

**33989**

DATE May 15, 2013

TO: Board of Acquisition and Contract

FROM: Edward Buroughs  
Commissioner of Planning

SUBJECT: Resolution authorizing an agreement between the County of Westchester and the Housing Action Council Inc., its designee or assigns to provide funds through the New York State Affordable Housing Corporation's Affordable Homeownership Development Program for a portion of costs related to the rehabilitation of a two-family residence at 37 Stewart Place in the Town of Eastchester to create one affordable ownership unit and one affordable rental unit that both affirmatively further fair housing

The attached resolution authorizes the County of Westchester to enter into an agreement with the Housing Action Council Inc., its designee or assigns, (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 costs related to the rehabilitation of a two-family residence at 37 Stewart Place in the Town of Eastchester to create one affordable two-bedroom ownership unit and one affordable two-bedroom rental unit that both affirmatively further fair housing (AFFH) as set forth in 42 U.S.C. Section 5304(b)(2) and as required pursuant to the Settlement Agreement (defined below). The agreement shall have a two year term commencing upon execution, and the total amount of the grant is \$80,000.00 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 AFFH Units will be affordable to eligible homebuyers and renters with incomes at or below 80% and 60% respectively of the 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 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 and rental opportunities for lower and moderate income individuals and families who may not otherwise be able to afford to purchase or rent 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.

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 - 06/06/2013 - 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 Housing Action Council Inc., its designee or assign, to provide grant funds through the New York State Affordable Housing Corporation's Affordable Homeownership Development Program, for a portion of costs related to the rehabilitation of a two-family residence at 37 Stewart Place in the Town of Eastchester, and it is further

RESOLVED, that the rehabilitation will create one affordable two-bedroom ownership unit and one affordable two-bedroom rental unit that both affirmatively further fair housing (AFFH) as set forth in 42 U.S.C. Section 5304(b)(2) and as required pursuant to the Settlement Agreement which will be affordable to homeowners and renters with incomes at or below 80% and 60%, respectively of the County Area Median Income ("AMI") as established by the U.S. Department of Housing and Urban Development for a period of not less than 50 years, 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 \$80,000.00 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

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
263	19	085K	4380	T085	\$80,000.00

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 \$80,000.00

\$80,000.00

(must match resolution)

Federal Aid \_\_\_\_\_

Other \_\_\_\_\_