



MEMO TO: Finance, Administration, and Communications Committee of the Whole

FROM: Peter Holte, Senior Planner, Public Works

DATE: July 28, 2020

SUBJECT: Revisions to RMC 15.04 Flood Insurance

I. PURPOSE ☐ For Info Only ☐ Potential Agenda Item ☒ Scheduled for Council Action

II. RECOMMENDATION

Adoption of revisions to RMC 15.04 Flood Control to include new provision found in the 2019 Washington State Model Flood Ordinance.

III. DEPARTMENT CONTACTS

Dave Juarez, Director, Public Works, 425-556-2733

Gary Schimek, EUSD Manager, Public Works, 425-556-2742

Steve Hitch, Utility Engineer Supervisor, Public Works, 425-556-2756

Peter Holte, Senior Planner, Public Works, 425-556-2822

Emily Flanagan, Senior Engineer, Public Works, 425-556-2707

IV. DESCRIPTION/BACKGROUND

Redmond Municipal Code (RMC) 15.04 Flood Control details the construction requirements for development projects proposing to build within the City's Special Flood Hazard Area (SFHA). In order to continue participation with FEMA's National Flood Insurance Program (NFIP), the City is required to revise this code to include changes found in the 2019 National Flood Insurance Program Flood Damage Prevention Ordinance Washington Model (WA Model Ordinance), by August 19, 2020.

These revisions clarify code language to ensure better compliance with the minimum federal standards for development in flood hazard areas that jurisdictions must meet to qualify for the NFIP. There are no additional requirements or changes to these federal standards.

A. Analysis

The Washington Department of Ecology revised the WA Model Ordinance in December of 2019. The changes to the WA Model Ordinance include a) additional definitions to clarify terms commonly used when permitting projects within the SFHA, b) additional language regarding compliance with and administration of the code, and c) clarification of construction standards for projects developing in the SFHA. Adoption of the State prescribed updates to RMC 15.04 must occur by August 19, 2020 for the City to continue participation in FEMA's NFIP program.

The required adoption of these revisions coincides with the implementation of an update to FEMA's *Flood Insurance Rate Maps* (FIRMs) that cover the City of Redmond. These FIRMs also take effect on August 19, 2020. These maps designate Redmond's SFHA, which includes the floodplains bordering the Sammamish River, Bear Creek, Evans Creek, and Lake Sammamish. The recent FIRM updates made no changes to the City's SFHA from the maps' previous editions.

B. Financial Analysis

City participation in NFIP allows two key financial benefits to the City and its citizens. First, flood insurance is required for buildings in high-risk areas that have loans from federally regulated or insured lenders. The City's participation in NFIP allows eligible owners and renters to purchase federally backed flood insurance. Otherwise they need to purchase it from a privately backed flood insurance provider, typically at a higher rate and not always available. Secondly, it keeps the City eligible for long-term disaster assistance from FEMA for flood damage. Without this insurance the City will not qualify for such assistance. So, for example, without this insurance, if there was damage to a City bridge from flooding, the City would no longer qualify for financial assistance from FEMA for the repairs.

C. Special Provisions in the Ordinance to Meet the August 19, 2020 Deadline

These code revisions are subject to a State Environmental Protection Act (SEPA) review. The SEPA comment and appeals period must be completed before they can be taken to Council for a vote. This comment and appeals period will close on August 17, 2020. Placing this item on the August 18, 2020 Council Meeting Agenda will enable the City to meet the August 19 deadline for continued participation in the NFIP.

Since ordinances typically do not take effect until after a five-day public notice period following a Council vote, an ordinance adopted on August 18 would need to contain a clause detailing that this is an emergency, and that the revised code would take effect immediately to maintain the City's participation in the NFIP. The City attorney stated he can add an emergency clause and provisions to the ordinance to ensure the code revisions will take effect upon Council adoption, so that the City meets the August 19 deadline.

D. Staff Learning and Service Delivery Improvement

Upon notification of FIRM updates in February, staff reviewed code and believed that no revisions to existing code were necessary. The first week of July, staff learned of the need to revise City code to maintain the Redmond's participation in the NFIP. Staff members involved in various aspects of flood management have since met to diagnose the issues that delayed our awareness of this requirement. In response, these staff members have created a cross-departmental group that will meet regularly to increase communication, better define roles, and increase staffs' skill sets in order to better manage flood-related regulatory activities.

V. TIME CONSTRAINTS

Code updates must be adopted by City Council by August 19, 2020.

VI. LIST OF ATTACHMENTS

Attachment A: Revisions to RMC 15.04 Flood Control

Attachment B: Effective FEMA Floodplain Map—City of Redmond

Attachment C: Notification Letter From FEMA