

A G E N D A



Recommendation for Council Action (Real Estate)

Austin City Council

Item ID:

8933

Agenda Number

26.

Meeting Date:

August 18, 2011

Department:

Office of Real Estate Services

Subject

Authorize the negotiation and execution of all documents and instruments necessary or desirable to acquire 14 mobile homes in the Woodview Mobile Home Park (MHP) for the Woodview MHP Buyout in an amount not to exceed \$350,000, plus relocation benefits, moving expenses and other related expenses not to exceed \$1,050,000, for a total amount not to exceed \$1,400,000. The Woodview MHP is located at 1301 West Oltorf, Lot 1 Oltorf Addition, a subdivision in Travis County, Texas, according to the map or plat recorded in Volume 10, Page 12, of the Plat Records of Travis County, Texas. Related to Item # 25 and Item # 70.

Amount and Source of Funding

Funding in the amount of \$1,400,000 is available in the Fiscal Year 2010-2011 Capital Budget of the Watershed Protection Department for the acquisition of the mobile homes, relocation benefits, moving expenses and other related expenses.

Fiscal Note

A fiscal note is attached.

Purchasing
Language:

Prior Council
Action:

For More
Information:

Pam Kearfott 974-3361; Lauraine Rizer 974-7078; Amanda Glasscock 974-7173.

Boards and
Commission
Action:

MBE / WBE:

Related Items:

Additional Backup Information

The Hazard Mitigation Grant Program administered by the Texas Division of Emergency Management provides cost-share funding for acquisition of flood-damaged properties. On November 9, 2007, the City of Austin submitted a grant application to that Division for the partial buyout of the Woodview Mobile Home Park (WMP) with an original estimated cost of \$1,585,808 with a federal share of \$1,189,356. On October 31, 2008, a grant in the amount of \$1,189,356 was approved by the Federal Emergency Management Agency. The project targets mobile homes in the 25-year floodplain of West Bouldin Creek in the Woodview MHP. The living space of several of the mobile homes is more than 2 feet below the 100-year floodplain elevation.

The City of Austin is acquiring a conservation easement consisting of three non-contiguous areas and an access easement on an 11.251 acre tract that is improved with the Woodview MHP, consisting of 85 pads. Within the conservation easement, there are 15 mobile home pads, with 14 mobile homes located within the 25-year floodplain (the 15th pad is vacant). The conservation easement restricts the use of the property to open space in perpetuity. The property will be used only for purposes compatible with open space, recreational, or wetlands management practices; in general, such uses include parks for outdoor recreational activities, nature preserves, and other uses. No new structure, improvement, or impervious cover shall be erected or constructed on the property other than that which is compatible with the uses described in the preceding sentence.

This request will authorize the City to proceed with the necessary acquisition and relocation activities to acquire by gift or negotiation the necessary property interests for the purchase of 14 mobile homes located within the Woodview MHP provided the following criteria are met:

1. The consideration paid by the City (excluding moving expenses and other relocation benefits) must be commensurate with the property's fair market value in an appraisal of the property.
2. The City must receive clear title to the property free of all liens.
3. Payment of relocation benefits and all other aspects of the acquisition must comply with all applicable statutory requirements, federal and state grant or contractual requirements, and any other applicable legal requirements.
4. There must be sufficient funds in the City budget for the acquisition and relocation.
5. The properties and all occupants in the Program will be acquired and relocated in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended.