

ORDINANCE NO. 9-2016

**AN ORDINANCE OF THE VILLAGE OF EVERGREEN PARK
AUTHORIZING THE EXECUTION OF AN INTERGOVERNMENTAL
AGREEMENT ESTABLISHING AND AUTHORIZING THE
OPERATION OF A 9-1-1 JOINT AUTHORITY**

WHEREAS, the Village of Evergreen Park is a home rule unit municipality duly authorized and existing under the Constitution and laws of the State of Illinois; and

WHEREAS, Section 10 of Article VII of the Illinois Constitution of 1970 authorizes and promotes intergovernmental cooperation; and

WHEREAS, the Illinois Intergovernmental Cooperation Act, 5 ILCS 220/1, et. seq., further authorizes and promotes intergovernmental cooperation; and

WHEREAS, the provisions of Public Act 099-00006 mandate the consolidation of local emergency telephone systems so that by July 1, 2017, no 9-1-1 authority serves a population less than 25,000; and

WHEREAS, the Village of Evergreen Park and the Village of Oak Lawn have entered into an intergovernmental agreement wherein the Village of Oak Lawn will provide emergency dispatch services to the Village of Evergreen Park, as well as other municipalities and units of local governments; and

WHEREAS, the Village of Oak Lawn will be receiving the Village of Evergreen Park's 9-1-1 surcharge funds under the intergovernmental agreement; and

WHEREAS, the provisions of 50 ILCS 750/15.4 require the establishment of a municipal or joint emergency telephone system board to receive and authorize all disbursements from the surcharge funds; and

WHEREAS, the establishment of the Joint 9-1-1 authority as provided for in the intergovernmental agreement complies with the provisions of the Illinois Emergency Telephone System Act.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Trustees of the Village of Evergreen Park, Cook County, Illinois, as follows:

Section 1

The recitals set forth above are incorporated herein by reference the same as if they were set forth herein verbatim and they are adopted as the findings of the Mayor and Board of Trustees.

Section 2

The intergovernmental agreement to establish and operate a Joint 9-1-1 Authority, which shall be in substantially the form attached hereto and made a part of this ordinance by reference, is hereby approved.

Section 3

The Mayor and Village Clerk are hereby authorized and directed to execute the intergovernmental agreement herein provided for, and to do all things necessary and essential, including the execution of any further agreements, instruments, documents and certificates incidental thereto or necessary to carry out the provisions and effectuate the purpose thereof.

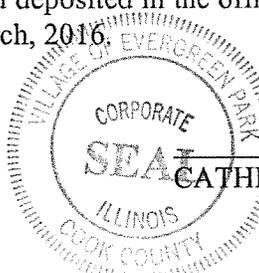
Section 4

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed insofar as they conflict herewith.

Section 5

This ordinance shall be immediately in full force and effect after passage and approval as provided by law.

This ordinance was passed and deposited in the office of the Village Clerk of the Village of Evergreen Park this 21st day of March, 2016.

 *Catherine T. Aparo*
CATHERINE T. APARO, Village Clerk

APPROVED by me the 21st day of March, 2016.

James J. Sexton

JAMES J. SEXTON, Mayor

**AN INTERGOVERNMENTAL AGREEMENT TO ESTABLISH A JOINT 9-1-1
AUTHORITY IN CONNECTION WITH THE OAK LAWN REGIONAL EMERGENCY
COMMUNICATIONS CENTER**

THIS AGREEMENT, entered into on the effective date specified hereafter, by and between the local governments signatory hereto and also those which may hereafter become signatory:

WITNESSETH:

WHEREAS, the signatories have determined that the implementation of a Joint 9-1-1 Authority would provide a significant public safety enhancement to the citizens of each participating municipality or district; and

WHEREAS, the signatories have determined that a Joint 9-1-1 Authority would be beneficial on an individual and mutual basis; and

WHEREAS, The Illinois Emergency Telephone System Act 50 ILCS 705/1 *et seq.* permits the formation of a Joint 9-1-1 Authority to oversee the implementation and operation of a 9-1-1 emergency telephone system; and

