

A RESOLUTION

2019-03



City of Berlin NEW HAMPSHIRE

A RESOLUTION authorizing an application for a Community Development Block Grant in an amount up to Five Hundred Thousand Dollars (\$500,000.00) to be Sub-Granted to AHEAD and then loaned to an entity to be created/named for job creation/retention, up to 25 jobs available primarily to low and moderate income persons, at the proposed Wellness & Health Center, 121 Main Street.

Resolved by the City Council of the City of Berlin as Follows:

Whereas, up to Five Hundred Thousand Dollars (\$500,000.00) is available annually for economic development projects that primarily benefit low and moderate income persons; and

Whereas, if awarded, up to Four Hundred Seventy Five Thousand Dollars (\$475,000.00) of the funds, or the benefits of, would be sub-granted to and then loaned to an entity to be created/named for job creation/retention, up to 25 jobs available primarily to low and moderate income persons, at the proposed Health & Wellness, 121 Main Street.

Whereas, jobs created/retained will primarily be available to low and moderate income persons; and

Whereas, a CDBG study determined a need for a Health & Wellness Center; and

Whereas, up to Twenty-Five Thousand Dollars (\$25,000.00) will be used to pay the City's administrative, audit and legal costs.

Now Therefore Be It Resolved by the City Council of the City of Berlin as Follows:

That, the City Manager is authorized to apply for a Community Development Block Grant in an amount up to Five Hundred Thousand Dollars (\$500,000.00) and upon approval of said application, the grant will be sub-Sub-Granted to AHEAD and then loaned to an entity to be created/named for job creation/retention, up to 25 jobs available primarily to low and moderate income persons, at the proposed Wellness & Health Center, 121 Main Street, and the City Manager is authorized to execute any documents which may be necessary to effectuate the CDBG contract, and any amendments thereto;

Be it further resolved that the City Manager is authorized to receive said grant and the grant proceeds are hereby appropriated for the purpose of the grant; and all grant proceeds shall be deposited with the City Treasurer and any additional use of these funds beyond the scope of work as listed in the application shall require prior approval of the City Council.

Be it further resolved that the City Council adopts the Residential Anti-displacement and Relocation Assistance Plan.

This Resolution shall be in full force and effect from and after passage.

PASSED: _____
January 21, 2019

APPROVED: _____
Paul Grenier, Mayor

ATTEST: _____
Shelli Fortin, City Clerk

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CITY OF BERLIN

RESIDENTIAL ANTIDISPLACEMENT AND RELOCATION ASSISTANCE PLAN

Every effort will be made to minimize temporary or permanent displacement of persons due to a CDBG project undertaken by the municipality.

However, in the event of displacement as a result of a federally funded award, City of Berlin will comply with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, to any household, regardless of income which is involuntarily and permanently displaced.

If the property is acquired, but will not be used for low/moderate income housing under 104(d) of the Housing and Community Development Act of 1974, as amended, the displacement and relocation plan shall provide that before obligating and spending funds that will directly result in such demolition or conversion the municipality will make public and submit to CDFA the following information:

- a. Comparable replacement housing in the community within three (3) years of the commencement date of the demolition or rehabilitation;
- b. A description of the proposed activity;
- c. The general location on a map and appropriate number of dwelling units by number of bedrooms that will be demolished or converted to a use other than as low and moderate income dwelling units as a direct result of the assisted activity;
- d. A time schedule for the commencement and completion date of the demolition or conversion;
- e. The general location on a map and appropriate number of dwelling units by number of bedrooms that will be provided as replacement dwelling units;
- f. The source of funding and a time schedule for the provision of replacement dwelling units;
- g. The basis for concluding that each replacement dwelling unit will remain a low and moderate income dwelling unit for at least ten (10) years from the date of initial occupancy;
- h. Relocation benefits for all low or moderate income persons shall be provided, including reimbursement for moving expenses, security deposits, credit checks, temporary housing, and other related expenses and either:
 1. Sufficient compensation to ensure that, at least for five (5) years after being relocated, any displaced low/moderate income household shall not bear a ratio of shelter costs to income that exceeds thirty (30) percent, or:
 2. If elected by a family, a lump-sum payment equal to the capitalized value of the compensation available under subparagraph 1. above to permit the household to secure participation in a housing cooperative or mutual housing association, or a Section 8 certificate of voucher for rental assistance provided through New Hampshire Housing Finance Authority.
- i. Persons displaced shall be relocated into comparable replacement housing that is decent, safe, and sanitary, adequate in size to accommodate the occupants, functionally equivalent, and in an area not subject to unreasonably adverse environmental conditions;
- j. Provide that persons displaced have the right to elect, as an alternative to the benefits in subparagraph 2. above, to received benefits under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 if such persons determine that it is in their best interest to do so; and

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k. The right of appeal to the executive director of CDFA where a claim for assistance under subparagraph 2. above, is denied by the grantee. The executive director's decision shall be final unless a court determines the decision was arbitrary and capricious.

l. Paragraphs a. through k. above shall not apply where the HUD Field Office objectively finds that there is an adequate supply of decent, affordable low/moderate income housing in the area.

CERTIFICATION OF COMPLIANCE

City of Berlin anticipates no displacement or relocation activities will be necessitated by this project. Should some unforeseen need arise, the County certifies that it will comply with the Uniform Relocation Act and Section 104 (d) of the Housing and Community Development Act of 1974, as amended.

Printed Municipal Official Name: Paul Grenier

Title: Mayor

Signature: _____

Date of Adoption: January 21, 2019