

HUMAN AFFAIRS COMMITTEE

APRIL 21, 2020

7:00 PM

Call in Number: 978-990-5298; Access Code: 273974

If there is a problem with the audio, please dial 603-821-2049 to advise.

ROLL CALL

COMMUNICATIONS

From: Nicholas Caggiano, Superintendent
Re: 2020 CDBG Request

From: Carrie Schena, Urban Programs Manager
Re: R-20-029 CARES Act / Amend FY2020 Action Plan

UNFINISHED BUSINESS

NEW BUSINESS – RESOLUTIONS

R-20-020

Endorsers: Mayor Jim Donchess
Alderman-at-Large Michael B. O'Brien
Alderman Patricia Klee
Alderman Richard A. Dowd
Alderman June M. Caron
Alderman Thomas Lopez
Alderman Jan Schmidt
Alderman Skip Cleaver
Alderman Linda Harriott-Gathright

RELATIVE TO THE ACCEPTANCE AND APPROPRIATION OF \$69,566 FROM THE STATE OF NEW HAMPSHIRE, DEPARTMENT OF TRANSPORTATION INTO TRANSIT GRANT ACTIVITY "FEDERAL TRANSIT AUTHORITY ("FTA") OPERATING GRANT"

R-20-029

Endorsers: Mayor Jim Donchess
Alderman Shoshanna Kelly
Alderman-at-Large Michael B. O'Brien, Sr.
Alderman Patricia Klee
Alderman Linda Harriott-Gathright
Alderman Richard A. Dowd
Alderman June M. Caron
Alderman Jan Schmidt
Alderman-at-Large Brandon Michael Laws
Alderman-at-Large David C. Tencza
Alderman-at-Large Lori Wilshire

RELATIVE TO ACCEPTING CDBG FUNDING UNDER THE 2020 CARES ACT; AMENDING THE FY2020 HUD ANNUAL ACTION PLAN TO REPROGRAM EXISTING CDBG FUNDING; AND CREATE A COVID-19 IMPACT PROGRAM

NEW BUSINESS – ORDINANCES

TABLED IN COMMITTEE

R-20-026

Endorsers: Mayor Jim Donchess
Alderman-at-Large Michael B. O'Brien, Sr.
Alderman Linda Harriott-Gathright
Alderman Patricia Klee
Alderman-at-Large Shoshanna Kelly
Alderman Jan Schmidt
Alderman Richard A. Dowd
Alderman-at-Large Lori Wilshire

ADOPTING THE 2020 CONSOLIDATED PLAN AND AUTHORIZING THE MAYOR TO APPLY FOR AND EXPEND THE COMMUNITY DEVELOPMENT BLOCK GRANT ("CDBG") AND HOME INVESTMENT PARTNERSHIP PROGRAM FUNDS FOR FISCAL YEAR 2021

GENERAL DISCUSSION

REMARKS BY THE ALDERMEN

POSSIBLE NON-PUBLIC SESSION

ADJOURNMENT



THE CITY OF NASHUA

Division of Public Works

Parks & Recreation Department

"The Gate City"

April 7, 2020

To: The Human Affairs Committee

From: Nicholas Caggiano Superintendent ^(P)

Subject: 2020 CDBG Request

Dear Committee Chairperson,

Please accept and place on file the information that was requested relative to the two CDBG request for 2020. Please feel free to contact me if more information is needed. Thank you for your consideration.

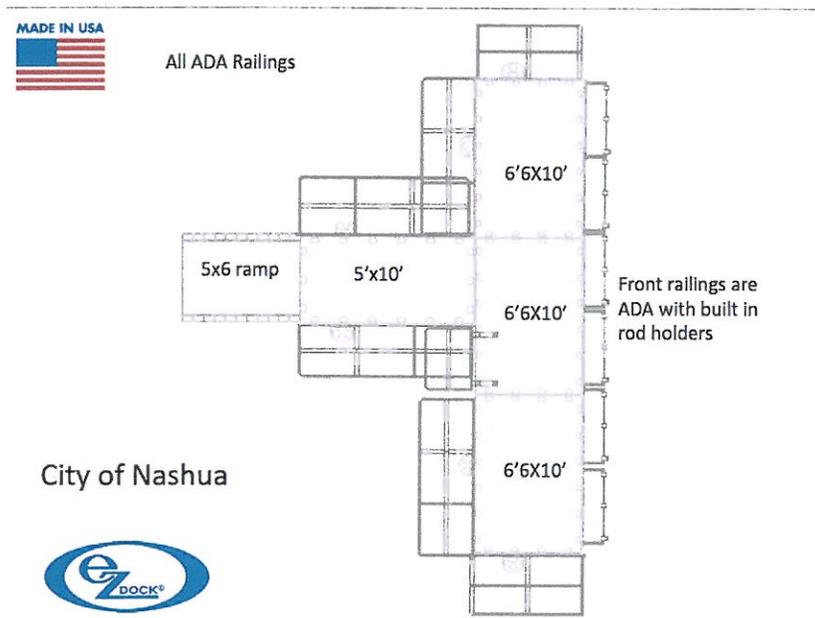
Project 1 Sandy Pond CDBG Request \$30,000

