

17276

DATE February 11, 2011

TO: Board of Acquisition and Contract

FROM: Edward Burroughs
Commissioner, Department of Planning

SUBJECT: Resolution authorizing an Agreement between the County of Westchester and WB Pinebrook Associates, LLC, to supplement the cost of construction of Eleven (11) Fair and Affordable Housing Ownership Units to be Located at 2101 – 2105 Palmer Avenue in the Village of Larchmont

The attached resolution authorizes the County of Westchester (the "County") to enter into an agreement with WB Pinebrook Associates, LLC or its designee, currently anticipated to be the Housing Action Council, Inc. ("HAC") or a nonprofit organization affiliated with HAC to provide a grant from the Federal HOME Investment Partnership Program (the "HOME Program"). The grant will be used to supplement the construction of eleven (11) units (the "HOME Units") in a fair and affordable development that will affirmatively further fair housing ("AFFH") at 2101 – 2105 Palmer Avenue in the Village of Larchmont (the "Development"). The Development will consist of fifty-one (51) one, two and two-bedroom with den fair and affordable ownership condominium units (the "Units") of which forty-six (46) of the units will constitute AFFH units (the "Affordable AFFH Units"). The HOME Units constitute a portion of the Affordable AFFH Units. All of the 51 Units, including the HOME Units, will be affordable to households at or below 80% of Area Median Income and will remain affordable for a minimum of 50 years. The proposed agreement shall have a term of 2 years, to commence on March 1, 2011. The grant shall be in an amount not to exceed \$1,025,000.00 and is contingent upon the project receiving all necessary approvals and financial commitments.

Pursuant to the Stipulation and Order of Settlement and Dismissal entered into in connection with a lawsuit entitled U.S. ex el. Anti-Discrimination Center vs. Westchester (the "Settlement Agreement"), the County is required to develop 750 affordable AFFH units. In addition, the 2004 Housing Needs Assessment recommends creation of 10,768 affordable housing units between the years 2000 and 2015. In furtherance of these objectives, the County provides funding to assist in the development or rehabilitation of fair and affordable housing units, including the units in the proposed Development.

The agreement will serve the public purpose of providing fair and affordable housing.

The goal and objective of this agreement is to create fair and affordable housing which is safe, secure and energy efficient. The project will create home ownership opportunities to lower and moderate income individuals and families that would not otherwise be able to afford to purchase a home in Westchester County. It will also enhance the neighborhood with interactive design and landscaping. Department of Planning staff will monitor and track construction of the Development, as well as monitor compliance with the affordability requirements.

Act No. 11-2010, which authorized the County to accept and administer a grant under the HOME Program of \$1,867,024.00 was adopted by the BOL on March 15, 2010 and approved by the Board of Acquisition and Contract on April 29, 2010. This project will be funded from that fiscal year.

EB/lk
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 2-24-2011 - JOMARY VIEIRA, SECRETARY

RESOLUTION

UPON A COMMUNICATION FROM THE COMMISSIONER OF PLANNING, BE IT HEREBY

RESOLVED: that the County of Westchester is hereby authorized to enter into an agreement with WB Pinebrook Associates, LLC or its designee, currently anticipated to be the Housing Action Council, Inc. (“HAC”) or a nonprofit organization affiliated with HAC, to supplement the cost of construction of eleven (11) fair and affordable housing ownership HOME units located at 2101 – 2105 Palmer Avenue in the Village of Larchmont, and it is further

RESOLVED: that the agreement shall provide a grant through the federal HOME Investment Partnership Program (“HOME”) in an amount not to exceed \$1,025,000.00, to be paid pursuant to an approved budget and contingent upon receipt of all required approvals, financial commitments and a construction closing for the units, for a 2 year term, to commence on March 1, 2011, and it is further

RESOLVED: that the County Executive or his duly authorized designee is authorized to execute any documents and take any actions necessary to effectuate purposes hereof.

Account to be Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
263	19	173K	4380	T173	\$1,025,000

Budget Funding Year(s) (must match resolution)

FY 2010

Start Date: March 1, 2011

End Date: February 28, 2013

Funding Source

Tax Dollars _____

State Aid _____

\$1,025,000.00
(must match resolution)

Federal Aid \$1,025,000.00 – U.S. Department of Housing and Urban Development

Other _____