

RESOLUTION NO. 2009-245

First Reading Passage Requested
(J. Dodson)

SPONSOR Mr. Pry

DATE June 1, 2009

COMMITTEE Public Safety

A Resolution authorizing the Executive to execute the “Regional 800MHz Radio System User Agreement,” for the use and maintenance of a county-wide 800MHz radio system, for a term commencing upon execution and terminating on April 30, 2019, with one option to renew for an additional (5) year term, with any public or private entity that wishes to use the county-wide 800MHz radio system, for the Executive, and declaring an emergency.

WHEREAS, the County and the City of Akron have established a county-wide 800 MHz radio system to coordinate interoperability and communications for public safety departments and other users for the benefit of County residents; and

WHEREAS, the County and Akron desire that other public and private entities become users of the county-wide 800MHz radio system; and

WHEREAS, the County and Akron desire that the termination date of the agreement be the same rather than dependent upon the date of execution; and

WHEREAS, the County and Akron currently each pay ½ the cost of the salary and benefits of the Radio System Administrator out of their portion of user fees deposited in the fund for the county-wide 800MHz radio system; and

WHEREAS, at the May 28, 2009, meeting of the System Administrative Subcommittee of the Emergency Management Executive Committee, the representative of the current users agreed to propose to their communities that the Administrator’s salary and benefits be paid out of the fees paid by all users of the system; and

WHEREAS, the County and Akron desire that the user agreement reflect the apportionment of the Administrator’s salary and benefits among the user fees paid by those communities which approve and execute the revised user agreement; and

WHEREAS, the County and Akron have agreed upon the agreement governing the use and maintenance of a county-wide 800 MHz radio system, attached hereto as Exhibit A and incorporated herein as if fully restated, for a term commencing upon execution and terminating on April 30, 2019, with one option to renew for an additional (5) year term; and

WHEREAS, County Council previously adopted Resolution No. 2005-385, which approved the “Regional 800 MHz Radio User System Agreement for the use and maintenance of a county-wide 800MHz radio system, and authorizing the County Executive to execute the user agreement for one ten (10) year term, with one option to renew for an additional (5) year term, but limited potential users to any County of Summit political subdivision, the counties of Cuyahoga, Medina, Portage, Stark or Wayne or political subdivisions located in those counties, that wish to use the county-wide 800MHz radio system;” and

WHEREAS, in an effort to make the process of joining the system more efficient, the County Executive requests that this Council approve a revised version of the “Regional 800MHz Radio System User Agreement,” and authorize him to execute the user agreement, with any public or private entity that wishes to use the county-wide 800MHz radio system; and

WHEREAS, this Council has determined by reviewing all pertinent information that the approving the user agreement and authorizing the Executive to execute the user agreement with the aforementioned entities is necessary and in the best interest of the County of Summit;

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

SECTION 1

The County Executive is hereby authorized to execute the "Regional 800MHz Radio System User Agreement," for the use and maintenance of a county-wide 800MHz radio system, in a form substantially similar to the agreement set forth on Exhibit A, attached hereto and incorporated herein by reference, for a term commencing upon execution and terminating on April 30, 2019, with one option to renew for an additional (5) year term. Any changes to the agreement attached as Exhibit A, that are not substantially adverse to the County may be approved by the Executive, and such approval shall be evidenced by the Executive's execution of said Agreement.

SECTION 2

This Resolution is hereby declared an emergency in the interest of the health, safety and welfare of the citizens and employees of the County of Summit, and for the further reason that it is necessary in order to immediately approve the user agreement for the county-wide 800MHz radio system and to authorize the Executive to execute the user agreement, with any public or private entity that wishes to use the county-wide 800MHz radio system.

SECTION 3

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

SECTION 4

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

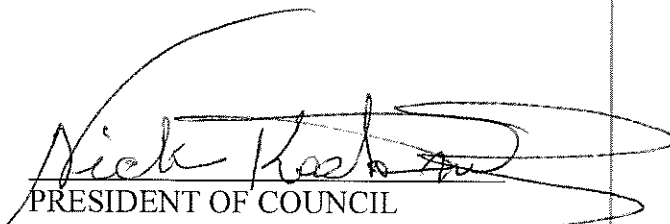
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INTRODUCED June 1, 2009

ADOPTED June 1, 2009


CLERK OF COUNCIL


PRESIDENT OF COUNCIL

APPROVED June 1, 2009


EXECUTIVE

ENACTED EFFECTIVE June 1, 2009

Voice Vote: 9-0 YES: Comunale, Crawford, Crossland, Feeman, Kostandaras
Poda, Prentice, Schmidt, Shapiro, ABSENT: Rodgers & Smith