

A G E N D A



Recommendation for Council Action

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|--|---|------|---------------|----------------------|
| Austin City Council | Item ID | 8138 | Agenda Number | 70. |
| Meeting Date: | 8/18/2011 | | Department: | Watershed Protection |
| Subject | | | | |
| <p>Approve an ordinance authorizing acceptance of grant funds in the amount of \$1,189,356 from the Office of the Governor, Division of Emergency Management and amending the Fiscal Year 2010-2011 Watershed Protection Department Operating Budget Special Revenue Fund (Ordinance No. 20100913-002) to accept and appropriate \$1,189,356 to the DR-1709 "2007 Severe Storms & Flooding" HMGP Program for the buyout and demolition of mobile homes in the floodplain of West Bouldin Creek in the Woodview Mobile Home Park. Related to Item # 25 and Item # 26.</p> | | | | |
| Amount and Source of Funding | | | | |
| <p>Funding in the amount of up to \$1,189,356 is available from the Federal Emergency Management Agency Hazard Mitigation Grant Program administered by the Texas Department of Public Safety Division of Emergency Management. Local matching funds are required and funding in the amount of \$396,452 is available in the Fiscal Year 2010-2011 Capital Budget of the Watershed Protection Department.</p> | | | | |
| Fiscal Note | | | | |
| <p>A fiscal note is attached.</p> | | | | |
| Purchasing Language: | | | | |
| Prior Council Action: | | | | |
| For More Information: | Mapi Vigil, 974-3384; Pam Kearfott, 974-3361. | | | |
| Boards and Commission Action: | | | | |
| MBE / WBE: | | | | |
| Related Items: | Related to item # 8499 and item # 8933 | | | |
| Additional Backup Information | | | | |

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

The City 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 will be acquired and all occupants in the Program will be relocated in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended.

All department grant application requests are reviewed by the Budget Office prior to submission to ensure that the grant minimizes the financial impact to the City.