

RESOLUTION NO. 2013-07-000 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE MAYOR TO SIGN THE NORTH CENTRAL TEXAS PUBLIC WORKS MUTUAL AID AGREEMENT (“AGREEMENT”) ENTERED INTO BY, BETWEEN, AND AMONG THE NORTH CENTRAL TEXAS PARTICIPATING LOCAL GOVERNMENTS AND/OR POLITICAL SUB-DIVISIONS LOCATED WHOLLY OR PARTIALLY WITHIN THE STATE OF TEXAS

WHEREAS, the City of McKinney, Texas (“City”) recognizes the vulnerability of the people and communities located within local governments and public subdivisions to damage, injury, and loss of life and property resulting from emergencies, disasters or civil emergencies and recognize that such incidents may present equipment and personnel requirements beyond the capacity of each individual governmental entity; and

WHEREAS, the City desires to secure the benefits of Mutual Aid for the protection of life and property in the event of an emergency, disaster, civil emergency or public works emergency; and

WHEREAS, it is understood that the North Central Texas Public Works Emergency Response Team (PWERT) serves as the Administrative Agency managing this Agreement; and

WHEREAS, the Agreement provides planning and operating procedures whereby public works-related agencies may request aid and assistance in the form of personnel, equipment, materials and/or other associated services from other public works related agencies; and

WHEREAS, the City may choose not to render aid and assistance at any time for any reason, or to recall aid that has been deployed at any time; and

WHEREAS, it is understood that the responsible local official in whose jurisdiction an incident requiring Mutual Aid has occurred shall remain in charge at such incident including the direction of such personnel and equipment provided him/her through the Agreement; and

WHEREAS, it is understood that the creation of this Agreement and the Texas Statewide Mutual Aid System (SB11) under Chapter 418 E-1 does not replace or supersede existing mutual aid agreements or interfere with the ability of municipalities to enter into written mutual aid agreements in the future. It is understood that if a written agreement is entered into by governmental entities or municipalities requesting resources, then the terms of that agreement control the rights and responsibilities of the participating parties to the extent the agreement provides terms that differ from the Texas Statewide Mutual Aid System; and

WHEREAS, the City Council deems that it is in the best interest of the citizens of McKinney, and in order to provide for the health, safety and welfare of the citizens of McKinney, that the City enter into a Mutual Aid Agreement by, between and among North Central Texas participating local governments.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, THAT:

Section 1. The Mayor is hereby authorized to sign the North Central Texas Public Works Mutual Aid Agreement.

Section 2. This Resolution shall be in full force and effect from and after its passage and adoption.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF
McKINNEY, TEXAS, ON THE 16th DAY OF JULY, 2013.**

CITY OF McKINNEY, TEXAS

BRIAN LOUGHMILLER
Mayor

ATTEST:

SANDY HART, TRMC, MMC
City Secretary
BLANCA I. GARCIA
Assistant City Secretary

APPROVED AS TO FORM:

MARK S. HOUSER
City Attorney