

Bill No. 4972

Ordinance No. \_\_\_\_\_

Requested by: Michael Hurlbert

Sponsored by: Council as a Whole

AN ORDINANCE AUTHORIZING THE COUNTY EXECUTIVE TO DESIGNATE A CERTIFYING OFFICER TO CERTIFY COMPLIANCE WITH FEDERAL ENVIRONMENTAL REQUIREMENTS FOR U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT GRANTS

WHEREAS, as a grantee receiving Community Development Block Grant (CDBG) assistance from the United States Department of Housing and Urban Development (HUD), the St. Charles Urban County is the Responsible Entity for conducting environmental reviews of all CDBG-funded programs and projects and certifying compliance with National Environmental Policy Act (NEPA) and other relevant Federal laws and regulations; and

WHEREAS, under the Code of Federal Regulations (24 CFR Part 58), St. Charles County must designate a “Certifying Officer” to certify compliance with the National Environmental Policy Act and other relevant federal laws; and

WHEREAS, the Certifying Officer must also ensure that St. Charles County reviews and comments on all environmental impact statements prepared for Federal projects that may have an impact on the recipient’s program; and

WHEREAS, the Certifying Officer would represent St. Charles County and be subject to the jurisdiction of the Federal courts concerning compliance with Federal

environmental laws and regulations for HUD-funded programs and projects; and

WHEREAS, per 24 CFR Part 58, HUD may additionally require that the County’s Certifying Officer act in the same capacity for other governmental and non-governmental agencies in St. Charles County receiving HUD-funded grants, such as the Tri-County Continuum of Care; and

WHEREAS, under the Code of Federal Regulations (24 CFR Part 58) the Certifying Officer may be the chief elected official, chief executive official, “or other official designated by formal resolution of the governing body”; and

WHEREAS, the function of Certifying Officer must be carried out by St. Charles County and may not be assumed by grant subrecipients or consultants; and

WHEREAS, the County Executive now serves in the capacity of Certifying Officer; and

WHEREAS, St. Charles County additionally seeks to designate an Environmental Officer responsible for conducting environmental review tasks such as preparing project narratives and maps, soliciting comments from appropriate governmental agencies, and facilitating responses to comments received on environmental findings; and

WHEREAS, Federal regulations allow St. Charles County to contract with agencies or consultants to prepare environmental reviews to be reviewed and approved by the Certifying Officer; and

WHEREAS, St. Charles County contracts with the City of St. Charles for CDBG professional services, including those services provided by an Environmental Officer.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COUNCIL OF ST. CHARLES COUNTY, MISSOURI, AS FOLLOWS:

Section 1. In conformance with 24 CFR Part 58, the Governing Body hereby designates the Community Development Department Director as the Certifying Officer in place of the County Executive.

Section 2. In conformance with 24 CFR Part 58, the Governing Body hereby designates the CDBG Administrator of the City of St. Charles, Missouri as the Environmental Officer.

Section 3. This ordinance shall be in full force and effect from and after the date of its passage and approval.

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DATE PASSED

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DATE APPROVED BY COUNTY EXECUTIVE

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CHAIR OF THE COUNCIL

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COUNTY EXECUTIVE

ATTEST:

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COUNTY REGISTRAR

6-21.C.Designating CDBG Certifying Officer