



# Meeting Minutes

## Nevada Public Safety Communications Committee

<b>Attendance</b>	<b>DATE</b>	Thursday, December 16, 2014	
	<b>TIME</b>	9:00 A.M.	
	<b>LOCATION</b>	Nevada Division of Emergency Management State Emergency Operations Center (SEOC) 2478 Fairview Drive Carson City, Nevada 89701	
		Nevada Highway Patrol – Southern Command Training Room A105 – First Floor 4615 W.Sunset Road Las Vegas, NV 89101	
	<b>METHOD</b>	Videoconference	
	<b>RECORDER</b>	Janell Woodward	
<b>Committee Members</b>	<b>Present</b>	<b>Ex-Officio Members, Staff and Others</b>	<b>Present</b>
James Wright	X	Christopher Smith	X
Michael Barnbeck	X	George Molnar	X
Dave Gustafson		Thomas Lawless	X
Rudy Malfabon			
Mitchell Sperling	X	Samantha Ladich (AG Rep)	X
Chris Ipsen	X	Janell Woodward (NDEM Staff)	X
Scott Taylor	X	Rick Martin (NDEM Staff)	
Matthew Morris	X	Kelli Anderson (NDEM Staff)	
Dave Hunkup	X	Selby Marks (NDEM Staff)	
Louis Amell	X	Karen Hall (NDEM Staff)	X
Michael Brown	X		
Sandra Barfield			
Kevin Judice	X		
Bill Welch	X		
Gary Hames	X		

### 1. CALL TO ORDER AND ROLL CALL

Co-Chair, Director Jim Wright called the meeting to order and Janell Woodward called roll. A quorum was established with 15 of 18 total of the membership in attendance.

### 2. PUBLIC COMMENT

Co-Chair, Director Jim Wright opened the meeting for public comment. There were none. Director Wright reminded committee members to identify themselves when speaking during the meeting as well as to speak loudly.

### **3. APPROVAL OF MINUTES FROM THE AUGUST 21, 2014 MEETING.**

Co-Chair, Director Jim Wright asked for a motion to approve the minutes from the August 21, 2014 meeting. Gary Hames made a motion to approve the minutes and Colonel Mitch Sperling seconded. There was no discussion. All were in favor and the motion passed unanimously.

### **4. UPDATE TO THE NPSCC REGARDING RECENT SOUTHERN NEVADA AREA COMMUNICATIONS COUNCIL (SNACC) DECISIONS REGARDING COMMUNICATIONS**

Lou Amell reported to the NPSCC that SNACC approved and signed a contract to go to Project 25 (P-25) phase 1 with Motorola. SNACC will be working over the next 18 months to obtain equipment. SNACC and Las Vegas Metropolitan Police Department will be working together to create interoperability which will be much greater than ever before. This project will finally be completed after working on it for the past 7-8 years. Director Wright asked Lou that he keep the committee apprised of this project as it is carried out.

### **5. STATEWIDE INTEROPERABILITY COORDINATOR (SWIC) REPORT**

George Molnar, the Nevada SWIC, provided an update on his recent activities.

George attended the Oregon full-day FirstNet State Consultation meeting. This consultation is an opportunity for FirstNet and the states to get to know one another and ask each other questions. Not much information is available yet from FirstNet. The key seems to be each state letting FirstNet know the particulars of each state and their communication needs. Nevada is in the middle of preparing for its State Consultation meeting on January 7, 2015. Three presentations will be made at Nevada's consultation meeting to include the Reno Air Races, Burning Man, and New Year's Eve in Las Vegas events.

FirstNet's project is running late. George participated in a call with the national EPA and they will be meeting with each state regarding environmental and historic preservation. These meetings will take place over the next year and a half to two years.

There was a request for information (RFI) and public notice issued in September and Nevada participated in responding to this through the Single Point of Contact's (SPOC) office. The RFI included 30 questions on every aspect of the FirstNet network, and the public notice included questions such as authorized users, services, fees and definition of both rural and public safety users. Public notice responses are posted on [www.regulations.gov](http://www.regulations.gov) for those who would like to review them. RFI responses are confidential but committee members may contact George to discuss these responses.

