

28944

DATE August 27, 2012

TO: Board of Acquisition and Contract

FROM: Edward Buroughs
Commissioner of Planning

SUBJECT: Resolution authorizing an agreement between the County of Westchester and Hastings-on-Hudson Affordable Housing Development Fund Company, Inc. its designee or assign to provide funds for rehabilitation and/or closing costs for three affordable affirmatively further fair housing (AFFH) homeownership units at 52 Washington Ave in Hastings-on-Hudson

The attached resolution authorizes the County of Westchester to enter into an agreement with Hastings-on-Hudson Affordable Housing Development Fund Company, Inc., its designee or assign, (the "Developer") to provide grant funds through the New York State Affordable Housing Corporation's Affordable Homeownership Development Program. The grant will be used for a portion of rehabilitation costs and/or closing costs for the purpose of creating three (3) affordable AFFH homeownership units at 52 Washington Ave in Hastings-on-Hudson. The agreement shall have a two year term commencing upon execution, and the total amount of the grant is \$120,000.00 to be paid pursuant to an approved budget.

Pursuant to the Stipulation and Order of Settlement and Dismissal entered into in connection with a lawsuit titled U.S. ex rel. Anti-Discrimination Center vs. Westchester (the "Settlement Agreement"), the County is required to ensure the development of 750 units of Affordable AFFH Units. In furtherance of these objectives, the County provides funding to assist in the acquisition and rehabilitation of properties for the creation of affordable AFFH housing units. The rehabilitation of the property will create two (2) three bedroom and one (1) two bedroom affordable AFFH Units. The AFFH Units will be affordable to eligible homebuyers with incomes at or below 80% of the Westchester County Area Median Income as established by the U.S. Department of Housing and Urban Development and who have been selected pursuant to an approved Affirmative Fair Housing Marketing Plan. The period of affordability is a minimum of 50 years.

The goal and objective of this agreement is to carry out the County's obligations under the Settlement Agreement by supporting the creation of affordable AFFH units in accordance with the terms of said Settlement Agreement. In addition, the agreement will serve the public purpose of providing home ownership opportunities for lower and moderate income individuals and families who may not otherwise be able to afford to purchase a home in Westchester County, which is safe, secure and energy efficient. It will also enhance the neighborhood through its design and landscaping. Department of Planning staff will monitor and track construction of the development, as well as monitor compliance with the affordability requirements.

On April 1, 2011, the Board of Acquisition and Contract approved a resolution authorizing the County of Westchester to enter into an agreement with the New York State Affordable Housing Corporation to accept a grant totaling \$800,000.00 to provide funding for the acquisition and rehabilitation of properties in certain municipalities in the County.

On May 24, 2012, the Board of Acquisition and Contract approved a resolution authorizing the County to enter into an agreement with the Developer to provide a grant of HOME funds for acquisition costs for this development in the amount of \$257,539.34. In addition, on June 28, 2012 the Board approved a resolution authorizing the County to enter into an agreement with the Developer to provide FAH BPL50 funds in a combination of grants and loans for a total not-to-exceed amount of \$761,500.00.

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 agreement.

EB/cp
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 09/20/2012 - JOMAR V. VERA, 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 Hastings-on-Hudson Affordable Housing Development Fund Company, Inc., its designee or assign, (the "Developer") to provide grant funds through the New York State Affordable Housing Corporation's Affordable Homeownership Development Program, for a portion of the rehabilitation costs and/ or closing costs for the purpose of creating three (3) affordable affirmatively furthering fair housing (AFFH) homeownership units at 52 Washington Ave in Hastings-on-Hudson which will be affordable to homeowners with incomes at or below 80% of the County Area Median Income ("AMI") as established by the U.S. Department of Housing and Urban Development, and it is further

RESOLVED, that this Agreement shall have a two year term commencing upon execution, and the total amount of the grant is \$120,000.00 to be paid pursuant to an approved budget, 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

		Major Program, Program & Phase	Object/	Trust	
Fund	Dept	Or Unit	Sub Object	Account	Dollars
263	19	085K	4380	T085	\$120,000.00

Budget Funding Year(s) (must match resolution)

FY 2010

Start Date: Upon Execution

End Date: Two (2) years from Execution

Funding Source

Tax Dollars _____

State Aid \$120,000.00 _____

\$120,000.00 (must match resolution)

Federal Aid _____

Other _____