

★ **Roll Call Number**
23-1792

Agenda Item Number
54

Date December 18, 2023

HOLD HEARING FOR A SUBSTANTIAL AMENDMENT TO THE 2022 AND 2023 ANNUAL ACTION PLANS, UPDATING THE SERVICE AREA OF THE INFRASTRUCTURE AND PUBLIC FACILITIES ACTIVITY AND REALLOCATION OF PUBLIC SERVICE FUNDING, OF THE 2020-2024 CONSOLIDATED PLAN FOR THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)

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 1, 2021, by Roll Call No. 21-1675, the City Council held a public hearing regarding the proposed 2022 Action Plan, as part of the 2020-2024 Consolidated Plan, and authorized and directed the City Manager to submit the 2022 Action Plan with the required SF-424 application forms and required certifications to HUD; and

WHEREAS, on June 13, 2022, by Roll Call No. 21-0901, the City Council approved reprogramming of prior years' unspent funds to other activities; and

WHEREAS, in the 2022 Annual Action Plan, \$570,000 of CDBG funds were allocated to public services, and of those funds, \$345,000 has not been expended; 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 April 10, 2023, by Roll Call No. 23-0538, the City Council approved reprogramming of prior years' unspent Community Development Block Grant (CDBG) funding, a substantial amendment to the 2023 Annual Action Plan, to other activities; and

WHEREAS, in the 2023 Annual Action Plan, \$500,000 of CDBG funds were allocated to public infrastructure or facilities activities, and the service area for that activity has been changed; and

WHEREAS, substantial amendments to the 2022 CDBG public services allocation and 2023 CDBG infrastructure and public facilities projects are being proposed; and

WHEREAS, on July 24, 2017, by Roll Call No. 17-1298, the City Council approved the City's Citizen Participation Plan, which was updated and amended on May 4, 2020, by Roll Call No. 20-0792; and

WHEREAS, in accordance with 24 Code of Federal Regulations (CFR), Part 91.505 and the Citizen Participation Plan, a substantial amendment to the Consolidated Plan occurs when 1.) an activity, using funds from any program covered by the Consolidated Plan (including program income, reimbursements, repayment,

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recaptures, or reallocations from HUD), not previously described in the action plan is added; or 2.) there is a change to the purpose, scope, location, or beneficiaries of an activity; and

WHEREAS, per the approved Citizen Participation Plan, when a substantial amendment is triggered, the City will solicit public input via a public notice and public hearing process, allowing the public 30 days to comment on the proposed amendments; and

WHEREAS, on November 6, 2023, by Roll Call No. 23-1542, the City Council set a public hearing for December 18, 2023 at 5:00 p.m. to obtain citizen comments regarding the Substantial Amendments to the Annual Action Plans for the 2022 and 2023 Program Years; and

WHEREAS, due notice of the public hearing was published in the Des Moines Register on November 10, 2023, and hard copies of the proposed Substantial Amendment for the 2023 Program Year were available in the Neighborhood Services Department in order to provide citizens with the opportunity to participate in the hearing; and

WHEREAS, the public hearing on this date has been opened and those seeking to comment on the Substantial Amendment for the 2022 and 2023 Annual Action Plans have been afforded the opportunity to do so.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that the hearing is hereby closed and the recommendations regarding the utilization of CDBG funding as set out in Council Communication No. 23-549 are hereby approved.

(Council Communication No. 23-549)

Moved by Gatto to adopt,
 Second by Boesen

FORM APPROVED:

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

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
GATTO	✓			
MANDELBAUM	✓			
COLEMAN	✓			
VOSS	✓			
WESTERGAARD	✓			
TOTAL	7			

MOTION CARRIED

APPROVED

T. M. Frankin Cownie Mayor

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.

Laura Baumgartner City Clerk