



## Agenda Item Summary

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**File #: 24-01044**

**Agenda Date: 11/12/2024**

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**Agenda Item Name:**

**Hurricane Helene Disaster Debris Private Property Resolution**

**Presenter:**

Gus Olmos, 352.548.1282

**Description:**

A Resolution declaring disaster debris located on private property/private roadways resulting from Hurricane Helene an immediate threat to public health and safety and that disaster debris be made eligible for collection, removal, and disposal by disaster debris collection contractors.

**Recommended Action:**

Adopt the Resolution making certain findings and declaring the debris located on private property/private roadways resulting from Hurricane Helene an immediate threat to public health and safety and making it eligible for cleanup by contractors.

**Prior Board Motions:**

September 24, 2024: Approved Emergency Order 2024-06 declaring State of General Emergency for Tropical Storm Helene.

October 8, 2024: Approved Unanticipated Revenues for \$4,000,000 from FEMA Public Assistance Program for Hurricane Helene. Adopted motion making the County responsible for the debris collection and FEMA reimbursement at Waldo, High Springs, La Crosse Hawthorne, Newberry, Archer, and Micanopy.

October 22, 2024: Approved resolution for unanticipated revenues from FEMA which includes a budget amendment increasing the estimated amount from \$4,000,000 to \$12,000,000 for reimbursement of damages from the Public Assistance Program. Motion to amend Agreement with Ashbritt, Inc. to temporarily increase the debris collection rates to match the rates in the Florida Department of Transportation agreement.

**Fiscal Note:**

There is \$12,000,000 budgeted in the FEMA Disaster Relief Fund in account 164.00.0055.525.34.00 with the account description of other contractual services.

**Strategic Guide:**

Public Safety

**Background:**

Hurricane Helene made landfall on September 26, 2024, in Alachua County causing widespread damage to infrastructure, and the county’s tree canopy. There is an estimated 350,000 cubic yards of vegetative debris to be collected in the unincorporated part of the County, Waldo, High Springs, La Crosse Hawthorne, Newberry, Archer, and Micanopy. Some of this debris is located within “gated neighborhoods”.

The Federal Emergency Management Agency (“FEMA”) generally denies reimbursement for disaster debris collection and removal efforts from private property such as gated neighborhoods; however FEMA has established a procedure by which a local government may invoke its authority to declare that disaster-generated debris located on private property and private roadways poses a health or safety threat to the public-at-large and request that the disaster debris from private property and private roads be made eligible for reimbursement from FEMA.

The procedure includes adopting a Resolution declaring disaster debris located on private property/private roadways an immediate threat to public health and safety and that disaster debris be made eligible for collection, removal, and disposal by disaster debris collection contractors; submittal of a Notice of Intent to FEMA and obtaining Right of Entry Agreements from the gated neighborhoods. Section 407(b) of the Stafford Act (42 U.S.C. § 5173(b)), requires Alachua County to indemnify and hold harmless the Federal Government and its employees, agents, contractors, and subcontractors from any claims arising from debris removal from private property and private roadways in Alachua County, Florida, so the resolution contains a provision providing such indemnification.

If FEMA still determines the disaster debris ineligible for reimbursement, the County accepts the responsibility for any costs incurred in the collection, removal, and disposal of that disaster debris.