



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Text

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TRANSMITTAL LETTER FOR BOARD MEETING OF MAY 20, 2010

COMMITTEE ON MAINTENANCE & OPERATIONS

Mr. Richard Lanyon, Executive Director

Authority to enter into an Intergovernmental Agreement with the Illinois Water and Wastewater Agency Response Network ("ILWARN") to participate in an Intrastate Mutual Aid and Assistance Program

Dear Sir:

A total of 89 public and private Illinois Water and Wastewater utilities have agreed to participate in a voluntary Intrastate Mutual Aid and Assistance Program. All of the entities, with the exception of the four (4) members specified herein, are units of local government: Illinois American Water, Johnson City Water, Tanneron Bay Townhomes, and Tee & Green Subdivision.

The parties to this Agreement, the District and ILWARN, wish to provide mutual aid and assistance to one another and other member agencies during times of emergencies such as a natural or human caused event threatening life, injury to person or property damage, including but not limited to flood, fire, explosion, leak or spill of hazardous material, sabotage or war that may be considered beyond reasonable capability of an individual ILWARN member alone.

Through ILWARN, members coordinate response activities and share resources during emergencies. The ILWARN Agreement identifies the procedures and standards for the administration of the program, describes how to access mutual aid/assistance, specifies how to reimburse for the use of resources, and authorizes the creation of an ILWARN Mutual Aid/Assistance Operational Plan. Operational and planning procedures are to be developed with the emergency management and public health systems of the state. The initial term of the Agreement is one (1) year from the effective date.

The Agreement requires the District to indemnify and expend funds for personnel, equipment, material and supplies and to be reimbursed for such items when they are provided by the District. Adoption of this Agreement will help local jurisdictions better handle an incident that requires resources beyond the capability of local utility resources and promote public safety. Under the Agreement, a member may choose not to render aid or assistance for any reason. Therefore, the District has the right to decline to respond to or assist the private utilities previously specified in order to avoid violating the constitutional prohibition against spending public funds on a private concern. The Requesting Member shall reimburse the Responding Member for the costs categorized in the Agreement.

Based on the foregoing, the Law Department recommends that the District be authorized to enter into an Intergovernmental Agreement with the Illinois Water and Wastewater Agency Response Network ("ILWARN") to participate in an Intrastate Mutual Aid and Assistance Program, and that the Executive Director be authorized to execute said Intergovernmental Agreement on behalf of the District, upon approval by the General Counsel as to form and legality.

Requested, Manju Prakash Sharma, Acting Director of Maintenance and Operations

Recommended, Frederick M. Feldman, General Counsel, FMF:HSW:JMB:jmb
Respectfully Submitted, Frank Avila, Chairman Committee on Maintenance & Operations
Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for May 20, 2010