

1 RESOLUTION NO. 2012-464

2
3 SPONSOR Mr. Pry

4
5 DATE December 10, 2012

COMMITTEE Public Safety

6
7 **A Resolution authorizing the County Executive to execute a cooperative agreement with**
8 **Diamond Towers II, LLC, on behalf of FirstEnergy Corp., subject to the approval of the**
9 **Board of Control, for land use and the construction of a communications tower in**
10 **Twinsburg Township, in Council District 1, supporting the 800 MHz Regional Radio**
11 **System, to be funded through the Fiscal Year 2010 State Homeland Security Program**
12 **grant, for a total cost not to exceed \$360,000.00 for the Executive's Department of Law,**
13 **Insurance and Risk Management – Division of Public Safety, and declaring an emergency.**

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15 WHEREAS, the County of Summit wishes to relocate its 800 MHz communications
16 equipment from the existing location to a new location in Twinsburg Township, in Council
17 District 1, as a cost savings measure; and

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19 WHEREAS, the Summit County Domestic Preparedness Steering Committee has
20 approved the use of Fiscal Year 2010 State Homeland Security Program grant funds, in an
21 amount not to exceed \$360,000.00, to aid in this effort; and

22
23 WHEREAS, FirstEnergy Corp. is seeking to relocate its communications equipment and
24 has land available which it is willing to contribute to the project in exchange for the right to co-
25 locate its equipment on the tower; and

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27 WHEREAS, Diamond Towers II, LLC, as the exclusive agent for FirstEnergy Corp., will
28 construct a 300-foot tower on the FirstEnergy Corp. property for use by First Energy Corp. and
29 the County of Summit; and

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31 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
32 that it is necessary and in the best interest of the County of Summit to authorize the County
33 Executive to execute the aforementioned cooperative agreement with Diamond Towers II, LLC,
34 on behalf of FirstEnergy Corp., subject to the approval of the Board of Control.

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36 NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State
37 of Ohio, that:

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39 SECTION 1

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41 The County Executive is authorized to execute a cooperative agreement with Diamond
42 Towers II, LLC, on behalf of FirstEnergy Corp., subject to the approval of the Board of Control,
43 for land use and construction of a communications tower in Twinsburg Township, in Council
44 District 1, supporting the 800 MHz Regional Radio System, to be funded through the Fiscal Year
45 2010 State Homeland Security Program grant, for a total cost not to exceed \$360,000.00.
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1 RESOLUTION NO. 2012-464

2 PAGE TWO

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4 SECTION 2

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6 This Resolution is hereby declared an emergency in the interest of the health, safety and
7 welfare of the citizens of the County of Summit and for the further reason that it authorizes the
8 Executive to immediately execute the aforementioned cooperative agreement with Diamond
9 Towers II, LLC, on behalf of FirstEnergy Corp., so that the aforementioned grant funds may be
10 expended within the applicable grant period.

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12 SECTION 3

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

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18 SECTION 4

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20 It is found and determined that all formal actions of this Council concerning and relating
21 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all
22 deliberations of this Council and of any of its committees that resulted in such formal action,
23 were in meetings open to the public, in compliance with all legal requirements, including Section
24 121.22 of the Ohio Revised Code.

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28 INTRODUCED November 26, 2012

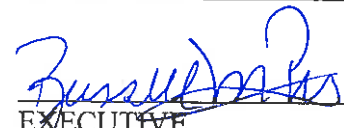
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30 ADOPTED December 10, 2012

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35 _____
36 CLERK OF COUNCIL



PRESIDENT OF COUNCIL

37
38 APPROVED December 11, 2012

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41 _____
42 EXECUTIVE

ENACTED EFFECTIVE December 11, 2012

Voice Vote:9-0. YES: Comunale, Crawford, Feeman, Kurt, Lee, Prentice, Roemer
Schmidt, Shapiro. Absent: Kostandaras, Rodgers