

Agenda Item # 55

DISTRIBUTION  
County Board  
County Administrator (2)  
Sheriff

STATE OF ILLINOIS )  
                                  ) SS  
COUNTY OF LAKE )

COUNTY BOARD, LAKE COUNTY, ILLINOIS

ADJOURNED REGULAR SEPTEMBER, A.D., 2005 SESSION

March 14, A.D., 2006

MADAM CHAIRMAN AND MEMBERS OF THE COUNTY BOARD:

Your Law and Judicial Committee presents herewith Memorandum of Understanding with the American Red Cross Disaster Relief Agency; and requests its adoption.

Respectfully submitted,

Audrey Ryan Aye  Nay   
Chairman

Randy [Signature]   
Vice-Chairman

Carol Belcher

Sandy Cole

Juan [Signature]

[Signature]

\_\_\_\_\_  
Law and Judicial Committee

## ORDINANCE

WHEREAS, the attached Memorandum of Understanding provides written record defining a working relationship between The American Red Cross of Greater Chicago and the Lake County Sheriff's Emergency Management Agency in preparing for and responding to disaster situations at all levels and assisting emergency response efforts, where necessary.

WHEREAS, the County of Lake does not currently have a written memorandum of understanding with the American Red Cross; and

WHEREAS, the County of Lake establishes policies and procedures to ensure its compliance with the relevant State and Federal laws concerning hazardous materials; and

WHEREAS, the County of Lake has established within the Emergency Operations Plan procedures and responsibilities to contain and remove hazardous materials released into the environment; and

WHEREAS, the County of Lake holds the releaser as liable for all expenses incurred in protecting the public and environment as a result of a hazardous materials release; and

WHEREAS, the Finance and Administrative Committee of the County Board and the Law and Judicial Committee of the County Board have reviewed the proposed Hazardous Materials Release, Cost Recovery Ordinance and recommended that the County Board adopt said policy.

NOW, THEREFORE, BE IT ORDAINED, by this County Board of Lake County, Illinois, that the Hazardous Materials Release, Cost Recovery Ordinance, as attached hereto and made part of this ordinance, is hereby adopted; and

DATED, at WAUKEGAN, LAKE COUNTY, ILLINOIS, on this 14<sup>th</sup> day of March, A.D., 2006.

## *Memorandum of Understanding*

### **Between The Lake County Sheriff's Emergency Management Agency and The American Red Cross of Greater Chicago**

The purpose of this Memorandum of Understanding (MOU) is to create a working relationship between The American Red Cross of Greater Chicago (herein referred to as "ARC") and the Lake County Sheriff's Emergency Management Agency (herein referred to as "EMA") in preparing for and responding to disaster situations at all levels and assisting emergency response efforts, where necessary. This agreement describes the broad framework for cooperation between the two organizations to provide assistance and support services to victims of major emergencies or disasters as well as emergency responders, and to coordinate emergency preparedness activities where practical and beneficial.

Each party to this MOU is a separate and independent organization. As such, each organization retains its own identity in providing service, and each organization is responsible for establishing its own policies and financing its own activities.

#### **A. Lake County Sheriff's Emergency Management Agency**

The Emergency Management Agency (EMA) operates under the day-to-day control of the Sheriff and is responsible for developing a county-wide emergency preparedness plan. The Lake County plan addresses major hazards and coordinates disaster response of county resources including communications, police, fire and rescue units, and hospitals, religious and charitable organizations. This plan is exercised regularly by conducting drills that deal with simulated nuclear accidents, flooding, hazardous material spills, and severe weather. During periods of disaster and major emergencies, the Emergency Management Agency acts as the primary liaison to the Illinois and federal emergency management agencies.

As a part of emergency preparedness, the emergency management agency tries to maintain a current emergency resources database of items and facilities that could be of use during disaster response.

The agency also provides emergency planning assistance to local governments and has an active program of safety literature distribution to the general public.

#### **B. American Red Cross**

The ARC is a humanitarian organization, led by volunteers, that provides relief to those affected by disasters and helps people prevent, prepare for, and respond to emergencies. The ARC's authority to perform disaster services was formalized when the Congress of the United States chartered the organization in 1905. Among other provisions, this charter charged the ARC— *To continue and carry on a system of national and international relief in time of peace and apply*

*the same in mitigating the sufferings caused by pestilence, famine, fire, floods, and other great national calamities, and to devise and carry on measures for preventing the same.*  
(U.S. Congress, act of January 5, 1905, as amended, 36 U.S.C)

The authority of the ARC to provide disaster services was reaffirmed by federal law in the 1974 Disaster Relief Act (Public Law 93-288) and in the 1988 Robert T. Stafford Disaster Relief and Emergency Assistance Act.

#### **A. Lake County Sheriff's Emergency Management Agency**

The Emergency Management Agency (EMA) operates under the day-to-day control of the Sheriff and is responsible for developing a county-wide emergency preparedness plan. The Lake County plan addresses major hazards and coordinates disaster response of all county resources including communications, police, fire and rescue units, hospitals, religious and charitable organizations. The emergency plan is exercised regularly by conducting drills that deal with simulated nuclear accidents, flooding, hazardous material spills, and severe weather. During periods of disaster and major emergencies, the Emergency Management Agency acts as the primary liaison to the Illinois and federal emergency management agencies.

As a part of emergency preparedness, the emergency management agency maintains an updated emergency resources database of items and facilities that could be of use during disaster response. Examples include generators, pumps, sand bags, and buildings capable of providing shelter.

