



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:** Terry Foegler, City Manager *TF/Sy*  
**Date:** January 21, 2010  
**Initiated By:** Mike Epperson, Deputy City Manager/Chief of Police  
Jay Somerville, Police Bureau Director  
**Re:** Resolution 11-10, Intergovernmental Agreement for Wireless 9-1-1 Reimbursement

## Summary

Attached for your consideration is Resolution 11-10, authorizing the City Manager to enter into an intergovernmental agreement with the Franklin County Commissioners. This agreement is 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.

In 2006 and as amended in 2008, House Bill 361 established a \$0.28 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 the bill, the Wireless 9-1-1 Governmental Assistance Fund is administered by the Franklin County Commissioners, with funds disbursed in accordance with the formula set by the local 9-1-1 Planning Committee. To facilitate disbursement, local agencies are required to enter into intergovernmental agreements.

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 begin disbursement of funds and continue disbursement 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 Ohio Revised Code §4931.65, which includes those costs incurred in the designing, upgrading, purchasing and maintaining equipment as well as the training of staff who answer wireless 9-1-1 calls. Up to fifty percent of the disbursements received may be used for personnel costs, once all equipment purchases have been completed.

The \$0.28 per month fee on every wireless phone bill will be collected until December 31, 2011 when a sunset provision in the legislation ends collection of the fee.

## Recommendation

Staff recommends passage of Resolution 11-10.

# RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc., Form No. 30045

Resolution No. 11-10

Passed \_\_\_\_\_, 20\_\_\_\_

**A RESOLUTION AUTHORIZING THE CITY MANAGER  
TO ENTER INTO AN AGREEMENT WITH THE  
FRANKLIN COUNTY COMMISSIONERS FOR THE  
ADMINISTRATION OF THE WIRELESS 9-1-1  
GOVERNMENT ASSISTANCE FUNDS**

**WHEREAS**, the Franklin County 9-1-1 Planning Committee has adopted and implemented a final plan and established five public safety answering points to provide wireless enhanced 9-1-1 services on a countywide basis; 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**, the Franklin County 9-1-1 Planning Committee has adopted a distribution plan for the disbursement of funds from the Wireless 9-1-1 Government Assistance fund; and

**WHEREAS**, the Franklin County Board of Commissioners is responsible for the administration of the Wireless 9-1-1 Government Assistance funds from the Public Utilities Commission of Ohio; and

**WHEREAS**, this agreement will provide a mechanism whereby Franklin County can disburse to the City of Dublin those funds from the Wireless 9-1-1 Government Assistance fund designated by the Franklin County 9-1-1 Planning Committee; and

**WHEREAS**, the County and the City desire to enter into an Agreement to provide for the administration of those disbursements in order to pay for those costs associated with providing wireless 9-1-1 call answering services; and

**WHEREAS**, Ohio Revised Code §307.15 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, State of Ohio, \_\_\_\_\_ of the elected members concurring, that:

Section 1. The City Manager is hereby authorized to enter into an agreement with the Franklin County Commissioners, attached hereto as Exhibit "A," for the administration of the Wireless 9-1-1 Sub-Grant award.

Section 2. This Resolution shall take effect and be in force from and after the earliest period allowed by law.

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

ATTEST:

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

**INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF  
DUBLIN AND THE FRANKLIN COUNTY BOARD OF COMMISSIONERS**

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; 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 December 1, 2009; 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 to expeditiously acquire and pay for permissible wireless 9-1-1 expenditures as outlined in Ohio R.C. 4931.65; and

WHEREAS, Ohio Revised Code §307.15 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 11-10, passed on the \_\_\_\_\_ day of \_\_\_\_\_, 2010 by the Dublin City Council.

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 Ohio's 9-1-1 government assistance fund pursuant to the December 1, 2009 resolution of the Franklin County 9-1-1 Governing Board. The resolution and 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, 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 the 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 at 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 \_\_\_\_\_, 2010.

