The members shall elect the Chair, Secretary, West District Director and East District Director.

b) In odd numbered years:

The members shall elect the Vice Chair, North District Director and South District Director.

District Directors shall be elected by simple majority of votes within the respective districts. Elected Executive Committee members shall hold office for a two-year term until the next election cycle when the respective successors are qualified and duly elected. If, for any reason, an Executive Committee position remains open, the position may be filled by special election according to Sections 4.4, 4.5 and 4.6.

4.2 Voting

A vote of the membership may be by voice vote, or ballot as determined necessary by the Chair to obtain an open and fair determination of the vote. At the prerogative of the Chair, a motion made by a member and duly seconded, a roll call of the Regions may be taken and shall be recorded in order of the Region number. In the event that an annual meeting is not held, the election of Executive Committee members can be held by electronic means.

4.3 Proxies

Members may vote at any meeting either in person or by proxy. A Regional Chair may appoint a proxy to vote for the Region by submission of either an appointment letter signed by the Regional Chair, or by email. An appointment of proxy is effective for the period of time indicated in such transmission thereof; and acknowledged by the Secretary or Chair of the NRPC. The proxy has the same power to vote as that possessed by that Region's Chairperson, unless the appointment form or electronic transmission contains an expressed direction otherwise.

4.4 Uncontested Positions

In the event of uncontested open positions on the Executive Committee, the Executive Committee shall automatically form a Nominating Committee and announce the opening of nominee submissions. The announcement of the nominating period shall be sent to the RPCs via email with a description of the position(s) to be filled, and shall also be posted on the NRPC web site front page. Upon announcement by the Executive Committee the nominating period shall remain open for 30 calendar days. The Nominating Committee shall consist of 3-5 members within the Executive Committee who are not in positions open for election, and shall exist for the sole purpose of coordinating the review of nominees, certifying nominee qualifications, and overseeing the voting process. The Chair person for the Nomination committee and election committee shall be the NRPC Chairperson during ODD years, and the Vice Chair during EVEN years. Those selected by the Chair of the Nomination Committee to assist in the business of that election business will serve until the election is complete.

4.5 Nominations

Eligible members may nominate a candidate. Candidates shall be nominated by submitting: 1) the position sought; 2) the candidate's name; 3) the region; and 4) the nominee's position on the RPC. Nominations shall be sent to the Nomination Committee Chair. Upon the close of the 30 calendar day nominating period the Nominating Committee shall review nominee submissions and deliver its findings to the Executive Committee within five (5) business days of the nominating period close.

Upon receipt of the of the Nominating Committee's submission of certified candidates, or lack thereof, the Executive Committee shall announce the nominees open for consideration for a vote of the members.

4.6 Special Election

The Executive Committee shall call for special election. Within ten (10) business days the Executive Committee shall announce via email to the RPCs and on the NRPC web site front page, that elections are open to the NRPC members. The election period shall remain open for a period

of ten (10) business days with the closing date published in the RPC notification and on the NRPC web site front page. Upon close of the election the Nominating Committee shall certify the eligible member vote and disclose the results to the membership immediately upon conclusion.

A nominee shall be elected only if receiving a majority vote of the eligible members. In the event there is only one candidate for a position a vote shall still be held to confirm the election of the nominee. In the event no District Director is elected to fill a pending vacancy due to a term ending, the incumbent District Director shall continue to serve as director until the Executive Committee is able to make a recommendation to fill the office. Within five (5) business days the Chair shall receive recommendation from the Executive Committee and shall act immediately on the recommendation to accept. In the absence of a recommendation the Chair shall appoint an eligible member to the position within fifteen (15) days, or declare the incumbent shall remain in the position for another term. No District Director who fails to receive a majority vote for election shall participate in a Nominating Committee or Executive Committee process concerning filling their position.

ARTICLE V – NRPC Committees

5.1 Committees

The Executive Committee may, by resolution and majority vote of the Executive Committee, establish one or more committees. Each committee shall:

- a) Consist of two (2) or more voting members, one of which shall act as Chair;
- b) Be governed by these bylaws as applied to the Executive Committee regarding meetings, actions, notice and waiver of notice, and voting requirements; and
- c) Exercise authority to accomplish its purposes and assignment according to the Executive Committee resolution establishing the committee.

No committee except the Executive Committee shall have the authority to:

- a) Fill vacancies on the Executive Committee, or on other committees;
- b) adopt, amend, or repeal the Bylaws;

- c) engage in decisions reserved for the Executive Committee such as the nomination of officers; National Plan oversight;
- d) Regional Plan development and outreach.

