

**RESOLUTION NO.: 2022-061**

*Authorizing the City Manager to execute an Intergovernmental Agreement between the Housing Authority of the City of Columbia, SC and City of Columbia for Review of Environmental Assessments*

BE IT RESOLVED by the Mayor and City Council this 26<sup>th</sup> day of July, 2022, that the City Manager is authorized to execute the attached Intergovernmental Agreement between the Columbia Housing Authority of the City of Columbia, SC and the City of Columbia for review of environmental assessments, or on a form approved by the City Attorney, between the Housing Authority of the City of Columbia, SC and City of Columbia.

Requested by:

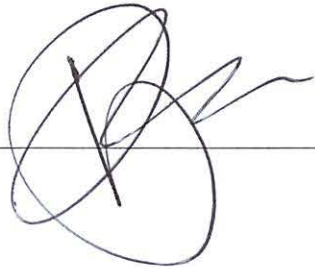
Assistant City Manager Shealy

Approved by:

  
City Manager

Approved as to form:

  
City Attorney

  
Mayor

ATTEST:

  
City Clerk

Introduced: 7/26/2022

Final Reading: 7/26/2022

## INTERGOVERNMENTAL AGREEMENT

This Intergovernmental Agreement (the “Agreement”) is entered into by and between the Housing Authority of the City of Columbia, SC (herein called “Columbia Housing”) and the City of Columbia, SC (herein called the “City”), each a “party” and together the “parties,” and is effective on the last date signed by a party hereto.

### RECITALS

**WHEREAS**, federal regulations require an Environmental Review for various projects and activities to be undertaken with funding from the U.S. Department of Housing and Urban Development (HUD) in accordance with 24CFR Part 58; and

**WHEREAS**, Columbia Housing administers programs and activities subject to the Environmental Review process including Public Housing Programs under Section 9 of the United States Housing Act of 1937 (the “Act”) and Housing Choice Voucher Programs under Section 8 of the of the Act; and

**WHEREAS**, a PHA may secure assistance for completing environmental reviews by Responsible Entities (RE). The City of Columbia is classified by HUD as a Responsible Entity and Columbia Housing is not classified by HUD as an RE; and

**NOW, THEREFORE**, in consideration of the mutual agreements and covenants hereinafter set forth, the parties hereby agree as follows:

- 1. Assumption Authority** – The City of Columbia is a HUD Responsible Entity because it receives assistance directly from HUD. As a HUD Responsibility Entity, the City is assumes the responsibility for environmental review, decision-making, and action that would otherwise apply to HUD under the National Environmental Policy Act (NEPA). The assumption of these responsibilities is required through execution of a grant agreement and/or legally binding document with HUD.
- 2. Environmental Review Documentation Package** – Columbia Housing will be responsible for securing all required Environmental Assessment documentation from a licensed and certified Environmental Consultant. The EA documentation shall include a Phase I Environmental Study and Phase II Studies as applicable. The complete package shall also include documentation submitted to and responses from entities responsible for compliance with all laws and authorities under NEPA. These include laws and authorities related to Historic Properties; Floodplain Management and Wetland Protection; Coastal Zone Management; Sole Source Aquifers; Endangered Species; Wild and Scenic Rivers; Air Quality; and Farmlands Protection. Columbia Housing will prepare the Tribal Consultation package and send via email to the City of Columbia for review, signature and mailing to the appropriate Tribes. Columbia Housing will provide a complete package inclusive of the HUD Environmental Review Project Information worksheet (OMB No. 2506-0177), along with Related Law and Authority worksheets documenting compliance

with the environmental requirements listed at 24 CFR 50.4 and 58.5-6. Columbia Housing will deliver one (1) copy of each complete EA package via jump drive.