Sandy Pond is located on National Street and the park is on the West side of the pond. The park was rehabilitated in 2002 and the features include a splash pad, playground, picnic area, fishing dock, and a pathway to Ariel Manor. The path way allows residents of the Ariel Manor to visit the park when their families come to visit. The pond is also used by the Nashua Model Yacht Racing Club.

The work that is proposed to be done at Sand Pond is estimated at \$30,000 and includes the following items.

- Replacement of the fishing dock- \$20,000
- Replacement of the fencing- \$4,000
- New concrete pathway to the fishing dock-\$1,500
- New tree plantings- \$1,500
- New grills, benches and picnic table- \$3,000

Example of the new fishing dock.



Project 2 Los Amigos Park Ash Street CDBG request \$35,000

Los Amigos Park is a neighborhood park located in the tree streets the Park is down the street from the PAL Center, Ash Street Skate Park and the Futsal Court. The following playground pieces will be added to the park no pieces will be removed.

Los Amigos Park Equipment

Estimated at 25 – 32K including shipping. Installation not included.



2 Three Congas @ \$2,028 each



2 Concerto Vibes @ \$4,150 each



Small Cabasa
ZZX066G

2 Small Cabasa @ \$817 each



1 Utility Slide Climber @ \$10,869



Sidewinder Cycle with Sidecar

- Social: Cooperative Play and Social Interactions
- Physical: Rocking
- Challenge Level 1



1 Sidewinder @ \$2,459



2 Round Tables @\$1,239 each



City of Nashua
Community Development Division
City Hall, 229 Main Street, PO Box 2019
Nashua, New Hampshire 03061-2019

Community Development 589-3095
Planning and Zoning 589-3090
Building Safety 589-3080
Code Enforcement 589-3100
Urban Programs 589-3085
Transportation Department 880-0100
FAX 589-3119
www.nashuanh.gov

Memo

To: Human Affairs Committee
cc: Mayor Jim Donchess
From: Carrie Schena, Urban Programs Manager
Date: April 13, 2020
Re: R-20-029; CARES Act/Amend FY2020 Action Plan

The City has been informed of a special allocation of Community Development Block Grant funds in the amount of \$390,913 to be used to prevent, prepare for, and respond to the coronavirus (COVID-19). This allocation was authorized by the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), Public Law 116-136, which was signed by President Trump on March 27, 2020, to respond to the growing effects of this historic public health crisis. The funds are referred to as CDBG-CV.

The Urban Programs Department wishes to use these funds to implement a new COVID-19 Impact Fund Program to assist in the stabilization of existing small businesses and non-profits within the City that have had significant direct disruption due to the impact of COVID-19. The Program is intended to distribute grants and loans that will assist disrupted entities in covering the cost of wages, occupancy, loss of inventory, and other fixed costs. Recognizing limitations on discussion through virtual meetings, a draft of the program guidelines is attached and this memo will provide additional details.

In addition to the CARES Act funds, R-20-029 seeks to reprogram existing CDBG funds toward this new program. Please note that some of these funds are listed in R-20-026, and if reprogrammed here will need to be removed from R-20-026 when it is acted upon. The funds to reprogram are predominately unexpended balances of completed projects, with the exception of E for All and Rotary Park Splash Pad. Although a very successful program in other communities, E for All faced difficulty securing the necessary match funds to launch their program in Nashua. Prior to the COVID-19 public health crisis, we were in frequent communication with E for All and they were very close to securing the match funds. However, the \$110,000 allocated is a significant portion of our portfolio, leading to the difficult decision to postpone this initiative. We hope to re-visit and consider this initiative in the near future and want to publically thank E for All for agreeing to terminate their Agreement in order to help the City mitigate the impact of COVID-19 to small businesses.

The other activity to reprogram is the \$70,000 allocated for the splash pad at Rotary Park. Since allocating these funds, the Division of Public Works has expanded the scale of the proposed park. While this will be an incredible resource to the community at-large, it will not be a neighborhood specific resource, making it ineligible under the CDBG regulations for Area Benefit.

