

SECTION 1: PURPOSE AND PROGRAM OVERVIEW

1.0 INTRODUCTION

The Palm Beach County Unified Local Mitigation Strategy (LMS) was formally adopted by the county, municipalities, and the LMS Steering Committee in 1999. Initial development of the LMS was funded, in part, by the Florida Department of Community Affairs (FDCA) with Federal Emergency Management Agency (FEMA) funds earmarked for the development of comprehensive hazard mitigation planning.

The LMS was established and continues to operate in accordance with prevailing federal, state and local guidelines and requirements. In 2004 the plan and program were substantially modified to improve operational effectiveness and to comply with new federal guidelines established in response to the Disaster Mitigation Act of 2000.

1.2 PURPOSE

The purpose of the Palm Beach County LMS is to develop and execute an ongoing unified strategy for reducing the community's vulnerability to identified natural, technological and societal hazards. The strategy provides a rational, managed basis for considering and prioritizing hazard-specific mitigation options and for developing and executing sound, cost-effective mitigation projects. The LMS also provides a basis for justifying the solicitation and use of local, state, federal and other monies to support hazard mitigation projects and initiatives.

1.3 PROGRAM ORGANIZATION

1.3.1 Original LMS Structure

The original LMS structure consisted of three levels; (1) the larger body of public agencies, non-profit organizations, private institutions, and members of the public at large interested in participation in LMS activities, (2) the Steering Committee, and (3) subcommittees.

The Steering Committee, the policy and decision body of the LMS consisted exclusively of designated representatives from the county and the 38 municipal jurisdictions. Voting rights were restricted to one officially designated primary member and two alternates from each jurisdiction. Each jurisdiction had one vote on LMS matters and a quorum vote was required for Steering Committee approval. Written notice from the manager/mayor of the jurisdictional governing body to the Chair of the LMS Steering Committee or to the Director, Palm Beach County Division of Emergency Management was required to designate new voting members. While jurisdictions could have multiple voting representatives present at any Local Mitigation Strategy meeting, each jurisdiction was limited to one vote.

While voting on important LMS issues was restricted as described above, attendance and participation in general meetings was open to the community at large.

An LMS Chair and Vice Chair were elected every other year; unlimited successive terms were permissible at the will of the Steering Committee.

The LMS Chair was authorized to establish standing and ad hoc subcommittees as needed to further the goals and objectives of the LMS.

Four subcommittees were established in the early stages of the LMS to assist with initial program and plan development. They included: The *Hazard and Vulnerability Analysis Subcommittee*, the *Outreach and Education Subcommittee*, and the *Financial and Legal Issues Subcommittee*. Over the course of program development, the Outreach and Education Subcommittee evolved and changed its name to the Community Rating System (CRS) Subcommittee to reflect its growing focus on CRS outreach and education and other CRS issues. The Hazard and Vulnerability Analysis Subcommittee and Financial and Legal Issues subcommittees gradually became inactive as the LMS matured, but were subject to reactivation if future needs warranted. A fifth subcommittee, the *Update/Review Subcommittee*, was created to monitor and evaluate the effectiveness of the LMS and recommend changes to ensure the LMS plan remained current, compliant, focused, and responsive to community interests and needs.

An additional standing subcommittee, the *Evaluation Panel* was established specifically to review, score and prioritize LMS mitigation projects submitted by LMS steering committee members and other partner organizations in accordance with guidelines, procedures and criteria developed early in the program. Under the original project prioritization process, the Panel prepared and submitted Prioritized Project Lists (PPLs) to the Steering Committee for approval and adoption twice a year. With FEMA's issuance of new funding criteria based largely on benefit-cost justifications the role and skill requirements of the Evaluation Panel had to be reexamined.

