RESOLUTION NO. 2014 - 85

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS EXPRESSING SUPPORT FOR A STATEWIDE COALITION TO ADDRESS FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) ISSUES THAT CRITICALLY IMPACT CITIZENS INCLUDING DEOBLIGATION AND FLOODPLAIN MAPPING.

WHEREAS in accordance with the Robert T. Stafford Disaster Relief and Emergency Assistance Act, the Federal Emergency Management Agency (FEMA) provided billions of dollars of disaster assistance over the last decade to municipal and county governments, schools, state agencies, and non-profit organizations; and

WHEREAS this FEMA assistance was instrumental in the ability of communities and organizations throughout the state, including Collier County, to recover and rebuild from the extraordinary damages suffered from presidentially declared major disasters in this period, including Hurricanes Charley, Frances, Ivan, Jeanne, Dennis, Katrina, Wilma, Gustav, and Isaac, and Tropical Storms Gabriella, Fay and Debby; and

WHEREAS FEMA has executed a “Disallowed Cost Initiative” program since November 2011 that has resulted in the agency taking back approved and awarded funds to disaster-impacted communities throughout Florida; and

WHEREAS municipal governments, schools, state agencies and other organizations throughout the State of Florida have suffered FEMA deobligations totaling about $275 million; and

WHEREAS according to the Florida Department of Emergency Management (FDEM) the goal of FEMA was to recover $800 million. Florida’s total represents about 40 percent of that FEMA goal; and

WHEREAS Collier County-engineered public beaches suffered extensive erosion due to Hurricane Wilma in 2005, and after extensive review by FDEM and FEMA, FEMA awarded disaster assistance $13,873,470 in disaster assistance to Collier County in 2009 and 2010 to restore these beaches; and

WHEREAS years after FEMA awarded these funds, the federal agency revised the allowable costs that could be obligated among the three storms that affected Collier’s beaches over a 10-year period and deobligated $11,095,283.52 in funding that had already been spent; and

WHEREAS the County appealed this deobligation to FEMA, but despite the 90-day period allowed by FEMA’s regulations for FEMA to determine appeals, FEMA has taken no action even though 270 days have elapsed since the appeal was fully submitted; and

WHEREAS floodplain mapping changes are also a critical concern to residents of Collier County and of other communities across the State of Florida; and
WHEREAS FEMA regulations require that remapping occurs when new and more accurate information is available and provided by a community to FEMA; and

WHEREAS Collier County has expended significant effort and funding – in excess of $400,000 – to conduct studies to correct outdated maps; and

WHEREAS Collier County floodplain studies show thousands of homes have been incorrectly placed in Special Flood Hazard Areas due to outdated information; and

WHEREAS FEMA has indicated that due to a lack of adequate federal funding, the agency cannot review and remap the county’s flood zone-designated areas despite Collier County’s submission of data; and

WHEREAS FEMA’s inability to update county flood zone designations with more accurate information available will be costly to the residents of Collier County, and similar challenges may be faced in other communities across the State of Florida;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA, that:

The Board supports the creation of a statewide coalition to identify comparable deobligations and processing delays experienced by other Florida communities in dealing with FEMA, and to discuss whether common strategies may exist to address them.

The Board recognizes that a common platform delivered with a unified voice will be more effective in addressing FEMA issues of critical concern.

The Board endorses requesting that federal and state elected officials support and assist Collier County in addressing these problems with FEMA on behalf of our citizens.

The Board agrees to consider mutually-acceptable solutions generated by the statewide coalition to address common areas of concern with FEMA.

PASSED AND DULY ADOPTED by the Board of County Commissioners of Collier County, Florida, this 22th day of April, 2014.

ATTEST:
DWIGHT E. BROCK, CLERK

By: Ann Lee

Attest as to Chairman’s signature only.

Jeffrey A. Klatzko, County Attorney

BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA

By: Tom Henning, Chairman

State of Florida
County of Collier

I HEREBY CERTIFY THAT this is a true and correct copy of a document on file in Board Minutes and Records of Collier County
WITNESS my hand and official seal this day of April, 2014

DWIGHT E. BROCK, CLERK OF COURTS