



City of League City, TX

300 West Walker
League City TX 77573

Meeting Minutes City Council

Tuesday, November 28, 2017

5:00 PM

Council Chambers
200 West Walker Street

Council Work Session

The City Council of the City of League City, Texas, met in a work session in Council Chambers at 200 West Walker Street on the above date at 6:00 p.m.

Mayor: Pat Hallisey

City Council Members: Dan Becker
Hank Dugie
Larry Millican
Todd Kinsey
Greg Gripon
Keith Gross
Nick Long

City Manager: John Baumgartner
Assistant City Manager: Bo Bass
City Attorney: Nghiem Doan
City Secretary: Diana M. Stapp
Chief of Police: Michael Kramm
Director of Engineering: Christopher Sims
Interim Director of Finance: Allena Portis
Director of Human Resources/Civil Service: Janet Shirley
Director of Parks & Cultural Services: Chien Wei
Interim Director of Planning/Development: Frankie Legaux
Director of Public Works: Jody Hooks

1. CALL TO ORDER AND ROLL CALL OF MEMBERS

Mayor Pro Tem Kinsey called the meeting to order at 5:00 p.m. and called the roll. All members of Council were present except Mayor Hallisey. Mr. Becker arrived at 5:05 pm. Mr. Dugie arrived at 5:11 pm.

Absent 1 - Mayor Pat Hallisey

Present 7 - Mr. Dan Becker, Mr. Hank Dugie, Mr. Larry Millican, Mr. Todd Kinsey, Mr. Greg Gripon, Mr. Keith Gross and Mr. Nick Long

2. **PRESENTATION AND DISCUSSION CONCERNING LEAGUE CITY'S
OBLIGATIONS ASSOCIATED WITH THE NATIONAL FLOOD INSURANCE
PROGRAM**

Robert Kinsey, Building Official and Floodplain Administrator gave a presentation regarding the City obligations concerning National Flood Insurance Program (NFIP) & Substantial Damage Rules.

NFIP was created by the National Flood Insurance Act of 1968.

- ☐ Participation is voluntary
 - Adopt and enforce regulations by ordinance
 - Eligible for flood insurance
- ☐ Benefits of participation
 - Flood insurance
 - Grants and loans
 - Disaster assistance
 - Federally-backed mortgages

The NFIP has a built-in mechanism to mitigate structures located in the floodplain. It is called Substantial Damage – or more commonly known as the “50%” rule. It will help end the damage cycle of build-flood, build-flood, build-flood. It will help decrease insurance premiums and loss of housing value.

NFIP Roles: Federal and State

- ☐ Federal:
 - National program oversight
 - Risk identification (mapping)
 - Establish development / building standards
 - Provide insurance coverage
- ☐ State:
 - State program oversight
 - Establish development/building standards
 - Provide technical assistance to local communities/agencies
 - Evaluate and document floodplain management activities

NFIP Roles: Local - Community

- Local Officials and Floodplain Administrators
- Adopt and enforce floodplain management ordinance compliant with Federal / State laws
- Issue or deny development

- Inspect development and maintain records
- Make substantial damage determinations
- Remember, development oversight is a local responsibility

The NFIP – More Than Insurance, the NFIP is a voluntary Federal program enabling property owners in participating communities to purchase insurance against flood losses in exchange or adopting and enforcing regulations that reduce future flood damages. A participating community's floodplain management regulations, must meet or exceed the NFIP minimum requirements.

Substantial Damage Rules: Substantial Damage Rules are built into each City's ordinance to improve the community's resilience to future floods.

- ☐ The rule applies to structures with the following characteristics:
- Structure is in the Special Flood Hazard Area (SFHA)
- Lowest floor of the structure is below the Base Flood Elevation (BFE)
- Cost to repair the structure exceeds 50% of the structure value

Structures meeting the above characteristics are treated as new construction and must meet current codes, which in general means elevating the structure.

Why Substantial Damage Determinations matter to communities:

- Community members will be more resilient next time
- Flood insurance premiums may decrease for policyholders, whereas premiums may increase if not mitigated
- Maintain community eligibility in the NFIP

Who does the Substantial Damage Determination?

- The community appointed Floodplain Administrator completes the Substantial Damage Determination
- FEMA can support local communities in gathering the required data to make the determinations

FEMA's preliminary assessments identified 1,165 properties that might be substantially damaged (SD). After FEMA's infield inspections of these properties, they have confirmed that out of the 1,165 properties, 274 had a percentage of damage. Using the SDE (Substantially Damage Estimator) program, 216 of the 274 properties indicate less than 50% overall damage to the property and 58 indicate 50% or more overall damage to the property.

By ordinance Substantial damage means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. When

the cost of the work reached 50%, the structure must be brought into compliance with current ordinances and codes.

Next Steps and Decisions

- Send SD and Non-SD letters to the affected property owner, notifying owners of their substantial damage status and appeal process
- Document advice to SD owners on their options for elevation, relocation, and/or demolition
- Encourage mitigation or resiliency measure to Non-SD properties, but allow permitting for rebuilding at current standard
- Review flood ordinance, comparing it to City and FEMA data collected

Appeals Process

If a homeowner disagrees with the substantial damage determination for repair costs they can submit the following information to the community: actual cash value from insurance claim; and two estimates from verified contractors.

If a homeowner disagrees with the substantial damage determination for market value, they can submit the following information to the community: tax assessed value; and licensed appraisal based on pre-storm value.

3. **PUBLIC COMMENTS**

4. **ADJOURNMENT**

At 5:15 p.m. Mayor Pro Tem Kinsey said, there being no further business this meeting is adjourned.

TODD KINSEY
MAYOR PRO TEM

DIANA M. STAPP
CITY SECRETARY

(SEAL)

MINUTES APPROVED: January 9, 2018