\_\_\_\_\_  
Paula Brooks, President

\_\_\_\_\_  
Terry Foegler, City Manager  
City of Dublin

\_\_\_\_\_  
Marilyn Brown, Commissioner

\_\_\_\_\_  
John O'Grady, Commissioner

Approved as to Form:

Approved as to Form:

\_\_\_\_\_  
By: Asst. Prosecuting Attorney

\_\_\_\_\_  
By: City Attorney's Office

DECEMBER 1, 2009

**RESOLUTION BY THE FRANKLIN COUNTY 9-1-1 PLANNING COMMITTEE TO AUTHORIZE AND AMEND ITS FINAL PLAN; TO PRESCRIBE THE FUNDING OF GOVERNMENTAL SUBDIVISION COSTS TO ESTABLISH, EQUIP, FURNISH, OPERATE, OR MAINTAIN WIRELESS ENHANCED 9-1-1 SERVICES; AND TO APPROVE THE DISBURSEMENT OF THE WIRELESS 9-1-1 CHARGES IMPOSED UNDER 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 2009 THROUGH 2012, INCLUSIVE.**

**WHEREAS**, a countywide 9-1-1 system has been formed for Franklin County in accordance with 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 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;

**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 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 Mayor Michael Coleman, and seconded by Mayor Richard Stage,  
BE IT RESOLVED BY THE 9-1-1 PLANNING COMMITTEE, FRANKLIN COUNTY,  
OHIO:

**Section 1.** That the wireless 9-1-1 charges imposed under section 4931.61 of the Revised Code during the years 2009 through 2012, inclusive, and deposited in the Wireless 9-1-1 Fund of Franklin County shall be allocated and distributed as follows:

- A. No less than \$260,000 annually shall be allocated to the Wireless 9-1-1 Fund of Franklin County for the purpose of paying countywide wireless enhanced 9-1-1 system expenditures, including wireless call trunk-line access charges, wireless tariff charges, a wireless 9-1-1 regional service coordinator, and maintenance of the mapping database.
- B. Upon implementation of *NEXTGEN* service, \$900,000 shall be allocated annually to the Wireless 9-1-1 Fund of Franklin County for the purpose of paying countywide wireless enhanced 9-1-1 system expenditures related to the maintenance and support of the *NEXTGEN* network and for data management.
- C. After the payment of expenses in division (A) and (B) above, the remaining receipts in each year shall be allocated to the subdivisions that maintain and operate the five primary PSAPs in Franklin County for the purpose of providing wireless enhanced 9-1-1 services. The disbursement plan for the years 2009 through 2012, inclusive, is attached as **EXHIBIT I**.

**Section 2.** That the available cash balance within the Wireless 9-1-1 Fund of Franklin County as of January 1, 2009, shall be allocated and reserved as follows:

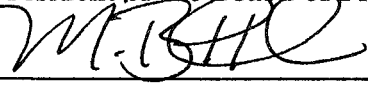
- A. \$4,200,000 shall be reserved to pay for all or a portion of the costs to establish, equip, and furnish wireless enhanced 9-1-1 network upgrades for *NEXTGEN* service.
- B. That any remaining cash balance be reserved within the Wireless 9-1-1 Fund of Franklin County as a contingency to pay for any additional expenses associated with the provision of wireless enhanced 9-1-1 services, including, but not limited to, upgrades for *NEXTGEN* service and expenses incurred after the expiration of the statutory authority to collect the wireless 9-1-1 charges imposed under section 4931.61 of the Revised Code on December 31, 2012.

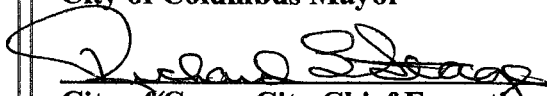
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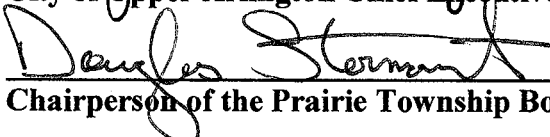
**VOTING AYE THEREON:**

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

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

  
\_\_\_\_\_  
**City of Grove City Chief Executive Officer**

  
\_\_\_\_\_  
**City of Upper Arlington Chief Executive Officer**

  
\_\_\_\_\_  
**Chairperson of the Prairie Township Board of Trustees**

**VOTING NAY THEREON:**

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

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

\_\_\_\_\_  
**City of Grove City Chief Executive Officer**

\_\_\_\_\_  
**City of Upper Arlington Chief Executive Officer**

\_\_\_\_\_  
**Chairperson of the Prairie Township Board of Trustees**

cc: 9-1-1 Planning Committee Members  
Regional Communications Coordinator  
County Administrator

