



Roll Call Number

11-1971

Agenda Item Number

29

Date November 21, 2011.....

RESOLUTION APPROVING NOTICE OF FINDING OF NO SIGNIFICANT IMPACT ON THE ENVIRONMENT AND REQUEST FOR THE RELEASE OF FUNDS FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) FOR THE LEAD-BASED HAZARD CONTROL GRANT AWARDED TO POLK COUNTY

WHEREAS, on September 19, 2011, Polk County, Iowa received an award of \$2,475,000 from the U.S Department of Housing and Urban Development (HUD) for funding through the Lead-Based Paint Hazard Control Grant Program; and

WHEREAS, the City of Des Moines is a primary partner with Polk County in the delivery of services as prescribed in the grant program for properties that meet defined eligibility criteria and are located within the jurisdiction of the City of Des Moines; and

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

WHEREAS, the City of Des Moines, Iowa is designated by HUD to be the Responsible Entity (RE) under 24CFR Part 58 for the purpose of preparing and maintaining the ERR for properties within the jurisdiction of the City of Des Moines, Iowa; and

WHEREAS, the City’s Department of Community Development has the responsibility to prepare and maintain ERRs for HUD-funded grants and has determined that the proposed activities are categorically excluded from NEPA requirements, but are subject to compliance with some of the authorities listed at Sec.58.5 of 24 CFR Part 58 of the federal environmental review procedures, or if determined that an individual property exceeds categorical exclusion thresholds an Environmental Assessment under 24 CFR Part 58.36 will be completed.

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 “Notice of a Finding of No Significant Impact and Intent to Request Release of Funds” (Exhibit A) in the Des Moines Register on November 22, 2011, in accordance with 24 CFR 58.42, 58.43, and 58.44.

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BE IT FURTHER RESOLVED that the City Manager is designated as the Certifying Officer for purposes of 24 CFR 58.71 and is authorized and directed to execute the attached "Request for Release of Funds and Certification" (Exhibit B) and "Determination of Categorical Exclusion" (Exhibit C), and the OHHLHC Rehabilitation Environmental Review (Exhibit D), and the City Clerk is directed to attest to his signature.

(Council Communication No. 11- 704)

Moved by Hensley to adopt.

FORM APPROVED:

Michael Kelley, Assistant City Attorney

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

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.

T. M. Franklin Council Mayor

Diane Rauh City Clerk