

**A RESOLUTION
2022-03**



**City of Berlin
NEW HAMPSHIRE**

In the Year of Our Lord Two Thousand Twenty-Two

A RESOLUTION authorizing an application for a Community Development Block Grant (CDBG) in an amount of up to Five Hundred Thousand Dollars (\$500,000.00), of which approximately \$475,000 be subgranted to TKB Properties, LLC toward the renovation of the Brown School Building, 190 Norway St, into approximately 21 units of primarily affordable housing units for low- and moderate-income households.

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

Whereas, up to Five Hundred Thousand (\$500,000.00) each is available annually on a competitive basis for housing and public facility CDBG projects that primarily benefit low- and moderate-income households/persons; and

Whereas, if awarded, Four Hundred Seventy-Five Thousand Dollars (\$475,000) of the funds would be subgranted to TKB Properties, LLC to use toward the construction costs of renovating the Brown School Building into approximately 21 units of primarily affordable housing for low- and moderate-income households; and

Whereas, Twenty-Five Thousand Dollars (\$25,000.00) will be used to pay the City's administration, 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 for Housing in an amount up to Five Hundred Thousand Dollars (\$500,000.00) and upon approval of said application, Four Hundred Seventy-Five Thousand (\$475,000) of the grant to be subgranted to New England Family Housing, 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.

The City Council adopts the Residential Anti-displacement and Relocation Plan.

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

PASSED: _____
Date

APPROVED: _____
Mayor

ATTEST: _____
City Clerk

DISPLACEMENT AND RELOCATION CERTIFICATION

City of Berlin

RESIDENTIAL ANTIDISPLACEMENT AND RELOCATION ASSISTANCE PLAN

Every effort will be made to avoid temporary or permanent displacement of an individual due to a CDBG project undertaken by the City.

However, if the situation should arise, the 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:

- 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, 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. A lump-sum payment equal to the capitalized value of the compensation available under subparagraph 1. above or a Section 8 certificate of voucher for rental assistance provided through New Hampshire Housing Finance Authority.
- i. 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; and
 - j. The right of appeal to the director of CDFA where a claim for assistance under subparagraph 2. above, is denied by the grantee. The director's decision shall be final unless a court determines the decision was arbitrary and capricious.
 - k. Subparagraph (2) a. through g. 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

The City of Berlin anticipates no displacement or relocation activities will be necessitated by this project. Should some unforeseen need arise, the City 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.

NAME: Pamela E Laflamme

TITLE: Interim City Manager

SIGNATURE: _____

DATE: January 17, 2022