The agency provides emergency planning assistance to local governments and has an active program of safety literature distribution to the general public.

#### **B. American Red Cross (ARC)**

ARC understands and agrees that if it provides emergency and disaster relief services in Lake County, Illinois, it must provide those services in coordination and under the direction of Lake County's Unified Command and/or Incident Command. ARC further agrees that it will not charge EMA, Lake County, the Lake County Sheriff, local municipalities or governmental bodies or disaster victims for providing those emergency and disaster relief services.

ARC further understands and agrees that its role in providing disaster relief assistance in Lake County will be limited to providing emergency shelter care. Under the direction of Unified and/or Incident Command, ARC will provide shelter planning and advise on shelter management at sites approved by Unified and/or Incident Command. The parties agree that responsibility for staffing those shelters will remain with the EMA and/or other EMA partners.

American Red Cross assistance to disaster victims is not dependent upon a local, state or federal declaration. All American Red Cross Disaster Services are provided in accordance with the American Red Cross Disaster Services Regulations and Procedures. The American Red Cross will maintain administrative and financial control over its activities.

The American Red Cross disaster responsibilities are nationwide. Therefore, when the local chapters in the affected area are unable to meet the needs of disaster victims, the resources of the total organization are made available.

#### *General Operational Services*

To ensure the efficient use of resources and to avoid duplication, both parties agree that ARC will provide its services under the direction of Unified or Incident Command and will coordinate its services by:

- A. Maintaining direct and constant communication with Unified or Incident Command through conference, telephone, facsimile, e-mail, and other means to facilitate the coordination of resources, both human and material, and the cooperation of the parties in areas of mutual interest.
- B. In the performance of their duties, EMA and ARC recognize the responsibilities of the other and, when feasible, will assist the other in the performance of these duties to ensure that effective assistance is provided to all disaster victims and that resources are utilized efficiently.
- C. EMA and ARC will include representatives of the other in its committees, task forces, and working groups formed to mitigate, prepare for, respond to and recover from disasters or other emergencies.
- D. Recognizing the need to provide a clear and concise message to the public regarding the operation of both organizations, ARC and EMA will make efforts through their Media Affairs Offices to keep the public informed of their cooperative efforts and activities. The ARC will not make comments to the media on behalf of the Unified or Incident Command without prior authorization from the Unified or Incident Command.
- E. Cooperative arrangements for emergency planning, training, exercising, response, recovery, mitigation, and community emergency preparedness and response education will be developed and maintained by EMA and ARC.

**Emergency Program Coordination**

**A. Preparedness**

- EMA and ARC will make available to the extent possible to the other, training, educational and development opportunities for their respective personnel.
- Each organization will pursue joint Disaster training, exercising, community and business emergency preparedness education programs.

**B. Planning**

- ARC will work with EMA to create Mass Care and Logistics program for Lake County that will seek to manage simultaneous county-wide openings of Mass Care Shelters and feeding sites due to singular or multiple events.

**C. Response**

- ARC will provide EMA use of its Emergency Mass Care resources during a response to a major emergency. ARC will assist with shelter management and arrange for mass feeding and other appropriate support, as available. ARC will act as the primary provider of shelter services during major emergencies or disasters in Lake County.
- EMA and ARC agree to keep the other informed of developing disaster and emergency situations and of any known victim or emergency responder needs relating to the disaster or emergency situation.
- During major emergency events or disasters where ARC services are deemed necessary by Lake County EMA, ARC and EMA will advise each other on the actions they have taken, in order to ensure effective assistance to disaster victims and to ensure efficient use of resources.
- During a major emergency or disaster whereby an influx of Spontaneous Volunteers are being activated. The ARC will assist Unified or Incident Command in implementing the Spontaneous Volunteer Plan whereby sites will be activated and staffed to receive potential volunteers. The EMA and ARC will work under the direction of Unified or Incident Command to provide administrative support.
- EMA and ARC will work jointly to share, where appropriate, Disaster Assessment information which would be used to provide additional resource for determining level of staff and resources needed to alleviate disaster caused needs.

VII. Use of American Red Cross Name and Emblem and of the Emergency Management Agency Logo

Both parties will coordinate regarding the use of each other's name and logo, and will obtain prior written approval for the use thereof.

VIII. American Red Cross Fundraising

EMA recognizes that ARC of Greater Chicago is dependent primarily upon voluntary public financial support to carry out its programs.

IX. Agreement Review and Update

Representatives of ARC and EMA will meet annually, on or around the date of this agreement, to evaluate the progress in the implementation of the Memorandum of Understanding and to revise and develop new plans, goals or agreements as appropriate.

This agreement shall be effective immediately upon the signature of the last party of the agreement.

It is understood by both parties that at any time this Agreement may be terminated by written notification from either party to the other.

**Memorandum of Understanding**

This MOU shall be effective on \_\_\_\_\_ and terminate on \_\_\_\_\_. Six months prior to termination, the parties shall meet to review the progress and success of the MOU and determine whether it shall be extended for an additional three years. In no event shall any extension of this MOU be for a period exceeding three years.

This Memorandum of Understanding does not create a partnership or a joint venture, and neither party has the authority to bind the other.

\_\_\_\_\_  
(date)  
Suzi Schmidt  
Chair  
Lake County Board

\_\_\_\_\_  
(date)  
LaForice Nealy  
Senior Director  
Readiness and Response  
American Red Cross of Greater Chicago

\_\_\_\_\_  
(date)  
David Christensen  
Director  
Lake County Sheriff's  
Emergency Management Agency