

City of Council Bluffs, Iowa

2019 Flood Prone Property Buyout Program



Purpose

The purpose of this program is to link the City of Council Bluffs, Iowa implementation activities to the identified Mitigation Actions within the Pottawattamie County Multi-Jurisdictional Hazard Mitigation Plan. Specifically, the 2019 Flood Prone Property Buyout Program shall provide local guidance on Mitigation Goal 2, Strategy 2.8 of the Pottawattamie County Multi-Jurisdictional Hazard Mitigation Plan:

“Consider ongoing floodplain property buyouts and infrastructure relocation/flood proofing projects to limit exposure to known flood hazard areas.”

This program shall give the City the ability to buy property subjected to repetitive flood loss in order to improve natural floodplain function, to increase stormwater conveyance and management, to minimize health and safety risk to residents in identified threat areas, enhance access to levees for maintenance and emergencies, and/or to support a more resilient Council Bluffs.

Eligibility of Buyout Properties

In order for the property to be considered for buyout by the City, the property shall meet one or more of the following criteria:

- The property owner has voluntarily requested that City purchase the property by completing a Voluntary Transaction Form and Right of Entry/Hold Harmless Form.
- All property types (residential, commercial and industrial) may be considered.
- The property must be located east of River Park Apartment between S 38th Street and I-29; or west of N 40th Street, north of Avenue B.
- No known environmental hazards on the property or within the building.
- Properties within other areas of the city where substantial flood related damages were experienced may also be considered at the discretion of the City.

Buyout Determination and Prioritization

It is anticipated that the City will conduct an informational meeting for interested property owners. The meeting will be advertised through all available media outlets, city and emergency management websites and social media platforms. The informational meeting will be provided for convenience and attendance is not required for a property owner to submit the required forms to be considered for a buyout.

Following submittal of the required forms from property owners, the City shall confirm buyout eligibility and develop a prioritized list of acquisition candidates. The prioritized list of acquisition candidates shall be submitted and approved by the City Council at a regular scheduled board meeting or called special meeting.

It is anticipated that there will be greater property owner interest than available funding, therefore, the City shall prioritize buyouts according to the following criteria (higher priority to lower):

- Residential properties experiencing substantial damages from the 2019 flood disaster.
- Properties within a 500 foot buffer area of a levee that inhibits maintenance and emergency access to the levees as determined by the City.
- Properties located in a floodway or flood hazard area that have experienced repetitive losses or are considered at increased risk of substantial damages due to flooding.

In addition to the criteria above, the City may use other factors in considering which properties may be purchased by the City. The existence of environmental issues on the property, the desire to limit patchwork acquisitions, significant acquisition/demolition costs of an individual property, funding from other agencies or property owner contributions, and/or complicated real estate acquisitions could all be additional factors considered by the City in determining which properties may be purchased.

The City of Council Bluffs, Iowa shall at all times reserve the right of final decision on the potential buyout of any property. Being placed on the prioritized list and final application is not a guarantee that a property will be purchased by the City.

Acquisition Process (subject to adjustment, as required)

- Develop a final list of acquisition candidates based on the identified priorities and other factors.
- Conduct property appraisals, benefit cost analyses, and environmental/historic preservation reviews.
- Complete and submit property acquisition grant funding application(s).
- Develop purchase agreements for selected properties. All purchase agreements shall be considered and approved by the City Council prior to its execution.
- Following execution of a purchase agreement, the City will coordinate with the property owner to facilitate a closing at a time that is mutually agreeable.

Program Notes

- Any flood acquisition program requirements implemented by the Federal Emergency Management Agency or any other organization providing funding for program implementation shall be followed.
- If a property owner who is made an acquisition offer decides that they are not interested in selling the property during this program period, that determination will lower their prioritization for consideration of a buyout during a subsequent program, if any.

The City shall at all times reserve the right to modify, amend, discontinue and/or cancel the program at any time. Adoption of this program shall in no way create any obligation of the City to purchase any property.