



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 *MIG*
Date: September 18, 2014
Initiated By: Dana McDaniel, Development Director
Re: Resolution 80-14 - Addendum to the Optical Fiber Use Agreement with OhioHealth Corporation

Summary

In 2005, the City of Dublin provided certain incentives for the attraction of OhioHealth's Revenue Cycle Office consisting of 300+/- full time employees. One incentive provided at that time was the infeasible right to use four (4) optical fibers from the City's dubLINK fiber optic system.

Since the execution of this Economic Development Agreement, OhioHealth has grown exponentially. Not only did it locate the 300+/- jobs relative to the Revenue Cycle Office, but it has constructed and operates the Dublin Methodist Hospital and has added 250 information technology jobs. Between 2008 and 2014, OhioHealth has increased the number of jobs in Dublin from 924 employees to 1,680 employees. OhioHealth has located and/or expanded several operations in Dublin since 2005. These include:

- Dublin Methodist Hospital
- Ohio Health Revenue Cycle Office (Central Business Office)
- OhioHealth Physicians Group
- Information Services
- Corporate Training Facility'
- OhioHealth Heart and Vascular Physicians
- OhioHealth Neurological Physicians
- OhioHealth Breast and Cancer Surgeons
- OhioHealth MAX Sports Medicine
- OhioHealth Orthopedic Surgeons
- OhioHealth Urologic Robotic Surgeons
- OhioHealth Primary Care at Dublin
- OhioHealth Urgent Care – Dublin
- OhioHealth Gastroenterology Physicians

OhioHealth officially entered the Dublin market in 2006 with 67,300 square feet of space and now occupies 567,000 square feet of facilities (approximately 360,000 sf Dublin Methodist Hospital and 207,000 sf of leased space), representing over 800% growth in square footage.

OhioHealth is requesting the additional use of two (2) optical fibers. OhioHealth will continue to use the existing and two additional optical fibers to support its information technology, billing, scheduling and patient call center operations among its existing facilities and to support the OhioHealth network in its Northern Ohio region.

Memo re. Resolution 82-14 Addendum to the Optical Fiber Use Agreement with OhioHealth Corporation
September 18, 2014
Page 2 of 2

The City possesses the additional capacity within its dubLINK fiber optic bundle to accommodate this request. The fiber would be provided from Dublin's unallocated reserve of optical fibers. The term for the use of these additional optical fibers will be coterminous with the existing Agreement. The Addendum to the Optical Fiber Use Agreement is attached.

OhioHealth has exceeded expectations in regards to its operations and jobs in Dublin. The anticipated growth within and outside of Dublin will likely have a positive influence on the continued growth of support operations located within Dublin. The allocation of additional optical fiber to OhioHealth will help to facilitate this growth.

Recommendation

Staff recommends Council pass Resolution 80-14, authorizing the City Manager to enter into an Addendum to the Optical Fiber Use Agreement previously executed between the City of Dublin and the OhioHealth Corporation in October of 2005. Please contact Dana McDaniel with any questions.

RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc., Form No. 30045

80-14

Resolution No. _____ Passed _____, 20____

**A RESOLUTION AUTHORIZING THE CITY
MANAGER TO ENTER INTO AN INDEFEASIBLE
RIGHT TO USE AGREEMENT WITH OHIOHEALTH
CORPORATION TO UTILIZE FIBERS WITHIN,
AND CONNECT TO DUBLINK FACILITIES.**

WHEREAS, the City of Dublin has an existing optical fiber system (hereinafter referred to as the "DubLink Fiber System") throughout the City of Dublin, Ohio and the greater Columbus, Ohio metropolitan area; and

WHEREAS, the City of Dublin has excess fibers within the DubLink Fiber System and is willing, from time to time, to provide such fibers to interested users for negotiated consideration; and

WHEREAS, the City of Dublin desires to grant OhioHealth Corporation an indefeasible right to use two (2) fiber strands within the DubLink Fiber System, and the parties must execute an Indefeasible Right to Use Agreement to memorialize this engagement.

NOW, THEREFORE, BE IT RESOLVED by the Council, of the City of Dublin, State of Ohio, _____ of the elected members concurring that:

Section 1. The City Manager is hereby authorized to execute an Indefeasible Right to Use Agreement between the City of Dublin and OhioHealth Corporation, said Agreement authorizing the City of Dublin to give OhioHealth Corporation certain use rights to two (2) strands of fiber within the DubLink Fiber System.

Section 2. This Resolution shall be effective upon passage in accordance with Section 4.04(a) of the Revised Charter.

Passed this _____ day of _____, 2014.

Mayor - Presiding Officer

ATTEST:

Clerk of Council

ADDENDUM TO OPTICAL FIBER USE AGREEMENT

This is an Addendum to the Optical Fiber Use Agreement (“Agreement”) that was made and entered into as of the 24th day of October, 2005 between the City of Dublin, Ohio, an Ohio municipal corporation (hereinafter referred to as the “Owner”, having an office at 5200 Emerald Parkway, Dublin, Ohio 43017-1006, and OhioHealth Corporation, an Ohio not for profit corporation (hereinafter referred to as "User"), having an office at 1087 West Dennison Avenue, Columbus, Ohio 43201, and which are sometimes referred to individually as "Party" and collectively as "Parties."

WHEREAS, Owner and User have had a mutually beneficial relationship wherein User has placed various health care facilities in the City of Dublin; and

WHEREAS, Owner previously granted the utilization of four (4) fiber strands in its Fiber System to User; and

WHEREAS, User has connected some of its health care facilities in Central Ohio using fiber optic strands.

NOW THEREFORE, the Parties agree to modify the Agreement and do hereby agree as follows:

1. Owner hereby grants to User the right to use two (2) additional fibers bringing the total number of fibers granted to User to be six (6) strands of fiber optic cable throughout Owner’s Fiber System.
2. All other terms and conditions set forth in the Agreement shall remain the same.
3. This Addendum shall be effective upon execution by the Parties.

IN WITNESS HEREOF, the Parties have executed and delivered this Addendum:

USER:

OhioHealth Corporation, an Ohio not for profit corporation

By: _____

and

By: _____

[Signatures Continue on Following Page]

OWNER:

City of Dublin, Ohio, an Ohio municipal corporation

By: _____

Its: _____

Approved As To Form

Law Director, City of Dublin Ohio