

**SEMINOLE COUNTY GOVERNMENT  
AGENDA MEMORANDUM**

**SUBJECT:** Planning Grant to revise the Local Mitigation Strategy Plan

**DEPARTMENT:** Public Safety **DIVISION:** Emergency Management

**AUTHORIZED BY:** K. M. Roberts **CONTACT:** Joe McCluan **EXT.** 5131

<b>Agenda Date</b> <u>5/13/03</u> <b>Regular</b> <input type="checkbox"/> <b>Consent</b> <input checked="" type="checkbox"/> <b>Work Session</b> <input type="checkbox"/> <b>Briefing</b> <input type="checkbox"/> <b>Public Hearing – 1:30</b> <input type="checkbox"/> <b>Public Hearing – 7:00</b> <input type="checkbox"/>
---

**MOTION/RECOMMENDATION:**

Approve and authorize the Chairman to execute the Planning Grant to revise the Local Mitigation Strategy Plan.

**BACKGROUND:**

The Florida Department of Community Affairs has announced the availability of a planning grant for Seminole County to assist the Local Mitigation Strategy working groups in bringing the Local Mitigation Strategy into compliance with the Disaster Mitigation Act of 2000 criteria.

Seminole County is eligible to receive a grant of up to \$20,000 in federal funds on a 75% federal share and 25% local cost. Local cost share can be cash, in-kind services or both.

Reviewed by:	
Co Atty:	<u>[Signature]</u>
DFS:	<u>[Signature]</u>
Other:	<u>                    </u>
DCM:	<u>[Signature]</u>
CM:	<u>[Signature]</u>
File No.	<u>CPSEM01</u>



STATE OF FLORIDA  
**DEPARTMENT OF COMMUNITY AFFAIRS**  
*"Dedicated to making Florida a better place to call home"*

JEB BUSH  
Governor

COLLEEN CASTILLE  
Secretary

April 11, 2003

**MEMORANDUM**

**TO:** County Local Mitigation Strategy Working Group Chairpersons

**FROM:** W. Craig Fugate, Director  
Division of Emergency Management

**SUBJECT:** Planning Grant to Revise the Local Mitigation Strategy to Comply with the Disaster Mitigation Act of 2000

The purpose of this memorandum is to solicit applications for small planning grants, to assist Local Mitigation Strategy (LMS) Working Groups in bringing their LMS into compliance with the Disaster Mitigation Act of 2000 (DMA2K) criteria. The Florida Division of Emergency Management (DEM) will provide each county with a grant of up to \$20,000 in federal funds on a 75% federal share and 25% local cost share basis (no state match is available). Local cost share can be cash, in-kind services or a mixture of both.

DEM will accept applications for these small planning grants through June 13, 2003. After this date remaining funds will be made available for larger mitigation planning grants on a statewide competitive basis. Grants will be provided to the LMS Working Group through a contract with respective county government, who may in turn subcontract for the desired consultant services. However, if a county intends to subcontract with an organization that DEM is authorized to enter into a direct contract with (i.e. Regional Planning Councils, American Red Cross), DEM would, at the request of the county, consider entering into a direct consultant services contract with the organization.

The following attachments are provided:

- **ATTACHMENT A:** The Planning Grant Application Form – Must be completed and signed by the Chairperson of the County Commission or a designee authorized to sign contracts.

2555 SHUMARD OAK BOULEVARD # TALLAHASSEE, FLORIDA 32399-2100  
Phone: 850.488.8466/Suncom 278.8466 FAX: 850.921.0781/Suncom 291.0781  
Internet address: <http://www.dca.state.fl.us>

