

## STAFF REPORT

**2011-12 PROPOSED FLOOD BUY-OUT PROGRAM IN CONNECTION WITH THE HAZARD MITIGATION GRANT PROGRAM (HMGP) THROUGH THE IOWA HOMELAND SECURITY & EMERGENCY MANAGEMENT DIVISION**

March 22, 2011

As part of the Flood Mitigation Overview report presented to City Council at their September 21<sup>st</sup> and 28<sup>th</sup> meetings, staff provided information about applying for buy-out funds through the Iowa Homeland Security & Emergency Management Division under their Hazard Mitigation Grant Program (HMGP).

It appears that approximately \$30 million dollars remains available in this program to meet the needs of all cities in the State. HMGP funds are being made available for eligible hazard mitigation projects that will reduce or eliminate losses from future natural disasters, including but not limited to:

- Acquisition, structural relocation, or elevation of buildings located in a special flood hazard area
- Structural and non-structural retrofitting of existing public buildings, facilities, or utilities to protect against wind, ice, or flood hazards
- Minor structural hazard control or protection projects such as storm water management (e.g., culverts, floodgates, retention basins)
- Localized flood control projects, such as floodwall systems, which are designed specifically to protect critical facilities and do not constitute a section of a larger flood control system
- Construction of tornado safe rooms (Multi-functional community or school safe room projects are highly encouraged)

The State will accept all eligible applications until June 2011 or as long as funds are available and the grant application period has not closed. The State Hazard Mitigation Officer will determine the disaster number under which all applications will be funded, based on the remaining available funds.

This is a cost share grant program, which means that awarded grants will be funded as follows:

- Federal (FEMA) share of total eligible costs – 75% maximum
- Non-Federal share of total eligible costs – 25%
  - State of Iowa – 10%
  - Local – 15% (The City can use its annual CDBG monies as a local match if it reallocates program priorities to do so)

Funds for program administration, demolition, and relocation can be included as part of the grant application and award, based on projected costs for these program components.

**To date the following actions have occurred:**

1. Submittal of a “Notice of Interest” (NOI) to the State listing properties which were identified as part of a potential acquisition project. This list formed the basis of the total amount of funds that may be allocated to Ames. However, given the limited amount of funding available to all cities, we will likely **receive less** than the \$15 million that was reflected on our initial NOI.
2. City staff conducted two public meetings for property owners in order to explain and answer questions regarding the buy-out program guidelines and processes, and to ascertain which property owners may be interested in participating in the program.
3. Currently \$500,000 of the 2010-11 CDBG allocation has been reserved toward the amount needed as local match for buy-outs, with the possibility of utilizing an additional \$145,000 of available balance from this year, for a total of \$645,000.
4. City staff was notified by the State that separate funding may be available to assist property owners who are not interested in a buy-out, but who desire assistance in having their properties demolished. A request for potential properties for a demolition determination was submitted to the state.

**Buy-Out Program Options**

City Council should beware that the program obligations when utilizing HMGP buy-out funds is that, once a property is purchased and demolished, the land must become “**open green space**” in perpetuity. An exception would be that the land could possibly contain surface parking, but structures would not be allowed. **Therefore, in deciding which option to support, the City Council must determine which properties should become green space and not redeveloped.**

Staff has outlined the following options for City Council consideration:

Option I

Outlined in Attachment #1 are all properties **where owners have an expressed an interest** in participating in a flood-buy out program. This list of properties reflects a total estimated cost of approximately \$6.5 million. This includes cost estimates for acquisitions that are based on the assessed value, plus cost of administration, replacement housing and moving costs, as well as demolition (which includes an environmental study and asbestos testing and removal). The City’s local match share of this amount is estimated at approximately \$985,000.

### Option II

Outlined in Attachment #2 are properties that were **removed from consideration** based on the following categories:

- Properties located in prime highway-oriented commercial areas suitable for redevelopment
- Properties located in industrial zone areas where specialized uses are performed (i.e. salvage, recycling, and other compatible uses)

Under this scenario the following properties **would not be recommended** for acquisition:

- 1811 S. Dayton Place (Cyclone Truck Stop); and
- all of the properties along Freel Drive.

Although these properties are located in the floodway fringe, the commercial property represents a vital area for redevelopment, and the industrial properties are areas which are necessary for the various types of uses noted above.

The remaining list of properties reflects a total estimated amount of approximately \$4.9 million (including cost estimates for acquisitions based on the assessed value, administration, replacement housing and moving costs, and demolition as described above). The City's local match share of this amount is estimated at approximately \$745,000.

### Option III

Outlined in Attachment #3 are properties that were **removed from consideration** based on the following categories:

- Properties located in prime highway-oriented commercial areas suitable for redevelopment
- Properties located in industrial zone areas where specialized uses are performed (i.e. salvage, recycling, and other compatible uses)
- Properties located in highway-oriented commercially zoned areas not suitable for redevelopment

Under this scenario the following property was included with the two properties listed under Option II that **would not be recommend** for acquisition:

- 906 South Duff Avenue

Although the property at 906 South Duff Avenue (a former food processing plant) is located in the floodway fringe, it is however, directly adjacent to the floodway. It is vacant and is not a likely property for redevelopment.

This remaining list of properties reflects a total estimated amount of approximately \$4.7 million (includes cost estimates for acquisitions that are based on the assessed value, administration, replacement housing and moving costs, and demolition which includes an environmental study and asbestos testing and removal). The City's local match share of this amount would be approximately \$716,000.

#### Option IV

Outlined in Attachment #4 are properties that were **removed from consideration** based on the following categories:

- Properties located in prime highway-oriented commercial areas suitable for re-development
- Properties located in industrial zone areas where specialized uses are performed (i.e. salvage, recycling, and other compatible uses)
- Properties located in highway-oriented commercially zoned areas not suitable for redevelopment
- Single-family houses and duplexes located in residentially zoned areas in the flood plain fringe that did not sustain substantial damage (50% or more of the value of the structure)

Under this scenario, the following properties were included with the three properties listed under Option III to be removed from consideration:

- The two properties along South Russell Avenue are located in the floodway fringe did not sustain substantial damage.

The remaining list of properties reflects a total estimated amount of approximately \$4.6 million (includes cost estimates for acquisitions that are based on the assessed value, administration, replacement housing and moving costs, and demolition which includes an environmental study and asbestos testing and removal). The City's local match share of this amount would be approximately \$677,000.

There are numerous other buy-out scenarios that could be developed for City Council consideration. FEMA priority guidelines are as follows: 1) to prevent lost of life; and 2) to reduce property damage caused by flooding.

Another option for the some commercial properties would be to remove them from the potential buy-out list and add them to the Demolition Only Program (see the Demolition Section).

## Demolition Only Program

Some property owners have expressed an interest in assistance with demolition only (see attachment # 5). Under this program, demolition funds would be made available through the Public Assistance Division of the Iowa Homeland & Emergency Management. There would also be a local match requirement of 15%. In contrast to the buy-out program, the property owner maintains ownership of the property and is required to obtain flood insurance and elevate if a new structure is rebuilt on the site. The buildings would be removed that would eliminate having slum and blight properties, and would allow for future development in accordance with the City's current flood plain regulations. The City has the option of **requiring any participating property owners to provide the 15% local match share of the cost of demolition.** The properties listed in attachment #5 have been submitted for consideration for Demolition funding, and we are waiting for FEMA's eligibility determination. Just recently, an additional property owner for the property located at 716 E. Lincoln Way submitted a request to be considered for demolition funding. Staff has submitted the request to the State.

### Next Steps:

In discussion with Iowa Homeland staff, the anticipated next steps and timeframe would be as follows:

- Submit the final list of potential buy-out properties to the State and begin work on the application (March 25<sup>th</sup>).
- The state will review the application for completeness and "eligibility." Eligibility includes the State completing a Cost Benefit Analysis (CBA) to determine if the properties meet the buy-out formula. The State will then notify the City of the results of the CBA within 2-3 weeks. The City will then submit its final application to the State by June 1<sup>st</sup>, and the State will submit the application to FEMA before June 30<sup>th</sup>.
- FEMA review of the City's application would follow, and FEMA will notify the State within approximately 4-8 weeks.
- The State notifies the City and set up a grant agreement meeting.
- The City can begin the process to acquire buy-out properties, hopefully in the fall of 2011.

In conclusion, Staff is seeking direction from City Council as to which option would be a preference for the Buy-Out program so that we can proceed with completing an application with the Iowa Homeland Security & Emergency Management Division in order to be eligible for funding before the program ends. **If City Council selects an option that requires in excess of the \$645,000 local match funds, additional funds will have to be identified to accomplish the Buy-out Program.**

