

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

30-3

AGENDA ITEM SUMMARY

Meeting Date: June 2, 2009

Consent

Regular

Workshop

Public Hearing

Department: Office of Financial Management and Budget

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to: **(A) adopt** a resolution approving the Disaster Relief Agreement between the State of Florida, Department of Community Affairs, Division of Emergency Management (Grantee) and Palm Beach County (Sub-Grantee) establishing the County's eligibility to receive reimbursement for costs incurred as a result of damage caused by Tropical Storm Fay that began August 18, 2008 and **(B) authorize** Chairman or designee and County Administrator or designee to execute and file with any assurances or other documents required to effectuate the purposes of the Agreement.

Summary: The President of the United States declared a major disaster emergency for the entire State of Florida on August 24, 2008, in FEMA-1785-DR-FL making federal funds available to reimburse Palm Beach County on a limited basis (75%) for qualifying expenditures incurred as a result of Tropical Storm Fay that began August 18, 2008. Approval of this Disaster Relief Agreement is a prerequisite to obtaining reimbursement of expenditures. Authorizing the Chairman and County Administrator or their designees to provide supporting documentation will speed the reimbursement process. Countywide (PK)

Background and Policy Issues: Tropical Storm Fay was the sixth named storm of the 2008 Atlantic hurricane season. Fay formed from a vigorous tropical wave on August 15 over the Dominican Republic. It passed over the island of Hispaniola, into the Gulf of Gonave, across the island of Cuba, and made landfall on the Florida Keys late in the afternoon of August 18 before veering into the Gulf of Mexico. It again made landfall near Naples, Florida in the early hours of August 19 and progressed northeast through the Florida peninsula, emerging into the Atlantic Ocean near Melbourne on August 20. Extensive flooding took place in parts of Florida as a result of its slow movement. On August 21, it made landfall again near New Smyrna Beach, Florida, moving due west across the Panhandle, crossing Gainesville and Panama City, Florida. As it zigzagged from water to land, it became the first storm in recorded history to make landfall in Florida four times. Thirty-six deaths were blamed on Fay. Eleven tornadoes were spawned within the United States due to Fay. Damage from Fay was heavy, estimated at \$560 million.

Tropical Storm Fay produced disastrous weather conditions which had a devastating impact upon the State of Florida. The severity of the damage loss resulted in the declaration of a disaster emergency by the Governor and the President of the United States concurred and declared a major disaster emergency for the entire State of Florida in FEMA-1785-DR-FL which authorized the Federal Emergency Management Agency (FEMA) to make available federal funds for limited disaster relief activities.

An agreement between FEMA and the State of Florida governs the use of federal funds made available for limited disaster relief activities and requires the State to share 25 % (Florida Statute 252.37 5a) of the total costs eligible for federal assistance. Costs associated with disaster relief activities will be reimbursed by FEMA through the State in accordance with this Disaster Relief Funding Agreement between the State of Florida, Department of Community Affairs as Grantee and Palm Beach County as a Sub-grantee.

Attachments:

- 1) Resolution approving Disaster Relief Funding Agreement
- 2) Reimbursement Revenue Projection Worksheet

Recommended by: Elizabeth Plush 5/27/09
Department Director Date

Approved by: W. Baker 5/29/09
County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	<u>2009</u>	<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	_____	_____	_____	_____	_____

ADDITIONAL FTE No anticipated impact on staff requirements.
 POSITIONS (Cumulative)

Is Item Included In Current Budget? Yes _____ No X
 Budget Account No.: Fund _____ Department _____ Unit _____ Object _____

The Federal Emergency Management Agency (FEMA), the grantor, will fund 75 percent of an estimated \$5,368,242 in qualifying unanticipated expenditures associated with the repair or replacement of County property and/or equipment damaged as the direct result of the passing of Tropical Storm Fay. FEMA funding will be calculated on actual expenditures incurred and be received from the State of Florida, Department of Community Affairs, Emergency Management Division, Office of Public Assistance, the grantee, on a reimbursement basis. Typically, the State of Florida will contribute a 12.5 percent share of the qualifying actual expenditures leaving the County with responsibility for absorbing the remaining 12.5 percent of actual expenditures incurred. If total estimated qualifying expenditures are actually incurred as currently scheduled, the reimbursement grant revenue that can be anticipated from both Federal and State sources is as follows:

FY 2009 \$956,664 FY 2010 \$3,740,548


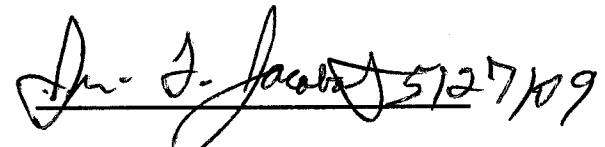
B. Recommended Sources of Funds/Summary of Fiscal Impact:

County departments are funding expenditures from existing budgets and requesting grant reimbursements on an ongoing basis as restoration and/or replacement work continues.

