

RESOLUTION NO.: 127 -2021
INTRODUCED BY: Mayor Roche

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A NEW MEMBER PARTICIPATION AGREEMENT WITH THE CHAGRIN VALLEY DISPATCH COUNCIL ("CVD") FOR JOINT DISPATCH OF POLICE, FIRE AND EMS SERVICES IN AND FOR MULTIPLE COMMUNITIES AND AUTHORIZING THE COST THEREFOR IN 2022.

WHEREAS, pursuant to Resolution No. 75-2021, passed August 10, 2021, this Council authorized the City to vote as a member of the Heights-Hillcrest Communications Center ("HHCC") to dissolve the HHCC as a Council of Governments, to assign all of the assets of the HHCC to the Chagrin Valley Dispatch Council ("CVD"), and to take such other actions as are necessary in order to terminate the operations of HHCC, and to permit the continued operations of the Cleveland Heights Dispatch Center within CVD without interruption;

WHEREAS, this Council, pursuant to Resolution No. 75-2021, further authorized the Mayor to enter into an agreement to join the CVD Council, and to take such other actions and enter into such other agreements as are necessary to permit the continued operations of the Cleveland Heights Dispatch Center within CVD without interruption, effective August 1, 2021 through December 31, 2021;

WHEREAS, this Council determines that it is in the best interests of the City and its citizens that the City should enter into an agreement, effective January 1, 2022 to continue its membership in the CVD;

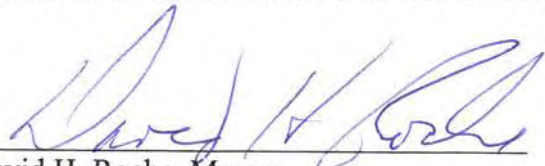
NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Richmond Heights, State of Ohio, that:

Section 1. Subject to and contingent upon this Council's appropriation of the operating costs set forth therein, and the direction by this Council to the Director of Finance to appropriate the operating costs to a proper fund, this Council hereby authorizes the Mayor to enter into a new member participation agreement with the CVD in the form substantially as set forth in Exhibit "A", attached hereto and incorporated herein, under such form as is acceptable to the Director of Law.

Section 2: 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 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.

Section 3: This Resolution shall take effect and be in force from and after the earliest period allowed by law.

PASSED: November 23, 2021


David H. Roche, Mayor

APPROVED: November 23, 2021

ATTEST: Betsy Traben
Betsy Traben
Clerk of Council

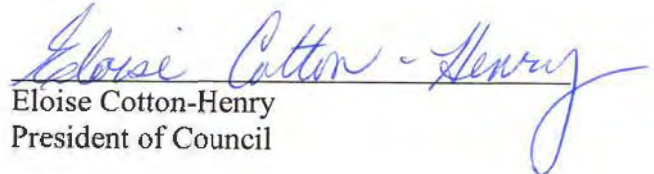

Eloise Cotton-Henry
President of Council

Exhibit
"A"

CHAGRIN VALLEY DISPATCH COUNCIL
NEW MEMBER PARTICIPATION AGREEMENT
WITH THE CITY OF RICHMOND HEIGHTS

This Chagrin Valley Dispatch Council New Member Participation Agreement is made this _____ day of _____, 2021 by and between the City of Richmond Heights, an Ohio political subdivision, ("City") and the Chagrin Valley Dispatch Council ("CVD").

WHEREAS, on the 10th day of June, 2013, eight Ohio political subdivisions: Village of Bentleyville, Chagrin Falls Township, Village of Chagrin Falls, Village of Hunting Valley, Village of Moreland Hills, Orange Village, Village of South Russell, and Village of Woodmere, executed the Restated and Amended Agreement of the Chagrin Valley Dispatch Council, Exhibit "A" attached hereto; and

WHEREAS, on May 21, 2013, the Village of Gates Mills became a participating member of the CVD; on August 27, 2013, the Village of Highland Hills became a participating member of the CVD; on April 3, 2014, the Village of North Randall became a participating member of CVD; on December 5, 2014, the City of Euclid became a participating member of the CVD; on January 6, 2016, the Village of Bratenahl became a participating member of the CVD; on August 1, 2016, the City of Solon became a participating member of the CVD; on May 10, 2017, the City of Bedford became a participating member of the CVD; on August 8, 2018, the Village of Brooklyn Heights became a participating member of the CVD; on August 8, 2018, the Village of Valley View became a participating member of the CVD; on August 8, 2018, the Village of Cuyahoga Heights became a participating member of the CVD; on December 19, 2018, the City of Brecksville became a participating member of the CVD; on December 19, 2018, the City of Broadview Heights became a participating member of the CVD; on January 11, 2018, the City of Independence became a participating member of the CVD; on January 11, 2018, the City of Seven Hills became a participating member of the CVD; on February 28, 2018, the City of Maple Heights became a participating member of the CVD; on August 8, 2018, the City of Brooklyn became a participating member of the CVD; on September 17, 2020 the Cleveland Metroparks became a participating member of the CVD.

