

ADD ON

AGENDA	
Section	Unfinished Business
Item No.	V A

Meeting Date
9-19-17



moved from 9-7-17

AGENDA REPORT
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

SUBJECT:	Status of Hurricane Matthew FEMA Appeal
DEPT/OFFICE:	Solid Waste Management Department

Requested Action:

It is requested that the Board consider options in pursuing additional information regarding the State's failure to timely file the Hurricane Matthew FEMA Appeal

Summary Explanation & Background:

FEMA denied Brevard County's request for reimbursement of a portion of costs incurred post-Hurricane Matthew for the collection of storm-generated yard debris from private roads. The Board authorized staff to file an appeal. The appeal process is handled through the Florida Department of Emergency Management (FDEM). FDEM mishandled the county's appeal and it was never filed with FEMA. The potential value of Brevard's appeal is \$391,096.14.

FDEM has provided limited information about the incident. To date, FDEM admits a history of not timely filing appeals on behalf of at least 26 local governments dating back to storms from 2004. Only one FEMA appeal associated with Hurricane Matthew was not filed by FDEM and that is Brevard's appeal. So far FEMA has stated it will not allow consideration of Brevard's appeal. Senator Nelson and Governor Scott support Brevard's right to appeal despite FDEM's error and are lobbying FEMA to reconsider.

Options to pursue additional information and relief:

- 1) Direct staff to file public records requests for documents related to Brevard's appeal and other FEMA appeals not timely filed by FDEM.
- 2) Direct staff to prepare a letter to the Governor and Legislative Delegation, for the Chairman's signature, requesting compensation from the State in the amount of \$391,096.14 if FEMA refuses to consider Brevard's appeal.
- 3) Any additional actions directed by the Board.

Clerk to the Board Instructions:

Exhibits Attached:

Contract /Agreement (If attached): Reviewed by County Attorney Yes No PR

County Manager
Frank Abbate

Interim Assistant County Manager
Jim Liesenfelt

Department Director / Extension
Euripides Rodriguez / x52042

Assistant County Manager
John Denninghoff



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September 20, 2017

M E M O R A N D U M

TO: Euripides Rodriguez, Solid Waste Management Director

RE: Item V.A., Consideration of Options for Pursuing Status of Hurricane Matthew Federal Emergency Management Agency (FEMA) Appeal

The Board of County Commissioners, in regular session on September 19, 2017, approved Option 1, directing staff to file Public Records Requests for documents related to Brevard's appeal and other FEMA appeals not timely filed by Federal Division of Emergency Management (FDEM); and directed the County Attorney to prepare a letter to the Governor and Legislative Delegation, for the Chairman's signature, requesting compensation from the State in the amount of \$391,096.14 if FEMA refuses to consider Brevard's appeal.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

for 
Tammy Rowe, Deputy Clerk

/kp

cc: County Attorney