

19857

DATE: June 20, 2011

TO: Board of Acquisition and Contract

FROM: Edward Buroughs
Commissioner, Department of Planning

SUBJECT: Resolution authorizing the County of Westchester to enter into an agreement with the City of New Rochelle and Horton Winthrop, LLC, to provide infrastructure improvements in support of a fair and affordable rental housing development known as Heritage Homes located in the City of New Rochelle

The attached resolution authorizes the County of Westchester (the "County") to enter into an agreement with the City of New Rochelle (the "City") and Horton Winthrop, LLC, or its designee (the "Developer") for infrastructure improvements (the "Infrastructure Improvements") associated with Heritage Homes ("the Affordable Development") located at Winthrop Avenue and Brook Street in the City of New Rochelle and to accept a grant, at no cost to the County, of all necessary property rights. The Infrastructure Improvements will be constructed in accordance with the County's Housing Implementation Fund Program which was established to stimulate the production of affordable housing. The proposed Affordable Development will include the construction of one hundred thirty-one (131) new residential rental units in three-story townhomes and one four-story apartment building. The amount of the agreement will be for a total estimated maximum cost of \$990,000.00. The term of the agreement will be June 23, 2011 to June 30, 2014.

On June 6, 2011, the County Board of Legislators, pursuant to Act No.79-2011 authorized the County of Westchester to enter into an agreement for the construction of Infrastructure Improvements and to accept, at no cost to the County, all necessary property rights associated with the Affordable Development. The Infrastructure Improvements will include, but are not limited to, excavation, new roadway with sub-base, catch basins, storm water mains, new sanitary sewers, manholes and mains, new street lights and sidewalks, trees and engineering for bid documents and construction management. In addition, on June 6, 2011, the Board of Legislators pursuant to Bond Act No. 80-2011 authorized the issuance of bonds to finance the cost of said Infrastructure Improvements for a total estimated maximum cost of \$1,190,000.00 including a total estimated maximum cost for the Infrastructure Improvements of \$990,000 and \$200,000 to cover all County soft costs.

The Affordable Development will create 131 affordable rental units for households with annual incomes at or below 50% and up to 60% of the County of Westchester Area Median Income ("AMI") as established by the U.S. Department of Housing and Urban Development. The agreement will require that a Declaration of Restrictive Covenants be filed against the property requiring a period of affordability of not less than 50 years.

The Agreement will serve the public purpose of providing fair and affordable housing units in Westchester County to low and moderate income families. The Department of Planning staff will track the construction during monthly site visits in conjunction with payment requisitions for this work and monitor continued compliance with affordable housing requirements.

I recommend approval of this agreement.

EB/cp
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 07/07/2011 - JOMARY VIEIRA, SECRETARY

R E S O L U T I O N

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 the City of New Rochelle (the "City") and Horton Winthrop, LLC, or its designee, (the "Developer") for the construction of infrastructure improvements associated with the fair and affordable housing development known as Heritage Homes located in the City of New Rochelle for a total estimated maximum cost of \$990,000, and to accept the grant of all necessary property rights, at no cost to the County; and be it further

RESOLVED: that the rental units will be affordable to households having incomes at or below 50% and up to 60% of the County of Westchester Area Median Income ("AMI") for a period of affordability of not less than 50 years; and be it further

RESOLVED: that the term of the agreement will be June 23, 2011 to June 30, 2014; and be it 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.

Recommended for Approval

Account to be Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
318	19	BPL01-28-S	6050	N/A	\$990,000.00

Budget Funding Year(s) (must match resolution)

FY 2011

Start Date June 23, 2011

End Date June 30, 2014

Funding Source

Tax Dollars \$990,000.00

State Aid _____

\$990,000.00
(must match resolution)

Federal Aid _____

Other _____