



**CITY OF DANIA BEACH
COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT**

DATE: February 28, 2012
TO: Robert Baldwin, City Manager
FROM: Robert Daniels, Director
SUBJECT: City-Owned Properties

At the May 11, 2011 City Commission Capital Improvement Plan Workshop, staff and outside legal counsel provided the Commission with a booklet including a summary analysis of 21 properties owned by the City. The analysis also included six (6) properties that were pending foreclosure action (designated A – F), one of which (Map ID no. E) was nearing foreclosure. Commission discussion resulted in potential actions on the property, which included:

- keep – 6 properties (Map ID nos. 1, 3, 4, 7, 15, 20);
- sell – 14 properties (Map ID nos. 2, 6, 8, 9, 10, 11, 12, 13, 14, 16, 18, 19, 21, E);
- remove from tax rolls – 1 property (Map ID no. 5);
- demolish structure and return property to bank for sale – 1 property (Map ID no. 17 - Dania Beach Hotel).

In accordance with the direction provided by the Commission, staff has had appraisals performed on those properties the Commission wishes to sell. Outside counsel, staff and City Attorney are working with owners of properties that are adjacent to small city-owned parcels (Map ID nos. 8, 9, 18, 19) to determine if there is any desire to purchase, and staff is continuing to work with the Broward County Property Appraiser's office on the properties that the Commission wishes to have removed from the tax rolls (Map ID no.5).

The sale of public property is guided by Part X, Article 2, Section 5 of the City of Dania Beach Charter as to disposition of "surplus" real property. Pursuant to that section the City Commission must pass a resolution with a supermajority vote (requiring four out of five Commissioners' assent), which must include:

- (1) A determination that the real property is surplus property and has been acquired by the City through enforcement or foreclosure of City liens and transfer of Lands Available for Taxes from Broward County;
- (2) Authorization for the City Manager to enter into an exclusive listing agreement with a registered real estate broker selected by lottery from among a list of qualified brokers;
- (3) Appraisal of the real property by a state certified real estate appraiser with MAI designation;
- (4) Authorization for the City Manager to enter into a contract for sale of the real property and to close the contract for sale if the purchase price is at least 90% of the appraised value;
- (5) The contract for sale that is executed by the City Manager must be approved by a majority vote of the City Commission for properties under \$100,000, and by a supermajority vote for properties over that amount.

An updated summary package has been prepared for the City Commission's review. Properties A – D and F on the May 2011 list are still pending foreclosure and have not been included in this summary package. For those properties that the Commission wants to sell, the summary package includes the appraisers' cover letter with an estimate of market value. A Compact Disc (CD) including the complete appraisal for each property has been prepared for more in-depth review.

Two of the properties on the "sell" list (Map ID nos. 2 and 16) have been appraised at \$100,000 or higher. As noted above, ss. 5(b)(5) of the City's Charter requires that the contract for sale of these properties be contingent upon approval by a supermajority vote of the Commission.

The updated summary package and CD have been distributed to each member of the City Commission to provide time for review and comment at the February 28, 2012 Commission meeting. A resolution including a final list of properties for disposition will be prepared for adoption at the March 13, 2012 meeting.

STAFF RECOMMENDATION

Information only.