



Legislation Details (With Text)

File #: 19-0891 **Version:** 1 **Name:**
Type: Resolution **Status:** Passed
File created: 10/15/2019 **In control:** City Council
On agenda: 11/12/2019 **Final action:** 11/12/2019
Title: A Resolution authorizing the Corporation Counsel and the Risk Manager for the City of Aurora to execute indemnification and hold harmless agreements with private property owners for exercise trainings taking place throughout the corporate limits of the City of Aurora for the FEMA Coordinated Complex Terrorist Attack grant.

Sponsors:

Indexes:

Code sections:

Attachments: 1. INDEMNIFICATION AND HOLD HARMLESS AGREEMENT.pdf

Date	Ver.	Action By	Action	Result
11/12/2019	1	City Council	approved	Pass
11/5/2019	1	Committee of the Whole	(PLACED ON CONSENT AGENDA)	
10/15/2019	1	Rules, Administration, and Procedure	recommended for approval	Pass

TO: Mayor Richard C. Irvin and City Council

FROM: Deborah Lang, Assistant Corporation Counsel

DATE: October 1, 2019

SUBJECT:

A Resolution authorizing the Corporation Counsel and the Risk Manager for the City of Aurora to execute indemnification and hold harmless agreements for private property owners that agree to host exercise trainings (which will include police, fire, and EMA personnel) taking place throughout the corporate limits of the City of Aurora for the FEMA Coordinated Complex Terrorist Attack grant.

PURPOSE:

The purpose of this resolution is to authorize Corporation Counsel and the Risk Manager to execute indemnification and hold harmless agreements with private property owners throughout the City of Aurora. The property owners would allow training exercises to take place on their property and allow our fire, police and EMA personnel to complete training exercises.

BACKGROUND:

Aurora, along with surrounding communities, was awarded FEMA's Fiscal Year 2016 "Program to Prepare Communities for Complex Coordinated Terrorist Attack" grant. As part of the grant, EMA is responsible for setting up trainings so that our fire, police and EMA personnel can train with surrounding communities in the event of a complex coordinated terrorist attack.

DISCUSSION:

As part of the trainings, the City will have to reach out to local developments and businesses within the community to use the buildings or areas for training. The FY 2016 grant allows the City to prepare for major disasters and terrorist type activities by doing real life scenarios, in locations on private property. This type of training enhances public safety, as it allows first responders to engage in scenarios that they would typically not have the ability to train in. As such, this is not a typical agreement the City would enter into to indemnify private property owners. However, if as a result of this training held on private property and damage occurs, the City will indemnify the private party. Real world scenarios are an important part of training, hence the need to indemnify.

We will require each private property owner to fill out an indemnification and hold harmless waiver. Allowing the Corporation Counsel and the Risk Manager to execute these forms for this grant will allow for a quick turnaround time, in the event that a location needs to change in the matter of a few days.

We anticipate using a form document, similar to what is contained in Exhibit B. This would be executed by Corporation Counsel and Risk Management along with the private owner.

IMPACT STATEMENT:

By authorizing the Corporation Counsel and Risk Manager to execute these agreements, you save staff time and shorten the process of executing these agreements, especially in the event that a location has to change at the last minute.

RECOMMENDATIONS:

We request the proposed resolution be adopted.

cc: Rules, Administration and Procedure Committee



CITY OF AURORA, ILLINOIS

RESOLUTION NO. _____
DATE OF PASSAGE _____

A Resolution authorizing the Corporation Counsel and the Risk Manager for the City of Aurora to execute indemnification and hold harmless agreements with private property owners for exercise trainings taking place throughout the corporate limits of the City of Aurora for the FEMA Coordinated Complex Terrorist Attack grant.

WHEREAS, the City of Aurora has a population of more than 25,000 persons and is, therefore, a home rule unit under subsection (a) of Section 6 of Article VII of the Illinois Constitution of 1970; and

WHEREAS, subject to said Section, a home rule unit may exercise any power and perform any function pertaining to its government and affairs for the protection of the public health, safety, morals,

and welfare; and

WHEREAS, the City of Aurora is participating in the "Fiscal Year 2016 Program to Prepare Communities for Complex Coordinated Terrorist Attacks" grant with surrounding communities;

WHEREAS, in order to execute some of the trainings, indemnification and hold harmless agreements need to be executed by the City with private landowners that will allow City personnel to complete trainings on their properties, and

WHEREAS, allowing the Corporation Counsel and Risk Manager to execute the indemnification and hold harmless agreements on behalf of the City would expedite the process in planning these coordinated trainings.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Aurora, Illinois, as follows: that the City Council authorizes Corporation Counsel and the Risk Manager to execute indemnification and hold harmless agreements on behalf of the City with private landowners to coordinate training exercises in furtherance of the "Fiscal Year 2016 Program to Prepare Communities for Complex Coordinated Terrorist Attacks."