

★ Roll Call Number

10-117

Agenda Item Number

26

Date January 25, 2010

RESOLUTION APPROVING NOTICES TO THE PUBLIC FOR PROJECTS TO BE LOCATED IN A FLOODPLAIN AND A REQUEST FOR THE RELEASE OF FUNDS FROM THE IOWA DEPARTMENT OF ECONOMIC DEVELOPMENT FOR FUNDS 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 applied to IDED for the amount of \$4,000,000 with the primary purpose of installation of a storm water and sanitary sewer separation system in the downtown area in the City of Des Moines for Contract 08-DRI-232; 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 projects are 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 Mayor is authorized and directed to execute, and the City Clerk is authorized and directed to publish, the attached "Notice of Proposed Project to be Located in a Floodplain or Wetlands" (Exhibit A) in the Des Moines Register on January 26, 2010; the "Notice of Decision Regarding Project to be Located in a Floodplain or Wetlands" (Exhibit B) in the Des Moines Register on February 11, 2010, and the "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 C) in the Des Moines Register on February 11, 2010 in accordance with federal regulations 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 federal regulation 24 CFR 58.71 and is authorized to execute the "Request for Release of Funds and Certification" (Exhibit D) which form is hereby approved, and the City Clerk is directed to attest to his signature.



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(Council Communication No. 10- 049)

Moved by Mahaffey to adopt.

APPROVED AS TO FORM:

Glenna K. Frank

Glenna K. Frank
Assistant City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, GRIESS, HENSLEY, MAHAFFEY, MEYER, MOORE, and TOTAL.

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.

Y. M. Franklin Council Mayor

Diane Rauh

City Clerk