

RESOLUTION NO. 1016

RESOLUTION APPROVING A RADIO FREQUENCY USE AGREEMENT
BETWEEN THE CITY OF WEST BRANCH, IOWA AND HERBERT HOOVER
NATIONAL HISTORIC SITE


WHEREAS, it is in the best interest of the City of West Branch and the National Park Service to have a radio frequency use agreement for the purpose of public safety mutual aid communications; and

WHEREAS, the City Council finds it in the best interest of the residents of West Branch to have an agreement in place to provide for the public safety of the West Branch community; and

WHEREAS, it is now necessary to approve said agreement.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of West Branch, Iowa, that the aforementioned agreement is hereby approved. Further, the Mayor is directed to execute the agreement on behalf of the City.

Passed and approved this 16th day of July, 2012.


Don Kessler, Mayor

ATTEST:


Matt Muckler, City Administrator/Clerk

RADIO FREQUENCY USE AGREEMENT

between
THE CITY OF WEST BRANCH, IOWA
and
HERBERT HOOVER NATIONAL HISTORIC SITE

Whereas Sections 7.12 and 8.3.3 of the National Telecommunications and Information Administration Manual of Regulations and Procedures for Federal Radio Frequency Management (NTIA Manual), require a mutually approved arrangement for a Government radio station to use any frequency authorized to another Government radio station, and

Whereas **HERBERT HOOVER NATIONAL HISTORIC SITE** (hereinafter referred to as the **NPS**) requires radio communications access to the **CITY OF WEST BRANCH** (hereinafter referred to as the licensee) radio frequency listed,

<u>DESCRIPTION</u>	<u>TX FREQ. (MHz) / TONE(Hz)</u>	<u>RX FREQ. (MHz) / TONE(Hz)</u>
WB Base 155.0850 / CSQ (narrow band)	155.0850 / 167.9	

which are authorized solely to the licensee for inter-agency, mutual-aid, and internal communications, and

whereas such use facilitates **NPS** communications in accordance with the following stipulations:
The **NPS** will submit a copy of this agreement through their authorized Bureau Radio Program Manager (the Chief, **NPS** Radio Program Management Division) requesting issuance of a radio frequency authorization (RFA).

NPS Use of the authorized frequency is restricted to public safety and mutual aid communications.

Federal Government (**NPS**) operations under this agreement must conform in all respects to any restriction or limitation imposed by the NTIA on the principal licensee (**THE CITY OF WEST BRANCH**).

The **NPS** will purchase its own equipment, and any equipment necessary for the **NPS** to operate on the frequency, and shall pay all expenses associated with the operation of said equipment on the system.

The licensee shall incur no additional costs as a result of **NPS**'s use of the system, and the **NPS** shall bear all costs associated therewith.

All **NPS** radios utilizing the frequency shall be programmed, serviced and repaired only by authorized personnel, and the **NPS** shall bear all associated costs.

Liability: To the full extent authorized by applicable law, the **NPS** and the **LICENSEE** shall be liable for the acts and omissions of their respective employees, officers, agents, and representatives in connection with this Agreement.

Legality of Agreement: Any obligations created by this Agreement which are hereafter determined by court of competent jurisdiction to be illegal are void, and neither party will be obligated to further perform as to such obligations. Should a nonmaterial portion of

the total obligation is hereby severed, but the balance of the lawful portions hereof will continue to be performed.

No change, alteration or amendment of this Agreement may be made except by the written consent of both parties.

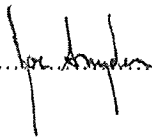
Either party may cancel this agreement upon 90 days written notice to the other.


This agreement will be reviewed and re-certified every five years to validate continued operational requirements.

IN WITNESS WHEREOF, the parties have caused this instrument to be executed on the day and year written below:

NPS

Licensee

07.31.2012.....
[Date]


Signature [Date]

Joe Snyder

Don Kessler

Park/Regional Radio Manager

Mayor

Telephone #'s

715-483-2298

319-643-5888

Original - Park-Unit Radio Coordinator:

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- US Government Agency: HERBERT HOOVER NATIONAL HISTORIC SITE

Copy - Regional NPS Radio Program Manager: Joe Snyder, NP-MWR
- Chief, Radio Program Management Division, WASO: Carroll Alexander
- Mayor, City of West Branch, Iowa