

★ Roll Call Number

08-1850

Agenda Item Number

27

Date October 27, 2008

**RESOLUTION APPROVING THE CONCURRENT NOTICE TO THE PUBLIC OF FINDING OF NO SIGNIFICANT IMPACT ON THE ENVIRONMENT AND INTENT TO REQUEST RELEASE OF FUNDS FROM THE IOWA DEPARTMENT OF ECONOMIC DEVELOPMENT FOR FUNDS FROM THE STATE CDBG SUPPLEMENTAL HOUSING DISASTER RECOVERY FUND**

WHEREAS, the Iowa Department of Economic Development (IDED) has received U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) funds under the Supplemental Appropriations Act of 2008 (P.L. 110-252); and

WHEREAS, on October 13, 2008, by Roll Call No. 08-1809, the City Council approved a CDBG Housing Disaster Recovery Fund Contract (08-DRH-009) (Contract) with IDED in the amount of \$588,507, with the primary purpose of providing funding for housing repair and rehabilitation, homebuyer assistance and interim mortgage assistance to low and moderate income persons and families in the City of Des Moines who meet defined eligibility criteria, as well as for certain administrative costs; and

WHEREAS, the City is required by 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 has determined that the CDBG Housing Disaster Recovery project is Categorical Excluded subject to Sec.58.5 of the federal environmental review procedures under 24CFR Part 58.35, and which applicable ERR is on file in the office of the City Clerk; and

WHEREAS, the City is further required by HUD to publish notice of the results of the ERR and notice of the City's intent to request the release of funds under the Contract, which notice is attached hereto as Exhibit A.

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 "Concurrent Public Notice of Finding of No Significant Impact on the Environment and Public Notice of Intent to Request Release of Funds" (Exhibit A) in the Des Moines Register on October 28, 2008, in accordance with 24 CFR 58.42, 58.43, and 58.44.

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BE IT FURTHER RESOLVED that the Mayor is designated as certifying officer for purposes of 24 CFR 58.71 and the Mayor is authorized to execute the "Request for Release of Funds and Certification for the Finding of Categorical Exclusion: Not Subject To Related Federal Laws and Authorities" (Exhibit B) and the City Clerk is directed to attest to his signature.

(Council Communication No. 08-649)

Moved by Vlassis to adopt.

APPROVED AS TO FORM:

*Glenna K. Frank*

Glenna K. Frank  
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
HENSLEY	✓			
KIERNAN	✓			
MAHAFFEY	✓			
MEYER	✓			
VLASSIS	✓			
TOTAL	7			

MOTION CARRIED

APPROVED

*T. M. Franklin*  
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.

*Diane Rauh*  
City Clerk