

★ Roll Call Number
09-2202

Agenda Item Number
38

Date December 7, 2009

RESOLUTION APPROVING THE PUBLICATION OF THE NOTICE TO THE PUBLIC OF FINDING OF NO SIGNIFICANT IMPACT ON THE ENVIRONMENT FOR FUNDS FROM THE IOWA DEPARTMENT OF ECONOMIC DEVELOPMENT 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 contracted for funding with IDED on Contract 08-DRHB-221 for the primary purpose of providing funding for acquisition and demolition of properties in the Four Mile Area; 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 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 "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 A) in the Des Moines Register on December 8, 2009, in accordance with 24 CFR 58.42, 58.43, and 58.44, which notices are hereby approved.

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" (Exhibit B), and the "Excluded From SHPO Review, Project Determination Form" (Exhibit C), which forms are hereby approved, and the City Clerk is directed to attest to his signature.

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(Council Communication No. 09-857)

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