**PURPOSE:**

To provide guidelines for analyzing and approving applications from local governments requesting waiver, either in part or in full, of the local match or requesting a deferral of payment for such match. As it is the intent of the Legislature that a local match be required, every effort shall be made to determine if the entity can cover the full match, even if an extended repayment schedule is required. Only in extreme cases of hardship should match reductions be granted. A full and complete waiver should only be granted when no other options can be considered.

**AUTHORITY:**

The authority for such action is section 252.37, Florida Statutes and it reads:

(5) Unless otherwise specified in the General Appropriations Act:

(a) Whenever the state accepts financial assistance from the Federal Government or its agencies under the federal Public Assistance Program and such financial assistance is conditioned upon a requirement for matching funds, the state shall provide the entire match requirement for state agencies and one-half of the required match for grants to local governments. The affected local government shall be required to provide one-half of the required match prior to receipt of such financial assistance.

(b) **The Executive Office of the Governor may approve a waiver**, subject to the requirement for legislative notice and review under s. 216.177, of all or a portion of the required match for public assistance projects for local governments if the Executive Office of the Governor determines that such a match requirement cannot be provided, or that doing so would impose a documented hardship on the local government, and if the local government applies for the waiver within the first 18 months after the disaster is declared.

(6) Whenever the state accepts financial assistance from the Federal Government or its agencies under the federal Hazard Mitigation Assistance Grant Program and such financial assistance is conditioned upon a requirement for matching funds, the eligible subgrantee recipient shall be required to provide the full amount of the required match prior to receipt of such financial assistance unless otherwise specified in the General Appropriations Act.

**POLICY:**

The Office of Policy and Budget (OPB) will review applications and supporting documents, and transmit the final decision in writing to the requesting entity. If a payment deferral is granted, a repayment schedule shall be drawn up and signed by the entity and the OPB Director. Such repayment schedule shall state that, should the entity fail to make repayment by the time stated, such amount may be deducted from the entity’s state shared revenues.

**PROCEDURES:**

The highest-ranking elected official (either the mayor or commission chairman) must sign the application from the entity requesting the reduction, waiver or deferral and submitted to OPB. The information listed in the application is required for OPB to evaluate the application. Contact information should be the person who has completed the application or can provide additional financial information as needed by OPB’s Transportation and Economic Development (TED) Unit.

**Review and Recommendation**

Upon receipt of an application, it will be date stamped by OPB’s TED Unit and logged in. Once logged, the TED Unit will review the application and ensure that all appropriate documentation has been submitted. If information is missing, the applicant shall be promptly notified, outlining what materials are missing from the application. If the applicant fails to submit the requested information within an eighteen (18) month period, the application may be considered withdrawn.

Upon completion of review, the TED Unit makes a recommendation to the budget director and senior staff. The Governor will make the final decision to approve or deny the waiver request.

Approval shall be based on evaluation and analysis of the following:

a. Demographics: population size, poverty rate, unemployment rate;

1. Storm Impacts: number of storms, severity of impact, non-FEMA reimburseable expenditures; additional hurricane recovery/mitigation funding granted, frequency of prior disasters, other assistance available;
2. Tax/Revenue Capacity: millage rate, is the entity at maximum millage, are all utility taxes levied, can millage be increased to cover costs, per capita taxable value, fiscally constrained county,
3. Special Designations: financial distress, Rural Area of Critical Economic Concern;
4. Financial Information: general fund reserves, revenues and expenditures of the entity, number of months of reserve in general fund, the local match requirement as a percentage of the general fund balance; and
5. Other Considerations: unique to the local government.

**Consultation**

Applications approved by the Governor will be forwarded together with appropriate supportive documentation to the legislative appropriations committees for consultation as provided in s. 216.177(2), Florida Statutes. However, the declaration of an emergency by the Governor under his emergency powers granted in Chapter 252, Florida Statutes, may supersede the required consultation when authorized and deemed necessary by the Governor.

**Transmittal letter of notification to applicant**

The Office of Policy and Budget will transmit a letter to the local government regarding the Governor’s final decision. If a deferral is granted, a repayment schedule with all terms and conditions shall accompany this notification. The Executive Office of the Governor/Division of Emergency Management shall receive a copy of the letter.