

1 RESOLUTION NO. 2020-257

First Reading Passage Requested

B. Nelsen

2 SPONSOR Ms. Shapiro

3 DATE August 17, 2020

COMMITTEE Public Safety

4  
5  
6  
7 **A Resolution authorizing the Executive to enter into a grant agreement with the City of**  
8 **Fairlawn for \$6,500,000.00 for the design and construction of a fiber-optic network to**  
9 **connect the Summit County Jail, various courthouses, policing agencies and social services**  
10 **providers as a part of the Summit County Criminal Justice Technology Project, for the**  
11 **Executive and declaring an emergency.**

12  
13 WHEREAS, the COVID-19 pandemic is a health crisis that requires the different Courts  
14 in the County and the County Sheriff to change the method by which they conduct hearings for  
15 individuals held in the Summit County Jail as well as those who have posted a bond; and

16  
17 WHEREAS, the COVID-19 pandemic has also created the need for investments by the  
18 County in previously unplanned capital projects that will afford the Courts and the Sheriff the  
19 ability to safely and efficiently work remotely in light of the pandemic while improving their  
20 operations and ensuring that defendants' and inmates' constitutional rights are fully protected  
21 while maintaining a safe and socially distant environment; and

22  
23 WHEREAS, the Coronavirus Aid, Relief, and Economic Security Act (the "CARES  
24 Act") was passed by Congress and signed into law on March 27, 2020, to provide economic  
25 relief and to protect the American people from the public health and economic impacts of  
26 COVID-19 and as part of this Act, the County received funds to expend to abate the pandemic  
27 with the community; and

28  
29 WHEREAS, this Council passed legislation on June 29, 2020 (Res. No. 2020-196)  
30 confirming a professional services contract with MCM Consulting Group, Inc. for consulting and  
31 project management services for jail management and virtual courtroom systems, due to the  
32 public health emergency with respect to the COVID-19 pandemic (the "Project") and as part of  
33 MCM's analysis they have recommended that the County utilize broadband technology to  
34 connect Courts, public safety and social services agencies in a closed network to ensure the  
35 secure, and efficient continuation of criminal justice operations while maintaining the necessary  
36 safety protocols due to the pandemic; and

37  
38 WHEREAS, the City of Fairlawn ("Fairlawn") has created a municipal broadband utility,  
39 known as FairlawnGig, which has designed and constructed a fiber-optic network in Fairlawn  
40 and surrounding areas, and which will be managing the design and construction of the Project;  
41 and

42  
43 WHEREAS, the Executive intends to use a portion of the funds received under the  
44 CARES Act to enter into a grant agreement with Fairlawn in an amount not to exceed  
45 \$6,500,000.00 for Fairlawn to design, construct, and install a new fiber optic network to connect  
46 the Summit County Jail and additional corrections facilities with a number of courthouses in  
47 Summit County and other law enforcement and social services agencies in the County in order to  
48 allow for improved and secure communications, video arraignments, and other remote  
49 communications as part of the Project to resolve certain operational problems created by  
50 COVID-19; and

3  
4 WHEREAS, Fairlawn has agreed to use and expend the grant funds provided by the  
5 County to pay for the design, construction, installation and management of the Project subject to  
6 the terms and conditions set forth in the Grant Agreement, attached as Exhibit A, and  
7 incorporated herein as if fully restated, and in accordance with the guidance issued by the U.S.  
8 Department of the Treasury, and the requirements of Section 5001 of the CARES Act; and  
9

10 WHEREAS, this Council finds and determines, after reviewing all pertinent information,  
11 that it is necessary and in the best interest of the County of Summit to execute a grant agreement  
12 with the City of Fairlawn in an amount not to exceed \$6,500,000.00 for Fairlawn to design,  
13 construct, and install a new fiber optic network to connect those facilities defined in the Grant  
14 Agreement; and  
15

16 WHEREAS, this Council further finds and determines, after reviewing all pertinent  
17 information, that the expenditure of an amount not to exceed \$6,500,000.00 for the Grant  
18 Agreement with the City of Fairlawn is necessary due to the public health emergency created by  
19 the COVID-19 pandemic, and is being done in compliance with the provisions of Section 5001  
20 of federal Coronavirus Aid, Relief and Economic Security Act;  
21

22 NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State  
23 of Ohio, that:  
24

25 SECTION 1

26  
27 This Council hereby authorizes the County Executive to execute a grant agreement with  
28 the City of Fairlawn, attached as Exhibit A and incorporated herein as if fully restated, in an  
29 amount not to exceed \$6,500,000.00 to design, construct, and install a new fiber optic network to  
30 connect those facilities defined in said agreement and to make any necessary modifications to  
31 said agreement under terms substantially similar and not materially adverse to the County that  
32 are otherwise consistent with the original agreement and to execute any documents necessary for  
33 completion of the Project.  
34

35 SECTION 2

36  
37 This Council finds and declares that the expenditure of \$6,500,000.00 under the  
38 aforementioned agreement is necessary due to the public health emergency with respect to the  
39 COVID-19 pandemic, and is being done in compliance with the provisions of section 5001 of the  
40 federal Coronavirus Aid, Relief and Economic Security Act.  
41

42 SECTION 3

43  
44 This Resolution is declared an emergency in the interest of the health, safety, and welfare  
45 of the residents of the County of Summit, and for the further reason that it is necessary to  
46 immediately authorize a grant agreement with the City of Fairlawn that will afford all Courts and  
47 service providers within Summit County and the Sheriff the ability to safely and efficiently work  
48 remotely due to the public health emergency with respect to the COVID-19 pandemic while  
49 continuing to improve their operations ensure that defendants' and inmates' constitutional rights  
50 are protected.  
51  
52  
53

1 RESOLUTION NO. 2020-257

2 PAGE THREE

3  
4 SECTION 4

5  
6 Provided this Resolution receives the affirmative vote of eight members, it shall take  
7 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take  
8 effect and be in force at the earliest time provided by law.  
9

10 SECTION 5

11  
12 It is found and determined that all formal actions of this Council concerning and relating  
13 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all  
14 deliberations of this Council and any of its committees that resulted in such formal action, were  
15 in meetings open to the public, in compliance with all legal requirements, including Section  
16 121.22 of the Ohio Revised Code.  
17

18  
19 INTRODUCED August 17, 2020

20  
21  
22 ADOPTED August 17, 2020

23  
24  
25  
26 CLERK OF COUNCIL

27  
28  
29  
30  
31  
32 PRESIDENT OF COUNCIL

33  
34  
35 APPROVED August 19, 2020

36  
37  
38  
39 EXECUTIVE

ENACTED EFFECTIVE August 19, 2020

Voice Vote: YES: 10-0 - Dickinson, Donofrio, Feeman, Koehler,  
McKenney, Prentice, Rodgers, Schmidt, Sims, Wilhite  
ABSENT: Walters