

RESOLUTION NO. R-2010-25

A RESOLUTION OF THE CITY OF TYLER, TEXAS, GRANTING THE CITY MANAGER, THE FIRE CHIEF OR THE POLICE CHIEF THE NECESSARY AUTHORITY TO REQUEST EMERGENCY MUTUAL AID ASSISTANCE OR TO RESPOND TO AN EMERGENCY REQUEST FOR MUTUAL AID ASSISTANCE FROM ANOTHER ENTITY FOR THOSE SITUATIONS INVOLVING NATURAL OR MANMADE DISASTERS OR CIVIL EMERGENCIES PURSUANT TO TEXAS STATUTE; AND AUTHORIZING THE CITY MANAGER TO ENTER INTO MUTUAL AID AGREEMENTS WITH OTHER ENTITIES REGARDING THESE SAME OCCURRENCES.

WHEREAS, the City of Tyler, Texas ("City") provides a variety of emergency services, including police and fire personnel, equipment and other resources, to respond to emergency incidents of all types; and

WHEREAS, a number of surrounding county and local governmental entities and organized volunteer groups located in the East Texas region also provide similar emergency response services; and

WHEREAS, emergency incidents occasionally occur that are beyond the immediate capacity of City emergency response resources and of neighboring communities' resources; and

WHEREAS, the City, other county and local governmental entities and organized volunteer groups, may make suitable contractual arrangements for furnishing mutual aid to each other during emergencies, disasters and civil emergencies, pursuant to Section 791.027 of the Texas Government Code (the Emergency Assistance provisions of the Interlocal Cooperation Act), Chapter 418 of the Texas Government Code (the Texas Disaster Act of 1975), Chapter 421 of the Texas Government Code (Homeland Security), Chapters 352 and 362 of the Texas Local Government Code, and other state law; and

WHEREAS, the City, other county and local governmental entities and organized volunteer groups, may request or provide mutual aid under the State of Texas Mutual Aid System as established by Chapter 418 of the Texas Government Code with the authorization of the Governing Body; and

WHEREAS, the City Council deems that it is in the best interest of the citizens of Tyler, and in order to provide for the health, safety and welfare of the citizens of Tyler, that the City Council realizes that occasionally there may be a need to ask for or respond to a request for emergency mutual aid from a surrounding county or local governmental entity or volunteer group under the State of Texas Mutual Aid System or that there may be a need to enter into a Mutual Aid Agreement with a county or local governmental entity or volunteer group to provide for or to receive said mutual aid.


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

PART 1. Authorizes the City Manager or the Police Chief or the Fire Chief, with due consideration of the needs of the citizens of Tyler, to respond to or to make a request for emergency mutual aid assistance from a county or local governmental entity or organized volunteer group under the State of Texas Mutual Aid System specified by Chapter 418 of the Government Code; and

PART 2. Authorizes the City Manager to approve and enter into a Mutual Aid Agreement pursuant to the applicable State of Texas statute with a county or local governmental entity or organized volunteer group to provide or receive emergency mutual aid pursuant to the agreement.

PART 3. That this resolution shall take effect immediately upon its adoption.

PASSED AND APPROVED on this 8th day of September, A.D., 2010.



BARBARA BASS, MAYOR
THE CITY OF TYLER, TEXAS

ATTEST:

APPROVED:



CASSANDRA BRAGER, CITY CLERK



GARY C. LANDERS, CITY ATTORNEY

