

49017

DATE: October 16, 2015

TO: Board of Acquisition and Contract

FROM: Edward Buroughs
Commissioner of Planning

SUBJECT: Resolution authorizing an agreement by and between the County of Westchester (“County”) and the Housing Action Council Inc. (“HAC”), to provide Community Development Block Grant Property Improvement Program funds for HAC to provide pre-purchase document review and post-purchase marketing and property management services for properties that have been approved for purchase by the County that will Affirmatively Further Fair Housing (AFFH”)

The attached resolution authorizes the County of Westchester (“County”) to enter into an agreement with the Housing Action Council Inc. (“HAC”) to provide funds from the Community Development Block Grant Property Improvement Program in an amount not to exceed \$200,000 for HAC to provide pre-closing document review, marketing and property management services for various properties that have been approved for purchase by the County and which will be owned by the County until sold to an eligible buyer after marketing required by the Settlement Agreement defined below has been completed. The proposed agreement shall have a term beginning on July 1, 2015 and ending on June 30, 2017 and shall be payable pursuant to an approved budget. As your Honorable Board knows, HAC has been instrumental in assisting the County in obtaining these properties and its assistance is required to manage these properties during the time period the County will own them until sold to eligible buyers.

HAC has assisted the County in pre-purchase review of the properties and transactional documents and continues to do so. This contract is for those properties that have all the legal approvals for purchase. Going forward, the County will require marketing and property management services. The following properties are expected to be covered by this agreement:

1. 208 Harris Road, Unit No. DA5, Bedford;
2. 72 Croton Avenue, Cortlandt;
3. 100 Cedar Street, Unit No. A44, Dobbs Ferry;
4. 60 Oregon Avenue, Unit No. 1A, Eastchester;
5. 70 West Street, Unit No. A17, Harrison;
6. 20 Oregon Avenue, Unit No. B, Eastchester;
7. 240 Halstead Avenue, Unit No. C4, Harrison;

8. 10 Byron Place, 10 units, Mamaroneck Town; and
9. 491 Franklin Street, Rye Brook.

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 substantial rehabilitation of the affordable AFFH housing units in the proposed Development. The proposed Affordable AFFH Units will be located in a census block that conforms to Paragraph 7(a or b) of the Settlement Agreement.

This procurement is in compliance with the County of Westchester Procurement Policy Procedures, pursuant to Section 3(a)xvi, which states that contracts with recipients for disbursement of grants or loans under the Community Development Block Grant Program are exempt.

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.

The goal and objective of this agreement is to provide services necessary to create affordable AFFH units in accordance with the terms of said Settlement Agreement. Department of Planning staff will review HAC's performance to ensure all contractual requirements are met.

I recommend approval of this Agreement.

EB/cp/jp
Attachment

RESOLUTION

UPON A COMMUNICATION FROM THE COMMISSIONER OF PLANNING, BE IT HEREBY

RESOLVED: that the County of Westchester (“County”) is hereby authorized to enter into an agreement with the Housing Action Council Inc. (“HAC”) to provide funds from the Community Development Block Grant Property Improvement Program in an amount not to exceed \$200,000.00, for HAC to provide pre-purchase document review and post-purchase marketing and property management services for certain properties owned or to be owned by the County. The following properties are expected to be covered by this agreement:

1. 208 Harris Road, Unit No. DA5, Bedford;
2. 72 Croton Avenue, Cortlandt;
3. 100 Cedar Street, Unit No. A44, Dobbs Ferry;
4. 60 Oregon Avenue, Unit No. 1A, Eastchester;
5. 70 West Street, Unit No. A17, Harrison;
6. 20 Oregon Avenue, Unit No. B, Eastchester;
7. 240 Halstead Avenue, Unit No. C4, Harrison;
8. 10 Byron Place, ten units, Mamaroneck Town; and
9. 491 Franklin Street, Rye Brook

; and it is further

RESOLVED: that the proposed agreement shall have a term commencing on July 1, 2015 and terminating on June 30, 2017, in an amount not to exceed \$200,000.00, and shall be payable pursuant to an approved budget; and be it further

RESOLVED: that the properties covered by this agreement that are currently or will be owned by the County will create affordable Affirmatively Furthering Fair Housing (“AFFH”) ownership houses and/or rental units, that will AFFH as set forth in 42 U.S.C. Section 5304(b)(2) and in accordance with the settlement of a lawsuit titled United States of America ex rel. Anti-Discrimination Center of Metro New York, Inc. v. Westchester County, New York (the “Settlement Agreement”); 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
263	19	067K	4380	T067	\$200,000.00

Budget Funding Year(s) FY 2010 Start Date July 1, 2015 End Date June 30, 2017

Funding Source Tax Dollars _____

State Aid _____

\$200,000.00 Federal Aid \$200,000.00 - U. S. Department of Housing & Urban Development

(must match resolution)

Other _____