Property Acquisition

Hazard Mitigation Grant Program
February 2016
Overview

• Welcome
• Geologic Hazards
• Hazard Mitigation Grant Program Acquisitions – DR-4229
• El Paso County Assessor
• Colorado Springs Property Acquisition Process
• Application Process
• Next Steps
• Closing Remarks
Geologic Hazards
Landslides & Expansive Soils
February 17, 2016

Timothy R. Mitros
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City of Colorado Springs
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Geologic Hazards

- Landslides
- Expansive Soils
- Debris Flow
- Subsidence
- Earthquakes
- Rockfall

http://coloradogeo.geologicalsurvey.org/geologic-hazards/
Landslides

• Occur when masses of soil and rock move downward and outward from a slope

• Landslides can recur time and time again in virtually the same location

• They may also occur over a number of years, as with a wet cycle that saturates and weakens layer of rock and soil
Bike path, damaged by landslide, above Mesa Road near Garden of the Gods, 1995
The largest mapped landslide in Colorado Springs occurs along the front of Cheyenne Mountain and covers about 2200 acres.

From Landslide Susceptibility Map
Broadmoor Bluffs Landslide
Skyway July 2015
August 11, 2015
September 22, 2015
January 6, 2016

Drop is over 14-feet
Expansive Soil

• Colorado’s most significant geologic hazard is swelling soil-soil laced with layers of various clays.

• These clays cause more property damage than any other natural hazard.

• They can expand up to 20 percent in volume when exposed to water and exert up to 30,000 pounds of force per square foot, more than enough to break up any structure they encounter.
Changes in Moisture Content Trigger Damage

When expansive soils are present they will generally not cause a problem if their water content remains constant. The situation where greatest damage occurs is when there are significant or repeated moisture content changes.
Map of Expansive Soil & Bedrock in the Colorado Springs area
A Guide to Swelling Soil

for Colorado Homebuyers and Homeowners


Colorado Geological Survey Special Publication 43
What to look for

- Doors and windows that do not close
- Cracks in walls and floors
- Started after Spring rains
Timothy R. Mitros
City of Colorado Springs
February 17, 2016
Hazard Mitigation Grant Program (HMGP) Acquisitions - DR 4229
Acquisition Requirements

• Intent of the program is to remove people and property from hazard areas

• Acquired property must remain as open space in perpetuity

• Voluntary - use of eminent domain or any other coercive measure is not allowed

• City of Colorado Springs will determine methodology to prioritize property for acquisition
HMGP 4229 Timelines

Project Applications due to DHSEM: Friday, May 13, 2016

Project Applications due to FEMA: Thursday, June 16, 2016
Application Submission Process

Upon receipt of application from the City, DHSEM will review the application to ensure application is complete and in compliance with programmatic requirements. DHSEM will work with the City to ensure the most complete and thorough application can be submitted to FEMA.

Upon receipt of application FEMA will:
Review the application to determine programmatic compliance and Perform an Environmental & Historic Preservation Review (EHP)

Once completed, FEMA may develop a Request for Information (RFI) - DHSEM will inform the City and request all questions be answered within 30 days.
Completion of the Application Process

Upon completion of the RFI process FEMA awards funds to the State (DHSEM).

DHSEM contracts with the City of Colorado Springs - formally awarding funds and providing notice for the City to begin implementing the acquisition process.
One Thing to Consider

This acquisition process can take two to three years from the date of the incident.
El Paso County Assessor’s Office
Colorado Springs
Property Acquisition Process
Colorado Springs Property Acquisition Process

• Property is purchased by Colorado Springs using the HMGP funds and turned into open space in perpetuity

• Property acquisition costs include:
  • Property Value on May 1, 2015
  • Appraisal
  • Title Search
  • Closing Costs
  • Demolition
  • Removal of Utilities
  • Establishment of Open Space
Sample Acquisition $250,000

<table>
<thead>
<tr>
<th>Project Category</th>
<th>Total Budget*</th>
<th>Federal Share</th>
<th>Local Share (Property Owner)</th>
<th>Property Owner Payment</th>
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<tbody>
<tr>
<td>Title Search and Appraisals</td>
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<tr>
<td>Property Pre-Disaster Appraised Value</td>
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Cost Sharing Percentage

- 100%
- 75%
- 25%
- 68%

* All costs are estimated
** City in-kind costs include staff time for managing the program
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Damage Assessment and Prioritization
Damage Assessment Process

- All properties that are considered for the acquisition program must be submitted in a prioritized list
- Determination of priority is based on evaluation by engineers
- **Damage Assessment Criteria**
  - **Destroyed**: Structure is uninhabitable and unrepairable.
  - **Major**: Structure is uninhabitable and requires extensive repairs.
  - **Significant**: Structure is inhabitable, repairs will take over 30 days.
  - **Minor**: Structure is inhabitable, but requires repair.
  - **Affected**: Structure has some cracking but not considered dangerous.
  - **Unaffected**: Structure has no damage, but is confirmed as being in danger within the next 5 years.
  - **Undamaged**: May become endangered in the next 5 years.
Prioritization Process

