

★ Roll Call Number

15-1352

Agenda Item Number

28

Date July 27, 2015

**RESOLUTION APPROVING REPAYMENT AGREEMENTS WITH
U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND WITH YMCA OF
GREATER DES MOINES FOR SUPPORTIVE HOUSING PROGRAM FUNDING**

WHEREAS, on September 11, 2000, the City and the YMCA of Greater Des Moines (YMCA) entered into a Supportive Housing Program Agreement for the provision of Supportive Housing Program (SHP) funds for the Residence Program Project, whereby the City would grant to the YMCA \$200,000.00 in SHP funds for rehabilitation of transitional housing for the homeless for a period of 20 years from the date of initial occupancy of the property at 101 Locust Street, Des Moines; and

WHEREAS, on April 21, 2000, the City and the U.S. Department of Housing and Urban Development (HUD) entered into an agreement for Grant Number IA26B902003, which agreement authorized the City to enter into the above-referenced SHP Agreement with YMCA; and

WHEREAS, the YMCA relocated its facilities to 2 SW 9th Street, Des Moines, and the City requested that the YMCA's SHP project and 20-year covenant requirement be moved to said location; and

WHEREAS, thereafter, the YMCA determined that it was not able to comply with the unit requirements of the SHP Agreement in violation of said Agreement, and of the agreement between the City and HUD and statutory requirements of Title IV, Subtitle C of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11383) and implementing regulations at 24 CFR 840.310(b)(3); and

WHEREAS, the YMCA and the City requested that HUD approve repayment of the SHP funding, as set forth herein, to settle the violation of the statutory requirements, and HUD approved said request; and

WHEREAS, the YMCA has agreed to repay \$200,000.00, in five annual installments from November 2015 to November 2019, to the City in order for the City to repay HUD, which terms are set forth in the Repayment Agreement for Supportive Housing Program Funds between the City and the YMCA as on file in the office of the City Clerk; and

WHEREAS, HUD has agreed to accept the repayment of \$200,000.00, in five annual installments from November 2015 to November 2019, from the City to address the program violations, which terms are set forth in the Repayment Agreement between the City and HUD as on file in the office of the City Clerk; and

WHEREAS, approval of both repayment agreements is in the best interest of the City.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, as follows:

1. That the Repayment Agreement for Supportive Housing Program Funds between the City and the YMCA of Greater Des Moines, on file in the office of the City Clerk, is hereby approved, and the City Manager is authorized and directed to sign said Agreement.
2. That the Repayment Agreement between the City and the U.S. Department of Housing and Urban Development (HUD), on file in the office of the City Clerk, is hereby approved, and the City Manager is authorized and directed to sign said Agreement.

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- 3. That the City Manager or his designees are hereby authorized and directed to administer both Agreements on behalf of the City, and are further authorized to make payment to HUD in accordance with the Repayment Agreement between the City and HUD.

MOVED BY Gatto to adopt.

FORM APPROVED:

Glenna K. Frank
 Glenna K. Frank, Assistant City Attorney

Council Action	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
HENSLEY	✓			
MAHAFFEY	✓			
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.

MOTION CARRIED

APPROVED

T. M. Franklin
 Mayor

Diane Rauh
 City Clerk