1.3.2 Revised LMS Structure

In July 2003, the Update/Review Subcommittee was reconstituted as an *Administrative Subcommittee* with the broader mission of providing guidance and assistance necessary to bring the plan and program into compliance with the new federal guidelines and criteria established in response to the Disaster Mitigation Act of 2000 and Title 44 Code of Federal Regulations. This process is explained in **Section 1.2.4**. The group met numerous times over the course of an 18 month period to review FEMA's feedback, expectations and requirements, develop plans and strategies for the revision process, and monitor and review plan revisions. The group's charter was eventually expanded to include taking a critical look at the effectiveness of the overall LMS program. A number of important recommendations and actions emerged from this later responsibility.

Among the Committee's observations were the following:

- The LMS Steering Committee, composed of the County and 37 municipal members, was considered too large and unwieldy to serve as an effective policy and decision body
- Although the county had many active mitigation programs and initiatives, too often they functioned as independent, uncoordinated activities
- Greater attention needed to be given to ensuring mitigation projects were cost-effective and focused on threat-specific mitigation priorities and strategies
- Here-to-for the LMS had failed to effectively tap the county's vast resources and expert-rich public and private sectors.

- The LMS had not adequately explored and used non-traditional sources for potential mitigation funding assistance
- Many of the county's jurisdictions, particularly the smaller municipalities, lack the in-house technical resources, funds, and expertise necessary to effectively execute FEMA's mandated Benefit-Cost analyses
- The plan revision process afforded an excellent opportunity to also reconsider and revamp the LMS program structure and operating philosophy, and
- The increased competition for scarce mitigation assistance funds would undoubtedly place a premium on optimizing program efficiency and responsiveness

In response to these and other considerations, in June 2004 the LMS voted unanimously to adopt and phase into implementation a number of significant program changes and enhancements proposed by the Administrative Subcommittee. Among the executed and/or planned actions are the following:

LMS Steering Committee

Effective July 2004, the LMS Steering Committee was reduced from thirty-seven members to fifteen members... comprised of: seven municipal representatives, two county/local government representatives, one state/federal government representative, one university/college representative, one healthcare industry representative, one non-profit representative, and two representatives from the private sector. The Steering Committee serves as the Local Mitigation Strategy program board of directors. As such, it is the primary decision and policy body for LMS sponsored mitigation activity.

LMS Working Group

The LMS Working Group is comprised of the full body of the LMS, representing a broad cross-section of public sector and private sector organizations and individuals, including the general public. The Working Group serves as an umbrella organization for coordinating all mitigation programs and activities, supplies the staffing and expertise for the standing and ad hoc committees of the LMS, and is the primary mechanism and forum for exchanging information and mobilizing the vast expertise and resources of the community.

Standing Committees

After submission of the 2004 plan several standing LMS committees were established for the purpose of facilitating, bolstering, and supporting LMS activities. These included:

- Evaluation Panel, designated to review, evaluate, score and rank mitigation projects applying established local, state and federal prioritization processes and criteria
- Flood Mitigation Technical Advisory Committee, comprised of flood mitigation engineers and experts from public and private sector organizations, is charged with assessing county-wide flood risks and vulnerabilities without regard to jurisdictional boundaries and recommending flood mitigation priorities, strategies, plans and projects for LMS consideration and action that optimally benefit to the greater community.

- Flood Mitigation Committee – CRS Outreach Subcommittee, comprised of representatives from the county's 26 CRS communities, who collaborate on a full range of Outreach Projects Strategy (OPS) initiatives and promote CRS participation

Ad Hoc Committees

In addition, two ad hoc committees were formed:

- Plan Integration Committee charged with monitoring the LMS plan for compliance and assisting with the linkage between the LMS and other local plans, and supporting plan updates and revisions.
- Administrative Committee, originally established to facilitate and assist the LMS plan revision process in response to the new federal guidelines evolving from DMA2000. The committee was also charged with serving as an interim decision body for the LMS until the Steering Committee was formally reorganized and functioning.

1.4 LMS PARTICIPATION REQUIREMENTS

Since the Unified Local Mitigation Strategy is written directly from input from all meetings, it is important to make sure that the entire Palm Beach County community is represented. The following groups are invited to all Local Mitigation Strategy meetings. Each group has different circumstances involving participation requirements; however, all groups are strongly encouraged to participate in the planning process.

