

Management Committee

Meeting date: March 28, 2007

Council Meeting date: April 11, 2007

ADVISORY INFORMATION

Date:	March 27, 2007
Subject:	Authorization for Metropolitan Council Participation in State Emergency Planning, Resolution No. 2007 -
District(s), Member(s):	All
Policy/Legal Reference:	Minnesota Statutes Chapters 473 and 12
Staff Prepared/Presented:	Jeanne Matross, 651-602-1108 Nils Grossman, 651-602-1463
Division/Department:	Office of General Counsel, Nils Grossman, 651-602-1463

Proposed Action/Motion

That the Metropolitan Council approve Resolution 2007-10 to authorize Metropolitan Council participation in state emergency planning.

Issue(s)

- The Minnesota Legislature has declared in Minnesota Statutes Chapter 12 that it is the policy of the state that all emergency management functions of the state be coordinated with comparable functions of the federal government and other state and local governments.
- The Minnesota Legislature created by Minnesota Statutes Chapter 12 the Division of Emergency Management within the Department of Public Safety and directed such division to develop and maintain a comprehensive state emergency operations plan and emergency management program and to coordinate such plan/program with emergency plans/programs of political subdivisions of the state.
- Metropolitan Council is not specifically defined as a political subdivision in Chapter 12 but does provide on a regional basis certain functions which are considered to be emergency functions for purposes of the state emergency management plan.
- The Governor has issued Executive Order 04-04 assigning emergency responsibilities to state agencies to develop emergency plans and procedures.
- While Metropolitan Council is not specifically covered by Minnesota Statutes Chapter 12 and is not a state agency, Metropolitan Council, pursuant to Chapter 473, has all of the powers necessary and convenient to enable it to perform and carry out its duties and responsibilities, including those which may be related to state emergency planning.
- The attached Resolution authorizes The Council to participate in state emergency planning, including participation in the development and maintenance of the state emergency plan/program, representation of the Metropolitan Council on the Minnesota Emergency Preparedness and Response Committee and development of its own emergency/business operations continuation plan.

Overview

It is in Metropolitan Council's and the public's interest for the Council to participate in statewide emergency planning and to develop and coordinate its own emergency/business continuation plan with the state plan. Because definitions included in Minnesota Statutes Chapter 12 do not include Metropolitan Council it is advisable for the Metropolitan Council to take action by Resolution to participate in the state emergency planning process.

METROPOLITAN COUNCIL
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RESOLUTION NO. 2007-10

**RESOLUTION AUTHORIZING
METROPOLITAN COUNCIL PARTICIPATION
IN STATE EMERGENCY PLANNING**

WHEREAS, the Minnesota Legislature has declared in Minnesota Statutes Chapter 12, Section 12.02 that it is the policy of the state that all emergency management functions of this state be coordinated to the maximum extent with the comparable functions of the federal government, of other states and localities, and of private agencies, to the end that the most effective preparations and use may be made of the nation's labor supply, resources and facilities for dealing with any disaster that may occur; and

WHEREAS, the Minnesota Legislature created by Minnesota Statutes Section 12.09 et seq. the Division of Emergency Management within the Department of Public Safety and directed such division to develop and maintain a comprehensive state emergency operations plan and emergency management program; and

WHEREAS, the Legislature further directed in Minnesota Statutes Section 12.09 that the Division of Emergency Management coordinate the development and maintenance of emergency operations plans and emergency management programs by the political subdivisions of this state with the state emergency management plan; and

WHEREAS, the Metropolitan Council is not specifically defined as a political subdivision for purposes of Minnesota Statutes Chapter 12 but does, however, provide certain functions at a regional level which are included within the emergency functions to be addressed in the state emergency management plan; and

WHEREAS, the Governor of the State of Minnesota has issued Executive Order 04-04 assigning emergency responsibilities to state agencies including a directive to state agencies to develop and update emergency plans and procedures including development of a continuation of operations plan for use during emergencies; and

WHEREAS, pursuant to Minnesota Statutes Chapter 473, the Metropolitan Council has all powers which may be necessary or convenient to enable it to perform and carry out the duties and responsibilities now existing or which may hereinafter be imposed upon it; and

WHEREAS, the Metropolitan Council has determined that it is in the best interests of the Metropolitan Council and the public to participate in state emergency planning;

NOW THEREFORE, BE IT RESOLVED THAT THE METROPOLITAN COUNCIL, PURSUANT TO AND IN ACCORDANCE WITH ITS POWERS, DUTIES AND RESPONSIBILITIES UNDER MINNESOTA STATUTES, CHAPTER 473:

- 1. Participate in the development, implementation and maintenance of the comprehensive state emergency operations plans and emergency management programs developed by the state under Minnesota Statutes Chapter 12, including participation as a member of the Minnesota Emergency Preparedness and Response Committee.**
- 2. Develop, implement and maintain an emergency plan and procedures, including a continuation of operations plan for use during emergencies, such plan and procedure to contain the elements and provisions outlined in Executive Order 04-04.**
- 3. Authorizes its Regional Administrator to designate a staff member to serve as the Metropolitan Council's emergency preparedness response contact/coordinator with the state Division of Emergency Management and other state agencies with regard to emergency preparedness and response issues and to represent the Metropolitan Council on the Minnesota Emergency Preparedness and Response Committee.**
- 4. Authorizes its Regional Administrator to take such other actions as s/he deems necessary, prudent and in the interests of the Metropolitan Council with respect to state emergency planning and participation in the development, implementation, and maintenance of the statewide emergency plan including use of the Minnesota Incident Management System and the development of hazard mitigation strategies.**

Adopted this _____ day of _____, 2007

Peter Bell, Chair

Pat Curtiss, Recording Secretary