

20. No FEMA/State Reimbursement

Assertion: Also, due to the Hurricanes, the City Council waived all permit fees through January/February for emergency permits and repair/remodel permits due to Hurricane Ian damage. With no revenue coming in, we are still paying for all of the costs associated with those permits. Should those costs then be reimbursed from the reserves of the General Fund or billed to the General Fund so not to adversely affect the Building Fund? They also charged ALL overtime, including Fire to the building fund after Hurricane Ian, even though some of that work was not code related. We have asked about reimbursements from the State and Federal funds they received and were told they were coming, but still nothing.

Following Hurricane Ian, the Mayor and City Council temporarily waived permit fees for emergency and repair/remodel permits to assist residents and businesses with hurricane recovery efforts. During this period, previously collected permit fees (excess fee reserves and interest earned) were utilized to support the costs associated with the continued operations of the Building Division, including processing and inspection services for emergency-related permits.

The intimation that waiving fees automatically shifts the cost of compliance is without any legal merit and is a false assertion. All permit fees, whether collected or temporarily waived, must still go toward the cost of the enforcement of the Building Code. To the extent that the Building Fund can support the cost of compliance, it must support these compliance efforts by the City. Taking this a step further, the assertion above would suggest that the existing 25% reduction in permit fees should be supplemented by the General Fund, which would be an absurd notion under this factual situation. If the water & sewer bills are temporarily waived, should the General Fund cover the cost of the Utility Billing Division?

All overtime and emergency pay related to Hurricane Ian recovery charged to the Building Fund resulted from work that was directly performed by Building Division employees engaged in functions consistent with the duties authorized pursuant to the Florida Building Code, and within the scope of allowable Building Fund expenditures.

Regarding reimbursements, it was verbally communicated to the CCCIA in several Building Industry Oversight Committee meetings that eligible expenses must undergo a detailed validation process with the State and FEMA to ensure compliance with federal and state funding guidelines. As a result, the timing of reimbursements vary significantly depending on the complexity of the claim, and are often received well after the event. In FY 2023, the Building Fund received its proportionate share of reimbursements from the FEMA and the State, totaling \$87,124.44. This was reported in the monthly report received by the Building Industry Oversight Committee.

An additional \$256,478.65 in reimbursements was received and recorded in the Building Fund for Fiscal Year 2025.

Attached to support response:

- Building Fund Statement of Revenues, Expenses & Change in Fund Balance - September 2023

Statement of Revenues, Expenses & Change in Fund Balance

Table with columns: Acct#, FY2022, Oct-22, Nov-22, Dec-22, Jan-23, Feb-23, Mar-23, Apr-23, May-23, Jun-23, Jul-23, Aug-23, Sep-23, YTD Total, Original Budget, Approved Budget, YTD as a % of Budget, Current Encumbrances. Rows include Revenues (Building permits, General government charges, Public safety, Other) and Building Code Expenses (Regular salary, Contract Employees Salary, Overtime, etc.).

