

NOTICE OF STUDY SESSION
National Flood Insurance Program and
Heman Park Basketball Courts Proposal

CITY HALL, Fifth Floor
6801 Delmar Blvd., University City, Missouri 63130
Monday, October 24, 2022
5:30 p.m.

AGENDA

1. MEETING CALLED TO ORDER

At the Study Session of the City Council of University City held on Monday, October 24, 2022, Mayor Terry Crow, called the meeting to order at 5:31 p.m.

In addition to the Mayor, the following members of Council were present:

Councilmember Stacy Clay
Councilmember Aleta Klein; (*excused*)
Councilmember Steven McMahon
Councilmember Jeffrey Hales
Councilmember Tim Cusick
Councilmember Bwayne Smotherson

Also in attendance were City Manager, Gregory Rose; City Attorney, John F. Mulligan, Jr.; Director of Parks, Recreation, and Forestry and Acting Director of Public Works, Darren Dunkle, and Asia Garrison of Big Guards Give Foundation.

2. CHANGES TO THE REGULAR AGENDA

Mr. Rose requested that Item J (2); Central County Dispatch Contract, be removed from the Consent Agenda and added to the City Manager's Report as Item K (6).

3. NATIONAL FLOOD INSURANCE PROGRAM

Mr. Rose stated staff would like to present Council with information on the National Floodplain Insurance Program (NFIP). As a participant in this program, the City must adhere to the minimum standards of this program to make sure its residents remain eligible for flood insurance. He then asked Mr. Dunkle to explain the principles of this program and how they impact the City's administration of the NFIP.

Overview

The National Flood Insurance Program is a voluntary program that is an agreement between the Federal Government (FEMA), and local communities to provide the benefits of federally backed flood insurance coverage in return for the mitigation of flood risks by community regulation of floodplain development. Flood insurance, as are most types of federal financial assistance such as mortgage loans and community grants are only available to those communities that adopt and enforce a Floodplain Management Ordinance that meets and exceeds the minimum standards of the program. The goal is to mitigate the chance of flood damage and risks associated with floods.

Homeowners, renters, and business owners who live in NFIP-participating communities are eligible to purchase flood insurance and are required to do so if they carry a mortgage on the property.

- A single-family residence can be insured up to \$250,000 for the structure, and \$100,000 for its contents
- Renters can be insured up to \$100,000 for their contents
 - Business owners, as well as the City, can be insured for up to \$500,000 for structures, and \$500,000 for the contents in those structures.

The NFIP's land use regulations are intended to prevent the loss of life, property, and economic and social hardships resulting from flood disasters. There is clear evidence that these goals have been achieved in areas where structures and other development activities are in compliance with the community's floodplain management ordinance.

Mr. Dunkle stated the City's regulations are in place and what staff is trying to do at this point, is make sure its facilities, as well as every qualifying resident and business, comply with the current Ordinance.

Benefits

- Every homeowner or business is eligible as long as the City is a participant in the program.
- Federal regulations state that Federally backed mortgage companies must require flood insurance on structures within Special Flood Hazard Areas.
- Public Assistance (PA) grants are available upon the announcement of a Presidential Declaration, which can be used for debris removal, and the repair of roads and bridges.
- NFIP provides mitigation opportunities and grants for buyouts, sirens, and other items.

University City

Mr. Dunkle informed Council that some of these statistics were recorded before the recent flood.

- Currently, there are 259 flood insurance policies
- There have been approximately 50 million dollars in coverage
- The City joined the NFIP in 1978 and since that time, 1,140 claims have been filed
- Approximately 16 million dollars has been paid out towards those claims

Substantial Damage Estimate (SDE) Inspections

As part of the City's participation in the NFIP, it must designate a Floodplain Administrator; which per the Ordinance is the Director of Public Works.

Following a disaster, the administrator is required to conduct Substantial Damage Estimate (SDE) Inspections of structures located within the Special Flood Hazard Areas (SFHA); i.e., 100-year floodplain, as determined by FEMA's Flood Insurance Map (FIRM), which can be somewhat confusing for owners. For example, if the FIRM indicates that your level is 520 and your home is actually at 518 that means the structure is 2 feet below the base flood elevation. However, the City's Ordinance says that a structure has to be a foot above the flood elevation, and that means that the structure is 3 feet out of compliance. The objective of these SDE(s) is to accurately collect the data required for substantial damage determinations through rapid visual inspections and report those findings to FEMA. This requirement only pertains to structures located within SFHA(s), which means that not all structures affected by a flood will be inspected.

After an SDE inspection has been conducted, the administrator sends a letter to the owner of the structure informing them of the status of their inspection. If it was determined that there was substantial damage; (*damages/improvements that exceed fifty (50) percent of the current market value of the structure*), the owner is then required to apply for and receive an approved Floodplain Development Permit to bring the building/structure into compliance with the City's Flood Ordinance. In some cases, that may require repairs that include elevating or flood-proofing the structure to reduce the potential for future damage. Construction activities that are undertaken without a proper Floodplain Development Permit are violations and may result in citations, fines, and the property owner's ability to gain eligibility for FEMA assistance.

