

**Joint Cities-County Resolution
and
Local Emergency Planning Committee Resolution**

6060

County of Douglas County Resolution Number	
City of Baldwin Resolution Number	<u>08-98-13</u>
City of Eudora Resolution Number	<u>98-9</u>
City of Lawrence Resolution Number	
City of Lecompton Resolution Number	<u>182</u>

LOCAL EMERGENCY PLANNING COMMITTEE RESOLUTION AND RESOLUTION SPECIFYING THE DUTIES OF THE EMERGENCY MANAGEMENT DIRECTOR

A RESOLUTION ESTABLISHING A DOUGLAS COUNTY EMERGENCY MANAGEMENT BOARD PROVIDING FOR THE MANNER OF APPOINTMENT THEREOF AND DEFINING THE POWERS AND DUTIES OF SAID BOARD, PROVIDING FOR THE AUTHORITY AND DUTIES OF THE DIRECTOR OF EMERGENCY MANAGEMENT AND RESCINDING THE PROVISIONS OF RESOLUTION NO 96 16 OF THE COUNTY OF DOUGLAS RESOLUTION NO R05 96-05 OF THE CITY OF BALDWIN, RESOLUTION NO R3-96 OF THE CITY OF EUDORA, RESOLUTION NO 5796 OF THE CITY OF LAWRENCE AND RESOLUTION NO 171 OF THE CITY OF LECOMPTON

WHEREAS, the Governing Bodies of Douglas County and the Cities of Baldwin Eudora Lawrence and Lecompton in the State of Kansas and the Local Emergency Planning Committee of Douglas County Kansas deem it advisable to establish the Douglas County Emergency Management Board in order that there may be close cooperation between the various departments now and to be established in the Governing Bodies of the County and several cities

WHEREAS the Douglas County Department of Emergency Management and the powers, duties, and functions thereof shall be exercised by the Director with the advice of the Douglas County Emergency Management Board and the Director shall carry out the precepts, pronouncements, and basic policies in conformance with the Disaster Emergency Plan of the State of Kansas and the Division of Emergency Management of the State of Kansas

WHEREAS K S A 65-5702 establishes the State Emergency Response Commission and further requires the commission to establish local planning districts and appoint a local planning committee for each such district and

WHEREAS the State Emergency Response Commission has established Douglas County as a planning district and after receiving nominations from the Douglas County Board of County Commissioners has appointed a local emergency planning committee

WHEREAS the staff of the Emergency Management Department of Douglas County performs administrative and support functions for the Douglas County Local Emergency Planning Committee

NOW THEREFORE BE IT RESOLVED by the Governing Body of the County of Douglas and the Cities of Baldwin Eudora Lawrence and Lecompton, Kansas and by the Douglas County Local Emergency Planning Committee

SECTION I Purposes

A To provide for the preparation and execution of the disaster management plans for the protection of persons and property within Douglas County in accordance with the provisions and requirements of Kansas Statutes Annotated 48-904 through 48-939 and K.A.R. 56-2-1 et seq specifying the standards for local disaster agencies

B to provide for carrying out the requirements of both Kansas and Federal laws as they relate to the responsibilities of the local emergency planning committee as specified in K.S.A. 65-5701 through 65-5710 as amended by the 1991 Kansas Session Laws and the Federal Emergency Planning and Community Right to Know Act of 1986

C to create a single body that will serve the function of both an advisory body to the Douglas County Commission and the governing bodies of the Cities on emergency management concerns and as the Local Emergency Planning Committee for Douglas County

SECTION II Definitions

A "Emergency Management" means the preparation for and the carrying out of all emergency functions other than functions for which military forces or other Federal agencies are primarily responsible to mitigate, respond to and recover from disasters

B "Director" means the chief operational officer of the Department of Emergency Management

C "Board" means the Emergency Management Board of Douglas County

SECTION III Organization of the Board

A There is hereby created a Douglas County Emergency Management Board hereinafter referred to as the "Board", which shall consist of members to be selected as follows

- 1 A member of the Board of Commissioners of Douglas County or their designee for a term of one (1) year
- 2 A member from each of the governing bodies of Baldwin, Eudora, Lawrence and Lecompton or a designee from each for a term of one (1) year
- 3 The Douglas County Sheriff
- 4 The Lawrence Police Chief or his/her designee
- 5 The Baldwin Police Chief during even numbered years and the Eudora Police Chief during odd numbered years
- 6 The University of Kansas Police Chief or his/her designee
- 7 The Director of Lawrence/Douglas County Fire & Medical or his/her designee
- 8 A fire chief from one of the County township fire departments or the fire departments of Baldwin City or Eudora selected by the Board of County Commissioners for a term of 2 years
- 9 The chief administrative officer of Lawrence Memorial Hospital or his/her designee

