



Roll Call Number

23-0538

Agenda Item Number

62

Date April 10, 2023

PUBLIC HEARING FOR REPROGRAMMING OF PRIOR YEARS' UNSPENT COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS, A SUBSTANTIAL AMENDMENT TO THE 2023 ANNUAL ACTION PLAN, AND APPROVAL OF RELATED GRANT AGREEMENTS WITH THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) UNDER THE 2020-2024 CONSOLIDATED PLAN

WHEREAS, on November 4, 2019, by Roll Call No. 19-1792, the City Council held a public hearing regarding the proposed 2020-2024 Consolidated Plan, which outlines the City's five-year strategy for use of its entitlement funds such as Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME) Program, and Emergency Solutions Grant (ESG) from the U.S. Department of Housing and Urban Development (HUD), and authorized the City Manager to submit the 2020-2024 Consolidated Plan to HUD; and

WHEREAS, on November 7, 2022, by Roll Call No. 22-1760, the City Council held a public hearing regarding the proposed 2023 Action Plan, as part of the 2020-2024 Consolidated Plan, and authorized and directed the City Manager to submit the 2023 Action Plan with the required SF-424 application forms and required certifications to HUD; and

WHEREAS, on February 9, 2023, HUD's Office of Community Planning and Development issued notice 23-01 instructing entitlement communities, such as the City of Des Moines, to delay submission of their Annual Action Plans until after HUD announces the Fiscal Year (FY) 2023 allocations; and

WHEREAS, on February 27, 2023, Congress passed the Consolidated Appropriations Act, 2023, which included HUD's Fiscal Year 2023 appropriations in Public Law 117-164; and

WHEREAS, the City has 60 days from HUD's allocation announcement to submit its 2023 Annual Action Plan, which will be on or around April 28, 2023; and

WHEREAS, the City's 2023 Annual Action Plan requires a Substantial Amendment, reallocating previous years' CDBG funding into affordable housing projects, primarily owner-occupied housing repair; and

WHEREAS, pursuant to Title 24 in the Code of Federal Regulations (CFR) Part 91, the City must provide residents with reasonable notice and an opportunity to comment on substantial amendments, providing at least 30 calendar days to receive comments before the substantial amendment is submitted to HUD and implemented; and

WHEREAS, on March 6, 2023, by Roll Call No. 23-0301, in compliance with the HUD regulations, the City Council set a public hearing for April 10, 2023 at 5:00 p.m. to obtain citizen comments regarding the Substantial Amendment to the Annual Action Plan for the 2023 Program Year; and

WHEREAS, due notice of the public hearing was published in the Des Moines Register on March 10, 2023, and hard copies of the proposed Substantial Amendment for the 2023 Program Year were available at all of the Des Moines Public Library branches and a virtual copy was posted on the city's web site, dsm.city, in order to provide citizens with the opportunity to participate in the hearing; and



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WHEREAS, the public hearing on this date has been opened and those seeking to comment on the Substantial Amendment for the 2023 Annual Action Plan have been afforded the opportunity to do so.

WHEREAS, the City Manager has reviewed unspent prior year CDBG funding and is recommending that these funds be utilized as set out in the attached council communication and simultaneously administered with the proposed 2023 Annual Action Plan activities; and

WHEREAS, once HUD has received and approved the 2023 Annual Action Plan with the actual grant amounts, HUD will forward three Grant Agreements for \$3,743,198 (CDBG), \$1,120,883 (HOME), and \$336,226 (ESG), which will be on file with the City Clerk and by this reference made a part hereof, which represent grant awards for use in the City's 2023 CDBG, HOME, and ESG programs.

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

- 1. The City Manager's recommendations regarding the utilization of unspent prior years CDBG funding as set out in Council Communication No. 23-170 are hereby approved.
2. The above-referenced Grant Agreements by and between HUD and the City of Des Moines, whereby the City will receive grant awards of \$3,743,198 (CDBG), \$1,120,883 (HOME), and \$336,226 (ESG) funding for the implementation of the Fourth Year (2023) Annual Action Plan of the 2020-2024 Consolidated Plan for the period of January 1, 2023 to December 31, 2023, are hereby approved.
3. The Mayor is hereby authorized and directed to execute the above referenced Grant Agreements and the City Clerk to attest to his signature once those Grant Agreements have been forwarded by HUD. (Council Communication No. 23-170)

Moved by Boesen to adopt. Second by Gatto.

APPROVED AS TO FORM:

(Council Communication No. 23-170)

/s/ Gary D. Goudelock Jr. Gary D. Goudelock Jr., Assistant City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, GATTO, SHEUMAKER, MANDELBAUM, VOSS, WESTERGAARD, and TOTAL.

CERTIFICATE

I, LAURA BAUMGARTNER, 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.

Signature of M. Franklin Cownie, Mayor

Signature of Laura Baumgartner, City Clerk