Mr. Dunkle stated these are some of the things his staff is working on today. But because of the magnitude of this flood, they have had to ask the Code Enforcement team to assist them in making these inspections.

Substantial Improvement

Substantial Improvements are defined as any combination of reconstruction, alteration, or improvements to a structure, taking place for a 10-year period, in which the cumulative percentage equals or exceeds fifty (50) percent of the current market value of that structure. This includes the alteration of any wall, ceiling, floor, or other structural parts of the structure commences, whether or not that alteration affects the external dimensions of the building. It also includes structures that have incurred repetitive loss or substantial damages regardless of the actual repair work being done.

Permitting

Any development; (any man-made change to improved or unimproved real estate, not limited to buildings or other structures, levees, levee systems, mining, dredging, grading, paving, excavation or drilling operations, or storage or material) within the SFHA requires a Floodplain development permit because it can alter the property.

Any permit that is for new development or has been deemed a substantial improvement is required to comply with the City's Floodplain Management Regulations. Floodplain Development Permits must be constantly recorded, inspected, and reviewed by the designated Floodplain Administrator and/or designee to ensure that applicants meet the requirements contained in the City's Ordinance and the NFIP's regulations before their permit can be approved.

Mr. Dunkle stated staff is required to maintain these records for ten years to ensure that the repairs to a structure do not exceed fifty (50) percent of the structure's value. Therefore, residents and businesses located within the SFHA must apply for a permit even to install something as simple as a water heater.

Violations

If the City is found to be in violation or has deficiencies in the administration of its enforcement of the NFIP floodplain management regulations it can be placed on probation and a surcharge of up to twenty (20) percent could be added to the premiums for each NFIP policy sold or renewed in the City. If the City fails to alleviate these violations or deficiencies it may be suspended from the program; in which case no NFIP policies can be written or renewed. However, policies in force at the time of suspension will remain in force for the term of the policy.

Mr. Dunkle stated these are time-consuming yet critical procedures that could be costly for some residents depending on the level of improvements needed. Residents who live in the eighty (80) percent flood zone are not allowed to have a livable basement, which means that some finished basements will have to be eliminated.

Councilmember Hales asked Mr. Dunkle what would physically happen to a resident's basement that was deemed unlivable? Mr. Dunkle stated staff is currently trying to gather more information on all the different methods that can be used to flood-proof a basement, but one of them would be to install self-releasing windows.

Councilmember Clay posed the following questions to Mr. Dunkle:

Q. How do the NFIP insurance rates compare to those in the private market?

A. The NFIP utilizes and supports private insurance companies and does not offer a special rate for its participants.

Q. Is it correct, that you do not have to be in a Special Flood Hazard Area to participate in this program?

A. That is correct, everyone is eligible.

Q. If the City was not a participant in this program could residents get flood insurance on their own in the private market?

A. I'm not sure whether they could or not, but the only way they can participate in the NFIP is if the City is a member.

Councilmember Cusick posed the following questions to Mr. Dunkle:

Q. What is the valuation of a property based on?

A. *The St. Louis County's Tax Assessor's assessment.*

Q. Is the valuation based only on the structure?

A. Yes.

Q. Is the City's \$500,000 policy for multiple or individual structures?

A. *The \$500,000 limit is per policy. So, there could be multiple buildings in one policy or an individual building in a separate policy.*

Q. Do you have an idea of how many of the 259 policies are for U City structures?

A. *I think there are approximately six City structures, and the rest are either residential or commercial.*

Q. Do you have a more recent timeframe for when the 1,140 claims were filed?

A. *I do not because all of these statistics were provided by FEMA.*

Q. Is the City going to require homes not included in the buyout that sustained damage over and above fifty (50) percent of its current market value to be elevated?

A. *While each home will have to be reviewed on an individual basis, our most recent estimates indicate that there are roughly six properties that will fall within this category. As a result, staff has reached out to FEMA/SEMA to gain a better understanding of whether there are any flood-proofing alternatives available that would be more feasible than elevation.*

Q. Several years ago, the City looked at elevating several houses located in the floodplain area and was told that they could be elevated enough. So, what would happen today if some of our homeowners find themselves in this same situation?

A. *These are the kinds of questions that staff is waiting on FEMA to provide them with the answers to.*

Q. Do you know what the annual cost of insurance would be under this program, for a home valued at \$150,000?

A. *No sir, I am not familiar with their rates.*

Q. Under this program will FEMA mandate that a resident make the necessary repairs to their home even if they don't have the financial means to do so?

A. *Under this agreement, the City has a requirement to enforce FEMA's regulations, so based on my understanding, if a resident fails to make those necessary repairs, the City would be a violation of that agreement.*

Councilmember Cusick stated he believes this is another issue that should be considered in staff's discussions with FEMA/SEMA. And he would respectfully request that Council be provided with any new information obtained through these discussions.

