

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: Transportation and Economic Development Appropriations Committee

BILL: CS/CS/SB 862

SPONSOR: Transportation and Economic Development Appropriations Committee, Domestic Security Committee, Senators Diaz de la Portilla and Fasano

SUBJECT: Emergency Preparedness

DATE: April 18, 2006

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Pardue</u>	<u>Skelton</u>	<u>DS</u>	<u>Fav/CS</u>
2.	<u>Herrin</u>	<u>Yeatman</u>	<u>CA</u>	<u>Favorable</u>
3.	<u>_____</u>	<u>_____</u>	<u>GO</u>	<u>Withdrawn</u>
4.	<u>Martin</u>	<u>Martin</u>	<u>TA</u>	<u>Fav/CS</u>
5.	<u>_____</u>	<u>_____</u>	<u>WM</u>	<u>_____</u>
6.	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>

I. Summary:

This committee substitute (CS) establishes project selection criteria and provides \$151.7 million in funding to the Department of Community Affairs for the following:

- \$52.8 million for emergency power generators in public special-needs hurricane evacuation shelters;
- \$15 million for retrofitting public hurricane evacuation shelters;
- \$29 million for hurricane evacuation planning and to purchase technologies to perform the plan updates and to perform computer modeling of storm-surge events;
- \$6.5 million for improved logistical staging and warehouse capacity for emergency commodities;
- \$45 million for construction or hardening of county emergency operations centers; and
- \$3.4 million for enhanced public education and information on hurricane preparedness.

This committee substitute directs the Department of Community Affairs (department) to establish a statewide competitive grant application process for funding county emergency operations centers and for retrofitting public hurricane evacuation centers. Funds provided for these facilities must be prioritized by the department, using criteria specified in the bill, and submitted for approval, with specific detail identifying each project recommended, to the Legislative Budget Commission no later than November 1, 2006.

It also provides that release of funds for improved logistical staging and warehousing of commodities needed to respond to a disaster must be approved by the Legislative Budget

Commission. The department must submit a funding plan for these efforts to the Legislative Budget Commission no later than September 1, 2006.

II. Present Situation:

Both the 2004 and 2005 hurricane seasons highlighted infrastructure segments in need of improvement. The Division of Emergency Management (division) estimates there is a current deficit of approximately 500,000 general public shelter spaces across the state. In addition, a post-2004 season review indicated that the vast majority of shelters (both general population and special needs shelters) had inadequate back-up electrical power systems. About 60 percent of shelters had back-up generators, but only a minority (about 25 to 30 percent) had air conditioning systems supported by emergency power.¹

In a 2005 report, 36 percent of the 110 special needs facilities reported not meeting American Red Cross emergency shelter criteria. Further, only 28 percent of those special needs shelters were reported to have emergency power supported air-conditioning.²

Retrofitting existing structures has proven to be a cost effective method of rapidly increasing Florida's emergency shelter space. The Department of Community Affairs reports recommending 238 prioritized retrofit projects that potentially create 68,882 hurricane shelter spaces at an estimated cost of \$23,480,317.³

Since 1995, Florida has made significant progress toward improving the safety and availability of public hurricane shelter space. The statewide deficit has been reduced by more than 50 percent. This has been accomplished through a combined strategy of retrofitting existing facilities, new construction, and demand reduction. Florida now has 12 counties with a demonstrable surplus of public hurricane shelter spaces.⁴ Innovative regional strategies may be able to utilize some of this surplus capacity to meet the needs of counties with a deficit of spaces.

With respect to county emergency operations centers, the division estimates that only ten meet survivability standards and floor space recommendations. Twenty-three county emergency operations centers do not meet survivability standards.

One additional issue identified during the 2005 hurricane season was the availability and distribution of commodities such as water, ice, and ready to eat meals. The division reports that more products were supplied in support of Hurricane Wilma in 2005 than in all of the four major hurricanes of 2004 combined. Still the effort for Wilma was considered by some to be inadequate. In order to better manage post-disaster commodities, improvements are needed for the safe storage of sufficient quantities of needed commodities and for improved inventory management.

