

TROTWOOD, OHIO 45426

3035 OLIVE ROAD

CITY OF TROTWOOD

RESOLUTION NO. R22-17

A RESOLUTION BY THE TROTWOOD CITY COUNCIL AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH MONTGOMERY COUNTY, OHIO, FOR THE PROVISION OF EMERGENCY PREPAREDNESS, HOMELAND SECURITY, AND EMERGENCY MANAGEMENT SERVICES FOR THE CITY OF TROTWOOD, STATE OF OHIO.

WHEREAS, the City of Trotwood desires to enter into an agreement with the Montgomery County Office of Emergency Management (“MCOEM”) to provide mitigation, preparation, response, and recovery support for emergencies, disasters, enemy attack, or any other action too great to be dealt with unassisted as outlined in the Montgomery County Jurisdictional Emergency Management Services Agreement (“Agreement”) attached hereto and incorporated herein as Exhibit “A”; and

WHEREAS, the annual cost for these services will be determined by a representative executive committee and approved by the Montgomery County Board of Commissioners; and

WHEREAS, the term is not to exceed three (3) years in accordance with the Agreement; and

WHEREAS, the City Manager recommends that City Council authorize the City Manager to enter into this Agreement with the MCOEM.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TROTWOOD, STATE OF OHIO:

SECTION I: The Trotwood City Council accepts the recommendation of the City Manager and hereby authorizes the City Manager to enter into an agreement with the MCOEM to provide mitigation, preparation, response, and recovery support for emergencies, disasters, enemy attack, or any other action too great to be dealt with unassisted as outlined in the Agreement attached hereto and incorporated herein as Exhibit “A”.

SECTION II: This Resolution shall take effect and be in force from and after the date of its passage.

Passed on this 7th day of March, 2022.

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ATTEST:


KARA B. LANDIS
CLERK OF COUNCIL

APPROVED:


MARY A. MCDONALD
MAYOR


YVETTE F. PAGE
VICE-MAYOR

CERTIFICATE OF RECORDING OFFICER

I, the undersigned, hereby certify that the foregoing is a true and correct copy of Resolution No. R22-17 adopted by the Trotwood City Council at a regular meeting held on the 7th day of March, 2022, and that I am duly authorized to execute this certificate.

Signed this _____ day of _____, _____.

KARA B. LANDIS
CLERK OF COUNCIL

Jurisdictional Emergency Management Services Agreement

RECITALS

The coordination of emergency management and homeland security activities is of paramount importance to all municipal corporations and townships, herein known as Political Subdivisions, within Montgomery County. Therefore as required by law pursuant to Section 5502.26 of the ORC, the Montgomery County Office of Emergency Management, herein known as MCOEM, is established to confer upon the Board of County Commissioners and the Director of MCOEM certain emergency powers provided herein; and to provide for the rendering of cooperation of mutual aid, if necessary, to surrounding and contiguous political subdivisions of the State and adjoining states.

MCOEM will serve local subdivisions providing mitigation, preparation, response, and recovery support for emergencies, disasters, enemy attack, or any other action too great to be dealt with unassisted.

Montgomery County desires to effect said coordination by entering into an agreement as permitted by Section 307.15 of the ORC, in the manner provided by law, with the Political Subdivisions comprising Montgomery County.

It is further declared to be the purpose of this Agreement and the policy of Montgomery County that all emergency management and homeland security functions of the County be coordinated with comparable functions of the State of Ohio and of the Federal Government, including their various departments and agencies, and other states and localities, and of private agencies of every type, so that the most effective preparation and use can be made of the County's resources and facilities for dealing with any disaster or emergency that may occur.