Jurisdictions

Municipal and county participation are critical to the success of the LMS. In order to retain LMS voting rights, qualify for federal mitigation assistance consideration, and otherwise remain a member in good standing, the county and all municipal jurisdictions are expected to conform to the following standards:

- Participation of the representative or officially designated alternate(s) in three (3) out of four (4) Steering Committee meetings where plan revisions will be addressed;
- Consecutive absences will be cause for disqualification for the LMS, subject to appeal and review by the LMS Chair. All rights and privileges will be terminated during a period of disqualification and formal reapplication;
- Participation in subcommittee meetings may be substituted for Steering Committee attendance in meeting the 3 out of 4 rule pending approval by the Chair;
- Subject to pre-meeting and post-meeting roll calls, participation in special conference call meetings of the Steering Committee or subcommittees will be credited for purposes of participation; and
- Have a dully executed resolution adopting the revised LMS plan on file with the county and the LMS.

- In order for a jurisdiction to be eligible for Hazard Mitigation Grant Program (HMGP), Flood Mitigation Assistance (FMA) and Pre-Disaster Mitigation (PDM) funding programs, they must have an executed resolution/interlocal agreement adopting the LMS on file with the LMS and have participated in the revision process. **Appendix H** includes the Board of County Commissioners agenda item summary, along with a copy of all executed adoption resolutions.

Appendix I includes meeting summaries along with attendance lists documenting participation in the revision process and ensuring compliance with participation rules.

Non-Governmental Organizations (NGO's) and other Governmental Entities

In order to qualify for LMS grant sponsorship, NGO's and other governmental entities must:

- Have an dully executed letter of commitment to the LMS on file with the county and LMS; and
- In the judgment of the LMS Steering Committee, actively participate in and otherwise support LMS activities.

The Public and Private Sector

The Palm Beach County Unified Local Mitigation Strategy believes broad community support, including ongoing public and private sector involvement, is very important to the success of the program. While participation by private organizations and the general public is strictly voluntary, their attendance, comments, contributions, and support are actively invited, sought, monitored and fully documented.

In order to promote the opportunity for broad participation, at a minimum, notices and agendas for all general meetings of the LMS are posted through some combination of the following: newspaper ads or public service announcements; postings on county and municipal websites, announcements on the county's TV station (Channel 20), postings in county and municipal newsletters and calendars, and batched faxes and e-mailings to all previous participants. For each meeting or activity, the methods of invitation used, along with attendee lists, and comments or contributions made, are documented in meeting summaries posted in **Appendix I**.

1.5 JURISDICTIONAL ADOPTION OF THE LMS

Adoption of the LMS is subject to the following FEMA requirements:

Requirement §201.6(c)(5): The local hazard mitigation plan **shall** include documentation that the plan has been formally adopted by the governing body of the jurisdiction requesting approval of the plan (e.g., City Council, County Commissioner, Tribal Council).

Requirement §201.6(c)(5): *For multi-jurisdictional plans, each jurisdiction requesting approval of the plan **must** document that it has been formally adopted.*

Requirement §201.6(a)(3): Multi-jurisdictional plans (e.g., watershed plans) may be accepted, as appropriate, as long as each jurisdiction has participated in the process ... Statewide plans will not be accepted as multi-jurisdictional plans.

All jurisdictions wishing to participate in and share in the benefits deriving from the LMS program must complete and file a fully executed resolution (see Appendix H) which conforms to the adoption standards jointly established and amended by the Palm Beach County Board of County Commissioners and the LMS Steering Committee. Resolutions are kept on file by the Minutes Section of the Office of the Clerk of the Circuit Court.

1.6 NEW JURISDICTIONS/ENTITIES

In the event municipal jurisdictions are added, deleted, or merged within the county, the LMS will appropriately adjust its member rolls as necessary and require any newly defined jurisdictions to provide documentation necessary for participation in the program.