Nevada proposed the following language for the definition of "rural" coming from Title 20, the School-to-Work Opportunities law, which says basically that a rural area would be a "county, a block number area in a non-metropolitan county, or a consortium of counties or such block number areas that has a population density of 20 or fewer individuals per square mile. This definition creates a rural area in every part of Nevada except Fernley, Reno, Sparks, Carson City and the adjacent areas of Douglas County, and the Las Vegas Metropolitan area. This is important as FirstNet's legislation calls for special efforts to provide coverage to the underserved in rural areas.

FirstNet was also looking for a definition of "public entity" and Nevada proposed that "a public safety entity shall be defined as any organization that performs as part of its routine function activities that support the safety of life or property within the jurisdiction of the

United States. Each candidate organization must certify their bonafide need for communications and interoperability with FirstNet public safety responders and other public safety entities.” This is important because FirstNet needs to define the scope of who is eligible to participate in the organization and have access to the communications infrastructure. This affects cost with too few users making the network too expensive and too many users causing the system to be overused and no better than what is currently in place with public vendors.

Nevada also recommended that FirstNet concentrate first on data network as a core system and data center with very high levels of data security, physical security, resilience, robustness, and the utmost in cyber security. Nevada recommended FirstNet not get into the site and tower business.

Nevada is planning on using the Communications Asset Survey Mapping Tool (CASM) to collect further data once guidance is provided by FirstNet. NDOT is also putting their information into CASM.

George also provided a 911 outage report from April 2014 with an outage lasting six hours during which no 911 calls were fielded from 11 million people over 7 states representing a total of 6600 calls that did not go through to 911. Nevada was not affected in this outage. This outage was the result of a preventable error in the software at a nationwide cloud-based call center based in Colorado. Calls were taken by the system and dead-ended in the data center in Colorado. This occurred overnight and went unnoticed by staff for over an hour. Response was slow but ultimately service was restored by switching to a backup system in another state. The FCC report concluded that there were too many operations consolidated in too few locations with insufficient situational awareness by staff. This was one of four large-scale 911 outages in 2014 compared to zero outages in the five preceding years. George reported that the FCC will be developing a committee to develop best practices recommendations for the industry to be out sometime in early 2015.

As an update to the SLIGP outreach, George indicated that he has completed 28 outreach visits over the last year throughout Nevada reaching approximately 800 people. These outreach visits have included LEPCs, Tribes, County Commissions, Fire Chiefs, and webinars.

As the SWIC, George has attended numerous meetings including but not limited to NCSWIC, SAFECOM, Region IX, APCO, NPSTC, tribal meetings, FirstNet SPOC meetings. He is also dealing with proposals for investment justifications (IJ's) for 2015. The SWIC usually receives and scores, for compliance reasons, any IJs for communications which are then forwarded to the Homeland Security Working Group subcommittee for review prior to going to the full Homeland Security Commission.

Chris Ipsen asked whether the NPSCC has the ability to meet confidentially to discuss 911 outages and asked whether there was any outage information that George could share with the NPSCC that was not confidential that would help them to build better policy going forward. Samantha Ladich, deputy attorney general (DAG) for the NPSCC, indicated that the NPSCC does not have the authority to meet confidentially. George stated that the information he gave to the NPSCC regarding the 911 outage was public information provided to the FCC. The error in that case was in the software coding at the vendor level. The aggregator software had a counter built into it and the number of calls exceeded the top parameter so the system shut down.

Chris Ipsen indicated that these errors, whether physical or software related, indicate vulnerabilities which need to be noted in order to work toward planning how to mitigate these vulnerabilities.

Tom Lawless added that while we do have to be aware of outside attacks, most outages have been a result of software issues or similar lack of training errors.

Gary Hames asked whether Public Works were included in public safety entities and George stated the idea is to recommend a wide tent of coverage so that Public Works would be included in Nevada's recommended public safety entities definition. Director Michael Barnbeck recommended caution in how broad of a scope is included in the definition of public safety entities.

Chris Ipsen suggested that perhaps the group is differentiating between public safety and critical infrastructure and whether they should fall under the same umbrella but in any case, communication is essential.

