

CITY COUNCIL MEETING

AGENDA ITEM III



**Subject: Proposed Project for the Riverbend Mill
Community Development Block Grant funds through the
New Hampshire Community Development Finance
Authority**

Motions:

- 1. "I move that the Franklin City Council adopts the Housing and Community Development Plan."***

Mayor calls for a second, discussion and the vote.

- 2. "I move that the Franklin City Council adopts the Anti-displacement and Relocation Assistance Plan."***

Mayor call for a second, discussion and the vote.

- 3. "I move that the Franklin City Council approves the submittal of the application and votes to authorize the City Manager to sign and submit the application, and upon approval of the CDBG application authorizes the City Manager to execute any documents which may be necessary to effectuate the CDBC contract."***

Mayor calls for a second, discussion and the vote.

SCRIPT

**CITY OF FRANKLIN
CDBG Application**

Public Hearings

July 6, 2015

6:05 pm

(Please note in the minutes that informational packets were available)

Council Opens Public Hearing on Proposed Riverbend Mill into Affordable Housing

Community Development Block Grant funds are available to municipalities through the NH Community Development Finance Authority. Up to \$500,000 annually is available for economic development projects, up to \$500,000 for public facility and housing projects, and up to \$350,000 for emergency activities. Up to \$12,000 is available per planning study grant. All projects must directly benefit a majority of low and moderate income persons.

This is a proposed application to the Community Development Finance Authority for up to \$500,000 in Community Development Block Grant funds. The City will retain up to \$25,000 for administrative costs. The remaining funds, up to \$475,000, will be subgranted to CATCH Neighborhood Housing, or other entity to be named, for acquisition of and/ or renovations to, the Riverbend Mill property, 100 Memorial Street in Franklin. Catch proposes converting the vacant Building into approximately 45 units of affordable housing.

This project conforms with Franklin's Housing and Community Development Plan's Goal of:
Goal: Address issues of affordable housing: Encourage safe, decent, attractive, and affordable housing for all segments of the population, with focus on the increasing elderly population; and
Goal: To protect historically significant buildings: Promote rehabilitation and preservation of historically significant buildings.

Funding request: up to \$500,000

ASK FOR PUBLIC COMMENTS (the minutes must reflect that the public was asked for comments – even if there is no public there)

Council Closes Public Hearing

Council Opens Public Hearing Housing and Community Development Plan

This project conforms with Franklin's Housing and Community Development Plan's Goal of: Address issues of affordable housing and To protect historically significant buildings (Long term & Short Term Goals)

ASK FOR PUBLIC COMMENT

Council Closes Public Hearing

Council Opens Public Hearing Residential Antidisplacement and Relocation Assistance Plan

If the City undertakes a CDBG project which involved displacement or relocation they would follow this plan as required by the Uniform Relocation Act. The plan outlines the measures they would take to find comparable, suitable housing for persons (or businesses) displaced or relocated.

ASK FOR PUBLIC COMMENT

Council Closes Public Hearing

VOTING

Council votes to adopt the Housing and Community Development Plan.

Council votes to adopt the Antidisplacement and Relocation Assistance Plan.

Council votes to approve the submittal of the application **and** vote to authorize the City Manager to sign and submit the application, and upon approval of the CDBG application, authorize the City Manager to execute any documents which may be necessary to effectuate the CDBG contract.

City of Franklin, New Hampshire

HOUSING AND COMMUNITY DEVELOPMENT PLAN

Re-Adopted July 2015

I. Introduction

The purpose of the Housing and Community Development Plan for the City of Franklin is to identify the characteristics and general need with regards to housing and community development.

The City of Franklin's housing and community developments primary objectives are consistent with the City of Franklin, Master Plan, Merrimack county Housing and Community Development Plan, State and Federal objectives.

The plan intent is to promote discussion and stimulate thinking about the future. The plan is further intended to be used by city officials during Community Development Block Grant application process, which provides a direct benefit to low and moderate income persons in the City of Franklin.