**MEMORANDUM**

April 11, 2003

Page Two

- **ATTACHMENT B:** Draft Scope of Work – In the blanks provided, insert the expected time frame and estimated cost necessary to complete each deliverable. The cost for the deliverable should reflect both the federal and local shares. Then fill in the cost breakdown portion of the draft Scope of Work, which follows the description of the final deliverable.
- **ATTACHMENT C:** In-kind Service Labor Summary Record – This form is used to track local labor used as in-kind services by the Grantee. A copy must be submitted with each invoice to document the use of in-kind services to meet the local match requirement.
- **ATTACHMENT D:** Local Mitigation Plan Criteria, Score-Sheet & Crosswalk – This form, with the appropriate Section and page numbers filled in, must accompany the revised plan when submitted for review. The DEM and the Federal Emergency Management Agency (FEMA) will use it as the Score-Sheet.
- **ATTACHMENT E:** Draft Local Mitigation Plan Minimum Standards of Acceptability Region IV –FEMA Region IV's minimum standards for reviewing local mitigation plans.

If you are interested in participating in this program, please return a signed Planning Grant Application Form (Attachment A) and a completed copy of the Draft Scope of Work (Attachment B) described above to:

Mr. Hank Erikson, Planning Manager  
Division of Emergency Management  
2555 Shumard Oak Blvd.  
Tallahassee, FL 32399-2100  
hank.erikson@dca.state.fl.us  
Office: 850-413-9873

Remember that these Planning Grant Applications and Draft Scopes of Work will only be accepted through June 13, 2003.

WCF:heg

Attachments

cc: County Emergency Management Directors

# ATTACHMENT A

## STATE OF FLORIDA - HAZARD MITIGATION GRANT PROGRAM MITIGATION PLANNING APPLICATION

1. Applicant: Seminole County Department of Public Safety/Emergency Mgmt. Div.

2. State Legislative District(s): 9-20-22-24 Congressional District(s): 25-33-34-37  
3, 7, 24

3. Federal Tax I.D. Number: 59740013K FIPS Code: \_\_\_\_\_ (if your FIPS code is not known, please fill out FEMA Form 90-49 so that the Department may obtain a FIPS code for you)

4. Do you plan on using the Mitigation 20/20 software?  yes  no

5. COUNTY POINT OF CONTACT TITLE: Operations Coordinator

FIRST NAME: Richard MI: \_\_\_\_\_ LAST NAME: Moore

STREET ADDRESS: 150 Bush Boulevard

CITY: Sanford STATE: Florida ZIP: 32773

TELEPHONE: (407) 665-5017 FAX: (407) 665-5036 EMAIL: rmoore(at)co.seminole.fl.us

6. Do you intend for the State to directly contract with a consultant?  yes  no

7. If your county has identified a consultant to do your Mitigation Planning revisions please complete the following:

8. POTENTIAL APPLICANT (CONSULTING ENTITY): ERP & M

POINT OF CONTACT TITLE: President

FIRST NAME: David MI: S. LAST NAME: Palmer

STREET ADDRESS: P. O. Box 7065

CITY: Princeton STATE: New Jersey ZIP: 08543

TELEPHONE: (609) 466-3566 FAX: \_\_\_\_\_ EMAIL: \_\_\_\_\_

9. COUNTY'S DULY AUTHORIZED REPRESENTATIVE\* (proof of authorization to sign contracts required):

TITLE: Commission Chairman FIRST NAME: Daryl LAST NAME: McLain

STREET ADDRESS: 1101 East First Street

CITY: Sanford STATE: Florida ZIP: 32771

TELEPHONE: (407) 665-7209 FAX: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

\*INDIVIDUAL WITH LEGAL SIGNING AUTHORITY FOR THE RESPECTIVE COUNTY (e.g., THE CHAIRPERSON, BOARD OF COUNTY COMMISSIONERS OR THEIR DESIGNEE)

## ATTACHMENT B

### Scope of Work

#### Purpose

The Recipient shall submit a revised Local Mitigation Strategy (LMS) document (hereafter referred to as the "Plan") that is in compliance with the local hazard mitigation requirements as specified in the document entitled Draft Local Hazard Mitigation Plan Minimum Standards of Acceptability Region IV (hereafter referred to as the "Region IV Minimum Standards"). This document is the FEMA Region IV interpretation of Section 322 of the Disaster Mitigation Act of 2000 (DMA2K) as implemented in the Interim Final Rule (44CFR, Part 201). The deliverables contained in this Scope of Work are based on the criteria as described in the Region IV Minimum Standards and numerical references used with the deliverables such as 3.1.3 and 44 CFR 201.6(a)(3) refer to a specific criterion or group of criteria described in the Region IV Minimum Standards.

