

★ Roll Call Number
09-842

Agenda Item Number
23

Date May 18, 2009

**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 PROPERTY
ACQUISITION**

WHEREAS, based on structural assessments by City staff and input from property owners located in the Four Mile Area, there are twelve (12) properties that have either suffered substantial damage and/or the property owners have expressed interest in a voluntary buy-out program; and

WHEREAS, the Hazard Mitigation Grant Program (HMGP) provides grants to State and local governments to implement long-term hazard mitigation measures after a presidential disaster has been declared in order to implement measures during the recovery phase of a disaster to prevent damages in future disasters; and

WHEREAS, the Federal Emergency Management Agency (FEMA) will fund up to 75 percent of the mitigation project's total cost, 10 percent will be funded by the State; and the remaining 15 percent will be the responsibility of the City of Des Moines as the local applicant using Community Development Block Grant (CDBG) funds; and

WHEREAS, on September 19, 2008, the City of Des Moines submitted a Notice of Interest (NOI) to the Iowa Homeland Security & Emergency Management Division in order to be eligible for consideration to apply for HMGP funds; and

WHEREAS, September 29, 2008, the City of Des Moines received a formal invitation to complete and submit an HMGP application; and

WHEREAS, on November 10, 2008, by Roll Call No. 08-2009, the City Council authorized submittal of HMGP Applications to FEMA in order to fund a Voluntary Acquisition Program for eligible flood damaged properties in the Four Mile Area; and

WHEREAS, on April 30, 2009, the City of Des Moines received notice that both grant applications had been approved by FEMA; and

WHEREAS, the Grant Agreements must be approved and authorized by and between the City and FEMA before grant funds are available, which Agreements are on file in the office of the City Clerk; and

WHEREAS, an Administrative Plan has been submitted and approved by FEMA, as required to obtain grant funds, which Plan is on file in the office of the City Clerk.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that:

1. The Grant Agreements are hereby approved, and the Mayor and the City Manager are authorized and directed to enter into the Project Grant Agreements.

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2. The Administrative Plan described above is hereby approved.
3. That the properties will be acquired in accordance with the guidelines of HMGP Grant Agreement and Administrative Plan, and that relocation is hereby authorized.
4. If the property owners agree to convey the property to the City in accordance with the Administrative Plan, the Finance Director is authorized and directed to issue checks in the amounts necessary to carry out these transactions and to pay any unforeseen additional costs certified by the Legal Department and the Engineering Department; the Real Estate Division Manager is authorized and directed to complete these transactions in accordance with standard real estate practices and state law requirements.
5. The Real Estate Division of the Engineering Department is directed to obtain the Legal Department's review and approval of all closing documents prior to closing.
6. The Mayor is authorized and directed to execute the Offers to Purchase and Warranty Deeds and the City Clerk is hereby authorized and directed to endorse upon the Real Estate documents listed above the approval and acceptance of this Council and is further authorized and directed to deliver the aforementioned documents to the Real Estate Division Manager, who shall proceed to closing in accordance with standard real estate practices.

(Council Communication No. 09- 345)

Moved by Kiernan to adopt.

APPROVED AS TO FORM:

Glenna K. Frank
Glenna K. Frank,
Assistant City Attorney

pw

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				✓
COLEMAN	✓			
KIERNAN	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MEYER	✓			
VLISSIS	✓			
TOTAL	6			1

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.

T. M. Franklin
Mayor

Diane Rauh
City Clerk