

Date May 18, 2009

**RESOLUTION APPROVING THE CONCURRENT NOTICE TO THE PUBLIC OF FINDING OF NO SIGNIFICANT IMPACT ON THE ENVIRONMENT AND REQUEST FOR THE RELEASE OF FUNDS FROM THE IOWA DEPARTMENT OF ECONOMIC DEVELOPMENT FOR FUNDS FROM THE CONSOLIDATED SECURITY, DISASTER ASSISTANCE, AND CONTINUING APPROPRIATIONS ACT OF 2009**

WHEREAS, the Iowa Department of Economic Development (IDED) has received U.S. federal funds under the Consolidated Security, Disaster Assistance, and Continuing Appropriations Act of 2009 (P.L. 110-329); and

WHEREAS, the City of Des Moines has applied to IDED for the amount of \$1,008,869 with the primary purpose of providing funding for housing repair and rehabilitation, homebuyer assistance and interim mortgage assistance to low and moderate income persons and families in the City of Des Moines who meet defined eligibility criteria as well as for certain administrative costs; and

WHEREAS, it is a requirement of HUD to prepare an Environmental Review Record (ERR) before federal or nonfederal funds can be released for the use of program activities; and

WHEREAS, the 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 the responsibility to prepare and maintain the ERR for HUD grants and has determined that the project is Categorically Excluded subject to Sec.58.5 of the federal environmental review procedures under 24CFR Part 58.35.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa that the Mayor Pro Tem is authorized and directed to execute, and the Chief Deputy City Clerk is authorized and directed to attest to the Mayor Pro Tem's signature and publish, the attached "Concurrent Notice to Public of Finding of No Significant Impact on the Environment and Notice to Public of Intent to Request Release of Funds" (Exhibit A) in the Des Moines Register on May 20, 2009, in accordance with 24 CFR 58.42, 58.43, and 58.44, which notices are hereby approved.

★ Roll Call Number

Agenda Item Number

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Date May 18, 2009

BE IT FURTHER RESOLVED that the Mayor Pro Tem is designated as certifying officer for purposes of 24 CFR 58.71 and the Mayor Pro Tem is authorized to execute the "Request for Release of Funds and Certification", the "Excluded from SHPO Review, Project Determination Form", and the "Finding of Categorical Exclusion: Not Subject To Related Federal Laws and Authorities" (Exhibit B), which forms are hereby approved, and the Chief Deputy City Clerk is directed to attest to his signature.

(Council Communication No. 09-343)

Moved by \_\_\_\_\_ to adopt.

APPROVED AS TO FORM:

*Glenna K. Frank*

**Glenna K. Frank**  
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
TOTAL				
MOTION CARRIED			APPROVED	

**CERTIFICATE**

I, LAURA BAUMGARTNER, Chief Deputy 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.

\_\_\_\_\_  
Mayor Pro Tem

\_\_\_\_\_  
Chief Deputy City Clerk