

City of Fort Worth, Texas

Mayor and Council Communication

DATE: 03/19/24 M&C FILE NUMBER: M&C 24-0207

LOG NAME: 21CPN 103069 CHANNEL REHABILITATION 4104 WEBER ST

SUBJECT

(CD 2) Authorize Acquisition of a Fee Simple Interest in 0.1783 Acres from Improved Property Owned by Dana L. Pondt Located at 4104 Weber Street, Fort Worth, Tarrant County, Texas 76106 in the Amount of \$175,000.00, Pay Estimated Closing Costs in an Amount Up to \$5,000.00 for a Total Cost of \$180,000.00, and Authorize Eligible Payments for Tenant Relocation in an Amount Up to \$28,140.00 and Eligible Tenant Moving Expenses in an Amount Up to \$3,000.00 for the Lebow Channel Flood Mitigation Project

RECOMMENDATION:

It is recommended that the City Council:

1. Authorize the acquisition of a fee simple interest in 0.1783 acres from improved property owned by Dana L. Pondt located at 4104 Weber Street, Fort Worth, Tarrant County, Texas 76106 for the Lebow Channel Flood Mitigation Project (City Project No. 103069);
2. Find that the total purchase price of \$175,000.00 is just compensation and pay estimated closings costs in an amount up to \$5,000.00 for a total cost of \$180,000.00;
3. Authorize the payment of eligible tenant relocation costs in an amount up to \$28,140.00 and eligible tenant moving expenses in an amount up to \$3,000.00; and
4. Authorize the City Manager or his designee to accept the fee simple conveyance and record the appropriate instruments.

DISCUSSION:

This property is located adjacent to Lebow Channel, which is a critical and high-priority area for flood mitigation. The Lebow Channel Flood Mitigation Project is currently in project development and will address these needs. Acquisition of the property would be part of the project plan to facilitate future culvert and channel improvements. The property is subject to erosion, which is currently creating a safety issue. The purchase of the property was deemed more financially advisable than implementing a temporary channel erosion rehabilitation project at this location. After the acquisition is complete, the structure will be demolished, and the property maintained as mowed greenspace until needed for the Lebow Channel Flood Mitigation Project.

An independent appraisal was obtained to establish the fair market value of the property. The owner has agreed to sell the property and signed the City's sale and purchase contract in the amount of \$175,000.00. The City will pay closing costs up to \$5,000.00. The real estate taxes will be pro-rated with the seller responsible for taxes due up to the closing date.

On April 7, 2015, City Council Resolution No. 4430-04-2015 authorized the adoption of the City of Fort Worth Relocation Assistance Rules. The rules are to ensure that the City provide relocation assistance and advisory services to qualifying persons, businesses, farming or ranching operations, or nonprofit organizations who are displaced in connection with the acquisition of real property for a public purpose and are compatible with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA), as amended. For this voluntary acquisition, the seller and seller's tenants are eligible to receive relocation assistance in the amount up to \$28,140.00, plus eligible moving expenses up to \$3,000.00.

Upon City Council approval, Staff will proceed with acquiring the fee simple interest in the property except for the mineral estate. The deed to the City will contain a surface waiver for the exploration of the mineral estate.

Property	Legal Description	Property Type	Acreage	Purchase Price	Estimated Closing Costs	Acquisition Total	Relocation Assistance (up to)	Eligible Moving Expenses
4104 Weber Street	Sabine Place Addition, Block 35, Lot 11, Tarrant County, Texas,	Fee Simple	0.1783	\$175,000.00	\$5,000.00	\$180,000.00	\$28,140.00	\$3,000.00

Funding is budgeted in the TPW Stormwater Capital Project Fund for the purpose of funding the Lebow Channel Flood Mitigation Project, as appropriated.

The property 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.

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that funds are available in the current capital budget, as previously appropriated, in the Stormwater Capital Projects Fund for the Channel Rehabilitation project to support the approval of the above recommendations and award of the acquisition. Prior to any expenditure being incurred, the Transportation and Public Works and Property Management has the responsibility to validate the availability of funds.

Submitted for City Manager's Office by: Dana Burghdoff 8018

Originating Business Unit Head: Marilyn Marvin 7708
Ricardo Salazar 8379

Additional Information Contact: Dickson Robin 2554
Justin Naylor 7953