Property Data Sheet for Acquisition Projects														
Community:	City of Ames													
Property/Owner Details			Budget Details											
Property Owner (first and last name, or name of legal entity)	Property Physical Address	Type of Property	Pre-Flood FMV	Legal/Closing /Permits/Fees	HMGP Demolition	Replacement, Housing, Moving, URA	Project Management	Estimated Total HMGP Funds Requested	Is the structure located within the SFHA? (Y/N)	Substantially damaged? (Y/N)	First Floor Elevation or Lowest Finished Floor Elevation	Base Flood Elevation	Square Footage of Structure*	Number of Stories, Type of Structure & Foundation
William J. Burke Sr. Rev. Trust	906 S. Duff	Commercial/Food Processing Plant	\$132,700.00	\$2,500.00	\$55,370.00		\$3,500.00	\$194,070.00	Y	Y	UNK	887.5±	5,160	2 story; metal quonset; concrete slab?
American Health Care Investment	1204 S. 4th Street	Commercial/Senior Living Nursing Home	\$1,330,800.00	\$2,500.00	\$139,097.00		\$3,500.00	\$1,475,897.00	Y	N	UNK	895.0±	16,436	1 story; brick veneer; concrete block
Judy James & Jeffrey James	1811 S. Dayton Place	Commercial/Vacant Truck Stop	\$1,161,900.00	\$2,500.00	\$78,753.00	\$0.00	\$3,500.00	\$1,246,653.00	Y	Y	880.83	881.0±	7,754	1 story; textured plywood siding; concrete slab
George Jones Family Trust	401 Freel Drive	Commerical/Recycle Yard	\$29,300.00	\$2,500.00	\$0.00	\$0.00	\$3,500.00	\$35,300.00	Y	N	NA	885.6±	NA	--
George Jones Family Trust	415 Freel Drive	Commerical/Recycle Yard	\$29,000.00	\$2,500.00	\$0.00	\$0.00	\$3,500.00	\$35,000.00	Y	N	NA	885.6±	NA	--
Stanley Russell	607 Freel Drive	Commercial/Salvage Yard	\$21,900.00	\$2,500.00	\$0.00	\$0.00	\$3,500.00	\$27,900.00	Y	N	NA	884.9±	NA	--
Kenneth & Marjory Howe	615 Freel Drive	Commercial/Salvage Yard	\$21,900.00	\$2,500.00	\$0.00	\$8,350.00	\$3,500.00	\$36,250.00	Y	N	NA	884.8±	NA	--
Sorenson Coop 1	225 S. 5th Street	Rental-Multi-Family' (8-plex)	\$383,950.00	\$2,500.00	\$34,000.00	\$66,800.00	\$4,000.00	\$491,250.00	Y	N	UNK	890.0±	7,296	2 story; textured plywood/shingles; concrete slab
	227 S. 5th Street	Rental-Multi-Family' (8-plex)	\$250,350.00	\$2,500.00	\$34,000.00	\$66,800.00	\$4,000.00	\$357,650.00	Y	N	UNK	890.0±	7,296	2 story; textured plywood/shingles; concrete slab
Sorenson Coop 1	211 S. 5th Street	Rental-Multi-Family' (8-plex)	\$354,200.00	\$2,500.00	\$37,500.00	\$66,800.00	\$4,000.00	\$465,000.00	Y	N	UNK	890.0±	7,296	2 story; textured plywood/shingles; concrete slab
Sorenson Coop 1	209 S. 5th Street	Rental-Multi-Family' (8-plex)	\$354,200.00	\$2,500.00	\$37,500.00	\$66,800.00	\$4,000.00	\$465,000.00	Y	N	UNK	890.0±	7,296	2 story; textured plywood/shingles; concrete slab
Sorenson Coop 1	217 S. 5th Street	Rental-Multi-Family' (8-plex)	\$376,950.00	\$2,500.00	\$37,500.00	\$66,800.00	\$4,000.00	\$487,750.00	Y	N	UNK	890.0±	7,296	2 story; textured plywood/shingles; concrete slab
	219 S. 5th Street	Rental-Multi-Family' (8-plex)	\$250,550.00	\$2,500.00	\$3,400.00	\$66,800.00	\$4,000.00	\$327,250.00	Y	N	UNK	890.0±	7,296	2 story; textured plywood/shingles; concrete slab
Sorenson Coop 1	213 S. 5th Street	Driveway & Parking	\$22,500.00	\$2,500.00	\$5,000.00	\$0.00	\$1,000.00	\$31,000.00	Y	N	NA	890.0±	NA	--
Upchurch	207 S. 5th Street	Rental-Multi-Family (8-plex)	\$300,800.00	\$2,500.00	\$37,500.00	\$66,800.00	\$4,000.00	\$411,600.00	Y	N	UNK	890.0±	7,296	2 story; textured plywood/shingles; concrete slab
Andrew & Cherrie Hug	313 S. Russell	Residential/Single Family-Homeowner	\$105,900.00	\$1,500.00	\$10,400.00	\$10,850.00	\$2,000.00	\$130,650.00	Y	N	UNK	895.8±	1,234	2 story; asbestos siding; concrete block
Stanley Russell	607 Freel Drive	Residential/Single Family	\$500.00	\$1,500.00	\$12,750.00	\$0.00	\$2,500.00	\$17,250.00	Y	Y	UNK	884.9±	880	1 story; wood siding; unknown
Jack & Carol Vincent	319 Freel Drive	Residential Rental /Single Family	\$87,800.00	\$2,000.00	\$10,350.00	\$8,350.00	\$2,500.00	\$111,000.00	Y	N	UNK	885.7±	720 / 576	1 story; metal siding S.F. + det'd garage; concrete block for S.F. & concrete slab for garage
Kenneth & Marjory Howe	615 Freel Drive	Residential Rental-Single Family	\$0.00	\$1,500.00	\$10,000.00	\$8,350.00	\$2,500.00	\$22,350.00	Y	Y	UNK	884.8±	480	1 story; hard board siding; concrete block
Maureen Grier	305 S. Russell	Residential Rental-Duplex	\$97,300.00	\$1,500.00	\$10,400.00	\$15,850.00	\$2,500.00	\$127,550.00	Y	N	UNK	895.8±	808	1 story; metal siding; concrete block
George Jones Family Trust	407 Freel	Residential-Single Family	\$54,400.00	\$1,500.00	\$10,000.00	\$0.00	\$2,500.00	\$68,400.00	Y	N	UNK	885.6±	647	1 story,hardboard siding, slab on grade
<b>Grand Total</b>								<b>\$6,564,770.00</b>						
<b>Local Match Share %</b>									<b>15%</b>					
<b>Local Match Share Amount</b>									<b>\$984,715.50</b>					