Mr. Rose stated staff certainly appreciates the economic situation that many of the City's residents are in, and their only intent is to ensure that the City remains in compliance with these regulations so that everyone has an opportunity to participate in this program. That said, he cannot imagine a situation where FEMA/SEMA would not be sensitive to a homeowner's financial situation and be willing to work with both the City and the resident on ways to achieve compliance.

Councilmember Cusick asked Mr. Rose if there was something other than the recent floods that prompted staff to provide Council with this information tonight? Mr. Rose stated the magnitude of the losses experienced during the recent floods generated more attention on the issue of making sure that the City did not take any actions that would jeopardize its ability to remain in compliance with the program's regulations.

Mayor Crow thanked Mr. Dunkle for his presentation.

4. HEMAN PARK BASKETBALL COURTS PROPOSAL

Mr. Rose stated this proposal for refurbishing the Heman Park Basketball Courts was submitted to the Parks Commission who unanimously recommended that it be presented to Council.

Mr. Dunkle stated that Asia Garrison of the Big Guards Give Foundation would be making this presentation.

Ms. Garrison stated although the PowerPoint lists Majuan Bates as the presenter, he is on a basketball tour and was unable to attend tonight's meeting. So, while she is a little nervous about making this presentation, being in U City feels natural, since she graduated from U City High in 2013, and worked at Centennial Commons throughout her undergrad and graduate degrees before migrating to Washington, D.C.

The Big Guards Give Foundation; which will be the overseer of this project, focuses on bridging athletes, citizens, and community leaders together by providing resources, enrichment programs, scholarships, and hope. And several months ago, Mr. Bates; currently a resident of U City came up with an idea to refurbish the Heman Park basketball courts and highlight three individuals from U City.

Consultants

Hoop For All Foundation

- A nonprofit organization that increases community access to health education and resources through sports and entertainment.
- Located in Washington, DC
- 20 + Events
- 400 + Volunteers
- 5,000 + Served
- \$25,000 + Donated
- \$125,000 + Raised

Recently this organization partnered with Bradley Beal to refurbish the Benjamin Banneker Courts across from Howard University. And one of the stipulations that came out of that partnership was Bradley's desire to refurbish basketball courts in St. Louis; more specifically, U City, which happens to be his hometown.

Why University City?

- Diversity, culture, and community involvement
- Most unique individuals in the Metropolitan area
- Lion pride spreads throughout the entire County and City
- St. Louis athletes are connected to Heman Park
- A safe and inclusive environment

The Mission

- To provide a safe environment for youth and community members
- Host basketball camps and community events
- Give college scholarships to community members

Timeline

- City Approval = FUNDING
- The hiring of Sports Contractors
- The hiring of Artists; (already onboard)
- Addition of infrastructure
- Reopening Event; (proposed for June)

Benefits

- Community Relations
- Youth Empowerment
 - COCA scholarship for U City students
 - Women mentorship programs
- Public Relations and Branding

Dedicated Courts

- Jayson Tatum
- Brandy Cole; Jason's mother
- Duece Court; Jason's son
- U City & Nellie; Nellyville
- Brad Beale & his mother

Estimated Budget

Total:	\$207 to \$250,000
Construction:	\$60,000
Artist/Equipment:	\$15 to \$20,000
Backboard/Rims:	\$15,000
Opening Day Event:	\$10,000
Contingency Fee for Donors:	\$10,000
Steel Shelter Over Courts:	\$75,000
Equipment:	\$7,500
Basketball Hoops:	\$15,000

Ms. Garrison stated this project will be %100 privately funded through Big Guards, therefore, U City's only involvement would be to assist with advertising materials, use of its website, and the opening day ceremonies.

Councilmembers Clay and Smotherson thanked Ms. Garrison for the presentation and the opportunity to participate in this program.

Councilmember Smotherson posed the following questions to Ms. Garrison:

Q. Can you define the difference between the backboard rims and basketball hoops?

A. They are actually the same thing, so one of those estimates can be eliminated.

Q. Do you have a picture of what the backboards and rims will look like?

A. No decisions have been made about the final design, but once it is, I will be happy to provide that information to Mr. Rose.

Q. Will these be breakaway rims?

A. They will not be, but BG is always open to suggestions.

Q. There is a bike and walking trail on the east side of the main courts, so can you provide the exact location where you would like to construct the Duece Court?

A. What we were looking at appears to be a graveled area.

Q. The parking area?

A. Yes.

Mr. Rose stated if it is agreeable to Council, the next step would be to have Mr. Dunkle work with Mr. Mulligan to craft a basic agreement outlining the City's expectations, which will then be brought before Council for consideration.

Councilmember McMahon asked Mr. Rose if he could check on the status of MSD's plan to install their tanks in the park because he would hate to miss out on this opportunity while waiting for them. Mr. Rose stated MSD's initial proposal states that they will replace anything that is destroyed. So, staff will obtain an update and make sure that the agreement is airtight prior to them moving forward with the tanks.

5. ADJOURNMENT

Mayor Crow thanked Ms. Garrison for her presentation and adjourned the meeting at 6:17 p.m.

LaRette Reese
City Clerk