## **6. PRESENTATION FROM NEVADA DEPARTMENT OF TRANSPORTATION (NDOT) ON THE FUTURE OF THE NEVADA SHARED RADIO SYSTEM**

Tom Moore from the Nevada Department of Transportation (NDOT) provided a presentation regarding NDOT and their partners moving forward with the next generation radio system for the State. The current system is an 800 MHz trunk system which began in the early 1990s consisting of three owners including NV Energy, Washoe County, and NDOT. There are currently 113 sites between the agencies servicing over 16,000 users ranging from State to Local to private industry. The majority of usage for the system is first responders. The current EDAC system supports 16,382 units or LIDs and they are at capacity on their system.

The major issue is the fact that they are at capacity on their radio system and the manufacturer (Harris) has notified NDOT that the system has reached end of life and will no longer be supported by 2017. They will be unable to buy gear and repairs will be a challenge.

About a year ago they formed a technical working group consisting of DPS, Washoe County, NV Energy, and NDOT. They are creating a high-level report to move forward with a P-25 phase 2 system. They envision a three-phase approach with the first phase being the high-level recommendation, phase 2 developing functional requirements and develop technical RFP, and phase 3 would be selecting a manufacturer/vendor and moving forward.

AECOM was hired to help with this process. The plan will be available about January 2015 and will be a roadmap to provide the situation the State is facing, recommend where the State needs to go and describe funding challenges being faced, and then finally to identify at high-level what the user requirements are. The timeframe includes March 3 for release of the RFP which was awarded to AECOM, draft report is due January 2015 and final report should be ready on February 2, 2015.

Director Jim Wright clarified that this is just the beginning stages. This process is the beginning to finding a replacement for the current system. Users and agencies have been informed that the system is coming to end of life and the State is beginning to look at options. The only decision made so far is that they want to go to the P-25 technology system. Radios purchased by partners currently will be compatible with the P-25.

Total replacement cost at this time for the entire system is almost \$200 billion to replace the system. The State's portion is around \$98 million and approximately \$34 million for Washoe County and approximately \$40 million NV Energy. If any partner goes away, the State will face a very serious situation. Tom stated they are working diligently to preserve their partnerships.

One major issue for the State moving forward is that if for one reason a partner moves ahead with one system and the State chooses another system, there could be some very unique challenges in implementing features of the P-25 from one system to another.

Director Michael Barnbeck asked Tom whether they would be able to procure funding and upgrade prior to the current system reaching end of life and Tom indicated that funding a key issue. All parties are aware of the issues at hand. It is anticipated the microwave system will be replaced first followed by the radio system right after that. They are looking for funding to be established for FY2018-2019 as the first funding available for this project. Director Barnbeck also stated that the unofficial southern Nevada partners are also moving forward with Las Vegas Metropolitan Police Department is on a P-25 system as well as SNACC is on a P-25 system. Taxpayer money has made this possible and Director Barnbeck stated that NDOT should reach out to them if they are able in any way to help. .

## **7. UPDATE OF THE REQUEST FOR PROPOSAL (RFP) COMMITTEE**

Chief Chris Smith indicated the RFP has been posted and interested parties had the opportunity to ask questions which were due last Friday. The responses to those questions were provided to Purchasing. Vendors have until the end of December to submit their proposals for this position. Chief indicated that outreach for this position has been far and wide. A recommendation to the committee should be available in early 2015.

Director Michael Barnbeck indicated a couple of concerns about the RFP process including a rigid cost model for a full-time position versus a team model as well as rigidity with regard to some of the programs in which the vendors must be proficient.

Chief Smith indicated he was not sure the NPSCC would have a say in this process and that he would have to work with State Purchasing with regard to these questions. With regard to the project management software requirement, Chief Smith stated it was his understanding that these were recommendations and not restrictions. Director Barnbeck asked Chief Smith to follow up with State Purchasing regarding the cost model and whether an addendum was required or not before it is finalized.