WHEREAS, The Intergovernmental Cooperation Act 5 ILCS 220/1 *et seq.* provides for the joint exercises by two or more local governments of any power common to them; and

NOW THEREFORE BE IT AGREED BY AND BETWEEN THE PARTIES AS FOLLOWS:

1. Venture Established. Pursuant to the joint powers authorization of the Intergovernmental Cooperation Act and the Illinois Emergency Telephone System Act the undersigned hereby federate together in a cooperative venture for the joint and mutual operation of a Joint 9-1-1 Emergency Telephone System, consisting of all local governments which may hereafter become signatory.
2. Joint 9-1-1 Authority. There is hereby established a Joint 9-1-1 Authority which shall consist of a public safety member from the City of Burbank, the Village of Bridgeview, Village of Evergreen Park, and the Village of Hodgkins along with the Director of Oak Lawn Regional Emergency Communications. Each subsequent participating Tier 1 municipality in the Oak Lawn Regional Emergency Communications shall be entitled to one member of the Joint 9-1-1 Authority. Designation of the new participating municipalities shall be specified by the participant's enabling ordinance.
3. By-Laws. The Joint 9-1-1 Authority shall be subject to and shall be governed by certain ByLaws in substantially the form as the Bylaws attached hereto as Exhibit 1 which shall be adopted by the Joint 9-1-1 Authority together with any amendments which may be made in the manner and means provided.
4. Participation. Each participating Tier 1 municipality in the Oak Lawn Regional Emergency Communications Center, and each municipality which may hereafter become a participant is a member and is entitled to the rights and privileges and is subject to the obligations of membership, all as may be provided in the Bylaws.

5. Termination. Any party to this agreement may cease to be a party hereto and may withdraw from participation in the manner and means set forth in the Bylaws.
6. Powers of the Joint 9-1-1 Authority. The powers and duties of the Joint 9-1-1 Authority created by this Agreement shall be as follows:
 - a. Planning a 9-1-1 system
 - b. Coordinating and supervising the implementation, upgrading and maintenance of the system, including the establishment of equipment specifications and coding systems.
 - c. Receiving monies from the surcharge imposed under Section 15.3 of the Emergency Telephone System Act, and from any other source for deposit into the Joint 9-1-1 Authority Fund.
 - d. Authorizing all disbursements from the fund.
 - e. Hiring, on a temporary basis, any staff necessary for the implementation or upgrade of the system as referred to in 6.b.
 - f. Making and entering into all necessary contracts
7. Amendment. This agreement may not be amended, except by written agreement and resolution of all the then current parties thereto.
8. Duration. This agreement shall continue in effect until rescinded by unanimous consent of the current parties or until terminated in the manner provided in the Bylaws.
9. Enforcement. Each member shall have the right to enforce this agreement against any other member. If suit is necessary, a defaulting member shall pay reasonable attorney's fees adjudicated by the Court.
10. Authorization. Prior to execution of this Agreement, each member shall deliver to the other a certified copy of a suitable ordinance or resolution authorizing and directing executing of this agreement.
11. Effective Date. This Agreement shall become effective when signed by all respective representatives of the Village of Oak Lawn, City of Burbank, Village of Bridgeview, the Village of Hodgkins and the Village of Evergreen Park.

IN WITNESS WHEREOF, the Parties hereto have caused their respective corporate seals to be hereunto affixed and attested and these presents to be signed by their respective officers.

VILLAGE OF OAK LAWN

By: _____

Its: _____

ATTESTED:

Municipal Clerk

[SEAL]

DATED: _____, 2016

THE VILLAGE OF BRIDGEVIEW

By: _____

Its: _____

ATTESTED:

Municipal Clerk

[SEAL]

DATED: _____, 2016

CITY OF BURBANK

By: _____

Its: _____

ATTESTED:

Municipal Clerk

[SEAL]

DATED: _____, 2016

VILLAGE OF EVERGREEN PARK

By: _____

Its: _____

ATTESTED:

Municipal Clerk

[SEAL]

DATED: _____, 2016

VILLAGE OF HODGKINS

By: _____

Its: _____

ATTESTED:

Municipal Clerk

[SEAL]

DATED: _____, 2016