

Meeting Date
September 7, 2017



ADD ON	
AGENDA	
Section	Unfinished Business
Item No.	V B

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	<input type="checkbox"/>	No	<input type="checkbox"/>	PR	<input type="checkbox"/>
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County Manager Frank Abbate	Interim Assistant County Manager Jim Liesenfelt	Department Director / Extension Euripides Rodriguez / x52042
	Assistant County Manager John Denninghoff	