

Date August 6, 2007

APPROVING THE FORM OF CONTRACT DOCUMENTS FOR A COMMUNITY DEVELOPMENT BLOCK GRANT REHABILITATION GRANT AGREEMENT WITH SIXTH AVENUE APARTMENTS INVESTORS, L.P. AND AUTHORIZATION FOR THE CITY MANAGER TO EXECUTE THE GRANT AGREEMENT UPON FULL COMPLIANCE WITH ALL REQUIREMENTS

WHEREAS, Sixth Avenue Apartments Investors, L.P. is the titleholder to the property locally known as 1635 Sixth Avenue in Des Moines, Iowa; and

WHEREAS, the owners have been notified by the Polk County Health Department that the 18-unit building locally known as 1635 Sixth Avenue is in violation of the Polk County local Board of Health Rules and Regulations Chapter VII, Control of Lead Based Paint and Hazards; and

WHEREAS, the City of Des Moines is desirous of reducing the level of lead poisoning at 1635 Sixth Avenue by providing financial assistance to eliminate lead hazards; and

WHEREAS, staff has prepared a model agreement to grant CDBG funds for this activity which is attached hereto as Exhibit A and by this reference made a part hereof which incorporates all federal regulations governing the use of CDBG funding and the requirement that a certified risk assessor/lead inspector from Polk County, Iowa, Health Department certify the building as lead-safe upon completion of the rehabilitation work.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, that the above referenced grant agreement documents for the rehabilitation of the property locally known as 1635 Sixth Avenue are hereby approved as to form.

BE IT FURTHER RESOLVED by the City Council of the City of Des Moines, Iowa, that upon completion of all application and eligibility requirements by Sixth Avenue Apartments Investors, L.P. and final review of the Agreement by City Legal Department, the City Manager or his designee is hereby authorized to execute the Agreement on behalf of the City of Des Moines and to fund the project.

FORM APPROVED:

MOVED by _____ to adopt.

Mary A. Laughlin

Mary A. Laughlin, Assistant City Attorney

(Council Communication No. 07-488)

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

MOTION CARRIED

APPROVED

Mayor

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.

City Clerk