



LEGISLATIVE MEMORANDUM

TO: Honorable Mayor and Members of the City Council

FROM: Scott Morgan, Interim City Manager

THRU: Clinton Hatcher, Community & Economic Development Director

DATE: January 16, 2025

RE: Resolution 2025-01, delegating authority to the City Manager to act as the Certifying Official for federal programs of the U.S. Department of Housing and Urban Development.

SUMMARY:

In accordance with the Code of Federal Regulations (CFR), specifically 24 CFR 58.2, the Certifying Officer means the official who is authorized to execute the Request for Release of Funds and Certification and has the legal capacity to carry out the responsibilities of 24 CFR 58.13.

Historically, both the Mayor and the City Manager have executed documents as the Certifying Official. This Resolution seeks to officially delegate the authority to ensure consistency when executing official federal documentation requiring the signature of the Certifying Official, as defined by the Code of Federal Regulations. The attached Resolution delegates the authority to the City Manager. This is not inconsistent with the Palm Bay Code of Ordinances, to include the City's Charter, Article IV, Section 4 'City Manager' and Title III: Administration, Chapter 30 'City Manager', whereby the powers and duties of the City Manager include the execution of contracts on behalf of the City pursuant to Council's direction or the provisions of appropriate ordinances and resolutions.

The City of Palm Bay is an entitlement community and receives funding annually from the United States Department of Housing & Urban Development (HUD). Only the City's authorized Certifying Official can execute documents that authorize the receipt or release of funds for program administered by HUD. In addition, HUD programs (including the City's CDBG, HOME and NSP funded projects) must comply with 24 CFR Part 58, which establishes regulations related to environmental review procedures associated with such programs. Under these regulations, the City is required to execute and submit certain HUD forms, for example HUD Form 7015.15 which certifies to HUD that the City has taken all steps with respect to HUD's environmental procedures and that the City assumes responsibilities that would otherwise apply to HUD under the National

Environmental Policy Act (NEPA). In addition, the City may have to comply with other local, state and federal environmental laws and authorities.

The Certifying Official is authorized to execute and has legal capacity to carry out the responsibilities for all HUD Community Planning & Development official documents, applications, and grant agreements.

REQUESTING DEPARTMENT:

Community & Economic Development

FISCAL IMPACT:

There is no fiscal impact.

STAFF RECOMMENDATION:

Motion to adopt a Resolution delegating authority to the City Manager to act as the Certifying Official for federal programs of the U.S. Department of Housing & Urban Development.

ATTACHMENTS:

1. Resolution
2. HUD Form 7015.15 (sample document)