

RESOLUTION NO.: 135-2021
INTRODUCED BY: Lentine

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE CITIES OF HIGHLAND HEIGHTS, MAYFIELD HEIGHTS AND MAYFIELD VILLAGE FOR COMMUNITY EMERGENCY RESPONSE TEAM (CERT) SERVICES.

WHEREAS, the municipalities of Richmond Heights, Highland Heights, Mayfield Heights and Mayfield Village desire to formalize their relationship with respect to an organization now known as the Tri-Community CERT; and

WHEREAS, the Council deems it necessary and in the best interest of the health, safety and welfare of all Richmond Heights residents to regionalize the CERT program and to enter into a Memorandum of Agreement with Highland Heights, Mayfield Heights and Mayfield Village, Ohio.

WHEREAS, Council's Safety and Finance Committees have reviewed the need to join Tri-Community CERT and recommend the same to Council.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Richmond Heights, State of Ohio, that:

Section 1: The Council of the City of Richmond Heights finds and determines that it is in the best interest of the City to continue the CERT program and authorizes the Mayor to execute a Memorandum of Agreement with the municipalities of Highland Heights, Mayfield Heights and Mayfield Village, Ohio in the form attached hereto as Exhibit A.

Section 2: The Director of Finance is authorized and directed to appropriate to a proper account a sum sufficient to cover the cost to participate in the CERT program pursuant to the Community Emergency Response Team Memorandum of Agreement.

Section 3: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 4: This Resolution shall take effect and be in force from and after the earliest period allowed by law.

PASSED: January 11, 2022

APPROVED: January 11, 2022

ATTEST: Betsy Traben

Betsy Traben
Clerk of Council

Kim A. Thomas
Kim A. Thomas, Mayor

Bobby Jordan
Bobby Jordan
President of Council

EXHIBIT A

COMMUNITY EMERGENCY RESPONSE TEAM (CERT) MEMORANDUM OF AGREEMENT

This Memorandum of Agreement (MOA) is entered into between the City of Richmond Heights, the City of Highland Heights, the City of Mayfield Heights and Mayfield Village (hereinafter "the Municipalities") and sets forth the following acknowledgements, understandings and agreements:

WHEREAS, the Congress of the United States, under the auspices of the Secretary of Homeland Security and the Federal Emergency Management Administration (FEMA) as well as the State of Ohio, have encouraged the establishment of citizen volunteer groups into Community Emergency Response Teams (CERTs), and

WHEREAS, the Municipalities have previously endorsed the formation of a local CERT established for their benefit, and continue to support the CERT both financially and administratively, and

WHEREAS, the Municipalities desire to enter into an emergency management assistance or aid agreement pursuant to Revised Code 5502.29 for the purpose of assisting the CERT, and

WHEREAS, the Municipalities may, in an emergency, need the assistance of the CERT for the benefit of the residents of the Municipalities, and

WHEREAS, the Municipalities desire to formalize the establishment of the CERT as well as the cost-sharing responsibilities for the CERT, including legal representation of CERT

members for their volunteerism in the event additional representation is necessary over and above the representation provided by the CERT.

THEREFORE, the Municipalities agree as follows:

1. Each Municipality will provide an annual contribution in the amount of \$2,500.00 to the CERT to be used for the training and retention of volunteers and the purchase and maintenance of equipment and supplies necessary to fulfill the stated purpose(s) of the CERT, which funds shall be collected by and maintained by Mayfield Village. No CERT funds shall be used for or paid to any person or persons serving as volunteers in CERT with the exception of authorized reimbursements. This amount shall be payable by March 31st each year and will be sent to the CERT Treasurer, c/o the Mayfield Village Fire Department. This amount may be increased up to \$250.00 each year by the unanimous vote of the CERT Executive Committee and approval of the Municipalities' Fire Chiefs.
2. The CERT shall formulate such Policies and Procedures necessary for its governance and efficient operation. Annually, the CERT Director will submit the current statement of Policies and Procedures to the Municipalities' Fire Chiefs for review and technical guidance. The Fire Chiefs will verify that the organization and structure of the CERT substantially complies with the organization and structure recommended by FEMA and the State of Ohio and is compatible with the National Incident Management System.
3. The Fire Chiefs or their designees may attend all regularly scheduled CERT meetings. The Fire Chiefs may also make recommendations for the CERT's operations.
4. The CERT will be subject to the direction of the Municipality where the emergency is occurring and the Municipality's Fire Department's incident commander will give such direction.
5. The CERT trailer, titled to the City of Highland Heights, and miscellaneous equipment is stored in the City of Highland Heights, however, these items may be transferred to any of the Municipalities, upon approval by the CERT Executive Committee.
6. The CERT also has miscellaneous equipment stored in the Mayfield Village Fire Department, however, the equipment may be transferred to any of the Municipalities, upon approval by the CERT Executive Committee.
7. CERT volunteers are generally granted immunity for their actions under R.C. 5502.30, except in cases of willful misconduct. To the extent the CERT does not provide legal representation for its members, the Municipalities agree to provide equal cost-sharing for legal representation of CERT members for their volunteerism in the event such representation is necessary and provided that the

CERT member did not engage in willful misconduct. Such cost-sharing responsibility may be in the form of providing Law Department representation.

8. The Municipalities may accept donations to the CERT from private sources including but not limited to private citizens, corporations, non- governmental organizations, charitable non-profit corporations and other similar entities. Donations may be in cash or kind. The CERT Treasurer, c/o the Mayfield Village Fire Department, shall maintain all records of donations.
9. Any Municipality may terminate its membership by giving a 30-day notice to the other Municipalities. The annual contribution will not be refunded to any terminating Municipality.
10. Any additional municipality wishing to participate in the ICC will be permitted to do so with the approval of the ICC Executive Committee and two-thirds of the Municipalities' Fire Chiefs and after agreeing to the terms of this MOA, including any prorated contribution, and signing an agreement similar thereto.
11. The Municipalities further agree that this MOA will be approved through legislative action by the Municipalities' legislative authority.

This Memorandum of Agreement is approved by the Mayor of each Municipality on the date indicated below:

CITY OF MAYFIELD HEIGHTS

Mayor

Date

CITY OF HIGHLAND HEIGHTS

Mayor

Date

MAYFIELD VILLAGE

Mayor

Date

CITY OF RICHMOND HEIGHTS

Mayor

Date

Approved as to form:

R. Todd Hunt, Director of Law
Richmond Heights, OH