• Priorities are based on the damage assessment
  • Priority I
    • **Destroyed**: Structure is uninhabitable and unrepairable.
    • **Major**: Structure is uninhabitable and requires extensive repairs.
  • Priority II
    • **Significant**: Structure is inhabitable, repairs will take over 30 days.
    • **Minor**: Structure is inhabitable, but requires repair.
  • Priority III
    • **Affected**: Structure has some cracking but not considered dangerous.
    • **Unaffected**: Structure has no damage, but is confirmed as being in danger within the next 5 years.
  • Priority IV
    • **Undamaged**: May become endangered in the next 5 years.
Application Process
Legal Information

• The City of Colorado Springs is required by the Federal Emergency Management Agency (FEMA) to inform you that your participation in this HMGP project for property acquisition is completely voluntary. Under the HMGP program, neither the State of Colorado nor the City of Colorado Springs will utilize its eminent domain authority to acquire this property if you choose not to participate in the HMGP program, if negotiations fail, or if you decide to withdraw your interest in this program at a later time.
Legal Information

- The forms serve as your permission to the City to utilize your name and address for the purpose of applying to FEMA for this HMGP grant. **The City does not guarantee any award or funding following the HMGP application process**, or under any other funding program applied for by the City of Colorado Springs.

- This **information may be subject to release** under the Colorado Open Records Act and/or the Federal Freedom of Information Act.
HMGP Application Information

- **You must be the owner of the property** that is being considered for the program, whether it is your primary residence OR a rental/lease property of which you are the owner of record.
- Only **one property per owner** will be considered.
- You must **meet all deadlines** for submitting all forms and completing all inspections.
- **If you are selected** to be in the property acquisition program, **additional paperwork and inspections will be required.**
The property owner can receive up to 75% of the total eligible project acquisition cost, which includes the pre-disaster assessed home value (May 1, 2015), and all project costs, including demolition, closing costs, and hazardous materials abatement (e.g., lead paint, asbestos, chemicals) which are all considered in the project.
HMGP Application Package

- **DUE DATE: MARCH 4, 2016**
- FEMA Form 009-0-3, Aug 2010, Declaration and Release Form
- Notice of Voluntary Interest in the HMGP Program Form
- Hazard Mitigation Grant Program Application Form
• FEMA Declaration and Release Form
  • Required because the funding is from the Federal Government.
  • Establishes that the requestor is a legal citizen of the United States including qualified alien.
City Notice of Voluntary Interest

- Establishes the baseline agreement that the City and the property owner agree to move-forward with the process.
- Does not guarantee a financial commitment.
- Allows the property owner to back-out at any time.
- Assurance that neither the State nor the City will pursue eminent domain to acquire the property.
• HMGP Individual Property Survey Form
  • Lists contact information.
  • Information regarding construction/remodeling of the home.
  • Information regarding hazardous materials that may be present on the property.
    • Storage Tanks, petroleum or other hazardous products.
    • Business activity such as automobile repair, paint stripping, hairdressing studio, etc.

City of Colorado Springs
Hazard Mitigation Grant Program Application
Individual Property Survey Form

Acquisition/Demolition and Hazardous Materials Property Survey

DUE DATE TO COLORADO SPRINGS OFFICE OF EMERGENCY MANAGEMENT NO LATER THAN MARCH 4, 2016

Owner’s Name(s): ________________________________________________________________

Property Address: ________________________________________________________________
City: Colorado Springs, State: CO Zip: ______________
Jurisdiction (property): __________________________________________________________
Owner’s Address if Different from Property Address:
City: ______________________________________ State: _____ Zip: ___________

Owner’s Telephone Numbers:
( ): __________  ( ): __________  ( ): __________

Owner’s Email Address(es)
________________________________________________________
________________________________________________________

Please thoroughly answer the following questions. Use additional sheets of paper as necessary.

PROPERTY INFORMATION

1. Year(s) of original construction of each structure on your property.
   a. __________________________________________________________
   b. __________________________________________________________
   c. __________________________________________________________

2. Year(s) of any remodeling of each structure on your property.
   a. __________________________________________________________
   b. __________________________________________________________
   c. __________________________________________________________
Next Steps

• Review the forms and information brochures.
• Determine if you want to register for the property acquisition program.
• Visit www.coloradosprings.gov/landslideinfo for information and electronic forms.
• Email landslideinfo@springsgov.com with questions.
• Call 719-385-5957 if you do not have computer access.
• Submit the completed forms to the City of Colorado Springs Office of Emergency Management no later than:

MARCH 4, 2016
Concluding Remarks