

ORDINANCE C-21-13

AN ORDINANCE TO AUTHORIZE THE CITY ADMINISTRATOR TO ENTER INTO A MULTI-YEAR INTERGOVERNMENTAL AGREEMENT WITH THE FRANKLIN COUNTY COMMISSIONERS FOR THE ADMINISTRATION OF WIRELESS 9-1-1 GOVERNMENT ASSISTANCE FUNDS

WHEREAS, Franklin County is responsible for the administration of the Wireless 9-1-1 Governmental Assistance Funds from the Public Utilities Commission of Ohio (prior to January 1, 2014) and the Ohio Department of Taxation (beginning January 1, 2014); and

WHEREAS, this intergovernmental Agreement with the County will provide a mechanism for the distribution of the 9-1-1 funds so that the City may acquire and pay for permissible wireless 9-1-1 expenditures as outlined in the Ohio Revised Code; and

WHEREAS, because the term of the Agreement exceeds twelve (12) months, it must be approved by Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GROVE CITY, STATE OF OHIO, THAT:

SECTION 1. The City Council hereby authorizes the City Administrator to execute the intergovernmental agreement, attached hereto as Exhibit "A," with the Franklin County Commissioners for the administration of Wireless 9-1-1 Government Assistance Funds.

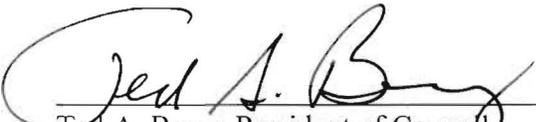
SECTION 2. This Ordinance shall take effect at the earliest date permitted by law.

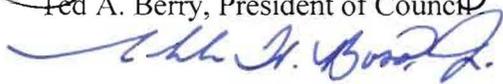
Passed: 04-01-13

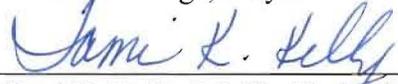
Effective: 05-01-13

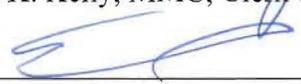
Attest:

I certify that this ordinance is correct as to form.

  
Ted A. Berry, President of Council

  
Richard L. Stage, Mayor

  
Tami K. Kelly, MMC, Clerk of Council

  
Stephen J. Smith, Director of Law

C-21-13  
EXHIBIT A

**INTERGOVERNMENTAL AGREEMENT BETWEEN THE [INSERT PSAP] AND  
FRANKLIN COUNTY, OHIO**

This Intergovernmental Agreement ("Agreement") is made and entered into by and between the Franklin County Board of Commissioners (hereinafter referred to as the "County") and the [INSERT PSAP] hereinafter referred to as the "City").

WHEREAS, the County receives Wireless 9-1-1 Government Assistance funds from the Public Utilities Commission of Ohio (prior to January 1, 2014) and the Ohio Department of Taxation (beginning January 1, 2014); and

WHEREAS, the City is the recipient of 9-1-1 funds as approved by a resolution of the 9-1-1 Planning Committee on February 25, 2013; and

WHEREAS, the County and the City desire to enter into this Agreement to provide for the distribution of the 9-1-1 funds in order for the [INSERT PSAP] to expeditiously acquire and pay for permissible wireless 9-1-1 expenditures as outlined in section 5507.57 (formerly section 4931.65) of the Revised Code; and

WHEREAS, section 307.15 of the Revised Code provides the requisite authority for the parties to enter into this Agreement and perform their respective obligations; and

WHEREAS, this Contract has been authorized by Resolution No. \_\_\_\_\_ of the Franklin County Board of Commissioners and Ordinance No. \_\_\_\_\_, passed on \_\_\_\_\_, 2013, by the City of \_\_\_\_\_.

NOW THEREFORE, in consideration of the premises and the mutual promises covenants and conditions contained herein, the parties hereto agree to the following:

1. Franklin County shall disburse monies received from the Wireless 9-1-1 government assistance fund pursuant to the February 25, 2013 resolution of the Franklin County 9-1-1 Governing Board. The resolution and estimated dollar amounts are attached hereto as Exhibit A and incorporated herein by this reference.
2. The City covenants and agrees that in the utilization of the 9-1-1 wireless funds that it shall comport with any and all rules, regulations, and laws as required by the State of Ohio.
3. The County shall process payment directly to City on a monthly basis.
4. The parties agree that the City shall be the sole owner of any and all equipment and/or software purchased by the City with funds disbursed pursuant to this Agreement.

