



Mayor Robert E. Simison

City Council Members:

Luke Cavener, President
Liz Strader, Vice President
Brian Whitlock
Doug Taylor
John Overton
Anne Little Roberts

TO: Mayor Robert E. Simison
Members of the City Council

FROM: Jason Korn, Environmental Program Coordinator

DATE: 8/14/2024

SUBJECT: SUBRECIPIENT AGREEMENT FOR CITY OF MERIDIAN – NINEMILE CREEK FLOOD MITIGATION GRANT

REQUESTED COUNCIL DATE: 8/20/2024

I. RECOMMENDED ACTION

A. Move to:

1. Authorize the Mayor to sign the agreement

II. DEPARTMENT CONTACT PERSONS

Jason Korn, Environmental Program Coordinator	208-489-0364
Laurelei McVey, Director of Public Works	208-489-0365

III. DESCRIPTION

A. Background

The City of Meridian was awarded a Hazard Mitigation Grant Program (HMGP) grant in the amount of \$130,000 for Phase 1 final design and permitting of the Ninemile Creek Flood Mitigation Project through the Idaho Office of Emergency Management and FEMA. The HMGP has a 10% local match that will be met through MDC funds already expended. The City will be eligible to apply for a Phase 2 grant that covers construction costs currently estimated at \$3.8 million.

B. Proposed Project

The Phase 1 grant covers final design and environmental permitting of the Ninemile Creek Flood Mitigation Project from 75% to 100%.

IV. **IMPACT**

A. Strategic Impact: The project is identified in the City Strategic Plan Strategy to proactively manage floodplain concerns to maximize development potential in affected community areas.

B. Service/Delivery Impact:

The project when constructed will remove a large area of old town Meridian from the Special Flood Hazard area allowing it to develop or re-develop.

C. Fiscal Impact:

Project Costs: Phase 1 final design and environmental permitting will be fully reimbursable through the grant.

Fiscal Year 2024	Final Design Work	42,000
	Union Pacific App Fee	19,900
	Total	
Fiscal Year 2025	Final Design Report and Bid Documents	64,000
	Benefit Cost Analysis	4,100
	Total	130,000
	Total Project Cost	130,000

Project Funding

Fiscal Year	Account Code / Codes	
2024	1840-80150	1,500,000
	1840-80150	1,500,000
	Total Funding	3,000,000

VI. **TIME CONSTRAINTS**

The signed agreement must be returned to IOEM no later than 8/26/2024. The performance period of the grant goes through Dec 1, 2025.

VII. **LIST OF ATTACHMENTS**

IOEM 2023 Subrecipient Agreement for City of Meridian

Approved for Council Agenda:  8/14/24



Idaho Office of Emergency Management

2023 Subrecipient Agreement

for
City of Meridian

Date of Award

July 8, 2024

1. Subrecipient Name and Address	2. Prepared by: <i>Magdaleno, Luis</i>	3. Award Number: 23NONE862
City of Meridian 33 E. Broadway Ave Meridian, ID 83642	4. Federal Grant Information	
	Federal Grant Title:	4534 HMGP - City of Meridian - Nine Mile Creek
	Federal Grant Award Number/CFDA Number:	DR-4534-00007-ID / 97.039
	Federal Granting Agency:	Grant Programs Directorate Federal Emergency Management Agency U.S. Department of Homeland Security

5. Award Amount and Grant Breakdowns

Subrecipient DUNS:	4534 HMGP - City of Meridian - Nine Mile Creek Performance/ Budget Period: Jul 8, 2024 <i>through</i> Dec 1, 2025
Award Amount This Action: \$130,000.00	
Subrecipient Match Amount: \$135,321.36	
Total Award Amount: \$265,321.36	

6. Requirements: This Subaward is approved subject to such conditions or limitations as are set forth on the following pages of this document and in the General Terms and Conditions sent to support the Emergency Management Performance Grant Program. This is a not a Research & Development Subaward. Subrecipients must give the Idaho Office of Emergency Management (IOEM), Department of Homeland Security (DHS) and auditors access to and the right to examine and copy records, accounts, and other documents and sources of information related to the grant and permit access to facilities, personnel, and other individuals and information as may be necessary, as required by DHS regulations and other applicable laws or program guidance.

The Subrecipient certifies that the Subrecipient and its' contractors/vendors are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded by any federal department or agency and do not appear in the Debarred and Suspended list at <http://www.sam.gov>.

The Subrecipient certifies compliance with the 2CFR200 Subpart F – Audit Requirements and Idaho State Code 67-450B – Independent Financial Audits of Local Governmental Entities—Filing Requirements.

The Subrecipient certifies the indirect cost rate for the Federal Award (including if the de minimis rate is charged) per § 200.414.

Acceptance of subaward certifies compliance with requirements detailed above and attached terms and conditions.

7. Agency Approval

Approving IOEM Official:	Signature of IOEM Official:
Brad Richy, Director Idaho Office of Emergency Management (208) 258-6501	Date:

8. Subrecipient Acceptance

I have read and understand the attached Terms and Conditions. Signature certifies compliance with requirements detailed on subaward subrecipient agreement.

Print name and title of Authorized Subrecipient official:	Signature of Authorized Subrecipient Official:
Robert Simison, Mayor	

9. Enter Employer Identification Number (EIN) / Federal Tax Identification Number:	10. Date Signed :
82-6000225	

11. DUE DATE: 8/26/2024

Signed award and Direct Deposit Form (if applicable) must be returned to IOEM on or before the above due date.