II. Goals and Objectives

The City of Franklin's housing and community developments primary goals and objectives are as follows:

Goal: The City of Franklin wishes to remain a balanced community with a high quality of life for all residents. (Long term & Short Term Goal)

Goal: Address issues of affordable housing. (Long term & Short Term Goal)

Objectives:

Encourage safe, decent, attractive, and affordable housing for all segments of the population, with focus on the increasing elderly population.

Support efforts to improve water quality and wastewater treatment in compliance with NH DES regulations.

Goal: To protect historically significant buildings. (Long term & Short Term Goal)

Objectives

Promote rehabilitation and preservation of historically significant buildings.

Renovate the historically significant Franklin Opera House to meet handicap accessible regulations.

Goal: Participate in economic development activities. (Long term & Short Term Goal)

Objectives:

Retain existing manufacturing/industrial jobs, expand job opportunities in all sectors.

Encourage employee readiness through education and training.

Encourage downtown revitalization.

Goal: Address public facility and social service improvement and coordination that will benefit the residents of Franklin. Encourage affordable daycare options for residents. (Long term & Short Term Goal)

As a matter of policy, the City of Franklin will minimize the involuntary displacement of households from their neighborhoods.

These goals are consistent with Franklin's Master Plan and Ordinances.

Any federal CDBG grant funds awarded to address any of these goals shall be expended consistent with national objectives and shall, at a minimum, provide improved housing in accordance with Section 8 standards, be used for public facility projects, employment opportunities, or feasibility studies. All CDBG funded projects, shall primarily benefit low and moderate income persons or households, and shall not benefit moderate income persons to the exclusion of low income persons.

Adopted July 6, 2015

DISPLACEMENT AND RELOCATION CERTIFICATION
City of Franklin

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 of Franklin.

However, if the situation should arise, the City of Franklin 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 Franklin anticipates no displacement or relocation activities will be necessitated by this project. Should some unforeseen need arise, the City of Franklin 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: __Elizabeth Dragon_____

TITLE: __City Manager_____

SIGNATURE: _____

DATE: July 6, 2015

MUNICIPAL CERTIFICATION

To the best of my knowledge, the data in this application is true and correct, and this application submittal has been authorized by the CITY OF FRANKLIN, New Hampshire. The CITY OF FRANKLIN will comply with all federal and state laws, rules, regulations and requirements, including those in PART Cdfa 300 - CDBG Administrative Rules.

Furthermore, I certify that:

The municipality affirmatively furthers fair and affordable housing; and
Where applicable, the proposed project is consistent with the municipal master plan, the Housing and Community Development Plan (HCDP), the Residential Antidisplacement & Relocation Assistance (RARA) Plan and that all planning and zoning requirements have been met; and
Where applicable, the municipality shall provide adequate funds to operate and maintain the public facility or improvement after the completion of the project. (Not Applicable)

Elizabeth Dragon
Name of Designated CEO:

City Manager
Title:

Signature

July 6, 2015
Date

NOTARY SECTION

State of New Hampshire
County of Merrimack

On this 6th day of July, 2015 before me _____, the undersigned officer, personally appeared Elizabeth Dragon, who acknowledged him/herself to be the City Manager, and that he/she, as such, being authorized so to do, executed the foregoing certification for the purposes therein contained.

IN WITNESS WHEREOF I hereunto set my hand and official seal.

Notary Public/Justice of the Peace

Seal My Commission expires: _____

Applicant/Recipient Disclosure/Update Report

U.S. Department of Housing
and Urban Development

OMB Approval No. 2510-0011 (exp. 3/31/2003)

Instructions. (See Public Reporting Statement and Privacy Act Statement and detailed instructions on page 2.)