5. With respect to 9-1-1 funds disbursed to the City, in the event that an authorized governmental agency or its agent having responsibility for conducting an audit disallows certain costs and requires that a refund be issued, the City shall be responsible for providing the refund amount in full.
6. This contract is subject to amendments, modifications, or alterations anytime, provided such amendments, modifications, or alterations are agreed upon in their entirety by all parties hereto, and executed in accordance with applicable provisions of the Ohio Revised Code.
7. This contract shall be construed, interpreted, and the rights of the parties determined, in accordance with the laws of the State of Ohio. A determination that any part of this agreement is invalid shall not invalidate or impair the force or effect of any other part thereof, except to the extent that such other part is wholly dependent for its operation upon the part so declared invalid.

**IN WITNESS WHEREOF**, the parties hereto have hereunto set their hands to this agreement this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
John O'Grady, President

\_\_\_\_\_  
[INSERT NAME]  
[INSERT TITLE]

\_\_\_\_\_  
Paula Brooks, Commissioner

\_\_\_\_\_  
Marilyn Brown, Commissioner

Approved as to Form:

Approved as to Form:

\_\_\_\_\_  
By: Asst. Prosecuting Attorney

\_\_\_\_\_  
By: City Attorney's Office

FEBRUARY 25, 2013

**RESOLUTION BY THE FRANKLIN COUNTY 9-1-1 PLANNING COMMITTEE TO APPROVE THE DISBURSEMENT OF THE WIRELESS 9-1-1 CHARGES IMPOSED UNDER SECTION 5507.42 (FORMERLY SECTION 4931.61) OF THE REVISED CODE TO THE SUBDIVISIONS THAT MAINTAIN WIRELESS ENHANCED 9-1-1 PUBLIC SAFETY ANSWERING POINTS (PSAPs) WITHIN FRANKLIN COUNTY FOR THE YEARS 2013 THROUGH 2016, INCLUSIVE.**

**WHEREAS**, a countywide 9-1-1 system has been formed for Franklin County in accordance with section 5507.03 (formerly section 4931.41) of the Revised Code; and,

**WHEREAS**, 9-1-1 planning and technical advisory committees have been formed for Franklin County in accordance with section 5507.06 (formerly section 4931.42) of the Revised Code; and,

**WHEREAS**, the 9-1-1 planning committee has adopted and implemented a final plan and established five *PSAPs* to provide wireless enhanced 9-1-1 services on a countywide basis; and,

**WHEREAS**, current technology cannot handle the text, data, images, and video that are increasingly common in personal communications; and,

**WHEREAS**, the Next Generation 9-1-1 (*NEXTGEN*) initiative is to establish the foundation for county-wide emergency communications services in a wireless mobile society; and,

**WHEREAS**, the Planning Committee intends to meet the safety needs of the community by employing *NEXTGEN* technology; and,

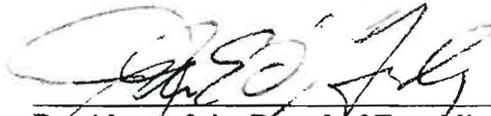
**WHEREAS**, the countywide 9-1-1 system will be upgraded to provide for *NEXTGEN* capabilities tied to the convergence of voice and data communications through voice-over-internet-protocol (*VoIP*) technology, such as including text messaging, email, and; and,

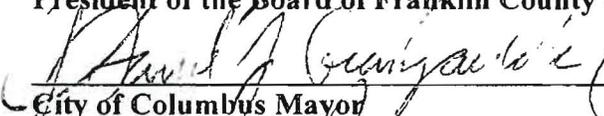
**WHEREAS**, the five wireless *PSAPs* are maintained and operated by governmental subdivisions that have certified and paid costs and which may use disbursements received under section 5507.55 (formerly section 4931.64) of the Revised Code to pay subdivision costs of providing countywide wireless enhanced 9-1-1 services, including personnel costs; now therefore:

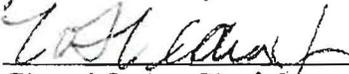
On motion of William F. Vedra, Jr and seconded by Heinz vonEckartsberg, BE IT RESOLVED BY THE 9-1-1 PLANNING COMMITTEE, FRANKLIN COUNTY, OHIO:

SIGNATURE PAGE

VOTING AYE THEREON:

  
\_\_\_\_\_  
President of the Board of Franklin County Commissioners

  
\_\_\_\_\_  
City of Columbus Mayor (proxy for Mayor Peter Norick)

