RESOLUTION NO. 267

A RESOLUTION introduced by Mayor Felker relating to a mutual aid agreement for emergency preparedness purposes between the Prairie Band Potawatomi Nation and the City of Topeka, Kansas.

WHEREAS, the legal entities of Prairie Band Potawatomi Nation and City of Topeka have contiguous boundaries or are within close proximity; and

WHEREAS, there might arise in one county/jurisdictional area an emergency or disaster of such proportions as to require the assistance of the other in handling such emergency or disaster; and

WHEREAS, it is desirable to enter into a written covenant for such services to protect the officers and members of the Nation/County and its several city governments in the matter of pensions, personal injuries, insurance and personal liability; and

WHEREAS, this resolution is entered in harmony with the planning requirements as set forth in the Kansas Emergency Preparedness Act of 1975 and K.S.A. 12-16,117.

NOW, THEREFORE, BE IT RESOLVED, BY THE COUNCIL OF THE CITY OF TOPEKA, KANSAS:

1. Upon request of a Tribal Council Officer, County Commissioner, Mayor or Emergency Preparedness Official in a disaster area, the responding entity will mobilize and send such equipment, manpower and supplies as it can muster without jeopardizing its own response capability in event of continuing threat.

2. Each entity shall be the sole judge of how much assistance is needed or can be furnished under the conditions that exist in each situation; and it is agreed that neither shall be liable in any way to the other or to its inhabitants.
or any other person, firm or corporation, for any failure to respond with all of
the assistance asked.

3. The entity calling for aid shall not be liable for any death, personal injury or
property loss or damage to individuals or equipment sent by the responding
county.

4. Detailed planning shall be entered into by the emergency preparedness
agencies of the entities as it relates to routes to be used, passes issued,
assembly area and command post locations, etc., for the responding entity.
All such planning shall be subject to the approval of the governing body of
each jurisdictional entity.

ADOPTED and APPROVED by the City Council

CITY OF TOPEKA, KANSAS

Harry Felker, Mayor

ATTEST:

Iris E. Walker, City Clerk

APPROVED AS TO FORM AND LEGALITY
DATE 9/7/02 BY