



Roll Call Number

10-227

Agenda Item Number

54

Date February 08, 2010

RESOLUTION APPROVING PUBLIC NOTICES OF NO SIGNIFICANT IMPACT AND THE INTENT TO REQUEST 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 Community Development Block Grant (CDBG) funds under the Consolidated Security, Disaster Assistance, and Continuing Appropriations Act of 2009 (P.L. 110-329); and

WHEREAS, on November 4, 2009, IDED notified the City of Des Moines that IDED has awarded the City funding for the following contracts:

- Contract Number 08-DRI-233 in the amount not to exceed \$5,000,000 for the Lower Union Sewer Separation Project.
- Contract Number 08-DRI-234 in the amount not to exceed \$1,200,000 for the 33rd Street Sewer Separation Project.
- Contract Number 08-DRI-235, in the amount not to exceed \$5,000,000 for the Jackson Basin Pump Station Project; 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 Section 58.5 of the federal environmental review procedures under the Code of Federal Regulations, Title 24, Part 58 (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 the Release of Funds" (Exhibits A1-3) for the above-referenced projects in the Des Moines Register on February 9, 2010, in accordance with Code of Federal Regulations, Title 24, Part 58 (24 CFR 58.42, 58.43, and 58.44), which notices are hereby approved.



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BE IT FURTHER RESOLVED that the Mayor is designated as certifying officer for purposes of Code of Federal Regulations, Title 24, Part 58 (24 CFR 58.71) and is authorized to execute the "Request for Release of Funds and Certification" (Exhibits B1-3) for the above-referenced projects, which forms are hereby approved, and the City Clerk is directed to attest to his signature.

(Council Communication No. 10-068)

Moved by Mahaffey to adopt.

APPROVED AS TO FORM:

Glenna K. Frank

Glenna K. Frank

Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN				✓
GRIESS	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MEYER	✓			
MOORE	✓			
TOTAL	6			

MOTION CARRIED

APPROVED

T. M. Franklin Council

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