

**ORDINANCE NO. 88**

**AN ORDINANCE RATIFYING THE CREATION OF AN INTERGOVERNMENTAL ENTITY FOR THE OPERATION, MAINTENANCE, AND USE OF A COUNTY-WIDE INTEROPERABLE COMMUNICATIONS SYSTEM, AND AUTHORIZING PARTICIPATION THEREIN**

**RECITALS**

**WHEREAS**, Klamath County (“Participant”) is a unit of local government or governmental agency formed and authorized under Oregon law to promote public safety and provide emergency services, including engaging in emergency radio communications in the course of its operations; and

**WHEREAS**, Participant and certain other emergency services providers in Klamath County have engaged in collaborative and cooperative discussions for the purpose of creating an intergovernmental entity under ORS 190.010(5) to own and operate an interoperable radio communications system within the County; and

**WHEREAS**, by and through an “*Agreement for the Formation of an Intergovernmental Entity for the Operation, Maintenance, and Use of a County-Wide Interoperable Communications System*” (“Agreement”), Participant and other participating providers (listed in Exhibit A, which is attached to this Ordinance and incorporated herein by this reference) formed the Klamath Interoperability Radio Group (“KIRG”), an intergovernmental entity; and

**WHEREAS**, pursuant to ORS 190.085, prior to the effective date of the Agreement, each party to such Agreement must enact an Ordinance ratifying the creation of KIRG;

**NOW, THEREFORE, BE IT ORDAINED BY** the Participant’s Board of Directors as follows:

1. Pursuant to ORS 190.085, Participant hereby ratifies the creation of the KIRG and authorizes Participant’s participation therein.
2. The Agreement shall become effective July 25, 2016.
3. The public purpose of the Agreement is to provide for regional decision-making and ownership of regional system assets to increase overall system reliability, reduce duplication, increase the ability to obtain state and federal grants, and support the highest level of interoperability of regional and state emergency communications.
4. To carry out its public purposes, the KIRG shall have the following powers, duties and functions in addition to those specified in ORS 190.003 through 190.265:

- A. To provide operation, maintenance, construction, repair, replacement and management of the radio system as described in the Agreement.
- B. To otherwise manage the business and affairs of the radio system as set forth in the Agreement.
- C. To retain such officers and employees as it deems necessary to carry out its objectives, and to contract for the purchase of property and services in accordance with the Agreement.
- D. To administer, and account for, all payments and receipts related to operation of the radio system on behalf of a party, parties, or the intergovernmental entity as a whole.
- E. To adopt such bylaws, rules, regulations and policies as the parties deem necessary to further the purposes of the Agreement.
- F. To exercise all powers provided in the applicable acts, charters, or laws of the individual parties which are necessary or desirable to develop and operate the KIRG.

THIS ORDINANCE WAS PRESENTED AND READ for the first time at a regular meeting of the Participant on the 12<sup>th</sup> day of April, 2016, and read for a second time and passed at a regular meeting of the Participant on the 26<sup>th</sup> day of April, 2016.

THIS ORDINANCE SHALL TAKE EFFECT 90 days from the date of adoption - July 25, 2016.

BY:  DATE: 4-26-16  
Board Chair

ATTEST:  DATE: 4/26/16  
Secretary of the Board

## EXHIBIT A

### **KLAMATH INTEROPERABILITY RADIO GROUP FOUNDING PARTICIPANTS**

- Bly Rural Fire Protection District
- Bonanza Rural Fire Protection District
- Central Cascade Fire and Emergency Medical Services
- Chemult Rural Fire Protection District
- Chiloquin/Agency Lake Rural Fire Protection District
- Crescent Rural Fire Protection District
- Keno Rural Fire Protection District
- Klamath County
- Klamath 911 Emergency Communications District
- Klamath County Fire District #1
- Klamath County Fire District #3
- Klamath County Fire District #4
- Klamath County Fire District #5
- Klamath County Sheriff
- Klamath Falls Police Department
- Malin Police Department
- Malin Rural Fire Protection District
- Merrill Police Department
- Merrill Rural Fire Protection District
- Oregon Institute of Technology Campus Safety
- Oregon Outback Rural Fire Protection District
- Rocky Point Fire and Emergency Medical Services