Applicant/Recipient Information

Indicate whether this is an Initial Report or an Update Report

1. Applicant/Recipient Name, Address, and Phone (include area code):

City of Franklin
316 Central Street
Franklin, New Hampshire 03235
(603)934-3900

2. Social Security Number or
Employer ID Number:

--

3. HUD Program Name

Community Development Block Grant

4. Amount of HUD Assistance
Requested/Received

Up to \$500,000

5. State the name and location (street address, City and State) of the project or activity:

Riverbend Mill, 100 Memorial St, Franklin, NH

Part I Threshold Determinations

1. Are you applying for assistance for a specific project or activity? These terms do not include formula grants, such as public housing operating subsidy or CDBG block grants. (For further information see 24 CFR Sec. 4.3).

X Yes No

2. Have you received or do you expect to receive assistance within the jurisdiction of the Department (HUD), involving the project or activity in this application, in excess of \$200,000 during this fiscal year (Oct. 1 - Sep. 30)? For further information, see 24 CFR Sec. 4.9

X Yes No.

If you answered "No" to either question 1 or 2, **Stop!** You do not need to complete the remainder of this form. **However,** you must sign the certification at the end of the report.

Part II Other Government Assistance Provided or Requested / Expected Sources and Use of Funds.

Such assistance includes, but is not limited to, any grant, loan, subsidy, guarantee, insurance, payment, credit, or tax benefit.

Department/State/Local Agency Name and Address	Type of Assistance	Amount Requested/Provided	Expected Uses of the Funds
CDFA	CDBG	Up to \$500,000	Renovations in affordable housing

(Note: Use Additional pages if necessary.)

Part III Interested Parties.

You must disclose:

- All developers, contractors, or consultants involved in the application for the assistance or in the planning, development, or implementation of the project or activity and
- any other person who has a financial interest in the project or activity for which the assistance is sought that exceeds \$50,000 or 10 percent of the assistance (whichever is lower).

Alphabetical list of all persons with a reportable financial interest in the project or activity (For individuals, give the last name first)	Social Security No. or Employee ID No.	Type of Participation in Project/Activity	Financial Interest in Project/Activity (\$ and %)
Unknown - Project will be put out to Bid			Up to \$500,000

(Note: Use Additional pages if necessary.)

Certification

Warning: If you knowingly make a false statement on this form, you may be subject to civil or criminal penalties under Section 1001 of Title 18 of the United States Code. In addition, any person who knowingly and materially violates any required disclosures of information, including intentional non-disclosure, is subject to civil money penalty not to exceed \$10,000 for each violation.

I certify that this information is true and complete.

Signature:

Date: (mm/dd/yyyy)

July 6, 2015

X



Exemption Determination for Activities Listed at 24 CFR §58.34 and

Request for Release of Exempt Activities Funds

Municipality: Franklin

Project Name: Riverbend Mill, Franklin, New Hampshire

Project Number: _____

Activity Description: Renovations to Riverbend Mill into Affordable Housing

Exempt CDBG Activity Estimated Amount: \$50,000+/-

As Chief Certifying Official of the Applicant, I hereby certify that the activities from the above mentioned project have been reviewed and determined to be Exempt activity(ies) per 24 CFR 58.34 as follows (check those that apply):

<input checked="" type="checkbox"/>	58.34(a) (1). Environmental & other studies, resource identification & the development of plans & strategies;
<input type="checkbox"/>	58.34(a) (2) Information and financial services;
<input checked="" type="checkbox"/>	58.34(a) (3) Administrative and management activities;
<input type="checkbox"/>	58.34(a) (4) Public services that will not have a physical impact or result in any physical changes, including but not limited to services concerned with employment, crime prevention, child care, health, drug abuse, education, counseling, energy conservation and welfare or recreational needs;
<input checked="" type="checkbox"/>	58.34(a) (5) Inspections and testing of properties for hazards or defects;
<input type="checkbox"/>	58.34(a) (6) Purchase of insurance;
<input type="checkbox"/>	58.34(a) (7) Purchase of tools;
<input checked="" type="checkbox"/>	58.34(a) (8) Engineering or design costs;
<input type="checkbox"/>	58.34(a) (9) Technical assistance and training;
<input checked="" type="checkbox"/>	58.34(a) (10) Assistance for temporary or permanent improvements that do not alter environmental conditions and are limited to protection, repair, or restoration activities necessary only to control or arrest the effects from disasters or imminent threats to public safety including those resulting from physical deterioration;
<input type="checkbox"/>	58.34(a) (11) Payment of principal and interest on loans made or obligations guaranteed by HUD;
<input type="checkbox"/>	58.34(a) (12) Any of the categorical exclusions listed in §58.35(a) provided that there are no circumstances that require compliance with any other Federal laws and authorities cited in §58.5. Requires CDFFA approval

The responsible entity must also complete and attach the **58.6 Compliance Checklist**.

