

INDIAN RIVER COUNTY, FLORIDA
M E M O R A N D U M

TO: Honorable Board of County Commissioners

THROUGH: Jason Brown, County Administrator

FROM: John King, Director
Department of Emergency Services

DATE: March 26, 2018

SUBJECT: Letter to Governor Rick Scott Regarding FEMA Reimbursement for Hurricane Irma

It is respectfully requested that the information contained herein be given formal consideration by the Board of County Commissioners at the next scheduled meeting.

BACKGROUND:

Staff recommends the Board of County Commissions send a letter to Governor Rick Scott requesting his intervention in the recent notice of change for FEMA reimbursement of Hurricane Irma shelter costs. For decades Indian River County, like most other counties and their school districts, have submitted separately for shelter costs and have been reimbursed accordingly, under the current statutory and regulatory framework.

We have recently 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.

FUNDING:

This change in reimbursement creates an immediate financial impact to Indian River County for costs related to Hurricane Irma; this is on top of the millions of dollars in damages to public properties that have already been recognized. We are also concerned this change in policy will make the previous FEMA sheltering cost reimbursements vulnerable to deobligation. As you recall, as late as July 2017 this county was appealing FEMA's deobligation decisions for the 2004 hurricane season (Hurricanes Frances and Jeanne).

RECOMMENDATION:

Staff recommends that the Indian River County Board of County Commissioners send a letter to Governor Rick Scott requesting he 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.

ATTACHMENTS:

Letter to Governor Rick Scott