



City of Dublin

**Office of the City Manager**

5200 Emerald Parkway • Dublin, OH 43017-1090  
Phone: 614-410-4400 • Fax: 614-410-4490

# Memo

**To:** Members of Dublin City Council

**From:** Marsha I. Grigsby, City Manager 

**Date:** March 21, 2013

**Initiated By:** Heinz von Eckartsberg, Chief of Police

**Re:** Resolution No. 12-13 – Intergovernmental Agreement with Franklin County for Purpose of Receiving Wireless 9-1-1 Government Assistance Funding

## Background

Attached for your consideration is Resolution 12-13, authorizing the City Manager to enter into an intergovernmental agreement with the Franklin County Commissioners for the purpose of receiving funds disbursed from the Wireless 9-1-1 Governmental Assistance Fund for the answering of 9-1-1 calls from wireless telephones.

Adopted in 2006 and amended in 2008 and 2012, Ohio Revised Code §5507 established what is now a \$.25 per month user fee on every wireless phone bill to reimburse local public safety answering points for costs associated with receiving 9-1-1 calls placed from wireless telephones. As directed by law, the Wireless 9-1-1 Governmental Assistance Fund is administrated by the county commissioners, with funds being disbursed in accordance with the formula set by the local 9-1-1 Planning Committee. To facilitate disbursement, local agencies are required to maintain a current intergovernmental agreement. Dublin's original agreement expired at the end of 2012. This new agreement will allow the City to continue to receive funding disbursements for the life of the fund.

Attached is a copy of the proposed intergovernmental agreement between the City of Dublin and the Franklin County Commissioners. The agreement includes the resolution passed by the Franklin County 9-1-1 Planning Committee that establishes how funds will be disbursed to the local governmental entities. Once the intergovernmental agreement is executed by the parties, Franklin County will continue disbursements on a monthly basis for the duration of the fund. Disbursements received from the Wireless 9-1-1 Governmental Assistance Fund must be used in accordance with Revised Code §5507.57, which includes those costs incurred in designing, upgrading, purchasing and maintaining equipment as well as the training of staff to answer wireless 9-1-1 calls. Up to 50 percent of the disbursements received may be used for personnel costs, once all equipment purchases have been completed.

The \$.25 per month fee on every wireless phone bill will now collect indefinitely as House Bill 360 repealed the previous sunset provision in the law.

## Recommendation

Staff recommends approval of Resolution 12-13 at the March 25 Council meeting.

# RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc., Form No. 30045

Resolution No. **12-13** Passed \_\_\_\_\_, 20\_\_\_\_

**A RESOLUTION AUTHORIZING THE CITY MANAGER  
TO EXECUTE AN 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 it receives 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 of Dublin serves as one of the five public safety answering points to provide wireless enhanced 9-1-1 services; and

**WHEREAS**, this Agreement will provide a mechanism for the distribution of the 9-1-1 funds in order that the City of Dublin may acquire and pay for permissible wireless 9-1-1 expenditures as outlined in the Ohio 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.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Dublin, \_\_\_\_\_ of its elected members concurring, that:

Section 1. The City Manager is hereby authorized 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 Resolution shall be effective upon passage in accordance with Section 4.04(a) of the Revised Charter.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Mayor - Presiding Officer

ATTEST:

\_\_\_\_\_  
Clerk of Council

## **INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF DUBLIN 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 City of Dublin 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 City of Dublin 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 Resolution No. 12-13, passed on \_\_\_\_\_, 2013, by the City of Dublin.

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

\_\_\_\_\_  
Marsha I. Grigsby  
City Manager  
City of Dublin

\_\_\_\_\_  
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,

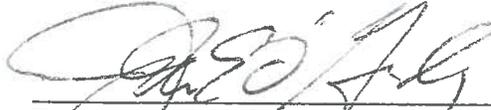
WHEREAS, the countywide 9-1-1 system will be upgraded to provide for *NEXTGEN* capabilities tied to the convergence of voice and data communications through voice-over-internet-protocol (*VoIP*) technology, such as including text messaging, email, and; and,

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:

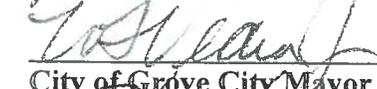
On motion of William F. Vedra, Jr and seconded by Heinz vonEckartsberg, BE IT RESOLVED BY THE 9-1-1 PLANNING COMMITTEE, FRANKLIN COUNTY, OHIO:

SIGNATURE PAGE

VOTING AYE THEREON:

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

  
\_\_\_\_\_  
City of Columbus Mayor (Proxy for Mayor Robinson)

  
\_\_\_\_\_  
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

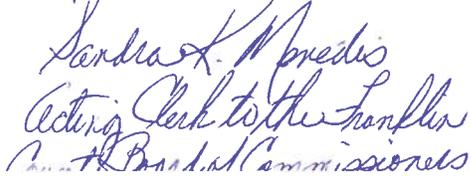
\_\_\_\_\_  
City of Columbus Mayor

\_\_\_\_\_  
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 Franklin County Board of Commissioners

Forecast for wireless 9-1-1 Disbursements for 2013 - 2016  
(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.