#### Payment and Deliverables Schedule

This is a fixed-fee contract. The Department will pay the amount agreed to for each deliverable upon receipt of that deliverable and a finding by the Department that the deliverable meets the criteria referred to above. Each invoice for payment must be accompanied by the deliverable and documentation of the local match. For cash match, acceptable documentation will be a copy of the journal entry or a cancelled check. For in-kind match, acceptable documentation will be a completed copy of the Florida Division of Emergency Management In-Kind Service Labor Summary Record (see attached). The final deliverable shall be an updated, revised and compiled LMS document.

#### First-Deliverable

Suggested Timeframe: 1 month from the contract execution date  
 Recipient Time Frame: \_\_\_\_\_ from the contract execution date  
 Estimated Cost of Deliverable: \$ 5,500

Within the period specified, the Recipient shall provide the Department with the First Deliverable, which shall include the criteria specified below with sufficient information and/or documentation to satisfy the Region IV Minimum Standards for each criterion.

#### Multi-Jurisdictional Planning Participation [3.1.3]

44 CFR 201.6(a)(3)-The Plan must document how each jurisdiction participated in the planning process. Jurisdiction is defined as each municipal incorporation including the county as it represents the unincorporated areas.

#### Planning Process [3.2]

44 CFR 201.6(b)-The Plan must document open public involvement in the planning process including the following:

44 CFR 201.6(b)(1)-The Plan must provide and document that the public was given an opportunity to comment on the plan. The plan must document that at a minimum one public meeting after the completion of the draft and prior to the plan's approval were conducted to solicit formal comments on the plan. In addition the Plan must document the community's efforts to solicit comments from those residents who did not attend the public meetings.

44 CFR 201.6(b)(2)-The Plan must provide and document that neighboring communities, local and regional agencies involved in hazard mitigation activities, agencies that have the authority to regulate development, businesses, academia and other private and non-profit interests were invited and encouraged to actively participate in the planning process.

44 CFR 201.6(b)(3)- The Plan must include documentation, where appropriate, that existing plans, studies, reports, and technical information were reviewed and incorporated into the plan. This documentation must include FMA and CRS plans, if applicable

#### Documentation of Planning Process [3.2.1]

44 CFR 201.6(c)(1)- The Plan shall include a description of the planning process used to develop the plan, including how it was prepared, who was involved in the process, and how the public was involved.

#### **Second Deliverable**

Suggested Timeframe: 3 months from the contract execution date  
 Recipient Timeframe: \_\_\_\_\_ from the contract execution date  
 Estimated Cost of Deliverable: \$5,500

Within the period specified, the Recipient shall provide the Department with the Second Deliverable, which shall include the criteria specified below with sufficient information and/or documentation to satisfy the Region IV Minimum Standards for each criterion.

#### **Risk Assessment (3.3)**

##### **Identifying Hazards [3.3.1]**

44 CFR 201.6(c)(2)(i)-The Plan must include a description of the type of all natural hazards that can affect the jurisdiction. At a minimum the Plan must address the following hazards: Earthquakes; Tsunamis; Coastal and Riverine Erosion; Landslides/Sinkholes; Hurricanes and Coastal Storms; Severe Storms/Tornadoes; Floods; Wildfires; Dam/Levee Failure; Drought/Heat Wave; and Winter Storms/Freezes. The description must document how any additional hazards were identified. If any of the above hazards are excluded, the Plan must document why they were excluded from the jurisdiction's hazard analysis.

##### **Profiling Hazard Events [3.3.2]**

44 CFR 201.6(c)(2)(i)-The Plan must include a description of the location and extent of each identified hazard that can affect the jurisdiction. The plan shall include information on previous occurrences of hazard events and on the probability of future hazard events for each identified hazard. When appropriate, the hazard analysis should also identify on a map the areas affected by each identified hazard.

