



City of Grand Island

Tuesday, November 14, 2006

Council Session

Item G12

**#2006-336 - Approving the Grand Island Area Habitat for
Humanity Environmental Review for Release of Funds**

Staff Contact: Marsha Kaslon

Council Agenda Memo

From: Marsha Kaslon, Community Development Administrator
Meeting: November 14, 2006
Subject: Habitat for Humanity Environmental Review
Item #'s: G-12
Presenter(s): Marsha Kaslon, Community Development Administrator

Background

The Grand Island Area Habitat for Humanity began in 1992. They have completed 38 homes since their inception and build 4 homes a year, with two currently under construction.

Families interested in Habitat for Humanity must income qualify and must have the ability to pay a zero percent interest mortgage based on the cost build of the home. The family must improve their housing situation and are required to commit to 500 hours of sweat equity and attend mandatory homeownership classes. The Habitat for Humanity Selection Committee examines the prospective homeowner's income information, references, landlord and employer information, personal references, and credit checks, to insure the applicants chosen best fit the program's intentions.

Discussion

The Grand Island Area Habitat for Humanity has recently applied for U.S. Department of Housing and Urban Development (HUD) funds to build two more houses this year. The future houses are located at 1112 North Cherry Street and 823 East 5th Street. As a requirement to secure these funds, the Grand Island Area Habitat for Humanity must complete an Environmental Review through the local government. The City of Grand Island has continually provided support for this program since 1992 by ensuring the Environmental Review was done properly and allowing the acting mayor to sign as the Chief Elected Official as required by HUD.

The Grand Island Area Habitat for Humanity is currently requesting the City of Grand Island to sign the Environmental Review for the remaining two houses to be built. The City of Grand Island would certify to the U.S. Department of Housing and Urban Development (HUD) and consents to accept the jurisdiction of the Federal Courts if an

action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. HUD's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities and allows the Grand Island Area Habitat for Humanity to use HUD program funds.

Alternatives

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends that the Council approve the Grand Island Area Habitat for Humanity Environmental Review for Release of Funds.

Sample Motion

Motion to allow the City of Grand Island to sign the Environmental Review as required by the U.S. Department of Housing and Urban Development to secure the Release of Funds for the Grand Island Area Habitat for Humanity.

Request for Release of Funds and Certification

U.S. Department of Housing and Urban Development
Office of Community Planning and Development

OMB No. 2506-0087
(exp. 11/30/2004)

This form is to be used by Responsible Entities and Recipients (as defined in 24 CFR 58.2) when requesting the release of funds, and requesting the authority to use such funds, for HUD programs identified by statutes that provide for the assumption of the environmental review responsibility by units of general local government and States. Public reporting burden for this collection of information is estimated to average 36 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless that collection displays a valid OMB control number.

Part 1. Program Description and Request for Release of Funds (to be completed by Responsible Entity)

1. Program Title(s)	2. HUD/State Identification Number	3. Recipient Identification Number (optional)
4. OMB Catalog Number(s)	5. Name and address of responsible entity	
6. For information about this request, contact (name & phone number)	7. Name and address of recipient (if different than responsible entity)	
8. HUD or State Agency and office unit to receive request		

The recipient(s) of assistance under the program(s) listed above requests the release of funds and removal of environmental grant conditions governing the use of the assistance for the following

9. Program Activity(ies)/Project Name(s)	10. Location (Street address, city, county, State)
11. Program Activity/Project Description	

Part 2. Environmental Certification (to be completed by responsible entity)

With reference to the above Program Activity(ies)/Project(s), I, the undersigned officer of the responsible entity, certify that:

1. The responsible entity has fully carried out its responsibilities for environmental review, decision-making and action pertaining to the project(s) named above.
2. The responsible entity has assumed responsibility for and complied with and will continue to comply with, the National Environmental Policy Act of 1969, as amended, and the environmental procedures, permit requirements and statutory obligations of the laws cited in 24 CFR 58.5; and also agrees to comply with the authorities in 24 CFR 58.6 and applicable State and local laws.
3. After considering the type and degree of environmental effects identified by the environmental review completed for the proposed project described in Part 1 of this request, I have found that the proposal did did not require the preparation and dissemination of an environmental impact statement.
4. The responsible entity has disseminated and/or published in the manner prescribed by 24 CFR 58.43 and 58.55 a notice to the public in accordance with 24 CFR 58.70 and as evidenced by the attached copy (copies) or evidence of posting and mailing procedure.
5. The dates for all statutory and regulatory time periods for review, comment or other action are in compliance with procedures and requirements of 24 CFR Part 58.
6. In accordance with 24 CFR 58.71(b), the responsible entity will advise the recipient (if different from the responsible entity) of any special environmental conditions that must be adhered to in carrying out the project.

As the duly designated certifying official of the responsible entity, I also certify that:

7. I am authorized to and do consent to assume the status of Federal official under the National Environmental Policy Act of 1969 and each provision of law designated in the 24 CFR 58.5 list of NEPA-related authorities insofar as the provisions of these laws apply to the HUD responsibilities for environmental review, decision-making and action that have been assumed by the responsible entity.
8. I am authorized to and do accept, on behalf of the recipient personally, the jurisdiction of the Federal courts for the enforcement of all these responsibilities, in my capacity as certifying officer of the responsible entity.

Signature of Certifying Officer of the Responsible Entity	Title of Certifying Officer
	Date signed
X Address of Certifying Officer	

Part 3. To be completed when the Recipient is not the Responsible Entity

The recipient requests the release of funds for the programs and activities identified in Part 1 and agrees to abide by the special conditions, procedures and requirements of the environmental review and to advise the responsible entity of any proposed change in the scope of the project or any change in environmental conditions in accordance with 24 CFR 58.71(b).

Signature of Authorized Officer of the Recipient	Title of Authorized Officer
	Date signed
X	

Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

RESOLUTION 2006-336

WHEREAS, the Grand Island Area Habitat for Humanity has applied for U.S. Department of Housing and Urban Development (HUD) funds to build two homes in the city of Grand Island; and

WHEREAS, to secure HUD funds, the Grand Island Area Habitat for Humanity must complete an Environmental Review through local government; and

WHEREAS, since the Grand Island Area Habitat for Humanity began in 1992, the City of Grand Island has ensured that the Environmental Review has been done in compliance with the U.S. Department of Housing and Urban Development ; and

WHEREAS, the acting mayor of the City of Grand Island is authorized to sign the Environmental Review as the Chief Elected Official as required by HUD.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the mayor of the City of Grand Island is hereby authorized to sign the Environmental Review as required by the U.S. Department of Housing and Urban Development to secure the Release of Funds for the Grand Island Area Habitat for Humanity.

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Adopted by the City Council of the City of Grand Island, Nebraska, November 14, 2006.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form ☐ _____
November 8, 2006 ☐ City Attorney