



Board of Commissioners of Cook County

118 North Clark Street
Chicago, IL

Legislation Text

File #: 17-3262, **Version:** 1

PROPOSED ORDINANCE AMENDMENT

COOK COUNTY DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT

BE IT ORDAINED, by the Cook County Board of Commissioners, that Chapter 26. EMERGENCY MANAGEMENT AND SERVICES, Article II. COOK COUNTY DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT, Section 26-32, 26-33 and 26-35 of the Cook County Code is hereby amended as Follows:

Sec. 26-32. - Executive Director.

- (a) The Executive Director of the DHSEM shall be appointed by the President of the County Board of Commissioners and shall serve until removed by the President.
- (b) The Executive Director shall have direct responsibility for the organization, administration, training and operation of the DHSEM, subject to the direction and control of the President and the Chief of the Bureau of Administration, including the preparation by the DHSEM of an emergency operations plan consistent with the National Incident Management System (NIMS), as adopted by Resolution No. 05-R-464.
- (c) The Executive Director shall possess all powers and duties set forth for the Executive Director by statute and in this Ordinance, including the authority to designate emergency vehicles as provided in the Illinois Vehicle Code, 625 ILCS 5/12-215.
- (d) In the event of the absence, resignation, death or inability to serve as the Executive Director, the President or any person designated by him or her shall be and act as Executive Director until a new appointment is made as provided in this article.

Sec. 26-33. - Functions.

- (a) The DHSEM shall perform such functions within the County as shall be prescribed in and by the County's Emergency Operations Plan and the State Emergency Operations Plan and emergency management program prepared by the Illinois Emergency Management Agency (IEMA), and such orders, rules and regulations as may be promulgated by IEMA and the Governor.
- (b) As used herein, the terms "emergency management agency" and "emergency services and disaster agency" are equivalent. The DHSEM shall serve as the mandated emergency management agency for all political subdivisions within the County except those areas served by emergency management agencies which have been accredited by IEMA. All political subdivisions served by the DHSEM shall be responsible for engaging in emergency preparedness and response activities within their jurisdictions. Political subdivisions which maintain a nonmandated emergency services and disaster agency not accredited by the IEMA may apply to DHSEM for certification, in which case each such political subdivision shall biennially submit an emergency operations plan to DHSEM as provided in Title 29 of the Illinois Administrative Code, Part 301, Political Subdivision Emergency and Disaster Service Agencies. Each municipality that does not maintain an emergency services and disaster agency shall designate a liaison officer to facilitate the cooperation and protection of that municipal corporation with DHSEM, in accordance with Section 10 of the IEMA Act (20 ILCS 3305/10).

- (c) The DHSEM shall perform or coordinate the performance of such duties as may be required of the County pursuant to any Mutual Aid agreement with any other political subdivision, municipality, or quasi-municipality entered into as provided in Section 13 of the Illinois Emergency Management Agency Act (20 ILCS 3305/13).
- (d) In accordance with Chapter 34, Section 34-141 of the Cook County Code of Ordinances, the ~~The~~ Executive Director, in consultation with the Chief Procurement Officer and utilizing a competitive procurement process approved by the County's Code when practicable, shall be authorized to request the Chief Procurement Officer to enter into and execute contracts for the availability of emergency equipment or supplies which may be required in the event of an emergency or disaster. Except as approved by the Board, such contracts shall not commit the County to make payment in excess of \$25,000 unless such equipment or supplies are purchased under the emergency purchase authority set forth in Section 26-39 of this Ordinance.

Sec. 26-35. - Agreements with other political subdivisions and nongovernmental organizations.

- (a) *Mutual Aid, Intergovernmental or Interagency Agreements.* The Executive Director of the Department of Homeland Security and Emergency Management (DHSEM) may negotiate Mutual Aid Agreements and Intergovernmental or Interagency Agreements with other political subdivisions and taxing districts of the State as well as with nongovernmental organizations, provided such agreements are consistent with the State Emergency Operations Plan and Emergency Management Program. Negotiated Mutual Aid Agreements, Intergovernmental Agreements or Interagency Agreements shall be approved by the County Board in advance of execution by the Executive Director. Where applicable, said agreements shall adhere to applicable procurement rules under the County's Code of Ordinances or the procurement standards required under the funding grant agreement, whichever standards are more restrictive.
- (b) *Agreements and/or Memoranda of Understanding Related to Training and Curriculum Development.* The Executive Director or his/her designee is authorized to negotiate and execute agreements or Memoranda of Understanding (MOU) with other political subdivisions or governmental units, nonprofit entities, volunteer groups, and private parties for the purpose of procuring and providing training and curriculum development for first responder agencies and other stakeholders throughout Cook County, as appropriated, and including provisions providing indemnification. Where applicable, Said said agreements or Memoranda of Understanding (MOUs) shall adhere to applicable procurement rules under the County's Code of Ordinances or the procurement standards required under the funding grant agreement, whichever standards are more restrictive. Said agreements or MOUs agreements shall not require additional authorization from the County Board when limited to the purpose of procuring and/or providing training and/or curriculum development for first responder agencies and other stakeholders unless said agreement or MOU is greater than \$150,000.
- (c) *Agreements and/or Memoranda of Understanding to Advance Additional Partnership Opportunities.* In order to facilitate and advance additional partnership opportunities to effectuate effective and efficient emergency response and coordination activities, the Executive Director shall be authorized to negotiate and execute ~~Memoranda of Understanding (MOU)~~ MOUs or agreements with other political subdivisions, governmental units, nonprofit entities, volunteer groups and private parties, setting forth the agreed roles of the parties thereto with respect to preparedness and response activities within Cook County, without further approval by the County Board. These agreements or ~~Memoranda of Understanding (MOUs)~~ MOUs shall not bind Cook County to indemnification provisions, nor shall such ~~Memoranda of Understanding (MOUs)~~ MOUs obligate Cook County to make any direct payments to a third party from County corporate or grant funds. Said agreements or ~~Memoranda of Understanding (MOUs)~~ MOUs may not require a separate Mutual Aid Agreement, Intergovernmental Agreement or Interagency Agreements; however, should the agreement or ~~Memoranda of Understanding (MOU)~~ MOU require the County to indemnify the other party County Board authorization will be required in advance of execution.
- (d) *[Records to be maintained.]* The Executive Director shall further maintain a record of all agreements, or ~~Memoranda~~

of Understanding (~~MOUs~~) MOUs entered into pursuant to the authority afforded in subsection (b) and (c) and make available to the President or the Cook County Board of Commissioners a quarterly report listing the various agreements or ~~Memoranda of Understanding (MOUs)~~ MOUs entered into pursuant to this authority at their request.

Effective date: This ordinance shall be in effect immediately upon adoption.