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27 RESOLUTION NO.

A RESOLUTION AUTHORIZING JOINT AND COOPERATIVE AGREEMENT FOR USE OF PERSONNEL AND EQUIPMENT-PUBLIC WORKS MUTUAL AID AUTHORITY

BE IT RESOLVED by the City of Madison Heights, as follows:

WHEREAS, the City of Madison Heights desires to become a member of the Southeastern Oakland County Public Works Association's public Works Mutual Aid Authority and its Assistant City Manager is its authorized representative, and; Deputy Superintendent its alternative representative, and;

WHEREAS, a mutual need exists between members of the Southeastern Oakland County Public Works association to share and assist one another in the areas of emergency, disaster control and mitigation, and;

WHEREAS, The City of Madison Heights considers it to be in the best interests of the City to enter into a mutual agreement with the other members of the Southeastern Oakland County Public Works Association;

NOW, THEREFORE BE IT RESOLVED, that the City of Madison Heights enter agreement with the Southeastern Oakland County Public Works Asinto sociation and hereby authorizes its Assistant City Manager to represent the City of Madison Heights in this Authority, and to authorize the Mayor and City Clerk to sign this Agreement on behalf of the City of Madison Heights.

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JOINT AND COOPERATIVE AGREEMENT FOR USE OF PERSONNEL AND EQUIPMENT DURING EMERGENCIES SOUTHEASTERN DAKLAND COUNTY PUBLIC WORKS ASSOCIATION

PUBLIC WORKS MUTUAL AID AUTHORITY

I. PURPOSE

The member communities of the Southeastern Oakland County Public Works Association (S.E.O.C.P.W.A.) recognize that they have authority pursuant to the provisions of Public Act 35 of 1951, an Act to authorize intergovernmental contracts between municipal corporations: and to authorize any municipal corporation to contract with any person or any municipal corporation, to furnish any lawful municipal service to property outside the corporate limits of the first municipal corporation for a consideration; the result being to establish a regional mutual aid association, to be known as the Public Works Mutual Aid Authority, representative of the various communities with authority and responsibilities relating to utilization of resources to counteract natural and man-made disasters common to all communities, together with power and authority to implement such services as set for th.

II. DEFINITION OF TERMS

For purposes of this Agreement, the terms defined in this section shall have the meanings given them.

1. "Party" means a governmental unit which is a party to this Agreement.

2. "Eligible party" means a governmental or corporation unit which is entitled to become a party to this Agreement, at its own option.

3. "Requesting party" means a party which requests assistance from other parties.

4. "Responding party" means a party which provides assistance to a requesting party.

5. "Assistance" includes personnel, materials and equipment.

6. "Requesting official" means the person who has been designated by the requesting party to request assistance from other parties.

7. "Responding official" means the person who has been designated by a party to deterine whether and to what extent that party should provide assistance to a requesting party.

8. "Emergency" means a sudden and unforeseen situation requiring immediate action beyond the requesting party's capability.

9. "Authority Secretary" means the secretary of the Public Works Mutual Aid Authority.

10. Public Works Mutual Aid Authority means the organization formed by the Southeastern Oakland County Public Works Association to meet emergency situations within the boundaries of its member communities.

III. PARTIES

1. The parties to this Agreement shall consist of members of the Southeastern Oakland County Public Works Association and shall be known as the Public Works Mutual Aid Authority. Upon the adoption of a resolution by its governing body, an executed copy of this Agreement shall be forwarded by the member party together with a certified copy of the resolution authorizing the Agreement.

2. The Authority Secretary, elected from the membership of the SEOCPWA, shall maintain a current list of the parties to this Agreement. Whenever there is a change in the parties to this Agreement, the Authority Secretary shall notify the designated responding official of each of the parties of such change.

3. Upon joining the Public Works Mutual Aid Authority, the party shall submit a list of their equipment to the Authority Secretary. This equipment list shall be updated annually and submitted annually to the Authority Secretary by December 31st of each year as a requirement for continued membership. Members of the Public Works Mutual Aid Authority shall provide and maintain sufficient equipment and labor to meet ordinary and routine maintenance and service requirements of its community.

4. The Authority Secretary shall distribute the equipment lists to all members. An equipment addendum sheet shall be distributed to all member parties by January 30th of each year.

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IV PROCEDURE

1. Each party shall designate, and keep on file with the Authority Secretary the name of the person of that party who shall be its requesting official and responding official. A party may designate alternate officials to act in the absence of the primary official.

2. Whenever, in the opinion of a requesting official of a party, there is a need for assistance from other parties to assist the requesting party, such requesting official may, at his or her discretion, call upon the responding official of any other party to furnish assistance to and within the boundaries of the requesting party. It is the intention of the parties to this contract to cooperate in the event of an emergency by making available to a requesting party necessary or requested personnel, materials, and equipment without undue delay.

