



Roll Call Number

10-2089

Agenda Item Number

32

Date December 20, 2010

**RESOLUTION APPROVING NOTICES TO THE PUBLIC FOR PROJECTS LOCATED  
IN A FLOODPLAIN AND THE INTENT TO REQUEST THE RELEASE OF FUNDS  
FROM THE IOWA DEPARTMENT OF ECONOMIC DEVELOPMENT FOR FUNDS  
FROM THE DISASTER RECOVERY INFRASTRUCTURE GRANTS**

WHEREAS, on August 26, 2010, the State of Iowa received \$84,000,000 in federal flood mitigation grants from the U.S. Department of Housing and Urban Development (HUD, and of these funds, \$50,000,000 were to be used for the 2008 flood damage recovery and mitigation efforts; and

WHEREAS, on October 29, 2010, the Iowa Department of Economic Development (IDED) notified the City of Des Moines that it has allocated to the City \$5,000,000 in grant funding for 2008 flood damage recovery and mitigation efforts for two projects:

- \$3,000,000 for Critical Sanitary Sewer Lining in aging neighborhoods, and
- \$2,000,000 for the Storm Water Pump Station North of the Des Moines River Levee between S.E. 4<sup>th</sup> St. and S.E. 9<sup>th</sup> St.; and

WHEREAS, on November 8, 2010, by Roll Call No. 10-1824, the Des Moines City Council authorized the Mayor to execute and the City Engineer to administer the CDBG Disaster Recovery Infrastructure grants with IDED and to execute the necessary administrative documents; and

WHEREAS, HUD requires preparation of an Environmental Review Record (ERR) before federal or nonfederal funds can be released for the use of program activities; and

WHEREAS, the City of Des Moines 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 determined that both of the above-listed projects are Categorically Excluded subject to Sec. 58.5 of the federal environmental review procedures under Title 24, Code of Federal Regulations (24 CFR) Part 58.35 and that the proposed S.E. 4<sup>th</sup> St. and S.E. 9<sup>th</sup> St. Pump Station and parts of the Critical Sanitary Sewer Relining project will be located within a floodplain.



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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 for each project the attached "Notice of Proposed Project to be Located in a Floodplain or Wetlands" (Exhibits A1 & A2) in the Des Moines Register on December 22, 2010; the "Notice of Decision Regarding Project to be Located in a Floodplain or Wetlands" (Exhibits B1 & B2) in the Des Moines Register on January 7, 2011; and the "Notice of Intent to Request Release of Funds (RROF)" (Exhibit C) in the Des Moines Register on January 7, 2011, 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 is authorized to execute the "Request for Release of Funds and Certification" (Exhibits D1 & D2), and the "Exempt from SHPO Review, Project Determination Form" for the Sanitary Sewer Relining Project (Exhibit E1), which forms are hereby approved, and the City Clerk is directed to attest to his signature.

(Council Communication No. 10-743)

Moved by Hensley to adopt.

FORM APPROVED:

Glenna K. Frank

Glenna K. Frank, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GRIESS	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MEYER	✓			
MOORE	✓			
TOTAL	7			

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