¹ See Florida Division of Emergency Management and Department of Health, *2005 Special Needs Shelter Report*, June 2005, pages 3-4.

² See *id.* at page 4.

³ See Department of Community Affairs, *2005 Shelter Retrofit Report*, September 1, 2005, page i.

⁴ See *id.* at iii.

III. Effect of Proposed Changes:

Section 1 provides legislative findings that infrastructure improvements, which were identified in the 2004 and 2005 hurricane seasons, are needed to better protect the residents of Florida. The CS provides that the Legislature shall make funds available to local and state agencies through appropriations to the Department of Community Affairs for infrastructure improvements to:

- Construct or harden county emergency operations centers;
- Provide emergency power generators for public special needs hurricane evacuation shelters;
- Retrofit public hurricane evacuation shelters;
- Improve commodities logistical staging and warehouse capacity; and
- Provide public education and information on hurricane preparedness

County Emergency Operations Centers

This CS provides legislative findings that county emergency operations centers should meet minimum criteria for structural survivability and sufficiency of operational space. The Department of Community Affairs has performed assessments of county emergency operations centers based on Federal Emergency Management Agency (FEMA) guidance to determine survivability and space sufficiency. This CS provides criteria for recommending funding that shall include, but not be limited to:

- Population;
- Hurricane evacuation clearance time for the county's vulnerable population;
- The existing emergency operations center's structural survivability; and
- FEMA guidance for emergency operations center workspace requirements.

Counties where no survivable emergency operations center (EOC) exists and those with workspace deficits shall receive first priority for funding. The CS directs the department to establish a statewide competitive grant application process for funding county emergency operations centers. Funds provided for these facilities must be prioritized by the department, using criteria specified in the bill, and submitted for approval, with specific detail identifying each project recommended, to the Legislative Budget Commission no later than November 1, 2006. In reviewing proposals, the department must take into consideration all state funds already provided for the project that have not been expended but that will decrease the project's fiscal need once expended. The amount of a project's cost recommended for funding by the department must be limited to those costs considered reasonably necessary to meet minimum criteria.

The grant application for EOCs may contain one or more independent proposals for:

- a construction or improvement project requesting state financial assistance or having received state financial assistance that also includes facility hardening or mitigation which qualifies for federal Hazard Mitigation Grant Program funding. These proposals must document the commitment of all local funds needed, and identify the proposed state

and federal funding needed based on the funding criteria to complete the project for a fully operational county emergency operations center;

- a construction or improvement project to be funded with local or other non-state funds that includes facility hardening or mitigation which qualifies for federal Hazard Mitigation Grant Program funding. These proposals must document the commitment of all local funds needed, and identify the proposed federal funding needed based on the funding criteria to complete the project for a fully operational county emergency operations center.

Funding for EOCs under this act is limited to construction or structural renovation. No funding may be used for land acquisition, recurring expenses, equipment, furnishings, communications, operational systems or recurring expenditures. Any federal funds appropriated for EOCs that are remaining after fully allocating those funds to EOC proposals may be used to fund proposals for hurricane evacuation shelter retrofits.

Special-Needs Hurricane Evacuation Shelters

The CS provides funding for designated public special needs hurricane evacuation shelters, and states that they should be equipped with permanent emergency power generating capacity by June 1, 2007. Such emergency power generation is needed to provide necessary equipment, and heating, ventilating, and air-conditioning (HVAC) for medical needs patients in special needs shelters.

An appropriation for permanent emergency power generation capacity may also be used, in coordination with local communities, to allow for the designation of additional special needs shelters if required. The need for additional special needs shelter spaces should reflect anticipated demand based on best available data as determined by the departments of Community Affairs and Health.

