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March 16, 2018

MEMORANDUM

TO: Frank Abbate, County Manager

RE: Item IV., Letter to the Governor and the Federal and State Delegation for Federal Emergency Management Association (FEMA) Reimbursement Relating to the Shelters.

The Board of County Commissioners, in special session on March 15, 2018, approved a letter to be sent to the Office of Governor Rick Scott and to the Federal and State delegation voicing the County's concerns after recently receiving direction that the Florida Division of Emergency Management and FEMA will be requiring school districts to submit their sheltering costs to the County for payment, require the County to promptly pay those invoices, and only after payment to the School Board will the County be allowed to submit those costs to FEMA for reimbursement creating an immediate financial impact to Brevard County in the amount of \$1.75 million for Hurricane Irma costs.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

A handwritten signature in cursive script that reads "Tammy Rowe".

Tammy Rowe, Deputy Clerk

/kp

cc: Emergency Operations Director



14.
Rita Pritchett, District 1 Commissioner

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BOARD OF COUNTY COMMISSIONERS

March 15, 2018

Office of Governor Rick Scott
State of Florida
The Capitol
400 S. Monroe St.
Tallahassee, FL 32399-0001

Dear Governor Scott:

In September 2017, Hurricane Irma severely impacted Brevard County, requiring emergency sheltering of our residents in 21 shelters across the county, in facilities jointly managed and operated by employees from the Brevard County Board of County Commissioners as well as the Brevard County School Board, as traditionally has been the case for two decades, and as required by Florida Statute Chapter 252. These efforts resulted in sheltering costs to the County of more than \$1 million, as well as approximately \$1.75 million to the Brevard County School Board. Both entities have submitted reimbursement requests to FEMA.

Since 1995, Brevard and most other counties, and their school districts, have submitted separately for sheltering costs, and have been reimbursed accordingly, under the current statutory and regulatory framework.

Recently, we have received direction that the Florida Division of Emergency Management and FEMA have decided that this long-standing partnership approach is invalid, that the Florida Statute has been misinterpreted for decades, and that school districts are no longer eligible applicants to receive FEMA reimbursement for sheltering costs. This will require school districts to submit their sheltering costs to counties for payment, require counties to promptly pay those invoices, and only after payment to the School Board will the counties be allowed to submit those costs to FEMA for reimbursement.

This will create an immediate financial impact to Brevard County of \$1.75 million for Hurricane Irma costs, on top of the millions of dollars in damages to public facilities that have already been recognized.

In addition, we are concerned that this may make the previous FEMA sheltering cost reimbursements to the Brevard County School Board – for Hurricane Matthew (2016), Tropical Storm Fay (2008), Hurricane Wilma (2005), Hurricane Charley (2004), Hurricane Frances (2004) and Hurricane Jeanne (2004) – vulnerable to deobligation by FEMA, requiring the repayment of those funds received, in excess of \$2.38 million.

This is a scenario that will be repeated to varying degrees, and in substantial dollar amounts, across the state, creating a tremendous financial burden on county governments and school districts statewide.

We respectfully request that you intervene and direct the Florida Division of Emergency Management attorneys to ensure that this re-interpretation of Florida Statutes does not occur, and ask that the State be prepared to file appropriate legal argument in support of the counties for any resulting legal action that may be taken against FEMA if it does occur.

In Your Service,

Rita Pritchett
Chair, Brevard County Commission

/csm

cc: Senator Bill Nelson, Senator Marco Rubio, Congressman Bill Posey, Senator Dorothy Hukill, Senator Debbie Mayfield, Representative Rene Plascencia, Representative Tom Goodson, Representative Thad Altman, Representative Randy Fine