RESOLUTION NO. 2012-15

A RESOLUTION AUTHORIZING MEMBERSHIP OF THE CITY OF BALDWIN CITY, KANSAS IN THE KANSAS MUTUAL AID PROGRAM FOR UTILITIES (KSMAP) AND AUTHORIZING THE EXECUTION OF ALL DOCUMENTS RELATING TO THE CITY'S PARTICIPATION IN SAID MUTUAL AID PROGRAM.

WHEREAS, the City of Baldwin City, Kansas ("Utility"), owns, operates and maintains water, wastewater and electric utilities;

WHEREAS, the City of Baldwin City, Kansas desires to cooperate with other cities, districts, and utilities which own and operate water, wastewater, gas, and/or electric utility systems;

WHEREAS, the Utility expresses its intent to encourage and foster mutual aid between and among utilities in the event of disasters and emergencies;

WHEREAS, the Federal Emergency Management Agency ("FEMA") has established a rule which provides that FEMA will reimburse mutual aid costs for a particular disaster or emergency only if mutual aid participants have signed a written agreement prior to that disaster or emergency;

WHEREAS, prudent and appropriate charges should be established from time to time which may be paid to the Utility for its provision of mutual aid services and which may be paid to other utilities which may provide mutual aid assistance to the Utility;

WHEREAS, participation in the program and responding to a request for assistance is strictly voluntary. The adoption of this agreement does not obligate the city, utility, district or association to provide any and all assistance that may be requested by another utility.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF BALDWIN CITY, KANSAS:

Section 1. The Mayor, City Administrator, City Clerk and Utility Superintendents are hereby authorized and directed to execute and deliver the Kansas Mutual Aid Program (KSMAP) Agreement (attached hereto) and such other documents and agreements as may be necessary for participation in the Kansas Mutual Aid Program for utilities.

Section 2. The managing staff of the utility system(s) shall establish reasonable rates for reimbursement of its labor and equipment costs as contemplated in FEMA rules, and periodically revise such rates as necessary.

Section 3. The Utility will provide mutual aid assistance to other like utilities if the management of the Utility determines that:

(a) the reliability and performance of the Utility's system(s) and the public health and safety of the Utility's residents and customers will not be materially and adversely affected; and

(b) the utility requesting assistance has executed the Kansas Mutual Aid Program Agreement (or an agreement substantially similar in form and content).

PASSED AND APPROVED by the governing body of the City of Baldwin City, Kansas this 3rd day of December, 2012.

Ken Wagner, Mayor

ATTEST:

Darcy Higgins, City Clerk

CITY OF BALDWIN CITY
AD ASTRA
PER ASPERA
DOUGLAS CO. KANSAS