



# Council Communication

Office of the City Manager

Date

November 16, 2009

Agenda Item No. 3

Roll Call No. 09-

Communication No. 09-801

Submitted by: William G. Stowe, Assistant City Manager/Public Works, and Jeb E. Brewer, P.E. City Engineer

## AGENDA HEADING:

Approving and authorizing the execution of Community Development Block Grant (CDBG) disaster recovery infrastructure notice of award and grant contracts and approving notices to the public for projects to be located in a floodplain and a request for the release of funds from the Iowa Department of Economic Development (IDED).

## SYNOPSIS:

Recommend approval and authorization to execute CDBG disaster recovery infrastructure Notice of Award and Grant Contracts with the IDED. On November 4, 2009, IDED notified the City of Des Moines that they had awarded the City the following Community Development Block Grants:

- Contract Number 08-DRI-032 in the amount not to exceed \$4,000,000 for the Court Avenue - Water Street Sewer Separation Project.
- Contract Number 08-DRI-033 in the amount not to exceed \$5,000,000 for the Lower Union Sewer Separation Project.
- Contract Number 08-DRI-034 in the amount not to exceed \$1,200,000 for the 33rd Street Sewer Separation Project.
- Contract Number 08-DRI-035 in the amount not to exceed \$5,000,000 for the Jackson Basin Pump Station Project.

Before IDED will send these Contracts for execution by the City, IDED is requiring the City to execute and return IDED's Notice of Award letter for each contract, whereby the City accepts the award described, acknowledges that receipt of the Award is contingent upon satisfaction of all conditions of the CDBG program and execution of the Contract and agrees to be bound by the program and Contract requirements.

## FISCAL IMPACT:

Amount: \$18,100,000

Funding Source: Various funding sources for construction as follows:

- \$15,200,000 - CBDG Infrastructure Grant funds,
- \$2,100,000 - 2009-2010 CIP, City-wide Storm Water Utility Projects, Storm Water Utility Funds,
- \$800,000 - 2009-10 CIP, City-wide Sanitary Sewer, Sanitary Sewer Revenue Funds.

## ADDITIONAL INFORMATION:

In the summer of 2008, there was extensive damage across Iowa from flooding and other severe weather. As part of the Federal Disaster Relief program, the State of Iowa has funds available under the JumpStart Program for Housing Assistance, Small Business Assistance and Infrastructure Assistance. The IDED has accepted applications for the Infrastructure Assistance program.

On May 18, 2009, under Roll Call Number 09-833, the City Council authorized submittal of four project applications to the IDED under the Infrastructure Assistance Program. The projects were identified as those being competitive in the grant selection criteria. Important criteria considered were the direct relationship of the project to the 2008 disaster, threat to health, safety, or welfare, benefit to low and moderate income persons and burden associated to the same group if local revenue was used to accomplish the project and the ability to construct the projects quickly. The four project applications submitted are as follows:

1. \$5,000,000 of the estimated \$6,100,000 for construction of the proposed Court Avenue - Water Street Sewer Separation Project. This project will separate the combined storm water and sanitary sewer system in the downtown area and construct a storm water pump station to discharge storm water to the Des Moines River.
2. \$5,000,000 of the estimated \$5,400,000 for construction of the proposed Jackson Basin Pump Station. The improvement would construct a permanent pumping facility and enlarge the existing storm water basin at the outlet of Crawford Creek to the Des Moines River. The basin is generally located west of E14th Street and south of the Des Moines River.
3. \$1,600,000 for the proposed 33rd Street Sewer Separation Project. The project would be the construction of 70 feet of 42-inch storm sewer, 1,250 feet of 24-inch storm sewer, 290 feet of 21-inch storm sewer, 350 feet of 18-inch sewer, 700 feet of 15-inch storm sewer, 610 feet of 10-inch sanitary sewer and 1,020 feet of 8-inch sanitary sewer in an area generally bounded on the North by University Avenue, on the East by 31st Street, on the South by Woodland Avenue, and on the West by 42nd Street, which has a total service area of approximately 220 acres in Des Moines, Iowa. The sewers in the area of the proposed improvements were installed nearly 100 years ago and were built to a standard that is no longer acceptable. The heavy rainfalls that occurred during 2008 caused the sewer system in this area to become overloaded and this caused sewers to surcharge, resulting in numerous basement backups in the low lying portions of the sewer service area.
4. \$5,000,000 funding request for the proposed Lower Union Sewer Separation Project. The project would be the construction of 6,000 feet of storm sewer, and several hundred feet of 8-inch sanitary sewer in an area generally bounded on the North by Thompson and E Sheridan Avenues, on the East by E 15th Street and Glenbrook Drive, on the South by E University Avenue, and on the West by the Des Moines River, which has a total service area of approximately 470 acres, in Des Moines, Iowa. The sewers in the area of the proposed improvements were installed nearly 100 years ago and were built to a standard that is no longer acceptable. The heavy rainfalls that occurred during 2008 caused the sewer system in this area to become overloaded and this caused sewers to surcharge, resulting in numerous basement backups in the low lying portions of the sewer service area.

On November 4, 2009, IDED notified the City of Des Moines that they had awarded the City CDBG for Contract Numbers 08-DRI-032/035, as detailed above. Staff recommends the following actions be taken by the City Council regarding these proposed CDBG Grants:

1. Accept the Notice of Award of Contract Numbers 08-DRI-032/035 as described, acknowledge that receipt of the award is contingent upon satisfaction of all conditions of the CDBG program and execution of the Contract and agree to be bound by the program and Contract requirements.
1. Authorize the Mayor and City Clerk to execute and attest, respectively, said Award Notices for and on behalf of the City of Des Moines, Iowa.
2. Authorize the Mayor and City Clerk to execute and attest, respectively, said Contract Numbers 08-DRI-032/035, and any other related documents, for and on behalf of the City of Des Moines, Iowa, upon receipt from IDED, subject to review and approval of the form of the contract or document by the Engineering and Legal Departments.
3. Authorize the Community Development and Engineering Departments and City Clerk to publish any notices associated with, or required by, said Contract Numbers 08-DRI-032/035, including but not limited to notices required for environmental and historical clearances.
4. Authorize the Mayor to sign and submit a written request for extension of the project completion dates to IDED as needed, designate the Mayor as the certifying officer for purposes of 24 CFR 58.71 and authorize the Mayor to execute the "Request for Release of Funds and Certification" (Exhibits D1 & D2), which forms apply to contract 08-DRI-032.
5. Authorize the Mayor Pro Tem and the Chief Deputy City Clerk to execute and attest said documents respectively, in the event that the Mayor or City Clerk is not available.

**PREVIOUS COUNCIL ACTION(S):**

Date: May 18, 2009

Roll Call Number: 09-833

Action: Authorization to submit CDBG Disaster Recovery Infrastructure Applications to the Iowa Department of Economic Development. (Council Communication No. 09-346) Moved by Kiernan to adopt. Motion Carried 6-1. Absent: Cownie.

**BOARD/COMMISSION ACTION(S): NONE**

**ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:**

Normal Council actions for bidding and construction of approved projects.

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