Retrofit Of Hurricane Evacuation Shelters

The CS provides legislative findings that retrofitting buildings for use as public hurricane evacuation shelters is an efficient and economical method of reducing the deficit of public shelter spaces. The CS directs the department to establish a statewide competitive grant application process for funding retrofit of public hurricane evacuation centers. Funds provided for these facilities must be prioritized by the department, using criteria specified in the bill, and submitted for approval, with specific detail identifying each project recommended, to the Legislative Budget Commission no later than November 1, 2006. In reviewing proposals, the department must take into consideration all state funds already provided for the project that have not been expended but that will decrease the project's fiscal need once expended. Criteria for a public hurricane evacuation shelter retrofit recommendation shall include, but not be limited to:

- The project's ability to meet the structural and siting requirement of American Red Cross Standard, ARC 4496, "Guidelines for Hurricane Evacuation Shelter Selection," once completed;
- Local and regional public shelter needs;
- Project cost effectiveness in relation to the number of shelter spaces it will provide; and
- The project priority ranking in the respective local mitigation strategy.

Any federal funds appropriated or reallocated from EOCs to retrofit shelters that are remaining after fully allocating those funds to shelter proposals are appropriated for distribution pursuant to the Hazard Mitigation Grant Program in chapter 9G-22, Florida Administrative Code.

Staging And Warehouse Capacity For Supplies, Equipment, And Commodities

The CS provides legislative findings that improved logistical staging and warehouse capacity will help ensure the state has adequate available and accessible supplies, equipment, and commodities to respond to disasters. Appropriated funds may be used for:

- Increased storage capacity;
- Improved technologies to manage commodities; and
- Increased efforts to maintain an inventory of supplies, equipment, and commodities in a safe and secure manner for use in the aftermath of a disaster.

The department must submit a funding plan for improved logistical staging and warehouse capacity to the Legislative Budget Commission no later than September 1, 2006 for approval. Procurement of technologies to perform inventory tracking and commodities management must comply with the competitive bid process provisions of s. 287.057.

Hurricane Evacuation Planning

The CS provides legislative findings that hurricane evacuation planning is a critical task that must be completed in the most effective and efficient manner possible. Appropriated funds may be used to update current regional evacuation plans, incorporating current transportation networks, behavioral studies and vulnerability studies. In addition, funds may be used to perform computer modeling analysis on effects of storm surge events. Procurement of technologies to perform the updates and computer modeling must comply with the competitive bid process provisions of s. 287.057.

Sections 2 through 7 provide appropriations as follows:

- \$52.8 million for emergency power generators in public special-needs hurricane evacuation shelters, of which \$13.2 million is from General Revenue Fund, and \$39.6 million is from federal Hazard Mitigation Grant Program funds received by the state for the 2004 and 2005 storms;
- \$15 million from federal Hazard Mitigation Grant Program funds received by the state for the 2004 and 2005 storms for retrofitting public hurricane evacuation shelters;
- \$29 million from federal Hazard Mitigation Grant Program funds received by the state for the 2004 and 2005 storms for hurricane evacuation planning and to purchase technologies to perform the plan updates and to perform computer modeling of storm-surge events;
- \$6.5 million for improved logistical staging and warehouse capacity for emergency commodities, of which \$2.1 million is from recurring General Revenue Fund, and \$4.4 million is from Emergency Management and Assistance Preparedness Trust Fund within the department;
- \$45 million for construction or hardening of county emergency operations centers, of which \$20 million is from General Revenue Fund, and \$25 million is from federal

Hazard Mitigation Grant Program funds received by the state for the 2004 and 2005 storms; and

- \$3.4 million from federal Hazard Mitigation Grant Program funds received by the state for the 2004 and 2005 storms for enhanced public education and information on hurricane preparedness.

Section 8 provides the act shall take effect upon becoming law.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

State funding appropriated for the provisions of this CS includes \$2.1 million of recurring funds from General Revenue Fund, and \$33.2 million of non-recurring funds from General Revenue Fund. Local governments will benefit from grant funds distributed for the various EOCs, shelters, and planning projects.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Summary of Amendments:

None.

This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.
