

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date: December 19, 2011
	<p>Agenda Item No. 19</p> <p>Roll Call No. <u>11-2117</u></p> <p>Communication No. <u>11-758</u></p> <p>Submitted by: Phillip M. Delafield, Community Development Director and Jeb E. Brewer, P.E., City Engineer</p>

AGENDA HEADING:

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.

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.

FISCAL IMPACT:

Amount: \$7,985,810

Funding Source: 75% Federal (FEMA), 25% State (CDBG funds from IDED covering both the 10% State Match and 15% Local Match).

ADDITIONAL INFORMATION:

Last year, City staff completed assessments of structures in the Four Mile Creek and other areas of the City that were impacted by the August 2010 flooding. Staff contacted property owners, sent press releases, and held public meetings to determine the willingness of property owners to participate in a buyout program. As a result, 61 properties have been identified that are eligible under the program requirements, and the property owners have shown interest in project participation. 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, therefore if purchased, these 61 properties would be deed restricted to prohibit reconstruction under the City’s Zoning and Flood Plain Management Ordinance. Staff believes a buyout 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.

Chronology of Events

On July 29, 2010, there was a Presidential declaration of major disaster for the State of Iowa. On August

15, 2010, Polk County was added to the Federal Disaster Declaration. The HMGP provides grants to state and local governments to implement long-term hazard mitigation measures following a Federal Disaster Declaration. On October 28, 2010, the City submitted a Notice of Interest (NOI) to the Iowa Homeland Security & Emergency Management Division (IHSEMD) in order to be eligible for consideration to apply for HMGP funds. This allows measures to be implemented during recovery that will limit damages in the future. On October 29, 2010, the City was formally invited to submit an application by the Iowa Homeland Security and Emergency Management Division.

The City of Des Moines will be required to enter into Project Grant Agreements with IHSEMD and IDED before grant funds are available. The City of Des Moines is required to submit an Administrative Plan for approval by FEMA in order to become eligible for grant reimbursement. Finally, offers may not be presented to the property owners until authorization to acquire is granted to Council.

PREVIOUS COUNCIL ACTION(S):

Date: February 14, 2011

Roll Call Number: 11-0185

Action: [Authorization](#) to submit a Hazard Mitigation Grant Program (HMGP) Application and Public Assistance (PA) Grant Program Request to the Federal Emergency Management Agency (FEMA) for proposed voluntary Hazard Mitigation Acquisition Buyout and demolition projects in the Four Mile and other 100-year floodplain areas. ([Council Communication No. 11-087](#)) Moved by Coleman to adopt. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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