



## Legislation Text

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**File #:** RES 22-834, **Version:** 1

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Authorizing the Department of Public Works to enter into a statewide mutual aid agreement jointly with other government municipalities and entities for the leasing of equipment.

WHEREAS, the City of Saint Paul has taken action to enter into the Public Works Joint Powers Mutual Aid Agreement ("MAA"); and

WHEREAS, pursuant to the MAA, the City now desires to enter into this Equipment Loan Agreement ("agreement"), which provides a process for units of government to loan public works equipment with other agencies within the State of Minnesota; and

WHEREAS, the equipment can be loaned in response to emergencies or normal operational needs; and

WHEREAS, under the agreement, participating governments must designate "requesting officials" and "sending officials" for the purposes of requesting and determining whether to loan equipment, respectively; and

WHEREAS, under the agreement, the requesting official and sending official can mutually agree as to whether a fee shall be charged for the use of the equipment, which agreement must be reduced to writing and invoiced; and

WHEREAS, the agreement contains a defense and indemnification clause, whereby requesting party agrees to defend, indemnify, and hold the sending party harmless against any claims brought or actions filed against the sending party or any officer, employee or agent of the sending party for injury to, death of, or damage to the property of any third person or persons, arising from the requesting party's use of the equipment or the requesting party's failure to perform its obligations under the agreement, which defense and indemnification clause the Council finds reasonable and necessary to effectuate the purposes of the agreement; and

WHEREAS, the City of Saint Paul desires to enter said agreement; now, therefore, be it

RESOLVED that the City Council of Saint Paul, Minnesota hereby authorizes the Mayor and proper City Officials to enter into this Public Works Equipment Loan Agreement; and, be it

FURTHER RESOLVED that the Director of Public Works, Public Works Operations Manager, the Office of Financial Services Fleet Manager, or their designee, are designated as the "Requesting Official" and the "Sending Official" for this Equipment Loan Agreement.