- 10 The Director of the Douglas County Health Department or his/her designee
- 11 An appointee by the Douglas County Commission of an individual to represent an emergency management organization to serve a term of 3 years
- 12 An appointee by the Douglas County Commission to represent the broadcast and print media to serve for a term of 3 years
- 13 **An appointee by the Douglas County Commission to represent a community group for a term of 3 years**
- 14 An appointee by the Douglas County Commission to represent a transportation organization to serve for a term of 3 years
- 15 An appointee by the Douglas County Commission to represent owners and operators of facilities subject to the provisions of the Emergency Planning and Community Right to Know Act of 1986 Such appointment to last for a term of 3 years
- 16 An appointee by the Douglas County Commission of an individual with a background in chemistry and an interest in chemical emergency preparedness for a term of 3 years
- 17 An appointee by the Douglas County Commission to represent a social service agency with an interest in emergency preparedness Such appointment to last for a term of 3 years
- 18 An appointee by the Provost of the Lawrence Campus of the University of Kansas of a university official with an interest in emergency preparedness Such appointment to last for a term of 3 years
- 19 An appointee by the Douglas County Commission to represent a school district which is located entirely or partially in Douglas County Such an appointment to last for a term of 3 years
- 20 The Director of the Douglas County Emergency Communications Center

B By July 31 each year the County Commission shall submit the current membership of the Board to the state emergency response commission as the County Commission nominees to the Douglas County Local Emergency Planning Committee In addition, when the membership changes for whatever reason the change will be forwarded to the state emergency response commission by the County Commission as nominations to the Local Emergency Planning Committee

C When appointed by the state emergency response commission as members of the Local Emergency Planning Committee the Board members will serve concurrently on the Board and Local Emergency Planning Committee If the state emergency response commission refuses to appoint a County Commission nominee the original appointing body will appoint an alternate person to the Board for nomination to the local emergency planning committee

D In the event of resignation death or incapacity to serve of any member of the Board that position shall be filled by the original appointing body

E The Board shall organize annually on or before June 30th of each year and elect officers including a Chairman Vice Chairman, and 3 Executive Committee Members The Executive Committee shall consist of these 5 officers

F The members of the Board shall serve without compensation

G The Board shall be provided with appropriate office space supplies and equipment in the Emergency Operations Center, but it shall incur no expense until the same has been authorized by the County Commission and such funds from which such expenses shall be payable have been designated Provided, nothing herein shall be construed as requiring such authorization or designation where work is done by a regular officer, office department, board or other agency of the County for the benefit of the Board

SECTION IV Powers and Duties of the Board

A To adopt, amend, and repeal rules and regulations and bylaws governing its procedure and activities

B To serve as an advisory board to the Douglas County Commission the Cities of Baldwin Eudora, Lawrence, and Lecompton in Douglas County the Director and to cooperate with any Federal and State agencies created and existing from time to time for the purposes of effectuating emergency management

C To act jointly and cooperate with other emergency management organizations and local emergency planning committees and the state emergency response commission

D To create committees, either within or without its membership and to enroll volunteer organizations to aid in the discharge of its power and duties

E To serve as an advisory board in investigations and report to the Governing Body of Cities and/or County Commission with recommendations for ordinances, resolutions or other appropriate actions as it may deem necessary with respect to the type of activity of matters of public concern of welfare in so far as the same shall or may be related to defense and relief from the effects of manmade or natural disasters Such investigations reports, and recommendations shall be made available to the Adjutant General when and as required by law

F To request the cooperation and assistance of the agencies and officials of the Cities of Baldwin Eudora, Lawrence and Lecompton and the County of Douglas in the State of Kansas

G To advise the County Commission and the Director concerning the annual budget of the Department of Emergency Management, purchase of new equipment hiring of personnel, and adoption of the Douglas County Kansas Disaster Management Plan

H To Approve and recommend to the Douglas County Commission a Disaster Management Plan including a chemical emergency plan in accordance with the requirements of the federal Emergency Planning and Community Right to-Know Act of 1986

I After being appointed by the state emergency response commission, to serve as the Local Emergency Planning Committee for Douglas County

SECTION V

Authority and Duties of the Executive Committee

- A The Executive Committee shall serve in an administrative capacity for the Board
- B The Committee shall review the annual budget and recommend action to the Board
- C The Committee shall participate in the hiring of and consult with the County Administrator on the performance evaluation of the Director
- D The Committee shall have the power to request an appointing body to replace a Board member who fails to attend a reasonable number of Board meetings
- E The Executive Committee shall have such duties and authority as specified and delegated by the Board

SECTION VI Authority and Duties of the Director of Douglas County Emergency Management

The Department of Emergency Management shall be granted the authority necessary to carry out the functions enumerated in this resolution. The Director is hereby empowered

