



Legislation Details (With Text)

File #: 1400-2021 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 5/27/2021 **In control:** Finance Committee

On agenda: 6/14/2021 **Final action:** 6/18/2021

Title: To authorize the Director of the Department and Finance and Management to execute a license agreement specifying the terms and conditions for the grant of shared use of four communication tower sites by the State Of Ohio, Department of Administrative Services, Multi-Agency Radio Communication System Office (MARCS); and to declare an emergency.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
6/18/2021	1	CITY CLERK	Attest	
6/17/2021	1	MAYOR	Signed	
6/14/2021	1	COUNCIL PRESIDENT	Signed	
6/14/2021	1	Columbus City Council	Approved	Pass

Background: The City of Columbus, Ohio is the owner of a number of communications towers used in city operations. The City currently has license agreements with the State of Ohio, Department of Administrative Services, Multi-Agency Radio Communication System (MARCS) for the shared utilization of three of the City's communications tower and wishes to add a fourth tower location. The existing license agreements expire on June 30, 2021. The City and the State of Ohio, Department of Administrative Services, Multi-Agency Radio Communication System (MARCS) wish to enter into a new single license agreement for all four tower sites for the installation of certain communication equipment necessary for operation of MARCS Franklin County Central Simulcast Cell and provide for shared utilization of the City-owned communications towers located on those City-owned properties known as the Morse Road Water Treatment Plant, the Parsons Avenue Water Treatment Plant, 4250 Groves Road, and 442 Lazelle Road. In lieu of payment of license fees, MARCS agrees to provide, at no additional cost to the City of Columbus, all of the following: a) continued roaming capacity in Franklin and contiguous counties; b) continued shared use of MARCS Master Site/Zone Controller located at the State of Ohio Computer Center; c) use of MARC's Johnstown and Riverview sites for coverage improvements; and d) in the event of a failure of the City's P-25 radio site, immediate emergency back-up capability using the MARCS Internet Protocol (IP) radio system for City radios. If at any time during the Agreement MARCS ceases to provide any of these services, then annual rent shall be due and payable for the remainder of the term in effect at that time. The following ordinance authorizes the Director of the Department and Finance and Management to execute a license agreement specifying the terms and conditions for the grant of shared use of four communication tower sites by the State of Ohio, Department of Administrative Services, MARCS.

Fiscal Impact: Any revenue generated by this transaction and received by the City shall be deposited in the appropriate fund as designated by the City Auditor.

Emergency Justification: Emergency action is requested to allow for MARCS' continued use of three City communication towers and the immediate use of an additional tower.

To authorize the Director of the Department and Finance and Management to execute a license agreement specifying the terms and conditions for the grant of shared use of four communication tower sites by the State Of Ohio, Department of Administrative Services, Multi-Agency Radio Communication System Office (MARCS); and to declare an emergency.

WHEREAS, the City of Columbus, Ohio is owner of four communications tower sites, located on those City-owned properties known as the Morse Road Water Treatment Plant, the Parsons Avenue Water Treatment Plant, 4250 Groves Road, and 442 Lazelle Road; and

WHEREAS, the City and the State Of Ohio, Department of Administrative Services, Multi-Agency Radio Communication System (MARCS) wish to enter into a new license agreement for the installation, housing, and operation of certain communication equipment necessary to the operation of an interagency radio system and provide for the shared utilization of four City-owned communications towers; and

WHEREAS, it has been determined that granting MARCS the continued use of the four communication tower sites and allowing the placement of new equipment on the tower structures will not adversely impact City operations; and

WHEREAS, in lieu of payment of a license fee, MARCS agrees to provide, at no additional cost to the City of Columbus, all of the following services: a) Continued roaming capacity in Franklin and contiguous counties; b) continued shared use of MARCS Master Site/Zone Controller located at the State of Ohio Computer Center; c) use of MARC's Johnstown and Riverview sites for coverage improvements; and d) in the event of a failure of the City's P-25 radio site, immediate emergency back-up capability using the MARCS Internet Protocol (IP) radio system for City radios; and

WHEREAS, if at any time during the Agreement MARCS ceases to provide any of these services, then annual rent shall be due and payable for the remainder of the term in effect at that time.

WHEREAS, an emergency exists in the usual daily operation of the Department and Finance and Management in that it is immediately necessary to authorize the Director to execute a license agreement specifying the terms and conditions for the grant of shared use of four communication tower sites by the State Of Ohio, Department of Administrative Services, Multi-Agency Radio Communication System Office (MARCS) to allow for MARCS' continued use of three City communication towers and the immediate use of an additional tower, for the immediate preservation of the public peace, property, health and safety; now, therefore:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Director of Department and Finance and Management, be and hereby is authorized to execute those documents, as approved by the Real Estate Division, Department of Law, necessary to enter into a License Agreement between the City, and the State of Ohio, Department of Administrative Services, Multi-Agency Radio Communication System to provide for the installation, housing, and operation of certain MARCS communications equipment and specify the terms and conditions for shared utilization of the City-owned communication tower sites located at the Morse Road Water Treatment Plant, the Parsons Avenue Water Treatment Plant, 4250 Groves Road, and 442 Lazelle Road.

Section 2. That the City Auditor, be and hereby is authorized and directed to deposit any revenues generated by this transaction and received by the City in the appropriate fund.

Section 3. That for reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after its passage if the Mayor neither approves nor vetoes the same.