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Date June 08, 2009

RESOLUTION APPROVING THE NOTICE TO THE PUBLIC OF A FINDING OF NO SIGNIFICANT IMPACT ON THE ENVIRONMENT AND A REQUEST FOR THE RELEASE OF FUNDS FROM THE U.S DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT UNDER THE CONSOLIDATED APPROPRIATIONS ACT OF 2008 (P.L. 110-161) FOR THE LEAD-BASED PAINT HAZARD CONTROL GRANT PROGRAM

WHEREAS, on February 25, 2009, Polk County, Iowa received an award of \$3,000,000 from the U.S. Department of Housing and Urban Development (HUD) for funding through the Consolidated Appropriations Act of 2008, Public Law 110-161, for a Lead-Based Paint Hazard Control Grant Program; and

WHEREAS, the City of Des Moines is a primary partner with Polk County for the delivery of services as prescribed in the grant program for properties that meet defined eligibility criteria and are located within the jurisdiction of the City of Des Moines; and

WHEREAS, HUD requires the preparation of an Environmental Review Record (ERR) for affected properties before federal or nonfederal funds can be released for the use of program activities; and

WHEREAS, the City of Des Moines, Iowa is designated by HUD to be the Responsible Entity (RE) under 24 CFR Part 58 for the purpose of preparing and maintaining the ERR for properties within the jurisdiction of the City of Des Moines, Iowa; and

WHEREAS, the City's Department of Community Development has the responsibility to prepare and maintain ERR for HUD funded grants and has determined that the project activities for this grant are considered to be "Categorically Excluded Subject To" Sec.58.5 of 24 CFR Part 58 of the federal environmental review procedures under 24CFR Part 58.35 or will require an Environmental Assessment under 24CFR Part 58.36.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa that the City Clerk is authorized and directed to publish the attached "Notice of Intent to Request Release of Funds" (Exhibit A) in the Des Moines Register on June 10, 2009, in accordance with 24 CFR 58.42, 58.43, and 58.44.

★ Roll Call Number

Agenda Item Number

40

Date June 08, 2009

BE IT FURTHER RESOLVED that the Mayor is designated as certifying officer for purposes of 24 CFR 58.71 and the Mayor is authorized and directed to execute the attached "Request for Release of Funds and Certification" (Exhibit B), the "Determination of Exemption" (Exhibit C), and the "OHHLHC Rehabilitation Environmental Review (RER)" (Exhibit D), and the City Clerk is directed to attest to his signature.

(Council Communication No. 09- 371)

Moved by _____ to adopt.

APPROVED AS TO FORM:

Glenna K. Frank
Glenna Frank
Assistant City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, HENSLEY, KIERNAN, MAHAFFEY, MEYER, VLASSIS, TOTAL, MOTION CARRIED, APPROVED, Mayor.

CERTIFICATE
I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.
City Clerk