

**AGREEMENT
BETWEEN THE CITIES OF NEW FRANKLIN AND GREEN FOR THE
PURPOSE OF CREATING A SHARED PUBLIC SAFETY DISPATCH
CENTER**

This Agreement, dated _____, 2020 by and between the City of New Franklin (“New Franklin”) and the City of Green (“Green”) (each a “Party” and collectively, the “Parties”) sets forth the terms and conditions which have been agreed to by the Parties for the purpose of creating a new, shared Public Safety Dispatch Center (the “Dispatch Center”).

RECITALS

WHEREAS, New Franklin and Green desire to combine their dispatch operations into a single Dispatch Center; and

WHEREAS, the Parties are creating a Regional Council of Governments (the “Council”) pursuant to Ohio Revised Code Chapter 167; and

WHEREAS, the Parties intend to share the cost of planning, designing, and staffing the Dispatch Center; and

WHEREAS, Green and New Franklin will transfer ownership of its dispatch equipment to The South Summit Council of Governments as further set forth herein; and

WHEREAS, the Parties are desirous of setting forth such further terms and conditions under which the Dispatch Center Project will be administered;

NOW, THEREFORE, in consideration of the mutual promises contained herein, the Parties hereby agree to the following covenants, promises and declarations:

AGREEMENT

1. Upon formation of the Council the Parties agree to participate together as a project management group to jointly plan, design and operate the Dispatch Center, and engage a consultant as necessary to assist in the project.
2. The Parties agree to fund approved portions of the Dispatch Center through in-kind contributions or through specific appropriations as necessary for the project and operations.
3. The Parties agree that the costs of consolidation and all future costs will be shared based on the cost sharing formula as agreed to by the parties, attached hereto as “Exhibit 1” and incorporated by reference herein

4. The Parties agree that the Fiscal Officer of the City of Green shall be designated as Interim Fiscal Agent for the Parties until such time as a Fiscal Agent is retained, and as such, shall be responsible to collect the contributions, loan proceeds or appropriations as described in Section 2 above and any overages as described in Section 5 below. In return, the City of New Franklin shall provide primary legal services to the Dispatch Center with review by the City of Green Law Director until such time as separate legal counsel is retained.
5. Overages and Non-Covered Expenses – The Parties acknowledge and agree that costs of the Dispatch Center project may exceed the projected amounts (“Overages”). In that event, the Parties agree to contribute an amount in proportion to the cost sharing formula as agreed to by the parties (Ex. 1) in order to satisfy the Overages, upon presentation of an invoice by the Fiscal Agent and documentation of the Overages. The Interim Fiscal Officer’s time will not be included in any expenses related to the operating costs of the dispatch center during formation.
6. Subject to pre-approval of all parties, the parties hereby authorize the Fiscal Agent to execute all necessary contracts relating to the Dispatch Project as agent of the parties.
7. Any disputes or disagreements regarding this agreement or the Dispatch Project shall be discussed at a meeting with a representative from each of the parties. The dispute or disagreement shall be discussed in a professional manner and an amicable resolution shall be presented. In the event that an amicable resolution cannot be reached, the dispute or disagreement shall be referred to binding arbitration according to terms to be agreed upon by the parties.
8. By approving this agreement, it is understood that all parties have reviewed it and agree with its contents. Approving this agreement is also a commitment to work together for the betterment of each community, to improve service, increase cost effectiveness and create an efficient and effective Dispatch Center.

This agreement is hereby approved by the Governing Bodies of the Cities of New Franklin and Green, Ohio.

(Signatures on following page)

**SIGNATURE PAGE TO AGREEMENT BETWEEN THE CITIES OF NEW FRANKLIN
AND GREEN FOR THE PURPOSE OF CREATING A SHARED PUBLIC SAFETY
DISPATCH CENTER**

THE CITY OF GREEN

By: _____

Name: _____

Title: _____

THE CITY OF NEW FRANKLIN

By: _____

Name: _____

Title: _____