

RESOLUTION NO. 801

URGING THE FEDERAL GOVERNMENT TO CLARIFY THE DE-OBLIGATION PROCESS OF PREVIOUSLY APPROVED DISASTER-RELIEF FUNDS

WHEREAS, the Robert T. Stafford Disaster Relief and Emergency Assistance Act (The Stafford Act), establishes the statutory authority for most Federal disaster response activities especially as they pertain to the Federal Emergency Management Agency (FEMA) and FEMA programs; and

WHEREAS, the purpose of the Stafford Act is to provide continued and orderly assistance from the Federal government to state and local governments to relieve hardship and damage that result from disasters; and

WHEREAS, the Stafford Act authorizes FEMA to obligate funds to states and local governments to help recover from natural disasters that cause widespread damage to homes, businesses and critical infrastructure; and

WHEREAS, the ability of state and local communities to recover successfully from natural disaster events is due in large part to its partnership with FEMA and the financial assistance that it provides under the Stafford Act; and

WHEREAS, it is through this partnership that local governments seek FEMA's approval to develop recovery projects that include authorized costs to be reimbursed by FEMA once the project is completed; and

WHEREAS, FEMA is seeking to de-obligate previously-approved recovery funds from local governments whenever the Department of Homeland Security Office of Inspector General decides that FEMA has erroneously obligated funds, regardless of whether the recipient has already spent the funds in accordance with the grant's requirements; and

WHEREAS, FEMA's de-obligation of previously approved recovery funds weakens the intent of the Stafford Act; and

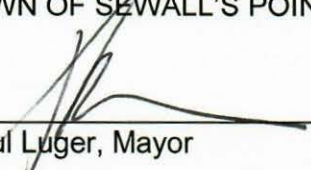
WHEREAS, Congress enacted Section 705(c) of the Stafford Act, titled "Binding Nature of Grant Requirements," to protect recipients of disaster assistance from these retroactive de-obligations.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Sewall's Point, Florida urges the Federal government to clarify the process whereby FEMA can declare that previously approved funds distributed to local governments for disaster relief efforts are de-obligated so as to ensure that the de-obligation process:

1. complies with Section 705(c) of the Stafford Act,
2. includes a reasonable time frame for municipalities to respond to information requests, and
3. requires FEMA to make timely decisions on appeals filed by municipalities that face the potential rescission of previously appropriated federal funds.

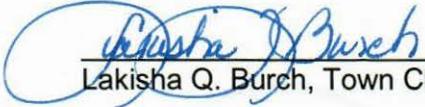
DULY ADOPTED at a regular meeting this 27th day of January, 2015

TOWN OF SEWALL'S POINT, FLORIDA




Paul Luger, Mayor

ATTEST:



Lakisha Q. Burch, Town Clerk



Glen J. Torcivia, Town Attorney

Florida Bar No. 343374

Approved as to form and legal sufficiency