



CITY OF DALLAS

Memorandum


Date: October 23, 2009

To: Budget, Finance and Audit Committee:
Jerry Allen (Chair), Ann Margolin (Vice Chair), Vonciel Jones Hill, Angela Hunt,
Delia D. Jasso, Ron Natinsky, David A. Neumann

Subject: Real Property Acquisition Procedures and Requirements

On Monday, October 26, you will be briefed on City Code requirements and procedures for acquiring real property for public purposes. A copy of the briefing is attached for your review.

If you need further information, please call Theresa O'Donnell at 214-670-4127.



A.C. Gonzalez
Assistant City Manager

c: The Honorable Mayor and Members of the City Council
Mary K. Suhm, City Manager
Thomas Perkins, City Attorney
Deborah Watkins, City Secretary
Craig Kinton, City Auditor
Judge C. Victor Lander, Judiciary
Ryan S. Evans, First Assistant City Manager
Forest Turner, Assistant City Manager
Jill A. Jordan, P.E., Assistant City Manager
Dave Cook, Chief Financial Officer
Theresa O'Donnell, Director of Sustainable Development and Construction
Jeanne Chipperfield, Director, Office of Financial Services
Helena Stevens-Thompson, Assistant to the City Manager

REAL PROPERTY ACQUISITION PROCEDURES and REQUIREMENTS

Budget, Finance & Audit Committee
October 26, 2009



Purpose

- Provide overview of City's current procedures and requirements for real property acquisitions

City Code Requirements

- Sec. 2-11.2
 - Addresses acceptance of Conveyance or Acquisition by Eminent Domain where consideration is \$10,000 or less
 - City Council action not required
 - Short Form Resolution administratively processed
- Sec. 2-11.3
 - Addresses real property acquisitions where consideration exceeds \$500,000
 - Consideration in excess of \$500,000 requires two independent fee appraisals
- Sec. 12A-1.3
 - Prohibits City officials and employees from any financial interest, direct or indirect, or engagement in any business, transaction, or professional activity

PROCEDURES

- Acquisition requests received from other departments
- Determination made on type of interest to be acquired
 - Fee interest
 - Easement right
- Property value determined
 - Independent Fee Appraisal obtained for acquisition of:
 - Fee interest
 - Properties owned by City officials and employees
 - Properties with potential eminent domain proceedings
 - Easement right values may be determined by:
 - Independent appraisal
 - Dallas, Collin or Denton County Appraisal Districts
 - Justified by current comparable sales

PROCEDURES, continued

- Eminent Domain Proceedings
 - When a fair market value cannot be agreed upon, eminent domain proceedings initiated
 - In accordance with City Code, the measure of damages for the condemnation is the local market value of the property at the time of the Commissioners' hearing
- Commissioners' Hearing
 - A Commissioners' Hearing comprised of three disinterested parties appointed by County Judge
 - City and property owner each present their facts to the Commissioners as to value
 - Commissioners make an award
 - Commissioners award can be appealed

QUESTIONS