3. Upon the receipt of a request for assistance from a party, the responding official for any other party may authorize and direct the personnel of the responding party to provide assistance to the requesting party. Whether the responding party shall provide such assistance to the requesting party, and, if so, to what extent such assistance shall be provided shall be determined solely by the responding official subject to such supervision and direction as may be applicable for him or her within the governmental structure of the party by which he or she is employed. Failure to provide assistance will not result in liability to a party.

4. When a responding party provides assistance under the terms of this Agreement, it may in turn request assistance from other parties as "back-up" during the time that it is providing assistance outside its boundaries.

5. Whenever a responding party has provided assistance to a requesting party, the responding official may at any time recall such assistance or any part thereof to the responding party, if the responding official in his best judgement deems this is in the best interest of his own agency.

6. When a responding party supplies equipment and personnel to a requesting party, said equipment and personnel shall remain under the direction and control of the responding party; shall be paid by the responding party; shall be protected by the Worker's Compensation of the responding party; and shall otherwise be deemed to be performing their regular duties for the responding party. However, the responding party shall undertake to coordinate with the requesting party the assistance which it provides. The requesting party shall provide all routine fueling and servicing of respondents equipment and materials, and shall assume all costs thereof during the assistance period.

A responding party shall be responsible for its own personnel, equipment and materials and for injuries or death to any personnel, or damage to any such equipment or materials, except that unused equipment and materials provided by the responding party shall be returned to the responding party by the requesting party when circumstances permit this to be done. The requesting and responding parties may review any equipment repaired to determine if such repair was directly related to the emergency operation. If mutually agreed that repairs are required, they shall be the responsibility of the requesting party. Any disagreement which cannot be resolved by the responding and requesting parties shall be resolved by a committee established from the Public Works Mutual Aid Authority. Materials and supplies used by the responding party at the request or direction of the requesting party shall be reimbursed by the requesting party to the responding party.

8. An emergency response by a responding party, which is provided on a "gratis" basis, shall be limited to a maximum of forty-eight (48) hours duration. After such time, the responding party shall be reimbursed for labor and equipment by the requesting party. During this period of time, the requesting party shall actively seek to engage outside contractors to conduct the work being done by the responding party so as to expedite the return of the responding party to its home community.

9. The responding party shall maintain such records of the cost of labor, equipment and materials provided; and hours of work or operation as deemed necessary for recovery of costs in the event the incident becomes eligible for Federal or State Disaster Assistance. If declared eligible, these costs shall then be reimbursed by the requesting party in full or in a prorata share of assistance provided.

10. The requesting party shall not be responsible for any injuries, losses or damages to persons or property arising out of the acts of any of the personnel of a responding party. Nor shall the responding party be responsible for injuries, losses or damages arising out of the acts of any of the personnel of the requesting party or the personnel of any other responding party.

11. Technical service and assistance of non-emergency nature may be requested and/or provided by the parties to this Agreement.

V. INSURANCE

Each party to this Agreement shall maintain insurance policies covering personal and public liability in the amount of not less than \$1,000,000 for each of the above mentioned risks and Worker's Compensation for its personnel. Said policies shall cover damage or injury caused by negligent operation of its vehicles while operating under the terms of this Agreement outside of its corporate limits or contract areas.

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VI. WITHDRAWAL AND TERMINATION

Any party may withdraw at any time upon thirty (30) days written notice to the Authority; such a party may become a party if later entering into this Agreement. The Authority Secretary shall thereupon give notice of such withdrawal, and of the effective date thereof, to all other parties, as hereinbefore provided.

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VII. EFFECTIVE DATE

This Agreement shall become effective on <u>January 26, 1987</u>, IN WITNESS WHEREOF, the undersigned, on behalf of their governmental unit, have executed this Agreement pursuant to authorization by the

(City/Township) of Madison Heights , MICHIGAN on the 26th day of January , 1987.

WITNESS: WITNESS: Carole Corbett

WITNESS: Kaldup S. Hyde

CITY/TOWNSHIP OF Madison Heights
By: Denge M. Suarez
Chief Elected Official By: Levalure 1. Case
Date: 1/30/87