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Upchurch	207 S. 5th Street	Rental-Multi-Family (8-plex)	\$300,800.00	\$2,500.00	\$37,500.00	\$66,800.00	\$4,000.00	\$411,600.00	Y	N	UNK	890.0±	7,296	2 story; textured plywood/shingles; concrete slab
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<b>Grand Total</b>								\$4,964,667.00						
<b>Local Match Share %</b>														15%
<b>Local Match Share Amount</b>								\$744,700.05						

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Sorenson Coop 1	213 S. 5th Street	Driveway & Parking	\$22,500.00	\$2,500.00	\$5,000.00	\$0.00	\$1,000.00	\$31,000.00	Y	N	NA	890.0±	NA	--		
Upchurch	207 S. 5th Street	Rental-Multi-Family (8-plex)	\$300,800.00	\$2,500.00	\$37,500.00	\$66,800.00	\$4,000.00	\$411,600.00	Y	N	UNK	890.0±	7,296	2 story; textured plywood/shingles; concrete slab		
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<b>Grand Total</b>								<b>\$4,770,597.00</b>								
<b>Local Match Share %</b>								<b>15%</b>								
<b>Local Match Share Amount</b>								<b>\$715,589.55</b>								



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	219 S. 5th Street	Rental-Multi-Family' (8-plex)	\$250,550.00	\$2,500.00	\$3,400.00	\$66,800.00	\$4,000.00	\$327,250.00	Y	N	UNK	890.0±	7,296	2 story; textured plywood/shingles; concrete slab
Sorenson Coop 1	213 S. 5th Street	Driveway & Parking	\$22,500.00	\$2,500.00	\$5,000.00	\$0.00	\$1,000.00	\$31,000.00	Y	N	NA	890.0±	NA	--
Upchurch	207 S. 5th Street	Rental-Multi-Family (8-plex)	\$300,800.00	\$2,500.00	\$37,500.00	\$66,800.00	\$4,000.00	\$411,600.00	Y	N	UNK	890.0±	7,296	2 story; textured plywood/shingles; concrete slab
<b>Grand Total</b>								<b>\$4,512,397.00</b>						
<b>Local Match Share %</b>								<b>15%</b>						
<b>Local Match Share Amount</b>								<b>\$676,859.55</b>						

**DEMOLITION ONLY PROPERTIES**

Property Owner (first and last name, or legal entity)	Property Address	City	Property Located in 100 year Flood Plain? (Y/N)	(1) Substantially damaged, Destroyed, or Condemned? (Y/N)	(2) Primary Owner Occupied, Rental, Secondary, Commercial or Other
<b>Requests Submitted</b>					
Livy - storage	713 S. Duff	Ames	Y	Y	Commercial
James - vacant truck stop	1811 S. Dayton Place	Ames	Y	Y	Commercial
20th Century Bowling Alley	505 S. Duff	Ames	Y	N	Commercial
<b>Pending Submittal</b>					
First Class Sign-Single-family Rental	716 E. Lincoln Way	Ames	Y	N	Commercial/Renta