  
\_\_\_\_\_  
City of Grove City Mayor

  
\_\_\_\_\_  
City of Dublin Chief Executive Officer (Proxy for CM MARSHA GRIGSBY)

  
\_\_\_\_\_  
Prairie Township Board of Trustees Chairperson

VOTING NAY THEREON:

\_\_\_\_\_  
President of the Board of Franklin County Commissioners

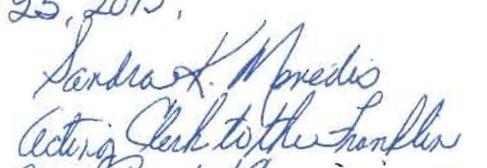
\_\_\_\_\_  
City of Columbus Mayor

\_\_\_\_\_  
City of Grove City Mayor

\_\_\_\_\_  
City of Dublin Chief Executive Officer

\_\_\_\_\_  
Prairie Township Board of Trustees Chairperson

Cc: 9-1-1 Planning Committee Members  
Regional Communications Coordinator  
County Administrator

Thereby certify that this document is a true and correct copy of the Resolution passed by the Franklin County 9-1-1 Planning Committee on February 25, 2013.  
  
Sandra K. Mordis  
Acting Clerk to the Board

## (PSAP Distribution Based on Combination of Wireless Calls Received and Estimated Population Served)

	2013	2014	2015	2016
<b>AVAILABLE CASH</b>				
Beginning Cash Balance	\$ 1,531,506.69	\$ 120,000.00	\$ 240,000.00	\$ 360,000.00
Estimated Receipts	\$ 3,089,292.00	\$ 3,089,292.00	\$ 3,089,292.00	\$ 3,089,292.00
<b>Available Cash</b>	<b>\$ 4,620,798.69</b>	<b>\$ 3,209,292.00</b>	<b>\$ 3,329,292.00</b>	<b>\$ 3,449,292.00</b>
<b>EXPENSES</b>				
County Expenses				
Wireless Call Trunks	\$ 30,000.00	\$ 30,000.00	\$ -	\$ -
Wireless Tariff Charges	\$ 102,000.00	\$ 102,000.00	\$ -	\$ -
Wireless 9-1-1 Coordinator	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00
Mapping Database Maintenance	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00
NextGen--Network and Data Management	\$ -	\$ -	\$ 750,000.00	\$ 750,000.00
<b>Subtotal - County Expenses</b>	<b>\$ 232,000.00</b>	<b>\$ 232,000.00</b>	<b>\$ 850,000.00</b>	<b>\$ 850,000.00</b>
Reserves				
Reserve for Countywide NextGen Upgrade	\$ 1,531,506.69	\$ -	\$ -	\$ -
Contingency Reserve	\$ 120,000.00	\$ 120,000.00	\$ 120,000.00	\$ 120,000.00
<b>Subtotal - Reserves</b>	<b>\$ 1,651,506.69</b>	<b>\$ 120,000.00</b>	<b>\$ 120,000.00</b>	<b>\$ 120,000.00</b>
PSAP Disbursements*				
Columbus (78.0%)	\$ 1,909,107.00	\$ 1,909,107.00	\$ 1,379,393.00	\$ 1,379,393.00
Dublin (4.5%)	\$ 130,000.00	\$ 130,000.00	\$ 130,000.00	\$ 130,000.00
Franklin County Sheriff (13.0%)	\$ 318,185.00	\$ 318,185.00	\$ 229,899.00	\$ 229,899.00
Grove City (2.3%)	\$ 130,000.00	\$ 130,000.00	\$ 130,000.00	\$ 130,000.00
Westerville (2.2%)	\$ 130,000.00	\$ 130,000.00	\$ 130,000.00	\$ 130,000.00
<b>Subtotal - PSAP Disbursements</b>	<b>\$ 2,617,292.00</b>	<b>\$ 2,617,292.00</b>	<b>\$ 1,999,292.00</b>	<b>\$ 1,999,292.00</b>
<b>TOTAL EXPENSES</b>	<b>\$ 4,500,798.69</b>	<b>\$ 2,969,292.00</b>	<b>\$ 2,969,292.00</b>	<b>\$ 2,969,292.00</b>
<b>ENDING CASH BALANCE</b>	<b>\$ 120,000.00</b>	<b>\$ 240,000.00</b>	<b>\$ 360,000.00</b>	<b>\$ 480,000.00</b>

\*Minimum disbursement of \$130,000.  
No maximum disbursement.