

RESOLUTION 15-84

A RESOLUTION TERMINATING THE INTERGOVERNMENTAL AGREEMENT THAT CREATED THE LAKE AND MCHENRY COUNTIES FIRE DEPARTMENTS SPECIALIZED RESPONSE TEAMS, HEREINAFTER REFERRED TO AS "SRT".

WHEREAS, the Constitution of the State of Illinois, 1970, Article VII, Section 10, authorizes units of local government to contract or otherwise associate among themselves in any manner not prohibited by law or ordinance; and

WHEREAS, the Intergovernmental Cooperation Act (5 ILCS 220/1 et seq.) provides that any power or powers, privileges or authority exercised or which may be exercised by a unit of local government may be exercised jointly with any other unit of local government or private corporation; and

WHEREAS, The Intergovernmental Cooperation Act provides that any one or more public agencies may contract with any one or more public agencies to perform any governmental service, activity or undertaking which any of the public agencies entering into the contract is authorized by law to perform, provided that such contract shall be authorized by the governing body of each party to the contract; and

WHEREAS, the Fire Protection District Act (70 ILCS 705/11a) provides that a fire protection district may contract for mutual aid from and to governmental units organized to furnish fire protection services; and

WHEREAS, the Municipal Code (65 ILCS 5/I-1-5) authorizes the corporate authorities of a municipality to exercise jointly all powers which it possesses; and

WHEREAS, the SRT was originally organized as the Lake County Fire Departments Specialized Response Teams through intergovernmental agreement in 1996; and

WHEREAS, the SRT membership was expanded in 2005-06 through a revised intergovernmental agreement to include fire departments from McHenry County and the SRT name was changed to the Lake and McHenry Counties Fire Departments Specialized Response Teams and has operated the SRT since; and

WHEREAS, the SRT is administered by an Executive Committee composed of the Fire Chiefs (or other representative designated by the member unit of government) of each member unit of government; and

WHEREAS, various public agencies in Illinois, Wisconsin, Missouri, Michigan, Indiana and Iowa have federated together through the aforementioned Acts and Agreements to form the Mutual Aid Box Alarm System (MABAS); and

WHEREAS, MABAS is divided into operational Divisions, generally based on geographic regions, to facilitate day-to-day operations and develop local policy and procedures; and

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WHEREAS, MABAS Division 4, comprised generally of fire departments (Units) in Lake County, Illinois, is duly authorized by MABAS-IL as a Division; and

WHEREAS, MABAS Division 5, comprised generally of fire departments (Units) in McHenry County, Illinois, is duly authorized by MABAS-IL as a Division; and

WHEREAS, MABAS-IL has agreed to individually recognize SRT related response teams for both MABAS Divisions 4 & 5 which will provide for insurance coverage, equipment and training for SRT functions within each respective MABAS Division, increasing the SRT response capabilities in both Divisions; and

WHEREAS, the SRT Executive Committee has determined that it is in the best interest of the SRT to transfer apparatus, equipment and funding from the SRT to the respective MABAS Divisions to take advantage of the insurance, equipment and training available through MABAS-IL; and

WHEREAS, the SRT was a trendsetting organization at the time of its original establishment in 1996, however the SRT response model has shifted throughout the state of Illinois to a MABAS Division based model; and

WHEREAS, Divisions 4 and 5 have independently determined that it is in their best interests to accept the apparatus, equipment and funding from the SRT and to establish an intergovernmental specialized response teams joint administrative council to coordinate training, response procedures and equipment on behalf of both the MABAS Division 4 & 5 SRT teams as witnessed by the execution of the MABAS DIVISIONS 4 & 5 SPECIALIZED RESPONSE TEAMS MUTUAL AID AGREEMENT that has been attached as Appendix 1.

WHEREAS, the SRT through prior resolution has transferred apparatus, equipment and funding to MABAS Divisions 4 & 5 through Resolution 2015-2 that has been adopted through majority vote of the SRT Executive Committee and is included as Attachment 2015-2.

WHEREAS, the SRT through prior resolution has provided for the termination of the SRT operations and responsibilities, transferring said operations and responsibilities to MABAS Divisions 4 & 5 and the newly created SRT Joint Administrative Council, through Resolution 2015-3 that has been adopted through majority vote of the SRT Executive Committee and is included as Attachment 2015-3.

NOW, THEREFORE, in consideration of the foregoing recitals and the covenants herein contained, the Village of Antioch does hereby resolve that:

The foregoing recitals are hereby incorporated into this Resolution.

It is recognized, and specifically approved by this unit of government and member of the SRT, that as of January 1, 2016, the intergovernmental agreement as amended which created the Lake and McHenry Counties Fire Departments Specialized Response Teams shall terminate, and all

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responsibilities regarding the routine operation and coordination of the SRT shall be transferred to the newly formed SRT Joint Administrative Council.

All records, reports and information in the possession of the SRT will be transferred to the newly formed SRT Joint Administrative Council.

Future payments for SRT related operations will be directed to the appropriate MABAS Division in lieu of the SRT.

Upon the conclusion of all required actions to terminate the SRT, the Lake and McHenry Counties Specialized Response Teams Mutual Aid Agreement shall be considered terminated, null and void.

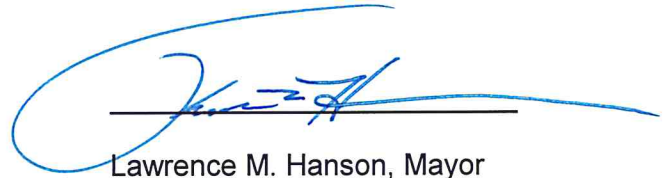
The invalidity of any provision of this Resolution shall not render invalid any other provision. If, for any reason, any provision of this Resolution is determined by a Court of competent jurisdiction to be invalid or unenforceable, that provision shall be deemed severable, and this Resolution may be enforced with that provision severed or as modified by court order.

ADOPTED AND APPROVED: by the Mayor and Village Board of Trustees of the Village of Antioch, Lake County, Illinois, and this 16th day of November, 2015.

AYES: 6: Macek, Poulos, Jozwiak, Dominiak, Pierce and Johnson.

NAYS: 0.

ABSENT: 0.


Lawrence M. Hanson, Mayor

ATTEST:


Lori K. Folbrick, Village Clerk