- A To request the Chairman of the County Commission, the Mayors of each of the cities, or the Governing Bodies of the Cities or the County Commission to proclaim a state of disaster emergency when a disaster has occurred or the threat of a disaster is imminent or to request the termination of a state of disaster emergency
- B To serve as the lead staff position to assist the Board in carrying out its duties and responsibilities
- C To coordinate the effort of emergency management in the Cities and County for the accomplishment of the purpose of this resolution
- D To coordinate the cooperation between divisions, services and staff of the emergency management effort of the Cities and County
- E To exercise the emergency management responsibilities of the Department pursuant to programs and methods approved by the Board and the County Commission
- F To supervise the operational functions of the Douglas County Department of Emergency Management
- G To represent the Douglas County Department of Emergency Management in dealings with the public, private business and industry, and government agencies pertaining to emergency management functions
- H To coordinate the response and recovery activities during and following a disaster emergency
- I To develop and maintain a county hazard analysis
- J To develop a local emergency planning program and maintain an all-hazard emergency operations plan
- K To implement a local technological hazards program which includes participation on the

local emergency planning committee as provided for in K S A 65 5703 and the development and coordination of a radiological protection program

L To develop and maintain an active public education program, both through direct public presentations and contacts with the local news media

M To develop an exercise program to test the capability of the county to implement the emergency management plan

N To develop and coordinate an emergency management training program

O To develop and coordinate a county hazard warning and notification system

P To coordinate all requests by the county for assistance from other jurisdictions and the state and federal governments during a disaster emergency

Q To identify mitigation actions necessary within the county to prevent hazards or to lessen their impact

SECTION VII Support provided to the Department of Emergency Management

Douglas County will provide support to the Department of Emergency Management including

A Office space and clerical support sufficient to perform the required emergency management functions

B Transportation or reimbursement for private transportation used for official duties

C Communications arrangement that allows for 24-hour a day notification to the Department of Emergency Management staff

D The identification of at least one person to serve as an alternate director when the Director is not available

E The cooperation of all agencies and employees of Douglas County in all matters pertaining to emergency management

SECTION VIII Succession

In normal operational circumstances when the Director is unavailable one of the appointed Assistant Directors shall assume the duties and responsibilities of the Coordinator. In a disaster or extreme emergency situation where the Director is unavailable the Assistant Director or his/her designee shall assume the duties of the Director. If the Assistant Director is unavailable, the Emergency Management Board Chairman and the Vice Chairman in that order will assume the duties and responsibilities of the Director.

SECTION IX Organization of Emergency Management

All officials and employees of the Cities and Counties, together with those volunteer forces enrolled to provide aid during a disaster and all groups, organizations and persons who may by agreement or operation of law be charged with duties incidental to the protection of life and property in the Cities and County during such disaster shall constitute the Emergency Management organization of the Cities of Baldwin, Eudora, Lawrence, and Lecompton and the County of Douglas, State of Kansas.

SECTION X Budget and Expenditures

The Department of Emergency Management shall prepare a proposed annual budget estimating the amount of funds necessary to carry out the programs of Emergency Management After review and approval by the Board the annual budget shall be submitted to the County Commission Special projects in the Cities of Douglas County may be funded by the individual city after approval of the City's Governing Body

SECTION XI Hazardous Materials

The Lawrence/Douglas County Fire and Medical Department is hereby designated the hazardous materials incident command agency for Douglas County and all cities therein

SECTION XII Termination of the Board

The Douglas County Emergency Management Board shall terminate or cease activities whenever the Board is dissolved or suspended by action of the Governing Body of the Cities and/or the County Commission If such dissolution or suspension takes place, the members of the Board shall continue to constitute the membership of the Local Emergency Planning committee and the Committee shall function in that capacity unless dissolved by the state authority

SECTION XIII This resolution is hereby declared necessary for the preservation of the public peace health and safety and shall become effective when adopted by the governing bodies of Douglas County and the Cities of Baldwin, Eudora, Lawrence and Lecompton, in the State of Kansas, and the Local Planning Committee of Douglas County Kansas

SECTION XIV Rescission Clause

Douglas County Resolution No 96-16, City of Baldwin Resolution No R05 96 05, City of Eudora Resolution No R03-96, City of Lawrence Resolution No 5796, and City of Lecompton Resolution No 171 are hereby rescinded

ADOPTED by the Local Emergency Planning Committee of Douglas County, Kansas this ____ Day of ____ 1998

Chairman

ADOPTED by the Board of County Commissioners of Douglas County Kansas, this ____ Day of _____, 1998

Tom Taul, Chairman

ATTEST

Patty James, Douglas County Clerk

ADOPTED by the Governing Body of the City of Baldwin, Kansas this 21st 12 of December, 1998

ATTEST

Peggy Nichols

Stan Kuznetz

ADOPTED by the Governing Body of the City of Eudora, Kansas this 9th Day of December, 1998

ATTEST

Donna M. Oleson

Fred Stewart

ADOPTED by the Governing Body of the City of Lawrence Kansas this 20th Day of April, 1998

ATTEST

Byrd H. ...

...

ADOPTED by the Governing Body of the City of Lecompton Kansas this 4 Day of Jan, 1998

ATTEST

Janette S. Hackathorn

Don P. ...