REPRESENTATIONS AND WARRANTIES

IT IS THEREFORE MUTALLY AGREED:

1. A countywide emergency management agency organized under ORC 5502.26 and this agreement shall establish a program for emergency management that:
 - a. Is in accordance with sections 5502.21 to 5502.51 of the Revised Code, rules adopted under those sections, local ordinances pertaining to emergency management, the "Robert T. Stafford Disaster Relief and Emergency Assistance Act," 88 Stat. 143, 42 U.S.C. 5121, et. seq., as amended, and all applicable rules and regulations adopted under that act;
 - b. Includes, without limitation, development of an all-hazards emergency operations plan that has been coordinated with all agencies, boards, and divisions having emergency management functions within the county;
 - c. Includes the preparation and conduct of an annual exercise of the county's all-hazards emergency operations plan;

- d. Is applicable to all political subdivisions entering into the countywide agreement.
2. A representative from each political subdivision entering into the agreement, selected by the political subdivision's chief executive, shall constitute a countywide advisory group for the purpose of appointing an executive committee through which the countywide agency shall implement emergency management in the county in accordance with ORC 5502.26 and for the purpose of advising the executive committee on matters pertaining to countywide emergency management. The executive committee shall consist of at least the following seven members: one (1) county commissioner representing the board of county commissioners entering into the agreement; four (4) chief executives representing the municipal corporations and townships entering into the agreement; one (1) chief executive of the largest municipal corporation of the county; and one (1) nonelected representative.
 3. The executive committee shall appoint a director/coordinator of emergency management who shall pursue a professional development training program in accordance with rules adopted under section 5502.25 of the Revised Code. The director/coordinator of emergency management may be an official or employee of any political subdivision entering into the countywide agreement, except that the director/coordinator shall not be the chief executive of any such political subdivision. The compensation of the Director and staff shall be paid from MCOEM's budget. The director/coordinator of emergency management for a countywide agency organized under this section shall be responsible for coordinating, organizing, administering, and operating emergency management in accordance with the agency's program established under this section, subject to the direction and control of the executive committee. All agencies, boards, and divisions having emergency management functions within each political subdivision within the county shall cooperate in the development of the all-hazards emergency operations plan and shall cooperate in the preparation and conduct of the annual exercise.
 4. Said executive committee shall convene at least twice within a calendar year and upon the request of MCOEM's Director. Special meetings may be held for the execution of unforeseen business requiring immediate attention. The Executive Committee Chair and/or three Executive Committee members may request such meetings be called.
 5. There shall also be established, pursuant to this agreement, an Emergency Management Technical Advisory Committee.
 6. MCOEM is authorized to render the services of coordinating emergency management and homeland security activities of each party hereto and to exercise such power and authority, on behalf of said parties, consistent with the State and Federal statutes and such regulations as have been or shall be promulgated by the Governor of the State, the provisions of this Agreement as hereinafter set forth, and the power of the parties hereto authorized, in coordinating such emergency management and homeland security activities within Montgomery County.

7. The agency, MCOEM, shall be supported financially by the political subdivisions entering into the countywide agreement. Jurisdictions entering into the countywide agreement will be required to contribute a per capita rate of \$0.2 for each citizen within their respective jurisdiction. The Montgomery County Board of County Commissioners shall be requested to pay an equivalent per capita fee of \$0.2 for each resident of Montgomery County. The Director shall prepare and submit for review and approval, a budget annually to the Montgomery County Board of County Commissioners.
 - a. Nonmember political subdivisions within Montgomery County shall be subject to a fee for services rendered by MCOEM. Said fee will be itemized and based on actual personnel, travel, and equipment usage expenses.
8. This agreement stands for a term not to exceed three (3) years and may be amended or altered at any time by a majority of the parties hereto.
 - a. This agreement shall be in full force and effect when no less than a majority of the political subdivisions of Montgomery County and the County Commissioners of Montgomery County shall have subscribed to this agreement by adopting a like resolution or passing a like ordinance, and shall continue in full force and effect thereafter unless terminated by the Montgomery County Board of County Commissioners.
 - b. This agreement may be terminated singularly by a city, village, or township at the end of any calendar year by action of its legislative authority and service of written notice thereof to the MCOEM executive committee not less than ninety (90) days prior to the end of said calendar year. However, any Political Subdivision that exercises a termination, shall organize an emergency management program under the provisions set-forth in ORC 5502.271, and shall be subject to paragraph 6.a above.

This agreement is declared to be an emergency measure and shall take effect and be in force from and after its passage by the Montgomery County Board of County Commissioners, and its adoption by the respective legislative bodies of the majority of the other political subdivisions.