



## Legislation Text

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File #: 18-5029, Version: 1

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### Title:

### Storm Water Program - FY19 Hazard Mitigation Floodplain Acquisition

### Summary

#### ACTION:

1. Accept the Offer of Sale of Real Estate and Lease Agreement from Brett & Erin Peiffer, owners of property located at 3501 Johnny Cake Lane, Charlotte, NC (tax parcel 209-112-07), for \$554,000
2. Authorize the Charlotte-Mecklenburg Police and Fire Departments to use the structures for training exercises

Staff Contact: Tim Trautman, LUESA - Storm Water Services

Presentation: No

#### BACKGROUND/JUSTIFICATION:

Since late 1999, Mecklenburg County has used local storm water fee revenue to acquire property that will minimize the risk of potential loss of life and property damage from flooding while enhancing the natural and beneficial functions of the floodplain (creating open space, expanding greenways, constructing wetlands, etc.).

Selection of the referenced parcel was through application of the Flood Risk Assessment and Risk Reduction Plan (Plan), adopted by the Board on May 1, 2012. It is a locally developed approach that uses a risk-based method of identifying future flood mitigation projects. The Plan uses detailed local data and state-of-the-art floodplain mapping to perform property-specific risk assessments, identify mitigation projects and set project priorities.

Acquisition of this parcel will culminate four years of flood mitigation work along this stretch of McMullen Creek. Federal funds were obtained in the 2014 grant cycle to acquire two structures with significant flood insurance claim history. More recently local storm water funds have been used to pursue ownership of the two remaining parcels, which do not meet grant eligibility criteria. Overall, the funding for acquiring all four parcels will be 46% federal and 54% local. Acquisition of the 3501 parcel will eliminate the need for a scheduled storm drain repair and provide a large contiguous group of parcels suitable for a future water quality feature.

The requested actions will consist of acquiring the property and demolishing the existing building using Storm Water Services capital funds for the purchase. Consistent with past practices, the actual prices at closing could be reduced if the owners received any insurance payments for flood damage within the previous 36 months and did not spend those funds on repairs.

The purchase price is based upon a current fair market value appraisal. The owners have voluntarily offered to sell. The lease agreement will allow the transaction to close quickly (for the benefit of Storm Water Services) and facilitate relocation of the Peiffer family to another home (in Mecklenburg County). The lease is at fair market rate with an expiration date of May 31, 2019.

Storm Water Services staff allows the Charlotte-Mecklenburg Police Department and the City of Charlotte Fire Department training opportunities for police and fire personnel prior to demolition of flood prone buildings. In addition, Storm Water Services staff has established a process with Habitat for Humanity of Charlotte to maximize the responsible reuse of materials prior to structure demolition while protecting the health of the community.

**PROCUREMENT BACKGROUND:**

N/A

**POLICY IMPACT:**

N/A

**FISCAL IMPACT:**

**\$554,000 - Storm Water Services Capital Funds**