

AS AMENDED ON NOVEMBER 26, 2012

RESOLUTION NO. 2237

**A RESOLUTION OF THE CITY OF SALISBURY, MARYLAND AUTHORIZING THE MAYOR TO ENTER INTO A MEMORANDUM OF AGREEMENT WITH WICOMICO COUNTY MARYLAND ON BEHALF OF THE COUNTY'S DEPARTMENT OF EMERGENCY SERVICES FOR PLANNING FOR AND RESPONDING TO DISASTER/ EXTRAORDINARY SITUATIONS IN WICOMICO COUNTY**

**WHEREAS**, the City of Salisbury desires to enter into an agreement with Wicomico County on behalf of the County's Department of Emergency Services for planning for and responding to disaster/ extraordinary situations in Wicomico County; and

**WHEREAS**, the terms and conditions of the proposed agreement are set forth in the attached Memorandum of Agreement (MOA); and


**WHEREAS**, the Department of Emergency Services is the lead and coordinating agency in planning for and responding to disaster / extraordinary situation in Wicomico County, and the Department of Emergency Services may identify situations during a disaster that require utilization of the City of Salisbury's water resources; and

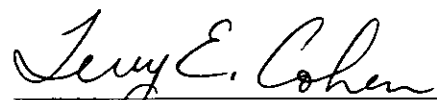
**WHEREAS**, in these disaster circumstances, the City of Salisbury will distribute water to the Department of Emergency Services if the City of Salisbury is able to provide the services.

**NOW, THEREFORE, BE IT RESOLVED** that the Salisbury City Council authorizes the Mayor to enter into the aforementioned MOA with Wicomico County on behalf of the County's Department of Emergency Services.

**THE ABOVE RESOLUTION** was introduced and duly passed at a meeting of the Council of the City of Salisbury, Maryland held on 26<sup>th</sup> day of November, 2012 and is to become effective immediately upon adoption.

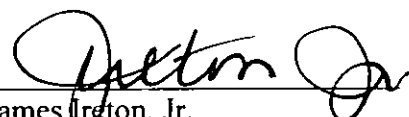
ATTEST:

  
\_\_\_\_\_  
Kimberly R. Nichols  
CITY CLERK

  
\_\_\_\_\_  
Terry E. Cohen  
PRESIDENT, City Council

APPROVED BY ME THIS

28<sup>th</sup> day of November, 2012

  
\_\_\_\_\_  
James Treton, Jr.  
MAYOR, City of Salisbury


## Memorandum of Agreement By And Between

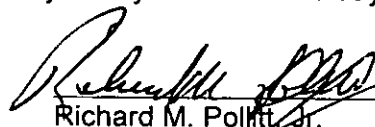
The City of Salisbury (CS) and Wicomico County Maryland on behalf of Department of Emergency Services (hereafter referred to as DES).

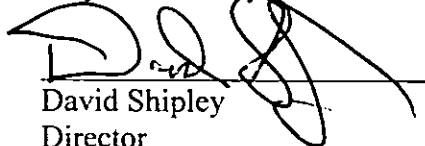
The purpose of this Agreement is to provide an understanding between these two parties regarding their roles and expectations in planning for and responding to disaster/extraordinary situations in Wicomico County. It can be anticipated that there may be a need to address emergency water supplies for some county residents due to both manmade and natural disasters.

### Statements of Agreement

1. The DES is the lead/coordinating agency in planning for and responding to disaster/extraordinary situations in Wicomico County. The DES Director or designee during a disaster situation that requires the possible utilization of City of Salisbury water resources will communicate the need directly with the City of Salisbury Emergency Operations Center (EOC).
2. When requested by the DES and approved by the Mayor on behalf of the CS, the CS will distribute water to DES authorized water supply vehicles and to citizens of Wicomico County at CS designated locations if the CS is able to provide these services.
3. The CS will oversee the County's staffing/personnel, and will provide equipment to distribute water at designated locations.
4. Both parties to this Agreement will designate a lead staff person to manage the relationship between organizations during a disaster situation.
5. The DES and CS staff will meet in May of each year to review the partnership and make improvements to procedures with the CS staff. This shall include establishing a price per gallon of water provided pursuant to this MOA that will be in effect until May of the following year.
6. The DES will make every reasonable effort to support the City of Salisbury in seeking reimbursement for City of Salisbury operational costs that are eligible for reimbursement from the Federal Disaster Assistance Program (FDAP). The reimbursement received from the FDAP will constitute full payment for services provided to Wicomico County/DES during the relevant disaster/extraordinary event. If the FDAP does not fully reimburse the CS, the CS may bill the DES for any unpaid amounts for water provided to non-CS residents pursuant to section 5 of this Agreement.
7. This Agreement may be terminated by either party at any time with 120 days written notice.

  
Date 11/28/12  
James Ireton Jr.  
Mayor  
City of Salisbury

  
Date 12/5/12  
Richard M. Polk Jr.  
County Executive  
Wicomico County Maryland

  
Date 12/6/12  
David Shipley  
Director  
Dept. of Emergency Services

# City of Salisbury



MARYLAND



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PUBLIC WORKS  
TERESA GARDNER, P.E.  
DIRECTOR

JAMES IRETON, JR.  
MAYOR

JOHN R. PICK  
CITY ADMINISTRATOR

LORÉ CHAMBERS  
ASSISTANT CITY ADMINISTRATOR

To: John Pick, City Administrator  
From: Teresa Gardner, Director of Public Works  
Date: November 20, 2012  
Re: Department of Emergency Services, Memorandum of Agreement

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Attached for Council consideration is a Resolution authorizing the Mayor to enter into a Memorandum of Agreement (MOA) with Wicomico County on behalf of the Department of Emergency Services for planning for and responding to disaster/ extraordinary situations in Wicomico County. The attached MOA provides the details associated with the City of Salisbury providing water service to the Department of Emergency Services and the citizens of Wicomico County in the event of a disaster if the City of Salisbury is able to provide the services.

The Department of Emergency Services will support the City of Salisbury in seeking reimbursement for eligible operational costs from the Federal Disaster Assistance Program (FDAP). The reimbursement received from the FDAP will constitute full payment for services provided to the Department of Emergency Services during the relevant disaster/ extraordinary event. If there is no FDAP reimbursement received, the City of Salisbury may bill the Department of Emergency Services for water provided to non-City of Salisbury residents pursuant to the MOA.

The MOA has been revised per the comments received at the work session on Monday, November 5, 2012. In the MOA, items 2 and 3 were revised to clarify that the Mayor is authorized to approve providing water services, and that the City will provide oversight for County staff. The resolution was modified to clearly note that the agreement is with the County's DES. David Shipley, Director of the Department of Emergency Services, has reviewed and accepted the changes.

Additionally, the MOA has been revised per comments received from the City Attorney. In the MOA, the last sentence of item 6 was revised to clarify that the City may bill the DES for water if the full amount was not received from a FDAP reimbursement. This language has also been approved by David Shipley.

Unless you or the Mayor have further questions, please forward this to the City Council.