Legislation Text

File #: 19-672, **Version:** 1

A resolution authorizing the acquisition of properties pursuant to the Federal Emergency Management Agency's Hazard Mitigation Grant Program

Presenter:
Gordon Brenner, City Recovery Coordinator
Darlene Kennedy, City Real Estate Services Manager
Jennifer Vance, City Grants Manager

Summary:
The attached Resolution is to authorize the acquisition of property affected by landslides in certain areas within the southwest portion of Colorado Springs. The landslides were a result of significant rainfall and flooding in 2013 and 2015, which ultimately led to Presidential Major Disaster Declarations DR-4145 and DR-4229. Funding for the acquisitions is from the Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program (HMGP) totaling $5,940,000.

Background:
City Council approved City Ordinance 17-78 on September 12, 2017 to provide supplemental appropriations to the Grant Fund in order to authorize the spending of the $5,940,000 FEMA HMGP funding. The funding was authorized by FEMA at the request of Colorado Department of Homeland Security and Emergency Management to acquire properties affected by landslides.

City Council approved Resolutions 112-18 on October 23, 2018, 5-19 on January 8, 2019, 39-19 on March 26, 2019, 59-19 on July 9, 2019, and XX-19 on August 27, 2019 to approve the acquisition of properties on the west side of the City.

The attached Resolution is to authorize the acquisition of one additional property affected by landslides in certain areas within the southwest portion of Colorado Springs. The landslides were a result of significant rainfall and flooding in 2013 and 2015, which ultimately led to Presidential Major Disaster Declarations DR-4145 and DR-4229.

The City has been awarded a grant from the Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program (HMGP), which consists of an allocation of $5,940,000 for the voluntary property acquisitions and demolitions of the existing residential structures. The purpose of the FEMA HMGP is to help communities implement hazard mitigation measures following a Presidential major disaster declaration.

The following property has been identified for acquisition and demolition by the City of Colorado Springs acting pursuant to the FEMA HMGP administered by the Colorado Division of Homeland Security and Emergency Management (DHSEM):
- 906 Zodiac Drive (Exhibit A)

After the completion of acquisition and demolition, the property will be converted to open space, administered by City Parks, Recreation, and Cultural Services, pursuant to the FEMA HMGP requirements.

Section 4.1 of The City of Colorado Springs Procedure Manual for the Acquisition and Disposition of Real Property Interests ("Real Estate Manual") and City Code Section 7.7.1802 require City Council approval of the acquisition of a real property interest if the total acquisition amount exceeds $50,000.00. The fair market value for the Property is estimated to be over $50,000 for each property and is based on real estate appraisals that were completed by an independent real estate appraiser.

The FEMA HMGP requires a 25% local match; the Property owners have agreed to be responsible for this local match. The City is providing a portion of the match through the hourly wages of City employees who are involved in administering and managing the HMGP. Some additional "soft match" may be provided through voluntary agency efforts to remove building materials that are reusable or recyclable. This will vary from property to property.

The City's Office of Emergency Management Department requests the approval of City Council to purchase the Property, contingent on FEMA's and Colorado DHSEM's approval for each acquisition.

Previous Council Action:
Approval of City Ordinance 17-78 on September 12, 2017
Approval of Resolution 112-18 on October 23, 2018
Approval of Resolution 5-19 on January 8, 2019
Approval of Resolution 39-19 on March 26, 2019
Approval of Resolution 59-19 on June 25, 2019
Approval of Resolution XX-19 on August 27, 2019

Financial Implications:
The budget and appropriation for these acquisitions already exists in the Grants Fund. The Hazard Mitigation Grant Program required local match of 25% or $1,980,948.75 will be met by in-kind contribution of City staff efforts, soft match through work by voluntary agencies, as well as through a reduction of offer to the affected property owners during acquisition.

City Council Appointed Board/Commission/Committee Recommendation:
N/A

Stakeholder Process:
N/A

Alternatives:
N/A

Proposed Motion:
Adopt the resolution authorizing the acquisition of property pursuant to the Federal Emergency Management Agency's Hazard Mitigation Grant Program

N/A