

44414

DATE: January 26, 2015

TO: Board of Acquisition and Contract

FROM: Edward Buroughs
Commissioner of Planning

SUBJECT: Resolution authorizing the County to enter into an agreement to fund the construction of site work and infrastructure improvements in support of the affordable AFFH development at 22 Old Route 22 in the Town of North Castle

The attached resolution authorizes County of Westchester (the "County") to enter into an agreement with the Graceland Terrace Housing Development Fund Corp. and/or its designee (the "Developer") to provide Fair and Affordable Housing ("FAH") grant funding in an amount not to exceed \$450,000.00 in non-County FAH Community Development Block Grant Funds under capital project BPL50. The grant funds will be used to finance construction of certain infrastructure improvements including, but not limited to, earthwork, paving, curbing, storm drains, lighting, drainage, sewer lines, water lines, landscaping and related work on the site of an affordable AFFH development located at 22 Old Route 22 in the Town of North Castle (the "Development"). The proposed agreement will commence upon execution and continue for a term of two years and is contingent upon the Development receiving all necessary approvals and financial commitments.

The Development will provide 10 newly constructed, affordable, two-bedroom ownership condominiums which will affirmatively further fair housing ("AFFH") as set forth in 42 U.S.C. Section 5304(b) (2) and will be affirmatively marketed as required by the Settlement Agreement (defined below). The affordable AFFH Units will be affordable to families at or below 80% of the County Area Median Income ("AMI") and will remain affordable for a period of not less than fifty (50) years.

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 development or rehabilitation of affordable AFFH units, including the affordable AFFH units in the proposed Development. The proposed affordable AFFH units will be located in a census block that conforms to Paragraph 7(a) of the Settlement Agreement.

On January 5, 2015, the Westchester County Board of Legislators approved, through Act No. 5-2015, the funds for the construction of certain site/infrastructure improvements for the Development.

The goal and objective of this Agreement 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 project will create home ownership 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.

I recommend approval of this agreement.

EB/DLV/lk/cp
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 02/19/2015 - JOMARY VIERA, SECRETARY

RESOLUTION

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 Graceland Terrace Housing Development Fund Corp. and/or its designee to provide FAH grant funding in non-County FAH Funds under Capital Project BPL50 to finance construction of certain site/infrastructure improvements in support of the affordable AFFH development to be constructed at 22 Old Route 22 in the Town of North Castle (the "Development"); and be it further

RESOLVED: that the agreement shall be in an amount not to exceed \$450,000.00 to be paid pursuant to an approved budget and contingent upon receipt of all required approvals and financial commitments and shall commence upon execution and continue for a term of two years; and be it further

RESOLVED: that Development will provide 10 newly constructed, affordable, two-bedroom ownership condominiums which will affirmatively further fair housing ("AFFH") as set forth in 42 U.S.C. Section 5304(b) (2) and will be affirmatively marketed as required by the Settlement Agreement; and be it further

RESOLVED: that the affordable AFFH units will be affordable to families at or below 80% of the County Area Median Income ("AMI") and will remain affordable for a period of not less than fifty (50) years; 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.

Account to be Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
318	19	BPL50-16-S	6050	N/A	\$450,000.00

Budget Funding Year(s) FY 2015 Start Date: Upon execution End Date: Two years from execution

Funding Source Tax Dollars _____

State Aid _____

\$450,000.00 Federal Aid \$450,000.00

(must match resolution)

Other _____