3. **Environmental Review Process** – Upon receipt of the documentation package from Columbia Housing, the City shall determine if the project or activity is exempt or categorically excluded under 58.34 or 58.35. If the project or activity is not exempt or categorically excluded, the City shall proceed with the Environmental Assessment documentation package provided by Columbia Housing and make a Finding of No Significant Impact (FONSI) or a Finding of Significant Impact. Columbia Housing will utilize Appendix A – Environmental Review Policies and Procedures Community Development Department (Updated June 2020). The City shall publish all required notices including the FONSI notice and the Notice of Intent to Request Release of Funds (NOI-RROF) in accordance with the required timelines for public comment and finalize the Environmental Review upon expiration of the public comment period. Columbia Housing will reimburse the City of Columbia for all costs associated with publication of the public notices. The FONSI/NOI/RROF and all applicable supporting documents shall be submitted by the City to the HUD Columbia Field Office who shall finalize the Environmental Review process and provide an approved Authorization to Use Grant Funds (AUGF). The City use the HUD Environmental Review Online System (HEROS) if so directed by HUD. The City shall complete this process by providing Columbia Housing a Community Development Department Notice of Environmental Clearance (NEC) and a copy of the HUD AUGF.
4. **Costs** – Columbia Housing shall procure and pay directly all third-party consultant or other costs associated with the preparation of the Environmental Assessment Documentation Package detailed in #2 above. Columbia Housing shall be responsible for all costs associated with each EA package submitted for Environmental Review. Columbia Housing is responsible for reimbursement of costs associated with the review and approval process for all EAs provided to the City. The City will not review incomplete EAs (rewrites, corrections, missing documentation, etc.) and will notify Columbia Housing of deficiencies. Upon completion of each EA environmental review process, the City shall invoice the Columbia Housing and invoice shall be paid within thirty days of receipt. Total amount over a five-year period is not expected to exceed Twenty Five Thousand Dollars (\$25,000) based on the projected number of EA's reflected on Appendix B.
5. **Time of Performance** - The effective date of this contract shall be the date the parties sign and complete execution of the contract and the Notice to Proceed. The expected engagement of the contract shall be five (5) years or 60 months from the date of complete execution of the agreement.

**IN WITNESS WHEREOF**, Columbia Housing and the City are signing this Agreement on the dates indicated below their signatures.

**HOUSING AUTHORITY OF  
THE CITY OF COLUMBIA,  
SC**

Name: Yvonda A. Bean

By: \_\_\_\_\_

Its: Chief Executive Officer \_\_\_\_\_

Date: June 30, 2022 \_\_\_\_\_

**CITY OF COLUMBIA**

By: Teresa B. Wilson  
Name: Teresa Wilson

APPROVED AS TO FORM  
Teresa B. Wilson  
Legal Department City of Columbia, SC

6.9.2022

Its: City Manager \_\_\_\_\_

Date: 7/2/2022 \_\_\_\_\_

**Appendices:**

Appendix A – Environmental Review Policies and Procedures Community Development Department  
(Updated January 2021)

Appendix B – List of projects in need of Environmental Assessment review as of May 2022. List may  
be modified according to CHA's needs.



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We Are Columbia

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## INTEROFFICE MEMORANDUM

**DATE:** July 8, 2022

**TO:** Teresa Wilson, City Manager  
Missy Gentry, Assistant City Manager

**FROM:** Gloria Saeed, Community Development Director

**SUBJECT:** Intergovernmental Agreement

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The City of Columbia's Community Development Department is requesting Council approval on an Intergovernmental Agreement between the City of Columbia (City) and The Columbia Housing Authority (Columbia Housing) for review of Environmental Assessments (EAs).

The City of Columbia, South Carolina is a U.S. Department of Housing and Urban Development (HUD) Responsible Entity (RE). As such, the City will facilitate review of Columbia Housing's Environmental Assessments in accordance with 24CFR Part 58 and submit all applicable documents in order for HUD to issue an Authorization to Use Grant Funds (AUGF).

Currently Columbia Housing has identified nine (9) properties as a part of its Rental Assistance Demonstration (RAD) program that are under conversion for either public housing, Moderate Rehabilitation (Mod-Rehab), McKinney Vento SRO (SRO), and Section 202 Project Rental Assistance (PRAC).

Columbia Housing will reimburse any expenses associated with review services utilized to augment staff capacity.

Please do not hesitate to contact me at 545-3766 if you have any questions regarding this information.

Thank you.