WHEREAS, City desires to become a participating member in said Restated and Amended Agreement dated June 10, 2013, with such membership to be effective August 1, 2021, with its dispatch services to be provided AT CVD's Heights-Hillcrest Communications Center location.

WHEREAS, the CVD desires to accept City as a new member upon the terms and conditions hereinafter set forth.

NOW, THEREFORE, in consideration of the covenants herein contained, City and the CVD agree as follows:

1. Effective January 1, 2022, City is hereby included as a Member of said Restated and Amended Agreement upon City's authorization and execution of this CVD New Member Participation Agreement.
2. As such New Member, payment of dues by City to the CVD shall be as follows:
 - a. 2022 One-Time Facilities and Equipment

Component of Capital Charge Share less the Credit for the HHCC's facilities and equipment purchased and assembled by City, with the Assignment and Transfer and its facilities and equipment listing attached hereto:

\$ -0-

Total One-Time Capital Charge Share:

\$ -0-

i. 2022 One-Time Facilities and Equipment Credit to City's Capital Charge Share and the total one-time Capital Charge Share shall be specifically conditioned upon:

A. The execution of an Assignment and all other documentation required for the transfer of ownership of said facilities and equipment to CVD, the rental of HHCC's facility and all other equipment and related software and other items necessary for the continuation of the HHCC's operation by CVD; and

B. The termination of the Agreement between HHCC and CVD to provide Management Services, Day to Day Operations Services and IT Management Services to the HHCC.

b. 2022 Operating Cost Share as follows:

i. 2022 Operating Cost Share.

\$365,000.00

c. In addition, continuing Monthly Dues payable by City shall be determined and shall be assessed City as set forth in Paragraph VII A. of said Restated and Amended Agreement for all years of City's such membership thereafter.

d. One month's working capital advance equal to one month's dues is payable upon the effective date of this Agreement, with such advance to be returned to Member as applied to its last monthly payment due the CVD should Member withdraw from the CVD. Said working capital advance shall be paid no later than December 31, 2021 unless otherwise agreed by Member and CVD.

\$ 30,416.67

e. CVD agrees to provide City with Radio Preventive Maintenance and Support Services at the cost of as agreed upon by City and CVD for the year 2022 and thereafter.

3. The City hereby accepts the terms by its authorization and execution of this New Member Participation Agreement.
4. Unless specifically modified herein, it is agreed by the City and the CVD that all terms and conditions of the Restated and Amended Agreement Continuing the Chagrin Valley Dispatch Council as attached hereto as Exhibit "A" and incorporated herein shall be amended and remain in full force and effect with City included therein as a Member by the terms hereof.
5. This Chagrin Valley Dispatch Council New Member Participation Agreement and all the terms hereof are specifically contingent upon said Agreement being approved by the Richmond Heights City Council and by the Chagrin Valley Dispatch Council.
6. The City has and maintains current FCC radio licenses and permissions along with current contracted radio channel templates and licenses under the State of Ohio Multi Agency Radio Communication System. This Agreement does not supersede those licenses or contracts and the use of those licenses or contracts remains the proprietary interest of the City only. Additionally, by way of this Agreement, the City permits, to the extent possible by law, license or contract the CVD to use those frequencies, channel templates and licenses for radio communications with the City.

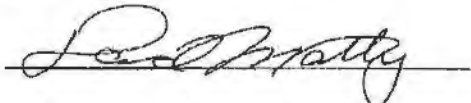

IN WITNESS WHEREOF, the parties have executed this CVD New Member Participation Agreement on the date first written above.

WITNESS:

CITY OF RICHMOND HEIGHTS:

David H. Roche, Mayor

WITNESS:

CHAGRIN VALLEY DISPATCH COUNCIL:


Mayor Kirsten Holzheimer Gail, President