

Mayor and Council Communication

DATE: 06/16/20

M&C FILE NUMBER: M&C 20-0415

LOG NAME: 21PMD CAH 2221 WESTERN AVE

SUBJECT

Authorize Voluntary Acquisition of a Fee Simple Interest in Land, Being All of Lot 27, Block 5, Hillcrest Addition, Including Improvements, Located at 2221 Western Avenue from Bret Starr and Jennifer Starr in the Amount of \$335,000.00 and Pay Estimated Closing Costs in the Amount of \$5,000.00 for a Total Cost of \$340,000.00, and Authorize Eligible Payments of Relocation Expenses Up to \$31,000.00 Plus Eligible Moving Expenses Up to \$10,000.00, for the Central Arlington Heights Drainage Improvement Project (COUNCIL DISTRICT 7)

RECOMMENDATION:

It is recommended that the City Council:

1. Authorize the voluntary acquisition of a fee simple interest in land, being all of Lot 27, Block 5, Hillcrest Addition, including improvements, located at 2221 Western Avenue from Bret Starr and Jennifer Starr in the amount of \$335,000.00 for the Central Arlington Heights Drainage Improvement Project No. 101262;
2. Authorize acceptance of the fee simple conveyance and payment of estimated closing costs up to \$5,000.00;
3. Authorize the payment of relocation expenses up to the amount of \$31,000.00 plus eligible moving expenses up to \$10,000.00; and
4. Authorize the City Manager or his designee to execute and record the appropriate conveyance documents.

DISCUSSION:

Central Arlington Heights Neighborhood is subject to severe localized flooding during rain events. Mitigating flood risk to the neighborhood through traditional drainage system improvements, such as increasing the capacity of the pipe system, is cost prohibitive. Voluntary property acquisition will relieve the residents in the most flood prone homes from ongoing exposure to flood damages. Therefore, non-reimbursable funding has been appropriated from the Stormwater Capital Projects Fund to pursue a strategy of voluntary property acquisitions to mitigate chronic flood risk.

Eleven owners of the more flood prone Central Arlington Heights properties, including the owner of 2221 Western Avenue, requested that the City buy them out. This is the southernmost property on Western Avenue identified for voluntary acquisition and is the last of four properties on Western Avenue being acquired with Stormwater Utility funding only. Voluntary acquisition of the parcel directly to the north of 2221 Western Avenue and one other property on Western Avenue will be facilitated with FEMA grant funding. Additionally, on Carleton Avenue immediately east of the Western Avenue properties described above, four properties have already been acquired with an offer pending on a fifth, final property. Acquisition of all of the properties on Carleton Ave are using the Stormwater Utility funds only.

An independent appraisal was obtained to establish the fair market value of the 2221 Western Avenue property. The owners have agreed to sell the property and signed the City's sale and purchase contract in the amount of \$335,000.00. The real estate taxes will be pro-rated with the seller responsible for taxes due up to the closing date. The City will pay closing costs up to \$5,000.00.

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 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 \$31,000.00 plus eligible moving expenses up to an estimated amount of \$10,000.00.

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 Address	Legal Description	Property Type	Acreage	Purchase Price	Estimated Closing Costs (Up To)	Acquisition Total	Relocation Assistance Amount (Up To)	Eligible Moving Expenses (Estimate)	ESTIMATED TOTAL COSTS
2221 Western Avenue	Hillcrest Addition -- Fort Worth, Block 5, Lot 27	Fee Simple	0.1893	\$335,000.00	\$5,000.00	\$340,000.00	\$31,000.00	\$10,000.00	\$381,000.00

This property is located in COUNCIL DISTRICT 7.

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 appropriated, of the Stormwater Capital Projects Fund Central Arlington Heights Buyout and Detention Improvement project to support approval of the above recommendations and acquisition of the property. Prior to any expenditure being incurred, the Transportation & Public Works Department has the responsibility to validate the availability of funds.

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