

24143

DATE January 5, 2012

TO: Board of Acquisition and Contract

FROM: Edward Buroughs
Commissioner of Planning

SUBJECT: Resolution authorizing a second amendment to the agreement between the County of Westchester and the Housing Action Council, Inc., in order to increase the dollar amount and change the expiration date

On December 16, 2010, your Honorable Board approved a request to enter into an agreement with the Housing Action Council, Inc. (HAC), to provide a Community Development Block Grant (CDBG) program. The grant is to be used for a home ownership counseling center for the benefit of the Westchester Urban County Consortium communities and to provide down payment assistance to prospective purchasers of TB Flats, an affordable condominium complex in the Village of Ossining. The amount of the agreement is \$365,000.00 for the term June 25, 2010 to June 24, 2011.

On August 25, 2011, your Honorable Board approved a resolution that authorized the County of Westchester to amend the agreement with Housing Action Council, Inc. (HAC), to change the expiration date from June 24, 2011 to December 31, 2011.

The attached resolution authorizes the County of Westchester to amend the above referenced agreement to increase the dollar amount from \$365,000.00 to \$423,550.00 an increase of \$58,550.00 and to change the expiration date from December 31, 2011 to June 24, 2012. The additional funds will allow HAC to provide homebuying education and personal counseling to over 250 families and outreach activities to potential homebuyers. All other terms and conditions of the agreement will remain the same.

The goal and objective of the original agreement is to provide comprehensive home buying education and personal counseling aimed at preparing low/moderate first time home buyers for home ownership. The home ownership counseling center program will assure that the new home buyers will be fiscally responsible home owners. This agreement will also assist eligible purchasers of a fair and affordable condominium, with down payment assistance. The down payment financial assistance HAC will provide will give more families the opportunity to purchase a home as HAC will be able to reach out to a broader range of eligible households. The program is monitored by the Department of Planning staff, who review all payment requests to make sure all contractual requirements are met. The Housing Action Council, Inc., submits activity reports with their requests for payment.

Act # 11-2010, adopted March 15, 2010, by the Westchester County Board of Legislators, authorized the County to file an FY 2009-2013 Consolidated Plan application consisting of an Action Plan for Fiscal Year 2010 as an Urban County to the United States Department of Housing and Urban Development (HUD).

On April 29, 2010, the Board of Acquisition and Contract approved a resolution authorizing the County of Westchester to enter into an agreement with the United States Department of Housing and Urban Development for the thirty-fifth year grant totaling \$8,473,589.00 from HUD. The allocation for the Community Development Block Grant Program is \$6,378,239.00. This project will be funded from the thirty-fifth year CDBG allocation.

Pursuant to Act No. 11-2010, prior to disbursement of any grant funds received by the County in connection herewith, any recipient must commit in writing to affirmatively further fair housing ("AFFH") within its borders. Pursuant thereto, such recipient shall agree to certify in writing to the County that it is in compliance with the following terms and conditions, as appropriate, in connection with its commitment to AFFH, in that it will actively further implementation of the Stipulation and Order of Settlement and Dismissal in *United States of America ex. rel. Anti-Discrimination Center of Metro New York, Inc. v. Westchester County, NY* through recipient's land use regulations and other affirmative measures to assist development of affordable housing, under such terms and conditions as approved by the County Attorney.

I certify that my department, a) has copies of or access to, all applicable laws, rules, regulations, grant applications and grant agreements (including any master grant agreement), as well as any guidance or instructions received from the agency making the grant (the "Grant Terms"), b) has reviewed the Grant Terms, c) is aware of and understands all of the Grant Terms, and d) can and will comply with all of the Grant Terms.

I recommend approval of this amendment.

EB/cp
Attachment

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 execute a second amendment to the agreement with the Housing Action Council, Inc., in order to increase the dollar amount from \$365,000.00 to \$423,550.00, an increase of \$58,550.00, and to change the expiration date from December 31, 2011 to June 24, 2012, and be it further

RESOLVED, that all the other terms and conditions of the agreement will remain the same, 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.

Recommended for Approval:

Original Agreement \$ 365,000.00
 First Amendment \$ 0.00
 This Amendment \$ 58,550.00

TOTAL \$ 423,550.00

AGREEMENT NUMBER C-67-10-T17

Account to be
 Charged/Credited

		Major Program, Program & Phase	Revenue/ Sub Object	Trust Account	Dollars
Fund	Dept	Or Unit			
263	19	067K	4380	T067	\$58,550.00

Budget Funding Year(s) 2010 Start Date June 25, 2010 End Date June 24, 2012
 (must match resolution)

Funding Source Tax Dollars _____

State Aid _____

\$58,550.00 Federal Aid \$58,550.00 -U.S. Department of Housing and Urban Development
 (must match resolution)

Other _____