The Economic Development Division also intends to pool its existing Revolving Loan Funds, up to approximately \$450,000, toward the COVID-19 Impact Program. These funds will follow existing guidelines, with favorable lending terms. Applications to the COVID-19 Impact Program will be reviewed by the RLF team, with a few additional individuals to cover the CDBG awards.

Lastly, as stated, R-20-029 serves to amend the City's FY2020 Action Plan. According to our adopted Citizen Participation Plan, these changes meet the definition of a Substantial Amendment and would normally require a 30-day comment period. However, the CARES Act provides that grantees may amend citizen participation plans to establish expedited procedures to draft, propose, or amend consolidated plans. Expedited procedures must include notice and reasonable opportunity to comment of no less than five (5) days. The 5-day period can run concurrently for comments on the action plan amendment and amended citizen participation plans.

Furthermore, in-person public hearings are not required. Grantees may meet public hearing requirements with virtual public hearings if: 1) national/local health authorities recommend social distancing and limiting public gatherings for public health reasons; and 2) virtual hearings provide reasonable notification and access for citizens in accordance with the grantee's certifications, timely responses from local officials to all citizen questions and issues, and public access to all questions and responses. While we are not required to hold a public hearing for substantial amendments, the allowance to hold public meetings virtually shall apply.

Therefore, I request the Human Affairs Committee to modify the existing legislation to adopt the following revisions to the current Citizen Participation Plan, for the specific purpose of expediting the CDBG response to COVID-19:

The comment period for substantial amendments to the Citizen Participation Plan shall be reduced from 14 calendar days to five (5) calendar days; the comment period for substantial amendments to the Action Plan/Consolidated Plan shall be reduced from 30 calendar days to five (5) calendar days; that these 5-day comment periods will run concurrently, following a virtual public meeting of the Human Affairs Committee; that no public notices will be required to run in the Nashua Telegraph; and that no physical notices will be posted in public buildings.

To meet the requirement of notice, the Citizen Participation Plan already states "Community residents will be notified through the Aldermanic legislative process, by which all agendas and meetings are posted online and made available to the public."

The Urban Programs Department will accept comments on the Amendment to the Citizen Participation Plan, as well as R-20-029 (Amending the FY2020 Action Plan) until 3:00 pm April 27, 2020. Please submit comments to UrbanPrograms@nashuanh.gov. All comments, questions and responses will be posted to the City's Urban Programs Department webpage. Individuals who are unable to submit comments via email may call 603-589-3087 and leave their comment in a voicemail.

City of Nashua COVID-19 Impact Grant Fund Program

INTRODUCTION:

The City of Nashua has established the COVID-19 Impact Fund to assist in the stabilization of existing small businesses and non-profits within the City that have had significant disruption due to the impact of COVID-19.

The Program is intended to distribute grants and loans that will assist disrupted entities in covering the cost of wages, occupancy, loss of inventory, and other fixed costs.

The COVID-19 Impact Program must help contribute to the business or non-profit's ability to remain open, retain employees, and/or provide critical services during this public health crisis. **Funds may not be used for expansion or capital improvements.**

Each completed grant application will be reviewed on a case by case basis. All applicants must demonstrate a financial impact resulting from COVID-19. We anticipate awards will average \$25,000, however each award will be determined by need, on a case-by case basis.

This Program is funded through a variety of sources, including federal (Community Development Block Grant, Economic Development Administration Grant) and local resources.

The COVID-19 Impact fund committee will determine which source is appropriate and notify the applicant of the associated reporting requirements.

Funds may be applied toward the following costs:

1. Overhead: mortgage/rent, utilities, accounts payable, etc.
2. Employee wages
3. Resources to establish entity online (for example, a business needed to revamp website to make e-commerce or delivery available to customers; a non-profit revamped website to accept online applications or client services)
4. Perishable inventory that was lost due to an interruption of business
5. Increased costs to directly address COVID-19 (such as purchasing PPE)

The City intends to award grants in multiple rounds to ensure maximum effect. The first round of applications will be accepted from approximately May 4-May 15, 2020. Applicants must certify the award will not duplicate other funding available for the same purpose and shall be used as a gap filler/last resort. The City further expects that all entities who receive an award, will exist through the health crisis and will require follow-up reporting to ensure funds were applied appropriately.

TYPE OF AWARDS:

Awards will be in the form of grants or loans. Generally non-profits and for-profit businesses eligible for CDBG will be awarded a grant; all others will generally be awarded a loan.

