

By Senator Rich

34-1558-05

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Senate Memorial No. \_\_\_\_\_

A memorial to the Congress of the United States, urging the review and reorganization of Federal Emergency Management Agency policies and administrative procedures for the purpose of avoiding delays in cleanup and reimbursement in the aftermath of declared disasters.

WHEREAS, in the summer of 2004, the State of Florida endured an unprecedented incidence of four consecutive hurricanes striking the state in a period of two months, causing enormous destruction to property and infrastructure and leaving 70 people dead throughout the state, and

WHEREAS, though much reconstruction and rebuilding has been accomplished in the aftermath of Hurricanes Frances, Charley, Jeanne, and Ivan, many Florida communities are continuing to struggle with rebuilding efforts, and

WHEREAS, during the recovery process, the Governor's Office has worked diligently in securing funds for our state from the Federal Emergency Management Agency (FEMA), and

WHEREAS, though the Federal Emergency Management Agency has provided much-needed assistance, many South Florida communities are currently being required to submit to new, needlessly restrictive bureaucratic policies in order to obtain relief from the agency, and

WHEREAS, as a result of these new bureaucratic policies, South Florida communities are now confronted with unnecessary regulatory hurdles in obtaining FEMA funds that have delayed cleanup efforts and badly needed federal reimbursements and that continue to negatively impact the lives of Florida citizens, and

1           WHEREAS, under the new FEMA policies and administrative  
2 processes, instead of appropriate local governments acting as  
3 a conduit for management and disbursement of FEMA moneys and  
4 debris removal, each private community or homeowners'  
5 association is required to apply for such assistance on its  
6 own, in effect making it impossible for a city to obtain a  
7 blanket reimbursement to cover its cleanup costs for the  
8 city's entire jurisdiction, and

9           WHEREAS, under these new policies, municipalities such  
10 as the City of Coconut Creek have been advised that they will  
11 not be reimbursed by FEMA for cleanup services provided to  
12 private communities within the municipality, whether gated or  
13 otherwise, and have been instructed to advise such private  
14 communities to manage their debris removal and apply on an  
15 individual basis to FEMA for reimbursement, a process that is  
16 both administratively and operationally unsound, and

17           WHEREAS, certain legislative districts in the state  
18 encompass nearly 100 condominium and homeowners' associations,  
19 and many South Florida communities, such as Weston, are  
20 composed almost entirely of private communities, and

21           WHEREAS, these private communities are not equipped or  
22 prepared to undertake the FEMA application process and manage  
23 the level of administrative detail required under the new FEMA  
24 policies and processes, and

25           WHEREAS, faced with the task of applying for, securing,  
26 and managing FEMA funds on their own, many private communities  
27 will experience significant delays in receiving funding or in  
28 some cases may not obtain FEMA reimbursement under these  
29 policies at all, and

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1           WHEREAS, besides creating a bureaucratic nightmare, the  
2 new FEMA guidelines pose an enormous problem for local  
3 government solid waste management systems, and

4           WHEREAS, South Florida municipalities have the proven  
5 ability to provide citywide coordination of such large-scale  
6 cleanup efforts and can best provide an economy of scale as  
7 well as the most reasonable cost for these services, and

8           WHEREAS, the need for solid waste removal does not  
9 respect private community boundaries, and citizens expect  
10 their local governments to provide these services regardless  
11 of where they are located, and

12           WHEREAS, in a city such as Orlando, which operates its  
13 own solid waste system, the new FEMA policy means that the  
14 city would have to obtain reimbursement for cleanup through  
15 each homeowners' association or condominium association for  
16 areas that the city is already obligated to serve, and

17           WHEREAS, it is in the best interests of the citizens of  
18 this state for local municipalities to be granted jurisdiction  
19 for the application and management of FEMA funds in the  
20 aftermath of a declared disaster, as has been the case in the  
21 past following other devastating hurricanes, and

22           WHEREAS, it is imperative that the Federal Emergency  
23 Management Agency reorganize its current policies and  
24 administrative processes in order to avoid further delays in  
25 ongoing cleanup and reimbursement efforts resulting from  
26 Hurricanes Frances, Charley, Jeanne, and Ivan, and to avoid  
27 such delays in the future, NOW, THEREFORE,

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29 Be It Resolved by the Legislature of the State of Florida:

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1           That the Congress of the United States is urged to  
2 initiate the review and reorganization of Federal Emergency  
3 Management Agency policies and administrative processes for  
4 the purpose of avoiding delays in cleanup and reimbursement in  
5 the aftermath of declared disasters.

6           BE IT FURTHER RESOLVED that copies of this memorial be  
7 dispatched to the President of the United States, to the  
8 President of the United States Senate, to the Speaker of the  
9 United States House of Representatives, and to each member of  
10 the Florida delegation to the United States Congress.

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