

Memorandum of Understanding
between the
Las Cumbres Amateur Radio Club
and the
Cupertino Amateur Radio Emergency Service

1. Purpose

The purpose of this document is to state the terms of a mutual agreement (Memorandum of Understanding) between the Las Cumbres Amateur Radio Club (LCARC) and the Cupertino Amateur Radio Emergency Service (CARES). This document will serve as a framework within which CARES volunteers will have access to facilities owned and operated by LCARC for the support of a Cupertino-only emergency communications function.

2. Organization of CARES

As established by the Federal Communications Commission's Rules and Regulations (47 C.F.R. Part 97), a primary responsibility of the Amateur Radio Service is the rendering of public service communications for the general public, particularly in times of emergency when normal communications are not available. Using the amateur frequency bands, Amateur Radio operators have been serving the general public, both directly and through governmental and relief agencies, for more than 50 years. To this end, the American Radio Relay League (ARRL), the national association for radio amateurs, organized the Amateur Radio Emergency Service (ARES). Cupertino ARES (CARES) is one such organization.

CARES is a volunteer organization made up of licensed amateurs who have ties with Cupertino and have voluntarily registered their qualifications and equipment for communications duty in the public service in the event of a disaster. The CARES Emergency Coordinator (EC) is an appointed position by the Santa Clara County District Emergency Coordinator (DEC) and responsible for coordinating the preparedness and response operations of the CARES organization.

3. Radio Amateur Civil Emergency Service

The Radio Amateur Civil Emergency Service (RACES) is an emergency service function defined under Part 97 of the Federal Communications Commission (FCC) Rules. RACES is a special phase of amateur radio operation that provides radio communications to local or State civil preparedness agencies during periods of local, regional, or national civil emergencies. All of the authorized frequencies and emissions allocated to the Amateur Radio Service are also available to RACES on a shared basis. In the event that the President of the United States invokes his War Emergency Powers, RACES operators, using specially authorized frequencies, would be the only Amateur Radio Operators permitted on the air. CARES members hold dual membership in RACES and are licensed RACES operators.

4. Organization of LCARC

The LCARC is a not-for-profit corporation established for the mutual benefit of its' members. It's goals are to (i) promote and support technical experimentation, and (ii) provide its radio facilities to emergency communications organizations when needed. LCARC operates a linked repeater network on VHF and UHF with excellent coverage on both sides of the Santa Cruz Mountains. This linked 2m

and 70cm system is known as, and operates under FCC license K6FB/R. LCARC also operate various VHF packet nodes. A Board of Directors and Officers manages LCARC.

5. Recognition

LCARC recognizes that CARES is an organization of more than 70 Cupertino-resident radio amateurs that, in turn, is recognized by the City of Cupertino as the official RACES organization for Cupertino.

CARES recognizes LCARC as the exclusive owner and operator of the K6FB repeater system. LCARC provides all system maintenance, ensures accessibility of the system by the amateur radio community, and enters into system use agreements with emergency communications organizations.

6. Method of Cooperation

For the communications resources of CARES and LCARC to be coordinated and used to the fullest advantage during disasters and emergencies and to the extent permitted or required by law and regulation, LCARC and CARES have agreed to the following:

1. The points of contact between CARES and LCARC are:
 - Jim Oberhofer, KN6PE
CARES Emergency Coordinator
Cupertino, CA 95014
 - Tom Campbell K6KMT
K6FB Repeater System Trustee
PO Box 2415
Cupertino, CA 95015
2. CARES will identify an individual as the key contact with LCARC. This individual will provide the necessary cooperation and information to LCARC on CARES' emergency communications planning.
3. LCARC agrees to make its linked and inseparable 2m and 70cm repeaters ("linked repeater system") available to CARES for use by RACES stations during times of emergency such as earthquakes, floods, fires, transportation accidents, hazardous material releases, civil unrest and other natural or manmade disasters. If such an emergency exists, CARES would provide the City with following assistance:
 - Alerting and mobilizing CARES members in accordance with the CARES Emergency Plan.
 - Establishing one or more emergency nets using simplex or the K6FB repeater frequencies as the situation warrants.
 - Establishing and maintaining fixed, mobile, and portable station emergency communication capabilities for local amateur radio coverage and point-to-point contact between City officials and remote locations.
 - Maintaining the continuity of communications for the duration of the emergency period or until normal communications channels are substantially restored.
4. LCARC also agrees that its linked repeater system can be used in a similar fashion during CARES training events. Written or oral requests to use the linked repeater system will be made to the LCARC Trustee or designate not less than 21 days prior to the proposed date to ensure that the CARES training event does not conflict with other community requests to use the linked repeater system. The LCARC Trustee or designate will grant approval to use the linked repeater system for the RACES training event. LCARC Trustee or designate approval will not be unreasonably withheld.

5. In the event CARES is operating as described above, CARES will relinquish the K6FB/R repeater system when a district-level RACES organization (such as Santa Clara County RACES) is activated to support of a multi-site incident. A request to relinquish the repeater system could come at any time and be delivered verbally from any SC County ARES/RACES official or agent thereof or any LCARC Director.
6. Distribute copies of this agreement to CARES organization members and include it with the LCARC organization documents.

7. Implementation

LCARC agrees that emergency use of its linked repeater system can begin without notification to LCARC officials in the event of an emergency incident such as those described above. Additionally,

1. During an activation, CARES will conduct the net using best practice standards and procedures, and will yield occasionally to directed calls among LCARC members and guests, at the discretion of the CARES net control station, which will not be unreasonably withheld.
2. Following each incident requiring an activation of the linked repeater system, the CARES EC will notify LCARC by e-mail (k6fb@arrl.net) of the activation. The notification should include a brief description of the incident, times of activation and closure of the incident, and RACES incident number (if any).
3. The LCARC linked repeater system is privately and reasonably maintained by the members and owners of the Las Cumbres Amateur Radio Club. LCARC cannot be held liable for failure of the linked repeater system, whether or not the failure is caused by emergencies described above. CARES agrees that LCARC members and owners cannot be required to effect repairs to restore communications on short notice during an activation or event.

This Memorandum of Understanding shall take effect upon signature by the K6FB Repeater Trustee and the CARES Emergency Coordinator. This memorandum may be amended by mutual agreement of both parties. Either party may terminate this memorandum upon 30 days written notice.

<<signature on file>>

29-Sep-01

Tom Campbell
K6FB Repeater System Trustee
Las Cumbres Amateur Radio Club

Date

<<signature on file>>

29-Sep-01

Director
Las Cumbres Amateur Radio Club

Date

<<signature on file>>

4-Oct-01

Jim Oberhofer
Emergency Coordinator
Cupertino Amateur Radio Emergency ServiceRevision

Date