All awards will require an agreement and some form of reporting.

CDBG Terms are the following:

- Non-profits serving predominately low-moderate income clients
- Business with 5 or fewer employees (including the owner)
- Other business types that are creating/retaining jobs for low-moderate income individuals

Economic Development Administration Revolving Loan Fund:

Through a grant provided for by the Economic Development Administration (“EDA”) a Revolving Loan Fund (“RLF”) is available as a source of capital. At the discretion of the Impact Fund Committee low interest loans may be provided to eligible businesses.

ELIGIBLE BUSINESS APPLICANTS:

Business has a physical establishment within the City of Nashua

Business employs no more than 10 employees

Have experienced a loss of revenue of 50% or more due to COVID-19 from a similar time frame last year.

Have less than \$2,000,000 in gross annual receipts

Have no outstanding tax liens or legal judgements

Business preference criteria:

Minority or Woman owned businesses

Brick and mortar, local, for-profit retail, restaurant, personal services (e.g. hair salon or massage) business that is normally open & available to the public. Maximum preference will be given to businesses that have had to temporarily close due to the Stay-at Home Order.

Private childcare centers

Loss of employees

Business is located in an Opportunity Zone (<https://downtownashua.org/downtown-opportunity-zones-maximize-your-investment>)

ELIGIBLE NON-PROFIT APPLICANTS:

Entity primarily serves Nashua residents who are low-moderate income

Entity is providing a CDBG eligible activity

Can document direct costs or services related to COVID-19

Non-Profit Preference Criteria:

Providing high priority services as outlined in the HUD Consolidated Plan (housing, youth services, transportation and senior services)

At imminent risk of closure due to COVID-19 (Stay-at Home Order)

Providing “front-line” services to address emerging community needs due to COVID-19

INELIGIBLE APPLICANTS:

Ineligible applicants include, but are not limited to independent contractors, check-cashing agencies, gun shops, pawn shops, liquor stores, adult entertainment businesses, dollar stores, franchises of national or regional chain businesses, national affiliations. The City reserves the right to reject any application that, in its sole opinion, is incomplete or does not meet the Program requirements. In addition, the City may decide on a case-by-case basis to reject any application that does not meet or advance the goals of this Program.

REQUIRED BUSINESS SUBMISSIONS:

Completed application form

Copies of the 2018 business and personal tax returns for all owners/principals with a 20% or greater ownership interest in the business; if business does not have tax returns for 2018 because they are a new business, personal tax returns will be sufficient

Demonstrate that the COVID-19 outbreak has caused at least a 50% decrease in revenue (Documentation could include bank statements, profit & loss statements, etc.)

Completed IRS W-9 form

If requesting funds for the following, include applicable copies: lease/mortgage/tax bill; four (4) weeks of pay roll; accounts payable bills (lost inventory, increased purchases, utilities, etc.)

Disclosure of other grants, loans and other assistance

REQUIRED NON-PROFIT SUBMISSIONS:

Completed application form

Demonstrate a direct increase in costs due to COVID-19 and the service related to those costs

Completed IRS W-9 form (if not submitted in January for CAC grants)

Most recent independent audit (if not submitted in January for CAC grants)

APPLICATION REVIEW:

Applications will be reviewed by the Impact Fund Committee. This Committee is based on the City's existing Revolving Loan Committee with a few additional members added for this Program (* denotes new):

- Tim Cummings, City of Nashua, Economic Development Director
- Debbie Novotny, Enterprise Bank
- David Fredette, City of Nashua, Treasurer
- Janet Graziano, City of Nashua, Sr. Finance Manager
- John Griffin, City of Nashua, CFO
- Nick Shepard, Edwards Jones
- Kyle Schneck, St. Mary's Bank
- Steve Michon, Boston Federal Reserve (Nashua Resident)
- Sarah Marchant, City of Nashua, Director of Community Development*
- Carrie Schena, City of Nashua, Urban Programs Manager*
- Jason Telerski, Fidelity Investments, Chair of Nashua Citizens Advisory Commission*
- Komba Lamina, City of Nashua, Downtown Specialist & OED Program Coordinator*



RESOLUTION

RELATIVE TO THE ACCEPTANCE AND APPROPRIATION OF \$69,566 FROM THE STATE OF NEW HAMPSHIRE, DEPARTMENT OF TRANSPORTATION INTO TRANSIT GRANT ACTIVITY "FEDERAL TRANSIT AUTHORITY ("FTA") OPERATING GRANT"

CITY OF NASHUA

In the Year Two Thousand and Twenty

RESOLVED by the Board of Aldermen of the City of Nashua that the City of Nashua and the Division of Community Development are authorized to accept and appropriate \$69,566 from the State of New Hampshire, Department of Transportation into Transit Grant Activity "Federal Transit Authority ("FTA") Operating Grant" for the purpose of providing matching funds for Transit operations. This funding shall be in effect through June 30, 2021.