## **8. ESTABLISHMENT OF GRANTS SUBCOMMITTEE**

Chief Chris Smith indicated that the body could create a subcommittee to work with the SWIC to vet potential communications projects to ensure that they go along with the state strategy and do not provide duplication of effort. The goal is to help to ensure that funds are being spent on appropriate projects. These vetted projects can then be submitted to the NPSCC and then to the Homeland Security Working Group. With the approval of the NPSCC body, a grants subcommittee could be established. Samantha Ladich (DAG) indicated that one member of the NPSCC must be a part of the subcommittee.

Chris Ipsen indicated he would like to recommend a subcommittee be formed. Lou Amell also supported the formation of a subcommittee as long as there is clear guidance to the committee. He also recommended the committee consist of 2-way radio technically qualified people and more IT-based people to be well-rounded and fully understand the

projects. George Molnar asked that the co-chairs give the subcommittee a charge with regard to equipment purchases versus system purchases versus regional and local activities so that the subcommittee has a clear understanding before going forward. George suggested that the NPSCC provide recommended priority such as regional, next local, next equipment, or something like that. This is similar to how the Homeland Security Commission sets its priorities for the year. NPSCC might also make a declarative statement about user equipment, i.e. whether to engage in the purchase of user equipment, ever or not. As the SWIC, George will vet projects for compliance but will not recommend any projects and the subcommittee will make recommendations.

Chris Ipsen made a motion to recreate a subcommittee to address grants, the purpose of which is to make recommendations to the NPSCC and should be representative of the NPSCC and also have representation from relevant subject matter experts in order to provide clear technical guidance. Scott Taylor seconded. There was no discussion. All were in favor and the motion passed unanimously.

The agenda item for the next meeting will include action to formulate the committee and decide who from the NPSCC will sit on this subcommittee.

## **9. DISCUSSION/REVIEW OF ALL AFTER ACTIONS OF CRITICAL INCIDENTS WITHIN THE STATE TO COMPILE A BASELINE REPORT OF COMMUNICATIONS**

Co-Director Michael Barnbeck indicated that this agenda item was originally discussed a couple of meetings ago. He asked the NPSCC if there were incidents such as the air races disaster or the IHOP shooting with communications-related after action reports and who keeps those records.

Chief Chris Smith said typically the lead agencies have those after action reports and they are in their custody. Chief Smith suggested the possibility of asking those entities to make a presentation to the NPSCC regarding the communications elements of their after action reviews or whether those entities would release their reports to the NPSCC but suggested having a presentation to NPSCC might be the better direction to go.

Director Barnbeck asked the committee for recommendations regarding obtaining, storing and then analyzing the information from various after action reports. There was a question of whether the after action reports are public record and this would need to be clarified first. Another question would be which body of NPSCC would retain those records and could they be protected and how.

Director Barnbeck in response recommended that the NPSCC go to the Sheriffs and Chiefs Association and perhaps the Fire Chiefs Association and other public safety partners and ask for presentations regarding what each group feels are communication-related gaps that would give the NPSCC an opportunity to move forward with.

The final recommendation was to reach out to public safety disciplines and emergency management across the state and ask for a representative to bring forward presentations to the NPSCC for discussion. Michael Brown asked what the criteria would be for an incident review such as size of incident. Director Barnbeck suggested that criteria include multijurisdictional and multidiscipline and should reflect a communications gap. Director Barnbeck asked Director Wright to start with this in the north and Director Barnbeck will reach out to the south and keep this as a long-standing agenda item. A suggestion was made for several presentations including from emergency management, fire and police for the future.

## **10. POSSIBLE DEVELOPMENT OF FUTURE LEGISLATION TO SECURE SENSITIVE COMMUNICATIONS INFRASTRUCTURE DOCUMENTS**

Co-chair Director Barnbeck opened discussion regarding legislation regarding the securing of communications documents and asked whether the NPSCC thought that they should work toward NRS changes or some type of legislation in this regard. Suggestion was made regarding the use of a nonprofit organization that does this type of work.

Chief Smith indicated to the NPSCC that the attorney general and the appointed deputy attorneys general are the legal counsel to the NPSCC. George Molnar asked what exactly Director Barnbeck was looking for as an outcome to potential legislation.

