



City of Blaine Anoka County, Minnesota

Blaine City Hall
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Legislation Details (With Text)

File #: RES 20-48 **Version:** 1 **Name:** Approve PW Mutual Aid and Equip Share JPA
Type: Resolution **Status:** Passed
File created: 4/6/2020 **In control:** City Council
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Title: APPROVE JOINT POWERS AGREEMENT FOR A MINNESOTA STATEWIDE PUBLIC WORKS MUTUAL AID AND EQUIPMENT LOAN
Sponsors: Dan Schluender
Indexes:
Code sections:
Attachments: 1. LMC Attorney Chris Smith - Mutual Aid Authority, 2. Mutual Aid Fact Sheet, 3. Statewide Public Works Equipment Sharing Agreement Fact Sheet, 4. Statewide Public Works Equipment Sharing Agreement, 5. Statewide Public Works Mutual Aid Agreement

Date	Ver.	Action By	Action	Result
4/6/2020	1	City Council	Adopted	

CONSENT AGENDA - *Jon Haukaas, Director of Public Works*

APPROVE JOINT POWERS AGREEMENT FOR A MINNESOTA STATEWIDE PUBLIC WORKS MUTUAL AID AND EQUIPMENT LOAN

A number of Public Works Departments around the Twin Cities have been working with the League of Minnesota Cities to develop process for mutual aid and equipment loans that did not require a centralized clearinghouse. The attached documents are a culmination of that work.

A few key points identified by the LMC attorney are as follows:

- Cities have broad powers to enter into intergovernmental agreements with other “governmental units” under Minn. Stat. Section 471.59.
- Minnesota Statutes, Chapter 12 is known as the "Minnesota Emergency Management Act." Chapter 12 authorizes “political subdivisions” to develop “mutual aid arrangements for reciprocal emergency management aid and assistance in an emergency or disaster too great to be dealt with unassisted.”
- Minnesota Statutes, Section 12.331 provides that when “the public interest requires it because of an emergency, a political subdivision may request the assistance of another political subdivision.”
- Even though cities can rely on Section 12.331 in the absence of a written agreement, it is generally better to have a written agreement in place prior to needing assistance.

A few of the main points of the JPA are as follows:

- There is no membership or other fixed cost to participate in this agreement.

- This is a Joint Powers Agreement that specifically allows a requesting party to select the resources that best meets the needs of a given situation.
- The sending party has discretion whether to provide personnel or equipment and can recall such assistance at any time.
- The agreement says that “charges may be levied”, so it is optional whether the sending party will bill for providing assistance.
- There is no membership or other fixed cost to participate in this agreement.
- In order to keep this mutual aid agreement closer to local level of government, Hennepin County Emergency Management (“HCEM”) has volunteered to serve as the administrative coordinator for the units of government entering into this Agreement. When a community adopts this Agreement a fully executed copy of the Agreement needs to be forwarded to HCEM.

The attached Fact Sheets go into deeper detail on the specifics of the program.
By motion, approve the resolution.

WHEREAS, the City of Blaine desires to enter into a statewide Public Works Mutual Aid Agreement for the potential to share public works equipment and resources; and

WHEREAS, Minnesota Statutes Section 471.59 authorizes the City of Blaine to enter into an agreement with the other governmental agencies; and

WHEREAS, Minnesota Statutes, Section 12.331 provides that when “the public interest requires it because of an emergency, a political subdivision may request the assistance of another political subdivision.”; and

WHEREAS, Minnesota Statutes, Chapter 12, known as the "Minnesota Emergency Management Act", authorizes “political subdivisions” to develop “mutual aid arrangements for reciprocal emergency management aid and assistance in an emergency or disaster too great to be dealt with unassisted.” ; and

WHEREAS, the Joint Powers Agreement details the responsibilities of the City of Blaine as to the requirements and obligations under the proposed Mutual Aid Agreement and Equipment Loan Agreement.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Blaine as follows:

1. The proposed Public Works Mutual Aid Agreement and Equipment Loan Agreements are hereby referred to the Director of Public Works to provide the Council with an understanding of the purpose, terms, procedures, and responsibilities of the Agreements.

2. The Joint Powers Agreement, between the City of Blaine and other participating agencies is hereby approved.
3. The Mayor and the City Manager are hereby authorized and directed to execute said agreement, and any amendments, and thereby assume for and on behalf of the City of Blaine all of the contractual obligations contained therein.

PASSED by the City Council of the City of Blaine this 6th day of April, 2020.