LEGISLATIVE YEAR 2020

RESOLUTION:

R-20-020

PURPOSE:

Relative to the acceptance and appropriation of \$69,566 from the State of New Hampshire, Department of Transportation into Transit Grant Activity "Federal Transit Authority ("FTA") Operating Grant"

SPONSOR(S):

Mayor Jim Donchess

**COMMITTEE
ASSIGNMENT:**

FISCAL NOTE:

Fiscal impact is a \$69,566.00 grant to be used for a specific purpose.

ANALYSIS

This resolution authorizes the city to accept and appropriate funds from the State of New Hampshire, Department of Transportation for the purpose of providing a portion of the non-Federal funds required to match Federal Transit Administration (FTA) operating funds. This funding shall be in effect through June 30, 2021.

**Approved as to account
structure, numbers,
and amount:**

Financial Services Division

By:



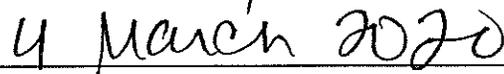
Approved as to form:

Office of Corporation Counsel

By:



Date:





RESOLUTION

RELATIVE TO ACCEPTING CDBG FUNDING UNDER THE 2020 CARES ACT;
AMENDING THE FY2020 HUD ANNUAL ACTION PLAN TO REPROGRAM
EXISTING CDBG FUNDING; AND CREATE A COVID-19 IMPACT PROGRAM

CITY OF NASHUA

In the Year Two Thousand Eighteen

RESOLVED by the Board of Aldermen of the City of Nashua

WHEREAS the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) included additional funding to be distributed pursuant to section 106 of the Housing and Community Development Act of 1974 (42 U.S.C. 5306) to grantees that received allocations pursuant to that same formula in fiscal year 2020; and

WHEREAS the City shall receive an additional award of \$390,913 from the U.S. Department of Housing and Urban Development (HUD) to prevent, prepare for, and respond to coronavirus; and

WHEREAS the City also wishes to amend its FY2020 HUD Annual Action Plan by reprogramming existing CDBG funds to prevent, prepare for, and respond to coronavirus; and

WHEREAS the CARES Act contains provisions to allow grantees to utilize expedited procedures to prepare, propose, modify, or amend its statement of activities for grants from amounts made available under CARES Act as well as funding under our FY2020; and

WHEREAS the City further wishes to create a new program to respond to the economic impact of the coronavirus utilizing these CDBG funds and other resources available to the City.

NOW THEREFORE, BE IT RESOLVED by the Board of Aldermen of the City of Nashua that the COVID-19 Impact Fund Program shall be created to assist in the stabilization of existing small businesses and non-profits within the City that have had significant disruption due to the impact of COVID-19, consistent with the published guidelines for said new Program;

BE IT FURTHER RESOLVED that the CDBG CARES Act funding of \$390,913 shall be accepted and allocated to the COVID-19 Impact Fund Program;

BE IT FURTHER RESOLVED that the FY2020 HUD Annual Action Plan shall be amended to reprogram and allocate a total of \$251,775.00 to the COVID-19 Impact Fund Program as follows:

RESOLUTION**R-20-029**

1. FY20 E for All	\$40,000.00
2. FY20 Contingency	\$8,049.00
3. FY20 PLUS Company balance	\$1,525.00
4. FY20 Children's Home balance	\$14,549.00
5. FY20 Youth Council balance	\$6,125.00
6. FY19 E for All	\$70,000.00
7. FY19 Splash Pad @ Rotary Park	\$70,000.00
8. FY19 Administration	\$2,467.00
9. FY19 Nashua Center lighting project balance	\$420.44
10. FY19 Nashua PAL lighting project balance	\$4,329.00
11. FY19 Arlington St Center Director balance	\$20,333.46
12. FY19 Construction Management	\$1,052.00
13. FY18 Crown Hill Pool balance	\$4,024.00
14. FY18 Administration	\$73.40
15. FY17 Vietnam Vet's basketball court balance	\$8,827.70

BE IT FURTHER RESOLVED that the Mayor be, and hereby is, authorized to execute all understandings, assurances and agreements as required therein.