Director Barnbeck stated that legislation is needed for the criminal use of information received over the airwaves. Listening to radio communications is not the issue but rather the criminal use of this information obtained. Tom Lawless added that operationally, an example of what does not work is the County of Los Angeles Fire on the Apple App Store providing an app called TMAC 2014 providing their entire UHF and VHF network for their area.

Bill Welch recommended that a subcommittee be created to identify issues and concerns for which they would like to work with the Attorney General's office on legislation. He also stated this is a lengthy process and the Homeland Security Commission worked on this type of process for several years before they were able to get legislation on the books. An additional avenue would be to work with someone to add language to legislation already in process or already exists. Additionally, both the Attorney General's office as well as the Governor's office would likely be interested in this type of legislation and it might be a good idea to engage both offices.

Director Barnbeck clarified that his concern is not of an unintentional interference nature but rather from the criminal standpoint.

Chief Chris Smith recommended that the NPSCC create a committee to begin this process of researching this topic and find out whether there are technology crime laws in the state that could be utilized. The subcommittee could do the research and come back with a recommendation to the NPSCC.

Chris Ipsen made the motion to create a legislative subcommittee to address legislative issues regarding public safety communications. Kevin Judice asked whether this would include document security as well and the answer was yes. Kevin Judice seconded the motion. All were in favor and the motion passed unanimously.

## **11. DISCUSSION OF STATEWIDE 911-COORDINATOR**

George Molnar stated that most states have a 911 coordinator with only a couple of states without such a coordinator. This position is tied to potential application of grant funding possibilities related to the next generation 911. It is widely believed that without a 911 coordinator, a state would be ineligible for next generation 911-related grant funding. This does not have to be a full-time position but having a named party established will be of great benefit with regard to potential grant funding in the future.

Director Michael Barnbeck recommended a subcommittee be formed to help define what this role of this position would be for the State of Nevada. He recommended starting with a

small select group of people to start the process including Lou Amell representing fire in Southern Nevada, and then a fire and police representative in Northern Nevada as well as someone from Clark County's 911 call center. This group could then give a recommendation as to who should be on a finalized subcommittee defining the job description and role of a 911 coordinator. Lou Amell agreed with the suggestion of this process and stated that some states are already collecting 911 funding. Director Barnbeck emphasized that the rural communities also will need to be involved so that both urban and rural are equally represented in the creation of this position.

Lou Amell made a motion to develop a subcommittee to start reviewing a statewide 911 coordinator position. Chris Ipsen seconded the motion. All members were in favor and the motion passed unanimously.

As a point of clarification, Bill Welch supported the concept of the committee to review a 911 coordinator position but asked the DAG whether the executive order for the NPSCC provided authority to hire somebody. Bill's understanding was that the NPSCC position is to work in an advisory capacity to the Governor's office. The NPSCC could come up with a recommendation that the state have a statewide 911 coordinator and make that recommendation to the appropriate authorities who would then utilize their process to procure funding and fill this position. Samantha Ladich, DAG, confirmed that the committee's role would be to provide a recommendation to the Governor.

## **12. PUBLIC COMMENT**

Co-Chair, Director Jim Wright opened the meeting up once again for public comment. There was no comment from the public. Chris Smith reminded everyone that the FirstNet State Consultation meeting is scheduled for January 7, 2015 at the State Capitol Building in the Guinn Room from 8 am to 5 pm. Everyone is welcome to attend this meeting.

Bill Welch recommended that Chief Smith request a representative for the chair of the Working Group Subcommittee of the Homeland Security Committee address the NPSCC at the next meeting so that the Grants Subcommittee would understand the Homeland Security Goals and objectives as this subcommittee will make recommendations up to the Working Group.

Bill also stated that he hoped that NDOT was communicating the Radio System information to all end users as the hospitals will be very interested in this information. Tom Moore added that 2017 is the date that Harris will no longer support their system. NDOT does not envision that the equipment will be replaced until 2018 at the earliest. They will make every effort to make sure that all entities are kept informed.

## **13. ADJOURN**

Co-Chair, Director Jim Wright called for a motion to adjourn the meeting. Bill Welch made the motion for adjournment and Mike Brown seconded. All were in favor with no opposition. Meeting adjourned.