##### **Assessing Vulnerability: Identifying Assets [3.3.3]**

44 CFR 201.6(c)(2)(ii)-The Plan shall contain a description of the jurisdiction's vulnerability to each identified hazard. The description shall include an overall summary of each identified hazard and its impact on the community.

44 CFR 201.6(c)(2)(ii)(A)-The plan should describe vulnerability in terms of the types and numbers of existing buildings, infrastructure, and critical facilities located in each identified hazard area. A

#### Identification and Analysis of Mitigation Measures [3.4.2]

44 CFR 201.6(c)(3)(ii)-The Plan shall include a section that identifies, evaluates, and analyzes a comprehensive range of specific mitigation actions and projects being considered to reduce the effects of each hazard identified, with particular emphasis on new and existing buildings and infrastructure.

#### Implementation of Mitigation Measures [3.4.3]

44 CFR 201.6(c)(3)(iii)-The plan shall include an action plan describing how the actions identified will be prioritized, implemented, and administered by the local jurisdiction. This Section shall include the implementation timeline; the funding sources or other resources that will be used to implement the strategy, when possible; and the agency or personnel responsible for carrying out these actions.

For FEMA program funding these mitigation measures must be cost effective, environmentally sound and technically feasible. The local jurisdiction and the State must prioritize the measures based on these criteria.

#### Multi-Jurisdictional Mitigation Strategy [3.4.4]

44 CFR 201.6(c)(3)(iv)- Multi-jurisdictional plans must contain individual action items for each jurisdiction requesting FEMA approval of or credit for the plan.

For FEMA program funding these mitigation measures must be cost effective, environmentally sound and technically feasible. The local jurisdiction and the State must prioritize the measures based on these criteria.

#### Plan Maintenance Procedures (3.5)

##### Monitoring, Evaluating, and Updating the Plan [3.5.1]

44 CFR 201.6(c)(4)(i)-The Plan must contain a section describing the method and schedule of monitoring, evaluating and updating the mitigation plan within a five year cycle.

44 CFR 201.6(d)(2) and 44 CFR 201.6(d)(3)-The Plan must be reviewed and revised, if appropriate, by the local jurisdiction and resubmitted to the State Hazard Mitigation Officer for initial review and coordination within five years of a plan's or a plan's update approval by FEMA.

##### Implementation Through Existing Program [3.5.2]

44 CFR 201.6(c)(4)(ii)- The Plan must include a description of the process by which local jurisdictions incorporate the requirements of the mitigation plan into other planning mechanisms such as comprehensive or capital improvement plans, when appropriate.

##### Continued Public Involvement [3.5.3]

44 CFR 201.6(c)(4)(iii)- The Plan shall include a discussion on how the community will continue public participation in the ongoing mitigation planning process.

rationale for designating a facility as critical shall be included in this section. In the first update of the plan the vulnerability description should also include a discussion of future buildings infrastructure and critical facilities, and the potential human and economic impact that each identified hazard would have on the jurisdiction.

**Assessing Vulnerability: Estimating Potential Losses [3.3.4]**

44 CFR 201.6(c)(2)(ii)(B)-The Plan should describe vulnerability in terms of an estimate for each identified hazard of the potential dollar losses to vulnerable structures identified in Section 3.3.3 and a description of the methodology used to prepare the estimates.

**Assessing Vulnerability: Analyzing Development Trends [3.3.5]**

44 CFR 201.6(c)(2)(ii)(C)- The Plan should provide a general description of land uses and development trends within the jurisdiction so that mitigation options can be considered in future land use decisions.

**Multi-Jurisdictional Risk Assessment [3.3.6]**

44 CFR 201.6(c)(2)(iii)- Multi-jurisdictional plans must assess each jurisdiction's risks where they vary from the risks facing the entire planning area for each identified hazard.

