

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date	May 18, 2009
	Agenda Item No. 23 Roll Call No. <u>09-</u> Communication No. <u>09-345</u> Submitted by: Larry Hulse, Director Community Development Department and Jeb E. Brewer, P.E., City Engineer	

AGENDA HEADING:

Approving and authorizing execution of Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program (HMGP) Agreements; approving and authorizing HMGP Administrative Plan; and authorizing voluntary property acquisition.

SYNOPSIS:

Recommend approving and authorizing execution of Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program (HMGP) Agreements; approving and authorizing HMGP Administrative Plan; and authorizing voluntary acquisition thereof. These actions are required in order to become eligible for grant funds and before presenting offers to affected property owners. A total of 12 property owners, located along Four Mile Creek between University Avenue and Euclid Avenue, are eligible for voluntary acquisition under this grant program.

FISCAL IMPACT:

Amount: \$1,082,605 estimated for acquisition, closing costs, relocation, and demolition

Funding Source: 75% by FEMA, 10% by State of Iowa, 15% by City as the local applicant using State CDBG funds.

ADDITIONAL INFORMATION:

Last year, City staff completed assessments of structures in the Four Mile Creek area that were impacted by the floods of 2008. Staff contacted property owners to determine their willingness to participate in a voluntary buy-out program. As a result, twelve properties have been identified and approved by FEMA as eligible to participate in a voluntary buy-out program. These properties are zoned “U-1” Floodplain District or “FW” Floodway District. These zoning districts were developed to protect the health and welfare of the public from the impacts of frequent flooding. Development in these districts is severely limited as a result of this mission. The reconstruction of these seven properties would be restricted and possibly prohibited by the City’s Zoning Ordinance. Staff believes a buy-out program would prevent future losses due to frequent flooding in the area. Acquired properties would be cleared of all structures and include a deed restriction limiting their use to green space only. This will allow the land to return to its natural state and restore its floodplain functions.

The Hazard Mitigation Grant Program (HMGP) provides grants to State and local governments to implement long-term hazard mitigation measures following a Presidential disaster declaration. This allows measures to be implemented during recovery that will limit damages in the future.

On September 19, 2008, the City of Des Moines submitted a Notice of Interest (NOI) to the Iowa Homeland Security & Emergency Management Division in order to be eligible for consideration to apply for HMGP funds. On September 29, 2008, the City of Des Moines received a formal invitation to complete and submit an HMGP application. The applications were submitted January 29, 2009. On April 30, 2009, the City of Des Moines received notice that both grant applications had been approved by FEMA.

The City of Des Moines is required to enter into the Project Grant Agreements with FEMA before grant funds are available. The City's Administrative Plan has been approved by FEMA and offers to purchase the affected properties will be presented to the property owners after City Council approval of these grants.

PREVIOUS COUNCIL ACTION(S):

Date: November 10, 2008

Roll Call Number: 08-2009

Action: Authorization to submit a Hazard Mitigation Grant Project Application to the Federal Emergency Management Agency in order to fund a Voluntary Acquisition Program for eligible flood damaged properties in the Four Mile Area. (Council Communication No. 08-676) Moved by Mahaffey to adopt. Motion Carried 6-1.

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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