

Date August 24, 2009

**RESOLUTION 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 FOR FUNDS FROM THE CONSOLIDATED SECURITY, DISASTER ASSISTANCE, AND CONTINUING APPROPRIATIONS ACT OF 2009**

WHEREAS, the Iowa Department of Economic Development (IDED) has received U.S. federal funds under the Consolidated Security, Disaster Assistance, and Continuing Appropriations Act of 2009 (P.L. 110-329); and

WHEREAS, the City of Des Moines has applied to IDED for the amount of \$5,700,000 with the primary purpose of providing funding for infrastructure repair and construction to areas that meet defined eligibility criteria to benefit low and moderate income persons and families in the City of Des Moines for the following contracts 08-DRI-005 Emergency Power Generators at Five Storm Water Pump Stations in Birdland and Central Place Areas, 08-DRI-006 Livingston Av. Storm Sewer System Lining; 08-DRI-007 Highland Hills Sanitary Sewer Lining; and

WHEREAS, it is a requirement of HUD to prepare an Environmental Review Record (ERR) before federal or nonfederal funds can be released for the use of program activities; and

WHEREAS, the Department of Community Development is the HUD designated Responsible Entity (RE) and is required to prepare and maintain the ERR for HUD Grants awarded to projects in the City of Des Moines, Iowa; and

WHEREAS, the Department of Community Development has the responsibility to prepare and maintain the ERR for HUD grants and has determined that the projects are Categorically Excluded subject to Sec.58.5 of the federal environmental review procedures under 24CFR Part 58.35; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa that the Mayor is authorized and directed to execute, and the City Clerk is authorized and directed to publish, the attached "Notices of Proposed Project to be Located in a Floodplain or Wetlands" (Exhibits A1 & A2) in the Des Moines Register on August 26, 2009; the "Notices of Decision Regarding Project to be Located in a Floodplain or Wetlands" (Exhibits B1 & B2) in the Des Moines Register on September 10, 2009, and the "Concurrent Notice to Public of Finding of No Significant Impact on the Environment and Notice to Public of Intent to Request Release of Funds" (Exhibit C) in the Des Moines Register on September 17, 2009, in accordance with 24 CFR 58.42, 58.43, and 58.44, which notices are hereby approved.

★ Roll Call Number

Agenda Item Number

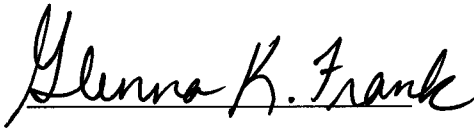
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Date August 24, 2009

(Council Communication No. 09- 620 )

Moved by \_\_\_\_\_ to adopt.

APPROVED AS TO FORM:



**Glenna K. Frank**  
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
<b>TOTAL</b>				
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