C. Departmental Fiscal Review:

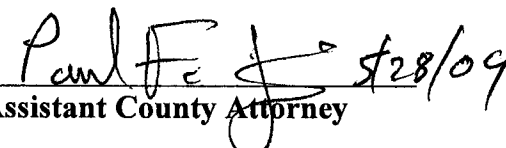
III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Dev. and Control Comments:

 _____ OFMB	 _____ Contract Dev. and Control
--	--

10/27/09

B. Legal Sufficiency:



 Assistant County Attorney

C. Other Department Review:

 Department Director

RESOLUTION NO. R-2009-

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF PALM BEACH COUNTY, FLORIDA APPROVING AN
AGREEMENT WITH THE STATE OF FLORIDA DEPARTMENT
OF COMMUNITY AFFAIRS TO PROVIDE FUNDING FOR
DISASTER RELIEF IN PALM BEACH COUNTY.**

WHEREAS, the Florida Department of Community Affairs is authorized to provide federal and state funding for disaster relief projects; and

WHEREAS, the Florida Department of Community Affairs desires to enter into a Disaster Relief Agreement with the Board of County Commissioners of Palm Beach County, Florida (Board) under which the State will provide FEMA and State funding to financially assist the Board with disaster relief from Tropical Storm Fay in Palm Beach County; and

WHEREAS, the agreement will impose certain obligations upon the Board, including the Board's provision of possible local share of the Project cost:

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

1. Its Chairman is authorized to execute the above-referenced Disaster Relief Agreement, on behalf of the Board, to assist Palm Beach County with the provision of disaster relief from Tropical Storm Fay in the County.

2. Its County Administrator is authorized to furnish additional information, documentation, certifications, assurances, and any other document related to the agreement that the Florida Department of Community Affairs and / or FEMA may require in connection with the administration of the agreement.

3. Its Chairman is authorized to execute and file with such agreement any assurances or other documents required to effectuate the purposes of the agreement.

4. This resolution shall take effect immediately upon adoption by the Board of County Commissioners.

The foregoing resolution was offered by Commissioner _____, who moved

its adoption. The motion was seconded by Commissioner _____, and upon being put to a vote, the vote was as follows:

Jeff Koons, Chairman	_____
Burt Aaronson, Vice Chairperson	_____
Karen T. Marcus	_____
Shelley Vana	_____
Steven L. Abrams	_____
Jess R. Santamaria	_____
District 7	_____

The Chairman thereupon declared the resolution duly passed and adopted this ____ day of _____, 2009.

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COMMISSIONERS
Sharon R. Bock, Clerk & Comptroller

By: Paul F. [Signature]
County Attorney

By: _____
Deputy Clerk

Resolution.jpa

Palm Beach County BCC
Estimated FEMA/State DCA, EM, OPA Reimbursement Receipts
Fiscal Years 2009 and 2010

Tropical Storm Fay (DR 1785) - August 2008 Event

Description	FY 2009					FY 2010					Combined
	FEMA RATE	Estimated FY 2009	STATE RATE	Estimated FY 2009	Total FY 2009	FEMA RATE	Estimated FY 2010	STATE RATE	Estimated FY 2010	Total FY 2010	Two Year FY 2010
TS Fay DR 1785 Small (15 PWs)	75.0%	\$154,958	12.5%	\$25,826	\$180,785	75.0%	\$0	12.5%	\$0	\$0	\$180,785
TS Fay DR 1785 Large - Public Safety (1 PW)	75.0%	\$76,156	12.5%	\$12,693	\$88,848	75.0%	\$0	12.5%	\$0	\$0	\$88,848
TS Fay DR 1785 Large - Airports (1 PW)	75.0%	\$78,938	12.5%	\$13,156	\$92,094	75.0%	\$78,938	12.5%	\$13,156	\$92,094	\$184,188
TS Fay DR 1785 Large - ERM Beach (3 PWs)	75.0%	\$509,946	12.5%	\$84,991	\$594,937	75.0%	\$3,127,247	12.5%	\$521,208	\$3,648,454	\$4,243,391
TOTAL		<u>\$819,998</u>		<u>\$136,666</u>	<u>\$956,664</u>		<u>\$3,206,184</u>		<u>\$534,364</u>	<u>\$3,740,548</u>	<u>\$4,697,212</u>