**Third Deliverable**

Suggested Timeframe: 4 months from the contract execution date  
 Recipient Timeframe: \_\_\_\_\_ from the contract execution date  
 Estimated Cost of Deliverable: \$ 5,500

Within the period specified, the Recipient shall provide the Department with the Third Deliverable, which shall include the criteria specified below with sufficient information and/or documentation to satisfy the Region IV Minimum Standards for each criterion.

**Mitigation Strategy [3.4]**

44 CFR 201.6(c)(3)-The Plan must include a mitigation strategy that provides the jurisdiction's blueprint for reducing the potential losses identified in the risk assessment based on existing authorities, policies, programs and resources, and its ability to expand on and improve these existing tools.

The Mitigation Strategy shall address FEMA's Floodplain Map Modernization Program and Repetitive Loss Initiative including: prioritization of mitigation measures towards repetitive loss properties; fulfillment of CRS planning requirements, and FEMA's on-going field and database verification projects for repetitive loss properties.

**Local Hazard Mitigation Goals [3.4.1]**

44 CFR 201.6(c)(3)(i)-The Plan shall include a description of mitigation goals to reduce or avoid long-term vulnerabilities to the identified hazards.

**Fourth Deliverable**

Suggested Timeframe: 5 months from the contract execution date  
 Recipient Timeframe: \_\_\_\_\_ from the contract execution date  
 Estimated Cost of Deliverable: \$5,500

Within five (5) months of the contract date, the Recipient shall submit the Department the Fourth Deliverable, a revised Local Mitigation Strategy (LMS) ready for submission to FEMA for review and approval that fulfills all the requirements for local hazard mitigation plans. The LMS must be accompanied by the attached FEMA/State Score Sheet and Crosswalk, with the page numbers of the appropriate sections of the LMS filled in under each criterion.

***Please note that that requirement for formal adoption by each participating jurisdiction set forth below is outside the scope of this contract. LMS Working Groups may want to delay presenting the plan to the jurisdictions for adoption until FEMA approves the substance of the plan.***

**Multi-Jurisdictional Plan Adoption [3.1.2]**

44 CFR 201.6(c)(5)- Multi-jurisdictional Plans shall include a copy of the executed resolution formally adopted by the governing bodies of each of the jurisdictions requesting approval of the plan.

**Funding Requirements:** 75% federal funds (this amount cannot exceed \$20,000); 25% local match (local match may be cash or in-kind services or any combination of the two). Please provide a project cost breakdown and specify how the Recipient intends to meet the local match. It is understood that this local match breakout is for planning purposes only and the actual relationship of cash to in-kind services may vary due to circumstance.

Total Project Cost	\$ <u>22,000</u>
Federal Share	\$ <u>15,000</u>
Local Match	
Cash	\$ <u>2,000</u>
In-kind	\$ <u>5,000</u>

# ATTACHMENT C

FLORIDA DIVISION OF EMERGENCY MANAGEMENT IN-KIND SERVICE LABOR SUMMARY RECORD										Page                      of			
APPLICANT					COUNTY (IF APPLICANT NOT COUNTY)					CONTRACT NUMBER			
DESCRIPTION OF WORK PERFORMED										PERIOD COVERING			
										From:	To:		
PERSONNEL UNIT:		DATES AND HOURS WORKED								TOTAL HOURS	HOURLY RATE	RT WAGES	OT WAGES
		DATE	/	/	/	/	/	/	/				
NAME		RT HRS									\$	\$	
STATUS/JOB TITLE		RT HRS									\$		\$
NAME		RT HRS									\$	\$	
STATUS/JOB TITLE		RT HRS									\$		\$
NAME		RT HRS									\$	\$	
STATUS/JOB TITLE		RT HRS									\$		\$
NAME		RT HRS									\$	\$	
STATUS/JOB TITLE		RT HRS									\$		\$
NAME		RT HRS									\$	\$	
STATUS/JOB TITLE		RT HRS									\$		\$
TOTAL COSTS FOR IN-KIND SERVICE REGULAR TIME WAGES											\$		
TOTAL COSTS FOR IN-KIND SERVICE OVER TIME WAGES											\$		
TOTAL LABOR COSTS											\$		
I CERTIFY THAT THE ABOVE INFORMATION WAS OBTAINED FROM PAYROLL RECORDS, INVOICES, OR OTHER DOCUMENTS THAT ARE AVAILABLE FOR AUDIT.													
CERTIFIED				TITLE					DATE				

## In-Kind Matches

While the grantee or subgrantee must meet the cost share requirement, the State or local share does not have to be cash; it can be met with in-kind services or materials that are allowable costs provided by the third parties.