Standard Administrative Provisions for Hazard Mitigation Grant Program

FEMA Region 10 – updated January 3, 2023

- The recipient agrees that all use of funds under this subaward will be in accordance with the **Hazard Mitigation Assistance Unified Guidance** in effect at the time of the Disaster Declaration, relevant Hazard Mitigation Grant Program (HMGP) guidance and policy memos and directives, as well as the HMGP in Code of Federal Regulations (CFR) Title 44 Part 206.
- The recipient may receive payment in advance from Payment Management System administered by U.S. Department of Health & Human Services' Program Support Center. The recipient may advance portions of the approved Federal share to the subrecipient provided the recipient maintain procedures to minimize the time elapsing between the transfer of funds from the U.S. Treasury and their disbursement to the subrecipient. Subrecipients must comply with the same payment requirement as the recipient and must comply with the requirements specified in the recipient's subaward agreement.
- The recipient shall follow regulations found in 2 CFR Part 200 and the FEMA/State/Tribe Agreement in effect for the subject Disaster Declaration.
- The Federal Funding Accountability and Transparency Act of 2006 (2 CFR Part 170) requires recipients to report their first tier subrecipients for each Federal award of \$30,000 or more awarded on or after October 1, 2010.
- The recipient must obtain prior approval from Region 10 before implementing changes to the approved project Scope of Work. FEMA must approve, in advance, a change in the Scope of Work regardless of the budget implications. Transfer of funds between total direct cost categories in the approved budget shall receive the prior approval of FEMA when such cumulative transfers among those direct cost categories exceed ten percent of the total budget. The recipient must fully document cost overrun requests; the project must remain cost-effective, and funds must be available within the HMGP ceiling for said disaster.
- The recipient must notify their assigned Regional Hazard Mitigation Assistance Specialist as soon as any significant developments become known.
- The recipient shall submit the Federal Financial Report (SF-425) to Region 10 Grant Programs Division within 30 days of the end of the first Federal quarter following the Award Letter. The recipient shall submit quarterly Federal Financial Reports thereafter until the grant ends. Reports are due at the end of each fiscal quarter. The recipient must submit a report for every quarter of the Period of Performance. Future awards and fund drawdowns withholdings may occur if these reports are delinquent.
- The recipient shall submit Quarterly Performance Reports in Excel format to the Regional Hazard Mitigation Assistant Specialist within 30 days of the end of each quarter. The Recipient shall submit Quarterly Performance Reports thereafter until the grant ends. Quarterly Performance Reports shall report the name, completion status, quarterly expenditures, and payment-to-date of each approved activity/subaward award under the Grant Award. • Unless otherwise approved by Region 10, the recipient must submit a closeout package with all financial, performance, and other reports and required documentation within **180 days** after subrecipient's notice of completion of the project, or expiration or termination of the project/sub-grant. The recipient must submit closeout documentation within the quarter following payment of the final reimbursement to the subrecipient.

- For closeout of this project, the Governor’s Authorized Representative or Tribal Authorized Representative shall send a letter of request to the Region 10 Mitigation Division Director, to close the project programmatically and financially. The letter will include the following: 1. The date work on the project was fully completed, or for planning subawards, the date and copy of FEMA approval of the new or updated plan.
 - 2. The date and a copy of the recipient’s final site inspection for the project.
 - 3. The final total project cost and Federal share, any cost underrun, or overrun, including a Final Cost Line-Item budget, to enable any closeout deobligation or obligation of additional funds in National Emergency Management Information System.
 - 4. Certification that reported costs were incurred in the performance of eligible work, and that the approved work was completed, or if not, an explanation as to the final status of the project and why the project was not completed.
 - 5. Confirmation that the mitigation measure is in compliance with the provisions of the FEMA/State/Tribe Agreement and this approval letter.
 - 6. A memo from the subrecipient addressing how each required environmental and special programmatic condition was met (including attachment of any required documentation).
 - 7. Submittal of all required documentation relative to the specific project type, for example, acquisition/demolition, or elevation, including all necessary data to close the project in the Property Site Inventory in FEMA’s Hazard Mitigation Assistance grant systems.
- By acceptance of this subaward the recipient and subrecipient agree to abide by all laws and regulations required under the HMGP as outlined in 44 CFR 206.432 –.440, 44 CFR 80, 44 CFR 201, the Grants Management requirements contained in 44 CFR 13 and/or 2 CFR 200, and all applicable Federal, State, Tribal, or local laws.

Environmental Conditions of Approval: May 2, 2023

Project – 4534-7 – Phase I

- This review does not address all Federal, State, and local requirements. Acceptance of Federal funding requires recipient to comply with all Federal, State, and local laws. Failure to obtain all appropriate Federal, State, and local environmental permits and clearances may jeopardize Federal funding.
- Any change to the approved Scope of Work will require re-evaluation for compliance with the National Environmental Policy Act and other laws and Executive Orders.
- If ground disturbance occurs during construction, applicant will monitor ground disturbance and if any potential archaeological resources are discovered, will immediately cease construction in that area and notify the State and Federal Emergency Management Agency.
- The City of Meridian should coordinate with FEMA R10 EHP at the following project checkpoints. Skipping coordination at these checkpoints could result in delays and complications in the project development process.
 - 1) 30 percent design. This stage gives preliminary information on the project impacts and may include coordination with the U.S. Fish and Wildlife Service and Idaho Fish and Game and pre-consultation with U.S. Army Corps of Engineers and Idaho Department of Environmental Quality.
 - 2) 60 percent design. This is the point where Clean Water Act, Endangered Species Act, Special Flood Hazard Area public notice, floodplain development and/or National Historic

Preservation Act regulatory processes are initiated, when applicable. It should be noted that proposed project schedules may be needed for these.

3) 100 percent design/permitting completion. FEMA R10 EHP will review the deliverables from Phase I prior to project implementation. This would essentially complete the Phase I process.