



Legislation Text

File #: ID 21-0287, **Version:** 1

Resolution Authorizing the Delegation of Authority for the City Manager to Act as Certifying Officer for Federal Housing and Urban Development Funds and Programs

Council Priority: Provide decent housing, a suitable living environment, and expanding economic opportunities

Department: Neighborhood Development
Council District: All

Public Hearing: No
Advertising Date/By: N/A

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PURPOSE:

City Council consideration is requested for the adoption of the Delegation of Authority to Act as the Certifying Officer. This Delegation will allow the Mayor to delegate authority to the City Manager. As a condition of receiving federal Housing and Urban Development (HUD) formula grant funds, local jurisdictions must designate a Certifying Officer to ensure compliance with the National Environmental Policy Act (NEPA) and the Federal laws and authorities for the purpose of environmental reviews. This person is the chief elected official, chief executive official, or other official designated by the governing body.

BACKGROUND:

Environmental reviews are a HUD requirement for HUD-assisted projects. The purpose is to identify potential environmental impacts to determine whether the project meets federal, state, and local standards. The Certifying Officer is authorized to execute the Request for Release of Funds, Grant Certification, and has the legal capacity to carry out the responsibilities below:

- Responsible for the environmental considerations of NEPA and the related provisions in [40 CFR parts 1500 through 1508](https://www.ecfr.gov/cgi-bin/text-idx?SID=30655823cf5f0dcb1c5ee59d01883b89&mc=true&tpl=/ecfrbrowse/Title40/40chapterV.tpl) <<https://www.ecfr.gov/cgi-bin/text-idx?SID=30655823cf5f0dcb1c5ee59d01883b89&mc=true&tpl=/ecfrbrowse/Title40/40chapterV.tpl>>, and [24 CFR part 58](https://www.law.cornell.edu/cfr/text/24/part-58) <<https://www.law.cornell.edu/cfr/text/24/part-58>>;
- Represent the City and be subject to the jurisdiction in Federal courts. The Certifying Officer will not be represented by the Department of Justice in court; and
- Ensure that the City reviews and comments on all Environmental Impact Statements prepared for Federal projects that may have an impact on the recipient's program.

BUDGET IMPACT:

No budget impact.

RECOMMENDATION / ACTION REQUESTED:

Adopt the attached resolution for the Mayor to formally delegate the authority of HUD Certifying Officer to the

City Manager.