

RESOLUTION NO. 2019-27

A RESOLUTION TO PROVIDE JOINT SERVICES BETWEEN THE CITY OF WAYNE AND WAYNE COUNTY.

THIS AGREEMENT is made and entered into by and between The City of Wayne, Nebraska hereinafter referred to as "City" and the Wayne County Commissioners, hereinafter referred to as "County," each being a local governmental subdivision which on its effective date are, or become, signatories hereto:

WITNESSETH THAT:

WHEREAS, it is the recognized responsibility of municipalities and counties to develop and maintain quality services and facilities to the community; and

WHEREAS, it is recognized that the provision of said basic services are sometimes best accomplished jointly because of certain cost-savings and efficiencies or certain hardships which might be experienced if undertaken singularly; and

WHEREAS, Sections 13-804 through 13-814, Reissue Revised Statutes of Nebraska, 1943, authorized the joint exercise of powers, privileges and authority by agreement of two or more public agencies of any power common to them; and

WHEREAS, the County owns certain equipment that the City does not; and

WHEREAS, the City owns certain equipment that the County does not; and

WHEREAS, these governmental entities jointly own several of the roads around the perimeter of the City; and

WHEREAS, it is the desire of the parties hereto signed to participate in the joint development of city and county land and resources.

NOW, THEREFORE, BE IT RESOLVED, that the City of Wayne and Wayne County hereto signed do agree to the following:

1. County Assistance to City: The County will provide equipment and services to the City upon request for routine maintenance and special needs on public property for small to moderate projects within the city limits and city projects outside the city limits in the Extraterritorial Jurisdiction when possible. Such assistance may be approved by any County Commissioner whose District would provide the equipment or service. Large construction projects will be bid out to private contractors upon agreement by both the City and the County.
2. City Assistance to the County: The City will provide equipment and services to the County upon request for routine maintenance and special needs on public property for small to moderate projects within the city limits and county projects outside the city limits in the Extraterritorial Jurisdiction when possible. Such assistance may be approved by the City Administrator. Large construction projects will be bid out to private contractors upon agreement by both the City and the County.

3. Joint Projects: There may be times where both parties wish to partake in joint projects such as paving of roads. Both parties agree such projects will best serve the interests of the residents and taxpayers within both entities. Those projects will be administered through separate agreements on a project by project basis.
4. Administration of the Agreement: A separate entity is not created by this agreement.
5. Agreement Duration: The term of this agreement will be effective upon execution by both parties and be in effect for ten years or until such time either party shall terminate the agreement after 120 days written notice.
6. Agreement Amendments: This agreement may be amended at any time by the written agreement of all parties.
7. Hold Harmless: The City of Wayne and Wayne County agree to indemnify and hold each other harmless from any and all liability regarding services provided in this agreement and/or to maintain liability insurance in the minimum amount of \$1,000,000, with Wayne County and the City of Wayne listed as additional named insured. Wayne County and the City of Wayne shall at all times provide each other with proof of the insurance required by this paragraph.

AND BE IT FURTHER RESOLVED, that the Commissioners of the County of Wayne do declare the County to be a participant in this joint effort to provide said services to the City.

PASSED AND APPROVED this 4th day of June, 2019.

THE COUNTY OF WAYNE, NEBRASKA

By _____
Chair

ATTEST:

County Clerk

AND BE IT FURTHER RESOLVED, that the City of Wayne does declare itself to be a participant in the joint effort to provide said services to the County.

PASSED AND APPROVED this 21st day of May, 2019.

THE CITY OF WAYNE, NEBRASKA,

By _____
Mayor

ATTEST:

City Clerk