With reference to the above Program activity(ies)/Project, I, the undersigned officer of the grantee, accept responsibility under the National Environmental Policy Act for environmental reviews, decisions and actions. By my signature below, I certify that I am authorized to, and do personally accept the jurisdiction of the Federal Court for enforcement of the aforesaid responsibilities. In addition we request that the environmental conditions attendant to the above referenced grant activities be released so that, upon Governor and Council approval, funds may be drawn down for exempt project activities. I understand that any activities not listed above are subject to all rules applicable to 24CFR58 and that funds may be not be obligated without a notice of removal of environmental conditions from CDFFA

AUTHORIZED CHIEF CERTIFYING OFFICER:

X
Authorized Chief Certifying Signature

July 6, 2015
Date

Elizabeth Dragon
Authorized Chief Certifying Name (printed)

City Manager
Title (printed)

Any costs incurred prior to contract approval by the Governor and Executive Council of the State of New Hampshire will be at the risk of the applicant. You may not incur any cost except for those authorized by CDFFA prior to release of funds notification. All applicable State and Federal regulations including but not limited to procurement and debarment apply to the activities stated above.

CDBG Environmental Review Compliance Checklist for 24 CFR §58.6

Other Requirements

Complete for all projects, including Exempt (§58.34), Categorically Excluded Subject to §58.5 [§58.35(a)], Categorically Excluded Not Subject to §58.5[§58.35(b)], and Projects Requiring Environmental Assessments (§58.36). Must be completed for each individual property address included within the project.

Project Name: Renovations to Riverbend Mill into Affordable Housing

Project Number: _____

1. §58.6(a) and (b) Flood Disaster Protection Act of 1973, as amended; National Flood Insurance Reform Act of 1994

- a. **Does the project involve: Formula grants made to states, State-owned property, small loans (\$5,000 or less), assisted leasing that is not used for repairs, improvements, or acquisition?**

Yes No

If Yes, compliance with this section is complete.

If No, continue.

- b. **Is the project located in a FEMA identified Special Flood Hazard Area?**

Yes No

If No, compliance with this section is complete.

If Yes, continue.

- c. **Is the community participating in the National Flood Insurance Program (or has less than one year passed since FEMA notification of Special Flood Hazards)?**

Yes No

If Yes, Flood Insurance under the National Flood Insurance Program must be obtained. If HUD assistance is provided as a grant, insurance must be maintained for the economic life of the project and in the amount of the total project cost (or up to the maximum allowable coverage, whichever is less). If HUD assistance is provided as a loan, insurance must be maintained for the term of the loan and in the amount of the loan (or up to maximum allowable coverage, whichever is less). A copy of the flood insurance policy declaration must be kept on file in the ERR.

If No, Federal assistance may not be used in the Special Flood Hazards Area.

Cite and attach source documentation: (Documentation should include a FEMA Flood Map showing project location in reference to flood zone designation. If flood map is not available, use best available information.)

2. §58.6(c) Coastal Barrier Improvement Act, as amended by the Coastal Barriers Improvement Act of 1990 (16 U.S.C. 3501) Not Applicable *Please Move on to the next section CDFA 11/13/14.*

Per FEMA's and the US Fish & Wildlife Service's web sites; New Hampshire does not have designated Coastal Barrier Resource System areas/communities. (Per Federal Consistency Coordinator, New Hampshire Coastal Program DES 11/13/2014).

