

1 RESOLUTION NO. 2015-471

2
3 SPONSOR Mr. Pry

4
5 DATE NOVEMBER 9, 2015

COMMITTEE: Committee of the Whole

6
7 **A Resolution authorizing the Executive to execute a Cooperative Agreement, Lease-**
8 **Purchase Agreement, Interlocal Agreement and any other necessary documents with the**
9 **City of Akron relating to the acquisition, maintenance and operation of a new APCO P25-**
10 **complaint radio system, to replace and upgrade the 800 MHz Regional Radio System**
11 **currently owned by the County and City, for the Executive's Department of Law,**
12 **Insurance and Risk Management - Division of Public Safety/Emergency Management**
13 **Agency, and declaring an emergency.**

14 WHEREAS, the County and the City of Akron (the "City") are currently co-owners of an
15 800 MHz Regional Radio System ("Original System") pursuant to an Interlocal Agreement
16 effective on or about June 7, 2006, as amended by the First Amendment to Interlocal Agreement
17 and the Renewal of Interlocal Agreement; and

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19 WHEREAS, the City and County have determined that the Original System will become
20 outmoded by January 1, 2018 and is in need of replacement with a new system by that time; and

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22 WHEREAS, the Executive has negotiated a certain Communications System Agreement,
23 Equipment Lease-Purchase Agreement and System Upgrade Agreement with Motorola
24 Solutions, Inc. ("Motorola"), pursuant to which the County will purchase and lease, and
25 Motorola will install, upgrade and maintain new Motorola ASTRO 25 radio communication
26 equipment, components and radios that are necessary to upgrade the Original System to an
27 APCO P25-compliant radio system ("New System"); and

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29 WHEREAS, concurrent with this Resolution, this Council has adopted Resolution 2015-
30 472, which authorizes the Executive to execute the Communications System Agreement,
31 Equipment Lease-Purchase Agreement and System Upgrade Agreement with Motorola for the
32 purchase, lease, install, upgrade and maintenance of Motorola ASTRO 25 radio communication
33 equipment, components and radios that are necessary to upgrade the Original System into the
34 New System; and

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36 WHEREAS, the Executive has further negotiated a Cooperative Agreement with the City
37 in the form attached hereto as Exhibit A (the "Cooperative Agreement") pursuant to which the
38 City and the County will agree to cooperate in the acquisition, management and operation of the
39 New System; and

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41 WHEREAS, the Executive has negotiated a lease-purchase agreement with the City in
42 substantially the form attached to the Cooperative Agreement (the "Lease-Purchase Agreement")
43 pursuant to which the City will grant the County access to certain City-owned radio system
44 assets for placement of a portion of the New System and the County will sell a portion of the
New System to the City on a lease-purchase basis; and

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46 WHEREAS, the Executive has negotiated an interlocal agreement with the City in
47 substantially the form attached to the Cooperative Agreement (the "Interlocal Agreement")
pursuant to which the County and City will jointly operate the New System; and

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4 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
5 that it is necessary and in the best interest of the County to authorize the Executive to execute the
6 Cooperative Agreement, Lease-Purchase Agreement, and the Interlocal Agreement and any other
7 necessary documents with the City in order to facilitate the acquisition, maintenance and
8 operation of the New System.

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

11 SECTION 1

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13 This Council hereby authorizes the Executive to execute the Cooperative Agreement with
14 the City, which Cooperative Agreement shall be in substantially the form attached hereto as Exhibit
15 A, with such revisions and modifications as shall be in furtherance of the provisions of the
16 Cooperative Agreement and not substantially adverse to the County, all of which shall be
17 conclusively evidenced by execution thereof by the Executive.

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19 SECTION 2

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21 This Council hereby authorizes the Executive to execute the Lease-Purchase Agreement
22 with the City, which Lease-Purchase Agreement shall be in substantially the form attached to the
23 Cooperative Agreement, with such revisions and modifications as shall be in furtherance of the
24 provisions of the Lease-Purchase Agreement and not substantially adverse to the County, all of
25 which shall be conclusively evidenced by execution thereof by the Executive.

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27 SECTION 3

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29 This Council hereby authorizes the Executive to execute the Interlocal Agreement with the
30 City, which Interlocal Agreement shall be in substantially the form attached to the Cooperative
31 Agreement, with such revisions and modifications as shall be in furtherance of the provisions of the
32 Interlocal Agreement and not substantially adverse to the County, all of which shall be conclusively
33 evidenced by execution thereof by the Executive.

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35 SECTION 4

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37 This Council further authorizes the Executive, and any other officer of the County,
38 individually, or collectively, to execute any documents and take such further actions on behalf of the
39 County as shall be necessary to complete the transactions described in the Cooperative Agreement,
40 Lease-Purchase Agreement, Interlocal Agreement or as shall be necessary in connection with the
41 acquisition, maintenance, operation or financing of the New System.
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4 SECTION 5

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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 purpose of immediately
8 authorizing the aforementioned Agreements with the City so that the New System can acquired
9 in the timeframe necessary to maximize negotiated financial incentives and to install the same
10 prior to the Original System becoming outmoded.

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12 SECTION 6

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

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18 SECTION 7

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

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27 INTRODUCED October 26, 2015

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30 ADOPTED NOVEMBER 9, 2015

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34 
CLERK OF COUNCIL

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PRESIDENT OF COUNCIL

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40 APPROVED NOVEMBER 10, 2015

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42 
EXECUTIVE

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44 NOVEMBER 10, 2015

45 ENACTED EFFECTIVE

Voice Vote: 11-0 YES: Comunale, Crawford, Donofrio, Feeman, Kostandaras, Kurt, Lee, Prentice, Rodgers, Schmidt, Shapiro