

RESOLUTION NO. 23-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, DESIGNATING THE CITY MANAGER AS THE CERTIFYING OFFICER FOR ENVIRONMENTAL REVIEWS PURSUANT TO 24 CFR PART 58 TO COMPLY WITH THE NATIONAL ENVIRONMENTAL POLICY ACT OF 1969, AS AMENDED (NEPA), AND DELEGATING AUTHORITY TO THE CITY MANAGER TO CONSENT TO AND EXECUTE CERTAIN AGREEMENTS AND DOCUMENTS RELATED TO FEDERAL AND STATE GRANT PROGRAMS INCLUDING, BUT NOT LIMITED TO, HUD CERTIFICATIONS, FUNDING AGREEMENTS, PARTICIPATION AGREEMENTS, SATISFACTION OF MORTGAGES, AND ANY AMENDMENTS THERETO; AND PROVIDING FOR AN EFFECTIVE DATE.

---

WHEREAS, HUD rules and procedures regulating Responsible Entities Assuming United States Housing and Urban Development (HUD) Environmental Responsibilities at 24 CFR Part 58 provide, in part, that a Responsible Entity may assume HUD's authority to perform environmental reviews and the responsibilities to manage the scope and content of the environmental review and make a finding to comply with the National Environment Policy Act of 1969, as amended (NEPA); and

WHEREAS, as a local government receiving funding from various HUD programs, the City of Fort Lauderdale is a Responsible Entity under 24 CFR Part 58 and the Chief Elected Official of the City is the Certifying Officer to perform environmental reviews and all responsibilities thereunder to comply with NEPA; and

WHEREAS, Section 4.01(b) of the Charter of the City of Fort Lauderdale, Florida, provides that the execution of certain instruments may be delegated to another person pursuant to a resolution; and

WHEREAS, to facilitate the City's efficient management of the scope and content of environmental reviews and ensure the issuance of timely finding in compliance with 24 CFR Part 58 and other applicable HUD funding program rules and regulations, the City Commission finds that it will serve a legitimate municipal purpose to delegate authority to and designate the City Manager, an executive officer under Section 4.01 of the Charter of the City of Fort Lauderdale, Florida, as the City's Certifying Officer to perform environmental reviews and all responsibilities under 24 CFR Part 58 to comply with the NEPA, and the proper person to consent to and execute certain agreements and documents on behalf of the City of Fort Lauderdale related to Federal and

State Grant Programs including, but not limited to, HUD certifications, funding agreements, participation agreements, satisfaction of mortgages; and any amendments thereto.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. That the City Commission hereby designate the City Manager, an executive officer under Section 4.01 of the Charter of the City of Fort Lauderdale, Florida, as the City's Certifying Officer for environmental Reviews pursuant to 24 CFR Part 58, and delegates authority to the City Manager to perform environmental reviews and all responsibilities under 24 CFR Part 58 to comply with NEPA, and the proper person to consent to and execute certain agreements and documents on behalf of the City of Fort Lauderdale related to Federal and State Grant Programs including, but not limited to, HUD certifications, funding agreements, participation agreements, satisfaction of mortgages; and any amendments thereto, as well as any grants administered through the State of Florida including, but not limited to, the Department of Economic Opportunity and Florida Housing Finance Corporation.

SECTION 2. The City Manager's authority shall include, but is not limited to the following: to act as Certifying Officer for the City of Fort Lauderdale to perform environmental reviews and all responsibilities under 24 CFR Part 58 to comply with NEPA and Section 104(g) of the Housing and Community Development Act of 1974, as amended (HUD Act) (42 U.S.C. § 5304 (g), in connection with the receipt of assistance from HUD under Title I of the HUD Act; to execute the certification required under Section 104 (g)(1) of the HUD Act; to specify, when appropriate, that the City of Fort Lauderdale has fully carried out its responsibilities for environmental review, decision making and any action taken under Section 104(g)(1) of the HUD Act; to consent to and assume the status of a responsible Federal Official under NEPA, and other provisions of law specified in 24 CFR Part 58, the HUD Act, and all other applicable HUD rules and regulations; and to consent, on behalf of the City of Fort Lauderdale and himself or herself, to the City of Fort Lauderdale's acceptance of the Federal court jurisdiction for the purpose of enforcing the Certifying Officer's responsibilities as a responsible Federal Official.

SECTION 3. That the office of the City Attorney shall review and approve as to form all documents prior to their execution by the City Manager.

SECTION 4. That all resolutions in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 5. That this Resolution shall be in full force and effect upon final passage and adoption.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Mayor  
DEAN J. TRANTALIS

ATTEST:

\_\_\_\_\_  
City Clerk  
DAVID R. SOLOMAN

Dean J. Trantalis \_\_\_\_\_

John C. Herbst \_\_\_\_\_

APPROVED AS TO FORM:

Steven Glassman \_\_\_\_\_

Pamela Beasley-Pittman \_\_\_\_\_

\_\_\_\_\_  
Interim City Attorney  
D'WAYNE M. SPENCE

Warren Sturman \_\_\_\_\_