



The authorizations requested herein are in support of a combination of studio, one-, two- and three-bedroom units for a total of twelve (12) affordable AFFH rental units which will be constructed on the Property. The affordable AFFH units represent the affordable portion of a mixed income development to be known as Saw Mill Lofts.

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 affordable AFFH units. In furtherance of these objectives, the County provides funding to assist in the development or rehabilitation of affordable AFFH housing units, including the affordable AFFH units proposed herein. The proposed affordable AFFH units will be located in a census block that conforms to Section 7(a) of the Settlement Agreement.

On October 6, 2014 the Westchester County Board of Legislators authorized the County, through Act No. 173-2014, to purchase and subsequently convey the Property; through Act No.176-2014, authorized the County to enter into the IMDA; by Bond Act No.174-2014, approved the funds for the land acquisition; and by Bond Act No. 175-2014 approved the funds for the costs of the infrastructure improvements.

The goal and objective of these agreements is to carry out the County's obligations under the Settlement Agreement by constructing affordable AFFH units in accordance with the terms of said Settlement Agreement. In addition, the development, which is safe, secure and energy efficient, will provide rental opportunities for lower and moderate income individuals and families who may not otherwise be able to afford to live in Westchester County. The development 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.

EB/lk/cp  
Attachment

**RESOLUTION**

UPON A COMMUNICATION FROM THE COMMISSIONER OF PLANNING AND THE DIRECTOR OF REAL ESTATE, BE IT HEREBY

RESOLVED: that the County of Westchester is hereby authorized to enter into an agreement with Saw Mill Lofts, LLC or the current owner(s) of record to purchase approximately 1.07+/- acres of real property located at 425 Saw Mill River Road in the Village of Hastings-on-Hudson (the "Property") for a total amount not to exceed \$720,000.00, noting that the total purchase price will be funded from Capital Project BPL50 - Fair and Affordable Housing ("FAH"); and be it further

RESOLVED: that following the purchase, the County will file a Declaration of Restrictive Covenants against the Property requiring that the affordable AFFH units constructed thereon will have rents that are affordable to households with incomes at or below 50% and 60% of the Westchester County Area Median Income for a period of affordability of not less than 50 years; and be it further

RESOLVED: that the development will contain a combination of studio, one, two and three-bedroom affordable AFFH rental units for a total of twelve (12) newly constructed rental apartments, which affirmatively further fair housing ("AFFH"), in compliance with 42 U.S.C. Section 5304(b)(2) and as required pursuant to the Stipulation and Order of Settlement of Dismissal entered into in connection with a lawsuit titled U.S. ex rel. Anti-Discrimination Center vs. Westchester; and be it further

RESOLVED: the County is hereby authorized to enter into an agreement to convey the Property to Saw Mill Lofts, LLC and/or its designee or assigns and to convey the Property for One (\$1.00) Dollar in support of the Development; and be it further

RESOLVED: the County is hereby authorized to enter into an Inter-Municipal-Developer Agreement with the Village of Hastings-on-Hudson and Saw Mill Lofts, LLC to provide FAH grant funding in an amount not to exceed \$446,000.00 to finance the construction of certain site/infrastructure improvements in support of the Development, which agreement will commence upon execution and continue for a term of five (5) years.

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

Account to be Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Capital Project/ Bond Act#	Object/ Sub Object	Trust Account	Dollars
19	318	BPL50-14-R	174-2014	6050	N/A	\$720,000
19	318	BPL50-14-S	175-2014	6050	N/A	\$446,000

Budget Funding Year(s) FY 2014

Purchase and Sale Contracts Start Date: Upon Execution End Date: Two years from execution

IMDA: Start Date: Upon Execution End Date: Five years from execution

Funding Source Tax Dollars \$1,166,000.00

State Aid \_\_\_\_\_

**\$1,166,000.00** Federal Aid \_\_\_\_\_

(must match resolution)

Other \_\_\_\_\_