



DATE: 14 September 2020  
FROM: DPS-HSEM  
TO: Governor's Office

SUBJECT: Hennepin County Request for State Disaster Assistance (Minn. State. 12B.25)

**Brief Background and Timeline**

The death of Mr. George Floyd on Monday, May 25 sparked numerous protests throughout the State of Minnesota. Beginning on May 27, elements within the peaceful protests began to incite violence and vandalism, including deliberately setting fire to private and public properties. While many areas including the capital city of Saint Paul suffered damage, the city of Minneapolis bore the brunt of the destruction.

The Minnesota Department of Public Safety conducted a joint virtual preliminary damage assessment (PDA) with FEMA Region V, Hennepin County and the City of Minneapolis during June 22-26. The damage assessment verified \$15,658,865 in eligible fire-related damages, well above Hennepin County's state public assistance (PA) damage indicator of \$2,212,656. The PDA catalogued damages in PA-eligible categories A, B, C and E.

The Governor formally requested a federal major disaster declaration for the incident, citing that the Stafford Act allows for assistance with damages caused by fire, regardless of cause. FEMA denied Minnesota's original request of July 2. The Governor appealed that decision, which FEMA again denied on August 18. In both denials, FEMA did not dispute the damages were eligible for federal aid, but rather that supplemental assistance was "not warranted or appropriate."

The Governor's Emergency Executive Order 20-64 declared a peacetime emergency. Hennepin County submitted a request for state disaster assistance for eligible costs.

The unencumbered balance in the state disaster assistance contingency account is \$16,533,011.

**Legal Authority**

Minn. Stat. Chapter 12B.25 allows the Governor's Authorized Representative (GAR) to enter into grant agreements with local units of government, providing they meet certain criteria.

- The Governor's EEO 20-64 declared a peacetime emergency on 28 May 2020 (Attachment A).
- The joint federal/state/local PDA verified \$15,658,865 in eligible damages (Attachment B).
- Hennepin County exceeds its state disaster assistance indicator of \$2,212,656 (Attachment C).
- Hennepin County formally requested state disaster assistance on 10 September 2020 (Attachment D).
- Hennepin County meets all the requirements of Chapter 12.



- If authorized, the state will cover 75% of the total costs (estimated \$11,744,149). Local government applicants would be responsible for the remaining 25% (estimated \$3,914,716).
- The State Disaster Assistance Contingency Account (DACA) has an unencumbered balance of \$16,533,011 (Attachment E).
- This event qualifies for state disaster assistance in accordance with Minn. Stat. Chapter 12B.25 (3) in that federal disaster assistance is not available because the President twice denied the Governor's request (Attachment F).

If you find the supporting documentation sufficient, please sign the attached letter and return it to Director Joe Kelly, DPS-HSEM.