

1 RESOLUTION NO. 7267

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4 A RESOLUTION introduced by Mayor Felker relating to a mutual aid agreement for
5 emergency preparedness purposes between the Prairie Band
6 Potawatomi Nation and the City of Topeka, Kansas.

7 WHEREAS, the legal entities of Prairie Band Potawatomi Nation and City of Topeka
8 have contiguous boundaries or are within close proximity; and

9 WHEREAS, there might arise in one county/jurisdictional area an emergency or
10 disaster of such proportions as to require the assistance of the other in handling such
11 emergency or disaster; and

12 WHEREAS, it is desirable to enter into a written covenant for such services to
13 protect the officers and members of the Nation/County and its several city governments in
14 the matter of pensions, personal injuries, insurance and personal liability; and

15 WHEREAS, this resolution is entered in harmony with the planning requirements as
16 set forth in the Kansas Emergency Preparedness Act of 1975 and K.S.A. 12-16,117.

17 NOW, THEREFORE, BE IT RESOLVED, BY THE COUNCIL OF THE CITY OF
18 TOPEKA, KANSAS:

- 19 1. Upon request of a Tribal Council Officer, County Commissioner, Mayor or
20 Emergency Preparedness Official in a disaster area, the responding entity
21 will mobilize and send such equipment, manpower and supplies as it can
22 muster without jeopardizing its own response capability in event of
23 continuing threat.
- 24 2. Each entity shall be the sole judge of how much assistance is needed or
25 can be furnished under the conditions that exist in each situation; and it is
26 agreed that neither shall be liable in any way to the other or to its inhabitants

27 or any other person, firm or corporation, for any failure to respond with all of
28 the assistance asked.

29 3. The entity calling for aid shall not be liable for any death, personal injury or
30 property loss or damage to individuals or equipment sent by the responding
31 county.

32 4. Detailed planning shall be entered into by the emergency preparedness
33 agencies of the entities as it relates to routes to be used, passes issued,
34 assembly area and command post locations, etc., for the responding entity.

35 All such planning shall be subject to the approval of the governing body of
36 each jurisdictional entity.

SEP 17 2002

37 ADOPTED and APPROVED by the City Council _____.

CITY OF TOPEKA, KANSAS





Harry Felker, Mayor

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45 ATTEST:

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50 Iris E. Walker, City Clerk
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APPROVED AS TO FORM AND LEGALITY
DATE 6/7/02 BY EW