

# Mayor and Council Communication

**DATE:** 12/12/23

**M&C FILE NUMBER:** M&C 23-1058

**LOG NAME:** 20SWM LEBOW FLOOD MITIGATION GRANT APPLICATION

**SUBJECT**

(CD 2) Authorize Application for Two Grants from the Federal Emergency Management Agency Each in an Amount of Up to \$50,000,000.00 for the Upper Lebow Flood Mitigation Project

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**RECOMMENDATION:**

It is recommended that the City Council authorize application to the Federal Emergency Management Agency for two grants, each in an amount up to \$50,000,000.00 for flood mitigation improvements in the Upper Lebow area with a proportional city match.

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**DISCUSSION:**

This Mayor and Council Communication (M&C) is to authorize application for two Federal Emergency Management Agency (FEMA) grants for the Upper Lebow Flood Mitigation project. The two grants are the FEMA Flood Mitigation Assistance (FMA) grant and the Building Resilient Infrastructure and Communities (BRIC) grant. Both grants are competitive selection grants and, if awarded, require at least \$16,666,666.67 in City cost participation in order to receive the maximum amount of \$50,000,000.00 per grant. Additionally, the grants are reimbursement grants, meaning that the City will front initial costs and will submit for reimbursements after costs are incurred.

Staff has identified a combination of Stormwater pay-go, existing Revenue Bonds, and future Revenue Bond funds in the FY24-28 CIP that could fund the City's cost participation and any additional costs not covered by the grants.

Funding is currently available in the 2023 Stormwater Revenue bonds for the City's cost participation. If awarded, a future M&C will be submitted to accept the grant(s) and to establish and approve the City's match and appropriations for this grant. The funding source in the future M&C may be different than the aforementioned funding sources.

The City has contracted with Freese and Nichols, Inc. (M&C 23-0433) to perform project development and engineering design for improvements in the Upper Lebow area, and to help complete any applications for grants. The Upper Lebow flood mitigation improvements covered under these grant applications will include the design and construction of stormwater detention, channel improvements, and bridge crossing modifications which will require property and/or easement acquisitions.

The Upper Lebow Channel area is a critical and high-priority area for flood mitigation. The area has a history of frequent structure, property, and roadway flooding. Five fatalities have occurred in recent years in Lebow Channel due to roadway flooding. In the Upper Lebow area (north of Long Avenue), there are eight hazardous roadway overtopping (HRO) locations and over 200 structures (mostly homes) within the FEMA floodplain. The Stormwater Program has documented approximately 25 instances of structure flooding (with two areas identified as repetitive loss areas per FEMA guidelines) and two high-water rescues. All eight crossings were overtopped, and 16 structures were reported as flooded during the August 21-22, 2022 storm event. Based on community outreach and engineering modeling, staff believes there is significantly more flooding in the area than reported.

The City developed an overall concept plan for the Lebow watershed and has worked on it since 2001, implementing three Hazardous Roadway Overtopping Mitigation (HROM) projects, channel restoration projects, property buyouts, and road closures in an effort to mitigate flooding and life safety hazards. To date, except for some of the buyouts, most improvements have occurred in Lower Lebow Channel (south of Long Avenue).

The total project costs are currently estimated at approximately \$90,000,000.00. The project is anticipated to be completed in phases and will correspond to available funding.

This project is located in COUNCIL DISTRICT 2.

A Form 1295 is not required because: This M&C does not request approval of a contract with a business entity.

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**FISCAL INFORMATION / CERTIFICATION:**

The Director of Finance certifies that approval of this recommendation will have no material effect on City funds.

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