**Franklin County  
9-1-1 Planning Committee**

**Membership Roster**

**2009**

**Franklin County Commissioner**

**Paula Brooks, Chair**

**Representing Franklin County Commissioners**

**373 South High Street, 26<sup>th</sup> Floor**

**Columbus, Ohio 43215**

**(614) 462-5729**

**Columbus Mayor**

**Michael Coleman**

**90 West Broad Street**

**Columbus, Ohio 43215**

**(614) 645-7671**

**Prairie Township Board Chair**

**Douglas Stormont**

**23 Maple Drive**

**Columbus, Ohio 43228**

**(614) 878-3317**

**Grove City Mayor**

**Richard L. (Ike) Stage**

**4035 Broadway**

**Grove City, Ohio 43123**

**(614) 277-3000**

**Upper Arlington City Manager**

**Virginia Barney**

**3600 Tremont Road**

**(614) 451-5053**

Plan A: Current Plan for Disbursement to PSAPs  
(Based on Wireless Calls Received)

	2009 (Second Half)	2010	2011	2012
<b>AVAILABLE CASH</b>				
Beginning Cash Balance	\$ 6,460,504.54	\$ 791,860.54	\$ 763,836.82	\$ 735,813.81
Estimated Receipts	\$ 1,544,646.00	\$ 3,089,292.00	\$ 3,089,292.00	\$ 3,089,292.00
<b>Available Cash</b>	<b>\$ 8,005,150.54</b>	<b>\$ 3,881,152.54</b>	<b>\$ 3,853,128.82</b>	<b>\$ 3,825,105.81</b>
<b>EXPENSES</b>				
County Expenses				
Wireless Call Trunks	\$ 15,000.00	\$ 30,000.00	\$ 30,000.00	\$ 30,000.00
Wireless Tariff Charges	\$ 51,000.00	\$ 102,000.00	\$ 102,000.00	\$ 102,000.00
Wireless 9-1-1 Coordinator	\$ -	\$ 78,491.12	\$ 79,218.41	\$ 81,976.56
Mapping Database Maintenance	\$ 10,000.00	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00
Reserve for Countywide NextGen Upgrade	\$ 4,200,000.00	\$ -	\$ -	\$ -
NextGen--Network and Data Management	\$ -	\$ -	\$ 900,000.00	\$ 900,000.00
PSAP Disbursements*				
Columbus (77%)	\$ 2,261,714.00	\$ 2,178,177.00	\$ 1,484,617.00	\$ 1,482,493.00
Dublin (5%)	\$ 146,864.00	\$ 141,440.00	\$ 96,404.00	\$ 96,266.00
Franklin County Sheriff (14%)	\$ 411,220.00	\$ 396,032.00	\$ 269,930.00	\$ 269,544.00
Grove City (2%)	\$ 58,746.00	\$ 56,576.00	\$ 38,561.00	\$ 38,506.00
Westerville (2%)	\$ 58,746.00	\$ 56,576.00	\$ 38,561.00	\$ 38,506.00
Other Expenses				
AT&T Wireless System Maintenance Agreement	\$ -	\$ 28,023.60	\$ 28,023.60	\$ 28,023.60
<b>Total Expenses</b>	<b>\$ 7,213,290.00</b>	<b>\$ 3,117,315.72</b>	<b>\$ 3,117,315.01</b>	<b>\$ 3,117,315.16</b>
<b>ENDING CASH BALANCE</b>	<b>\$ 791,860.54</b>	<b>\$ 763,836.82</b>	<b>\$ 735,813.81</b>	<b>\$ 707,790.65</b>

\*No minimum disbursement.  
No maximum disbursement.

Plan B: Alternative Proposal from the Wireless 9-1-1 Coordinator for Disbursement to PSAPs  
(Based on Estimated Population Served)

