

## **RESOLUTION NO. 2011-11**

**A RESOLUTION APPROVING THE COTTER/GASSVILLE WASTEWATER TREATMENT FACILITY, (For Cotter's Share) (the "Utility") BECOMING A MEMBER OF THE ARKANSAS WATER AND WASTEWATER RESPONSE NETWORK (ARWARN) AND AUTHORIZING THE MAYOR AND RECORDER/TREASURER TO EXECUTE THE ARKANSAS MUTUAL AID AND ASSISTANCE AGREEMENT REQUIRED FOR ARWARN MEMBERSHIP**

**WHEREAS**, the "Utility", owns, operates and maintains a wastewater utility system.

**WHEREAS**, the "Utility" desires to cooperate with other cities, districts, and utilities which own and operate a wastewater utility systems;

**WHEREAS**, the "Utility" expresses its intent to encourage and foster mutual aid between and among utilities in the event of disasters and emergencies;

**WHEREAS**, the Federal Emergency Management Agency ("FEMA") has established a rule which provides that FEMA will reimburse mutual aid costs for a particular disaster or emergency only if mutual aid participants have signed a written agreement prior to that disaster or emergency;

**WHEREAS**, prudent and appropriate charges should be established from time to time which may be paid to the Utility for its provision of mutual aid services and which may be paid to other utilities which may provide mutual aid assistance to the Utility;

**WHEREAS**, participation in the program and responding to a request for assistance is strictly voluntary. The adoption of this agreement does not obligate the city, utility, district or association to provide any and all assistance that may be requested by another utility.

**NOW, THEREFORE BE IT RESOLVED** by the governing body of the Cotter/Gassville Wastewater Treatment Facility (for Cotter's Share) that:

**Section 1.** The Mayor and Recorder/Treasurer are hereby authorized and directed to execute and deliver the Arkansas Mutual Aid and Assistance Agreement for Water and Wastewater Utilities.

**Section 2.** If deemed necessary, the managing staff of the utility systems is hereby authorized to establish reasonable rates for reimbursement of its labor and equipment costs as contemplated in FEMA rules.

- Section 3.** The "Utility" will provide mutual aid assistance to other like utilities if the Management of the "Utility" determines that:
- (a) the reliability and performance of the Utility's systems and the public health and safety of the Utility's residents and customers will not be materially and adversely affected; and
  - (b) the utility requesting assistance has executed the Arkansas Mutual Aid and Assistance Agreement for Water and Wastewater Utilities (or an agreement substantially similar in form and content).

**PASSED AND APPROVED** by the governing body of the Cotter/Gassville Wastewater Treatment Facility (for Cotter's Share) this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
Peggy Hammack, Mayor

ATTEST:

\_\_\_\_\_  
Sharon Sugg, Recorder/Treasurer