5.2 Standing Committees

Standing Committees address specific issues determined necessary to conduct essential NRPC business. In addition to these Standing Committees the Chair may appoint ad-hoc committees.

CAPRAD/Spectrum Watch Oversight Committee

- a) Provide a process to receive, review, and approve changes to CAPRAD and/or Spectrum Watch
- b) Conduct periodic reviews of CAPRAD and Spectrum Watch effectiveness

Technical Committee

- a) Support the NRPC mission statement with regard to technical matters
- b) Advisor to the Executive Committee on technical matters
- c) Support the RPCs
- d) Work issues identified by RPCs and FCC dockets
- e) Attempt to avoid duplication with APCO and NPSTC

Training Committee

- a) Support educating RPCs
- b) Materials to assist RPCs in completing their plans
- c) Workshops supporting RPC efforts

Dispute Resolution Committee

- a) Support RPCs with disputes with adjacent Regions regarding applications or modifications of Regional Plans sent for adjacent Region approval (this can include requests that are not addressed or recognized by the adjacent Region within 30 days of submittal of the request).
- b) This committee will not address disputes between an RPC and an applicant.

- c) Review Regional Plans for both Regions and evaluate dispute for compliance with plans of both Regions.
- d) Make recommendations to both RPCs for resolution. In the event the Committee's recommendations do not resolve the dispute the originating RPC shall refer the dispute and any supporting documentation including the Committee's recommendation to the FCC for their decision and final resolution.

Abandoned or Inactive Region Support Committee

- a) Support applicants who submit applications to Regions where the RPC has abandoned its duties and has gone inactive. This Committee will not address applications in Regions where no Regional Plan has been approved by the FCC,
- b) Review the application(s) for compliance with the approved Regional Plan on file with the FCC.
- c) Work with the applicant on becoming compliant with the Regional Plan if not compliant and when compliant, provide approval letter(s) from the NRPC on behalf of the inactive Region.

5.3 Committee Actions

A committee may accomplish its work as the committee members deem necessary to carry out its authorities and duties effectively and efficiently. Any committee actions shall be in accordance with these bylaws and remain consistent with the Executive Committee resolution. All committee work shall be by consent of the committee members, working cooperatively, and documenting its work using meeting notes and emails to demonstrate the consent and inclusion of all committee members. The committee chair shall periodically submit its work to the Executive Committee Chair, and upon request by the Chair.

5.4 Communications

The Executive Committee and other committees of the NRPC may use telephone conferencing, webinars and various other means of communication to enable the participation of all NRPC members in the conduct and discussions of NRPC business. Participation by these methods

constitutes a member's presence in such meetings. Written notice may be transmitted by mail, private carrier, personal delivery, email, or equipment that transmits a facsimile of the notice and provides the sender with an electronically generated receipt.

ARTICLE VI – NRPC Documents and Records

6.1 Documents and Records

The Executive Committee shall maintain records of NRPC meetings and actions. This shall include the following:

- a) Keeping a permanent record of meeting minutes of the members and Executive Committee, actions of the Executive Committee, and actions of other NRPC committees;
- b) Accounting of documents and records created within a committee;
- c) Records of member names and addresses for mailings and notifications;
- d) The NRPC shall keep copies of the following records at its principal office:
 - i. NRPC Bylaws and amendments in effect;
 - ii. NRPC Meetings minutes and records of actions for the past three (3) years;
 - iii. NRPC financial statements for the past three (3) years, including balance sheets showing in reasonable detail the financial condition of the NRPC as of the close of each fiscal year, and income statement showing the results of its operations during each fiscal year prepared on the basis of generally accepted accounting principles;
 - iv. Communications to members for the past three (3) years;
 - v. Record Executive Committee and other committee names and business addresses.

6.2 Information Requests

Any person conducting business with the NRPC may request a copy of its records. Requests shall be submitted to the NRPC Secretary, who shall respond to the request within five (5) business days acknowledging the request and proposing a date by which the requested information will be

provided. The Secretary shall also, within the same five (5) business days, notify the Executive Committee concerning the information requested and the proposed information to be provided. The Secretary shall respond to the request and provide the requested information within ten (10) business days of the request, or provide justification why all or portions of the information cannot be provided. The Executive Committee shall document the request, information provided, and the date the information was provided. Any information requested that was not provided shall be documented by the Executive Committee. The NRPC shall make reasonable effort to accommodate requests for information, or provide justification why the requested information was not provided.

6.3 Amendments to Bylaws

These bylaws may be amended or repealed, or new bylaws adopted, by the Executive Committee and shall be ratified through action during a regular business meeting by two-thirds (2/3) majority vote of NRPC members present.

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