	2009 (Second Half)	2010	2011	2012
<b>AVAILABLE CASH</b>				
Beginning Cash Balance	\$ 6,460,504.54	\$ 952,946.54	\$ 1,001,387.82	\$ 872,575.81
Estimated Receipts	\$ 1,544,646.00	\$ 3,089,292.00	\$ 3,089,292.00	\$ 3,089,292.00
<b>Available Cash</b>	<b>\$ 8,005,150.54</b>	<b>\$ 4,042,238.54</b>	<b>\$ 4,090,679.82</b>	<b>\$ 3,961,867.81</b>
<b>EXPENSES</b>				
County Expenses				
Wireless Call Trunks	\$ 15,000.00	\$ 30,000.00	\$ 30,000.00	\$ 30,000.00
Wireless Tariff Charges	\$ 51,000.00	\$ 102,000.00	\$ 102,000.00	\$ 102,000.00
Wireless 9-1-1 Coordinator	\$ -	\$ 78,491.12	\$ 79,218.41	\$ 81,976.56
Mapping Database Maintenance	\$ 10,000.00	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00
Reserve for Countywide NextGen Upgrade	\$ 4,200,000.00	\$ -	\$ -	\$ -
NextGen--Network and Data Management	\$ -	\$ -	\$ 900,000.00	\$ 900,000.00
PSAP Disbursements*				
Columbus (74%)	\$ 2,000,000.00	\$ 2,000,000.00	\$ 1,426,774.00	\$ 1,424,733.00
Dublin (6%)	\$ 176,238.00	\$ 169,728.00	\$ 130,000.00	\$ 130,000.00
Franklin County Sheriff (11%)	\$ 323,102.00	\$ 311,168.00	\$ 212,088.00	\$ 211,785.00
Grove City (4%)	\$ 130,000.00	\$ 130,000.00	\$ 130,000.00	\$ 130,000.00
Westerville (5%)	\$ 146,864.00	\$ 141,440.00	\$ 130,000.00	\$ 130,000.00
Other Expenses				
AT&T Wireless System Maintenance Agreement	\$ -	\$ 28,023.60	\$ 28,023.60	\$ 28,023.60
<b>Total Expenses</b>	<b>\$ 7,052,204.00</b>	<b>\$ 3,040,850.72</b>	<b>\$ 3,218,104.01</b>	<b>\$ 3,218,518.16</b>
<b>ENDING CASH BALANCE</b>	<b>\$ 952,946.54</b>	<b>\$ 1,001,387.82</b>	<b>\$ 872,575.81</b>	<b>\$ 743,349.65</b>

\*Minimum disbursement of \$130,000.  
Maximum disbursement of \$2,000,000.

Plan C: Alternative Proposal from the City of Columbus for Disbursement to PSAPs  
(Based on Combination of Wireless Calls Received and Estimated Population Served)

	2009 (Second Half)	2010	2011	2012
<b>AVAILABLE CASH</b>				
Beginning Cash Balance	\$ 6,460,504.54	\$ 722,780.54	\$ 618,628.82	\$ 431,973.81
Estimated Receipts	\$ 1,544,646.00	\$ 3,089,292.00	\$ 3,089,292.00	\$ 3,089,292.00
<b>Available Cash</b>	<b>\$ 8,005,150.54</b>	<b>\$ 3,812,072.54</b>	<b>\$ 3,707,920.82</b>	<b>\$ 3,521,265.81</b>
<b>EXPENSES</b>				
County Expenses				
Wireless Call Trunks	\$ 15,000.00	\$ 30,000.00	\$ 30,000.00	\$ 30,000.00
Wireless Tariff Charges	\$ 51,000.00	\$ 102,000.00	\$ 102,000.00	\$ 102,000.00
Wireless 9-1-1 Coordinator	\$ -	\$ 78,491.12	\$ 79,218.41	\$ 81,976.56
Mapping Database Maintenance	\$ 10,000.00	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00
Reserve for Countywide NextGen Upgrade	\$ 4,200,000.00	\$ -	\$ -	\$ -
NextGen--Network and Data Management	\$ -	\$ -	\$ 900,000.00	\$ 900,000.00
PSAP Disbursements*				
Columbus (75.5%)	\$ 2,217,656.00	\$ 2,135,745.00	\$ 1,455,696.00	\$ 1,453,613.00
Dublin (5.5%)	\$ 161,552.00	\$ 155,584.00	\$ 130,000.00	\$ 130,000.00
Franklin County Sheriff (12.5%)	\$ 367,162.00	\$ 353,600.00	\$ 241,009.00	\$ 240,664.00
Grove City (3%)	\$ 130,000.00	\$ 130,000.00	\$ 130,000.00	\$ 130,000.00
Westerville (3.5%)	\$ 130,000.00	\$ 130,000.00	\$ 130,000.00	\$ 130,000.00
Other Expenses				
AT&T Wireless System Maintenance Agreement	\$ -	\$ 28,023.60	\$ 28,023.60	\$ 28,023.60
<b>Total Expenses</b>	<b>\$ 7,282,370.00</b>	<b>\$ 3,193,443.72</b>	<b>\$ 3,275,947.01</b>	<b>\$ 3,276,277.16</b>
<b>ENDING CASH BALANCE</b>	<b>\$ 722,780.54</b>	<b>\$ 618,628.82</b>	<b>\$ 431,973.81</b>	<b>\$ 244,988.65</b>

\*Minimum disbursement of \$130,000.  
No maximum disbursement.