Examples of third party in-kind contributions include:

A local attorney affected by the flood donates her time to review the real property acquisition contract documents and conduct the settlements for the subgrantee. The normal cost of the attorney's professional time donated to the project (based on her normal per hour or per settlement rate) is allowable as local in-kind cost-share.

Local contractors donate their services to complete seismic retrofit work to residents' homes. The normal cost of their time is allowable as a third party in-kind contribution.

A homeowner accepts 75 percent of the value of his home in cash and donates the rest of the appraised value to the project. The remaining 25 percent donated value is allowable as a third party in-kind contribution.

The local hardware store donates construction materials for a hurricane shuttering project. The retail value of those materials is an allowable third party in-kind contribution.

\* FEMA Hazard Mitigation Grant Program Desk Reference-Draft (page 13-7)

# ATTACHMENT D

## FEMA/STATE OF FLORIDA JOINT LOCAL MITIGATION PLAN CRITERIA, SCORE-SHEET & CROSSWALK

LMS County: Seminole

### LMS Contact Info

Name: Richard Moore

Address: Seminole County Dept. of Public Safety/  
Emergency Management Division  
150 Bush Boulevard  
Sanford, Florida 32773

Telephone: (407) 665-5017

E-mail: rmoore(at)co.seminole.fl.us

### 3.1 Prerequisites

#### 3.1.1 Adoption by the Local Governing Body

**44 CFR 201.6(c)(5)**

**N/A**

The Plan shall include a copy of the executed resolution formally adopted by the governing body of the jurisdiction requesting approval of the plan.  
**Does not apply to the State of Florida. See 3.1.2 below.**

#### 3.1.2 Multi-Jurisdictional Plan Adoption

**44 CFR 201.6(c)(5)**

**Satisfactory/Unsatisfactory**

Multi-jurisdictional Plans shall include a copy of the executed resolution formally adopted by the governing bodies of each of the jurisdictions requesting approval of the plan.

*Section and page number where information can be found within your County's Plan:*

**FEMA & STATE JOINT COMMENTS:**

# **ATTACHMENT E**

## **DRAFT THE LOCAL MITIGATION PLAN MINIMUM STANDARDS OF ACCEPTABILITY REGION IV**

### **General Considerations**

For the initial review of Local Mitigation Plans under Section 322 of the Disaster Mitigation Act of 2000 (Section 322), Region IV will only utilize the satisfactory and unsatisfactory categories on the Plan Criteria Worksheet. Comments will be submitted to the State for both categories. Unless otherwise changed, future updates of the Plan will utilize the full evaluation system (consisting of unsatisfactory, needs improvement, satisfactory and outstanding) in reviewing the Plan.

If the Local Jurisdiction references a document in its Local Mitigation Plan and does not attach a copy of the same to the Plan, the Local Jurisdiction must insure that Region IV has a copy of the document on file at the Regional Office.

44 CFR 206.1(a)(1)- For disasters declared after November 1, 2003, a local government must have a mitigation plan approved pursuant to this section in order to receive Hazard Mitigation Grant Program (HMGP) project grants. Until November 1, 2003, local mitigation plans may be developed concurrent with the implementation of the HMGP project grants.

44 CFR 206(a)(2)- Regional Directors may grant an exception to the plan requirement in extraordinary circumstances when justification is provided. This justification must clearly document the actions taken by the community to meet the Section 322 planning requirements and all circumstances that hindered the community's ability to produce a local mitigation plan. In these cases, a plan must be completed within 12 months of the award of the project grant. If a plan is not provided within this timeframe, enforcement remedies pursuant to 44 CFR 13.43(a) shall apply.