

★ Roll Call Number  
09-342

Agenda Item Number  
61A

Date February 23, 2009

**RESOLUTION APPROVING THE CONCURRENT NOTICE TO THE PUBLIC OF FINDING OF NO SIGNIFICANT IMPACT ON THE ENVIRONMENT AND REQUEST FOR THE RELEASE OF FUNDS FROM THE IOWA DEPARTMENT OF ECONOMIC DEVELOPMENT FOR FUNDS FROM THE FEDERAL NEIGHBORHOOD STABILIZATION PROGRAM**

WHEREAS, the Iowa Department of Economic Development (IDED) has received from the U.S. Department of Housing and Urban Development (HUD) funding under Title III of the Housing and Economic Recovery Act of 2008 (PL 110-289); and

WHEREAS, the City of Des Moines is recommended by IDED to receive the amount of \$3,935,474 with the primary purpose of providing funding for the acquisition of foreclosed property for the purpose of housing repair and rehabilitation for resale; or for the demolition and new construction of housing units for sale 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, 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 project activities are Categorically Excluded subject to Sec.58.5 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 "Concurrent Public Notice of Finding of No Significant Impact on the Environment and Public Notice of Intent to Request Release of Funds" (Exhibits A) in the Des Moines Register on February 25, 2009, 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" and the City Clerk is directed to attest to his signature.

(Council Communication No. 09-128)

Moved by Coleman 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    |      |      |        |

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