3. §58.6(d) Runway Clear Zones and Clear Zones [24 CFR §51.303(a) (3)]

a. **Is your project located in Concord, Manchester or Portsmouth?**

Yes No

If No, compliance with this section is complete.

If Yes, continue below.

b. **Does the project involve the sale or purchase of existing property?**

Yes No

If No, compliance with this section is complete.

If Yes, continue below.

c. **Is the project located within 2,500 feet of the end of a civil airport runway (Civil Airport's Runway Clear Zone) or within 15,000 feet of the end of a military runway (Military Airfield's Clear Zone)?**

Yes No

If No, compliance with this section is complete.

If Yes, Notice must be provided to buyer. The notice must advise the buyer that the property is in a Runway Clear Zone or Clear Zone, what the implications of such a location are, and that there is a possibility that the property may, at a later date, be acquired by the airport operator. The buyer must sign a statement acknowledging receipt of this information, and a copy of the signed notice must be maintained in this ERR.

To determine if your project falls in the Clear zone please use the following link. Radius Tool: <http://www.freemaptools.com/radius-around-point.htm> input your address on top, go below the map and fill in the feet space, click on map and the radius will be shown. If you have questions please call CDFA.

ENVIRONMENTAL REVIEW PREPARER:

Donna Lane

Environmental Review Preparer Signature

June 22, 2015

Date

Donna Lane

Environmental Review Preparer (printed)

CDBG Consultant

Title (printed)

HANDOUT

CITY OF FRANKLIN CDBG Application

Public Hearings
July 6, 2015
6:05 pm

Public Hearing on Proposed Riverbend Mill into Affordable Housing

Community Development Block Grant funds are available to municipalities through the NH Community Development Finance Authority. Up to \$500,000 annually is available for economic development projects, up to \$500,000 for public facility and housing projects, and up to \$350,000 for emergency activities. Up to \$12,000 is available per planning study grant. All projects must directly benefit a majority of low and moderate income persons.

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Goal: Address issues of affordable housing: Encourage safe, decent, attractive, and affordable housing for all segments of the population, with focus on the increasing elderly population; and
Goal: To protect historically significant buildings: Promote rehabilitation and preservation of historically significant buildings.

Funding request: up to \$500,000

Public Hearing Housing and Community Development Plan

This project conforms with Franklin's Housing and Community Development Plan's Goal of: Address issues of affordable housing and To protect historically significant buildings (Long term & Short Term Goals)

Public Hearing Residential Antidisplacement and Relocation Assistance Plan

If the City undertakes a CDBG project which involved displacement or relocation they would follow this plan as required by the Uniform Relocation Act. The plan outlines the measures they would take to find comparable, suitable housing for persons (or businesses) displaced or relocated.

CITY OF FRANKLIN
Public Hearings Notice
Community Development Block Grant Project

The Franklin City Council will hold three consecutive Public Hearings on July 6, 2015, 6:05 p.m. at City Hall, 316 Central Street, Franklin, New Hampshire 03235. Community Development Block Grant funds are available to municipalities through the NH Community Development Finance Authority. Up to \$500,000 annually is available for economic development projects, up to \$500,000 for public facility and housing projects, and up to \$350,000 for emergency activities. Up to \$12,000 is available per planning study grant. All projects must directly benefit a majority of low and moderate income persons. The public hearings will hear public comment on the following:

1. A proposed application to the Community Development Finance Authority for up to \$500,000 in Community Development Block Grant funds. The City will retain up to \$25,000 for administrative costs. The remaining funds, up to \$475,000, will be subgranted to CATCH Neighborhood Housing, or other entity to be named, for acquisition of and/ or renovations to, the Riverbend Mill property, 100 Memorial Street in Franklin. Catch proposes converting the vacant Building into approximately 45 units of affordable housing.
2. The Housing and Community Development Plan,
3. and, the Residential Antidisplacement and Relocation Assistance Plan.

Provisions for persons with special needs can be made by contacting the City Manager's Office, via telephone or mail, at least five days prior to the public hearing.

City of Franklin
316 Central Street
Franklin, New Hampshire 03235
(603)934-3900