SOUTHEASTERN DAKLAND COUNTY PUBLIC WORKS ASSOCIATION

By: Lesti Tenson

Date: 2-19-87

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PLATES LICENSE 56X777 56X754 56X810 300LHA 56X793 56X760 56X733 56X829 56X799 56X769 83X951 73×241 56X732 56X817 56X781 56X755 56X763 56X826 56X759 56X807 Updated 1/87 1FDYK80U2DV-A19264 LPDYK80U3CV-A52563 2G2GN69ASF2279245 2G2GN69A3F2281818 1FDYW80U5BVJ17753 26CDG15N404153159 2HTD10359BCA23459 1G1AJ68C4DY137140 2G2GN69A2F2281003 2B3BG26S4DR185627 187FD14H3D5420155 10DK7D1B20V522648 1B7KD34U3DS418834 1G2AF19X8FT226145 1FDYK80U4DVA19265 D1022HCA10043X C195882 CCD149F478302 12766 E-08 CCD149F367467 CCD149F367439 C17DB9V104621 W80UVJA5913 W80UVJA5912 196A-179CB V.I.V. C243239 **T01019T** 6038431 5953920 2193381 T1152S I-36'I-N/Key N/Key 10516 C-07 G-10 8-10 1-03 7416 E-09 12550 E-01 -B-03 G-01 E-10-10962 H-03 7466 E-06 12504 P-01 E-02 8-09 14352 P-07 D-06 E-04 E-05 -F-0-1 E-01 E-07 B-06 60-0 KEX & SLOT E-02 10-3 E-03 14321 10890 7480 7416 7417-14253 12597 10925 7419 10821-12813 10961 14368 7420 10886 7430-Administration Senior Citizens Madison Heights, Michigan 48071 Recreation Motor Pool Department of Public Services DEPARTMENT Assessors Assessors Streets Parks Water D.P.S. Parks 801 Ajax Drive Diesel Unleaded Regular Unleaded Regular Unleaded Unleaded 444 Pontiac Bonneville 4 dr. (P. Connors) Unleaded Unleaded Unleaded Unleaded Unleaded Unleaded Unleaded Unleaded Regular Regular Requiar Reqular Regular Regular Diesel Diesel Diesel Diesel Diesel Diesel Diesel Diesel Diesel Dielel GAS Pontiac Bonneville 4 dr. (J. Carter) (D. Lents) Dodge Diplomat 4 dr. (J. Crawford) Chevy Chevette Assessing 4 dr. Senior Citizens Base Station International Dump Truck Chevy 1/2 ton Pick Up GMC 7000 Aerial Truck **Pontiac Bonneville C.M.** Ford Tandem Dump Truck Ford Tandem Dump Truck Ford Tandem Dump Truck Ford Tractor Chevy 1/2 ton Pick Up Dodge 1/2 ton Pick Up Dodge 3/4 ton Pick Up Chevy Van Parts Truck Chevy 1/2 ton Pick Up Chipper Pontiac 6000(T.Haran) Ford Backhoe Whirlwind II Sweeper White Wing Sweeper Grader John Deere John Deere Loader Chevy Stake Truck Dump Truck Dump Truck Ford Dump Truck Ford Tractor **Clark Loader** VEHICLE Striper Chipper Ford Ford 448 449 450 133 134 140 123 45 061 4 404 115 116 118 119 121 125 126 128 129 35 36 137 138 50 42 143 107 108 **1**09 110 112 113 120 127 31 101 122 00 111 1969 1969 1980 1986 1979 1985 1983 1983 1982 1977 1980 1980 1983 1983 1974 1983 1968 1983 1985 1979 1985 1982 1979 1986 YEAR 1981

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Department of Public Services 801 Ajax Drive Madison Heights, Michigan 48071

Updated 1/87

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SN-3751062 HODEEF:S35-A SN-30000669 HODEEF:EB-3500X SN-3649426 LICENSE PLATES Updated 1/87 V. I. N. I 10820 D-04 KEY & SLOT Madison Heights, Michigan 48071 Department of Public Services 801 Ajax Drive DEP ARTHENT Streets Streets Sever Sewer Water Trailer Green dual wheel/ Berns Trailer New heavy duty Green, dual wheel Trailer New heavy duty Green, dual wheel Trailer Brown, single wheel, Toro Trailer Small brown utility, large single wheel Regular Regular Regular GAS F-04 Trailer Orange/ single wheel Rogers Snow Blower Toro 4 HP Broadcaster Spreader EV-N-SPRED Honda Generatior 3500 Honda Generator 3" Trash Jacobsen Hustler 60"/50" Gillette Generator 8 HP Jacobsen Snow Blower Homelite Saw Jacobsen Hustler 72" **Concession Trailer** 385 Vibratory Tamper Homelite Saw XL12 Saw XL12 Homelite Pump 1" **Roller Vibratory** Olympyk Trimmer **Olympyk Trimmer** Air Compressor Saw 55 Saw 77 Flashing Arrow **Olathe Sweeper** Toro 21" Mower Little Blower Onan Generator Stone Tamper Layton Paver Homelite Saw Toro Hustler VEHICLE Leaf Loader Toro Edger Homelite Homelite Homelite Sear's 395 394 395 396 397 398 399 390 389 391 392 388 382 386 387 383 384 375 378 380 381 364 365 368 369 370 373 374 377 379 355 356 366 371 372 357 358 359 363 367 360 361 362

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