

★ Roll Call Number

09-1087

Agenda Item Number

26

Date June 22, 2009

**RESOLUTION APPROVING THE NOTICE TO THE PUBLIC AND REQUEST FOR THE RELEASE OF FUNDS FROM THE IOWA DEPARTMENT OF ECONOMIC DEVELOPMENT (IDED) FOR FUNDS FROM THE LOW INCOME HOUSING TAX CREDIT FUND FOR THE HOMES OF OAKRIDGE, PHASE II PROJECT**

WHEREAS, the Oakridge Neighborhood Associates, L.P. and the City of Des Moines have contracted with the Iowa Department of Economic Development (IDED) (contracts 09-HM196 and 09-HM-198) for the amount of \$816,000 to complete Phase II of the Homes of Oakridge Low Income Housing Tax Credit Project (Project) with the primary purpose to rehabilitate 150 units of existing low income housing; and

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

WHEREAS, the Department of Community Development is the HUD designated Responsible Entity (RE) and is required to prepare and maintain the ERR for 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 grants and has determined that the Project is Categorically Excluded subject to Sec.58.5 of the federal environmental review procedures under 24CFR Part 58.35.

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 "Public Notice of Intent to Request Release of Funds" (Exhibit A) in the Des Moines Register on June 24, 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 "Excluded from SHPO Review, Project Determination Form" (Exhibits B and C) and the City Clerk is directed to attest to his signature.

(Council Communication No. 09-422)

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		
<u>T. M. Franklin</u> 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