

R 22-11 RESOLUTION

**A RESOLUTION AUTHORIZING THE VILLAGE PRESIDENT TO SIGN A
LETTER OF INTENT TO PARTICIPATING IN AN INTERGOVERNMENTAL
AGREEMENT WITH DUPAGE COUNTY AND THE EMERGENCY
TELEPHONE SYSTEM BOARD FOR A COUNTY-WIDE INTEROPERABLE
EMERGENCY RADIO SYSTEM**

WHEREAS, DuPage County, on behalf of its Emergency Telephone System Board (ETSB) has been researching a county-wide interoperable emergency radio dispatch system; and,

WHEREAS, DuPage County has made a significant monetary investment towards county-wide radio interoperability; and,

WHEREAS, DuPage County has asked all stakeholders to issue a Letter of Intent to participate in an intergovernmental agreement to participate in the project subject to any final intergovernmental agreement; and,

WHEREAS, the Corporate Authorities deem it to be in the best interest of the Village of Lombard to approve the Letter of Intent,

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS as follows:

SECTION 1: That the Village President is hereby authorized to sign on behalf of the Village of Lombard the Letter of Intent as attached hereto.

SECTION 2: That the Village Clerk be and hereby is authorized to attest said Letter of Intent as attached hereto.

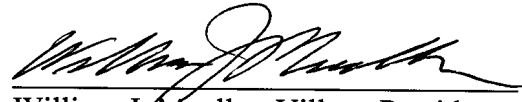
Adopted this 2nd day of September, 2010.

Ayes: Trustees Giagnorio, Wilson, Moreau, Fitzpatrick and Ware


Nayes: None

Absent: Trustee Gron

Approved this 2nd day of September, 2010.


William J. Mueller, Village President

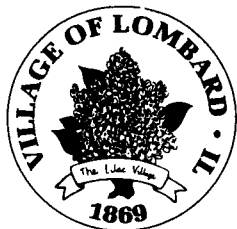
ATTEST:


Brigitte O'Brien, Village Clerk

Village Clerk

APPROVAL AS TO FORM:

Thomas P. Bayer, Village Attorney



VILLAGE OF LOMBARD

255 E. Wilson Ave.
Lombard, Illinois 60148-3926
(630) 620-5700 Fax (630) 620-8222
www.villageoflombard.org

September 2, 2010

Village President
William J. Mueller

Village Clerk
Brigitte O'Brien

Trustees

Greg Alan Gron, Dist. 1
Keith T. Giagnorio, Dist. 2
Zachary C. Wilson, Dist. 3
Dana L. Moreau, Dist. 4
Laura A. Fitzpatrick, Dist. 5
William "Bill" Ware, Dist. 6

Village Manager
David A. Hulseberg

"Our shared Vision for Lombard is a community of excellence exemplified by its government working together with residents and businesses to create a distinctive sense of spirit and an outstanding quality of life."

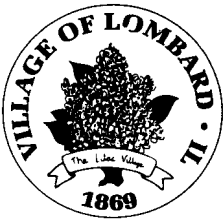
"The Mission of the Village of Lombard is to provide superior and responsive governmental services to the people of Lombard."

Patrick J. O'Shea, Chairman
Emergency Telephone System Board of DuPage County
421 N. County Farm Rd.
Wheaton, IL 60187

Dear Chairman O'Shea:

In consideration of DuPage County's significant monetary investment towards county-wide radio interoperability, this letter of intent expresses our commitment to participating in an intergovernmental agreement with DuPage County on behalf of its Emergency Telephone System Board (ETSB) as part of the ETSB's implementation of a county-wide interoperable emergency radio dispatch system through the use of Motorola, Inc.'s STARCOM21 infrastructure. The Village of Lombard certifies that we will participate in the project with the understanding that any final intergovernmental agreement will provide that:

- 1.) The DuPage County ETSB will fund the purchase of the proposed interoperable emergency radio dispatch system utilizing surcharge funds at a level that also allows for the continued operation and maintenance of the 9-1-1 infrastructure;
- 2.) The Village of Lombard will be responsible for all costs not funded by ETSB, including additional equipment purchased by our agency, costs associated with the installation of mobile radio equipment and PSAP site preparation;
- 3.) The Village of Lombard will be responsible for contracting with Motorola, Inc. for a service agreement for the use of the Starcom21 radio network and understand that the ETSB will reimburse us for these costs for a period not to exceed (4) four years as set forth in the Agreement;
- 4.) The Village of Lombard will be required to comply with all Federal Communications Commission (FCC) rules regarding narrowbanding and the release of unused frequencies to the FCC's Regional Planning Council;
- 5.) The Village of Lombard will ensure that all equipment provided pursuant to the Agreement be assigned to only first responding personnel, i.e. sworn police officers, firefighters,



- and paramedics and used primarily for the purpose of responding to emergency calls to 9-1-1; and
- 6.) That DuPage County and the ETSB will not be responsible for any injuries related to or resulting from the Agreement other than through their own intentional torts.

The Village of Lombard further understands that any such agreement will recognize that in the event of a loss of funding for the ETSB, including the unavailability of funds from the 9-1-1 surcharge authorized by 50 ILCS 750/15.3 *et seq.*, we will be required to assume any remaining costs associated with the purchase of the equipment. In such an event, we understand that the agreement will provide for the transfer of the ownership of such equipment to us from the ETSB. The Village of Lombard further understands that this project cannot proceed without the participation of a sufficient number of governmental entities in DuPage County and that the County will rely on this letter and the understandings contained herein in proceeding with the project and may enter into binding agreements with vendors in reliance on our participation in the project.

Sincerely,

William J. Mueller
Village President

Attest:

Brigitte O'Brien
Village Clerk