

**49535**

DATE November 18, 2015

TO: Board of Acquisition and Contract

FROM: Edward Buroughs  
Commissioner of Planning

SUBJECT: Resolution amending a prior resolution which authorized the County of Westchester to enter into an agreement with Freedom Gardens for the Handicapped, Inc., to provide funds for the rehabilitation of an existing single-family cottage located at 1680 Strawberry Road, Unit 5 in the Hamlet of Mohegan Lake, Town of Yorktown to create one affordable rental unit that will affirmatively further fair housing order to change the term of the agreement from a two year term commencing upon execution, to begin on September 1, 2015 and terminate on August 31, 2017

On April 2, 2015, your Honorable Board approved a resolution to enter into an agreement with Freedom Gardens for the Handicapped, Inc., to provide a grant from Capital Project BPL50 - Fair and Affordable Housing with the two year term commencing upon execution (the "April 2, 2015 Resolution"). The April 2, 2015 Resolution authorized an agreement with Freedom Gardens for the Handicapped, Inc. having a two year term commencing upon execution, in an amount not to exceed \$96,470.00 to fund the rehabilitation of an existing one-bedroom single-family cottage located at 1680 Strawberry Road, Unit 5 in the hamlet of Mohegan Lake, Town of Yorktown to create one affordable rental unit for a physically disabled person that will 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 was not executed.

Freedom Gardens for the Handicapped, Inc., Inc. ("Freedom Gardens") did not submit the required budget documents in a timely fashion. Therefore Freedom Gardens has requested the term of this agreement to be changed from a two year term commencing upon execution to commence on September 1, 2015 and terminate on August 31, 2017 in order to reflect the time period required to complete the rehabilitation of the cottage. All other terms and conditions of the agreement will remain the same.

The goal and objective of this agreement is to carry out the County's obligations under the Settlement Agreement by ensuring the development of affordable AFFH Units in accordance with the terms of said Settlement Agreement. In addition, the development will create a rental opportunity for a lower and moderate income physically disabled person who may not otherwise be able to afford to rent an apartment in Westchester County. The unit will be safe, secure, and energy efficient and will also enhance the neighborhood by rehabilitating a vacant and distressed residence. Department of

Planning staff will review all requests for payment to make sure all contract specifications are met and will monitor compliance with the ongoing affordability requirements.

I recommend approval of this Amendment.

EB/cp/jp

APPROVED BOARD OF ACQUISITION & CONTRACT - 12/10/2015 - JOAN COCCIARDI, SECRETARY

## RESOLUTION

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

**RESOLVED:** that the resolution approved on April 2, 2015 authorizing the County of Westchester to enter in an agreement with Freedom Gardens for the Handicapped, Inc., to fund the rehabilitation of the one-bedroom cottage located at 1680 Strawberry Road, Unit 5 in the Hamlet of Mohegan Lake, Town of Yorktown, to create one affordable rental unit for a physically disabled person be and is hereby amended in order to change the term of the agreement from a two year term commencing upon execution, to a commencement date of September 1, 2015 and terminating on August 31, 2017; and it is further

**RESOLVED:** that all other terms and conditions of the agreement will remain the same; and it is 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.

Original Agreement	\$ 96,470.00
This Amendment	\$ 0.00
 TOTAL	 \$ 96,470.00

AGREEMENT NUMBER C-AHC-15-38

Account to be Charged/Credited

		Major Program, Program & Phase	Object/ Sub Object	Trust Account	Dollars
Fund	Dept	Or Unit			
318	19	BPL50-17-S ACT 22-2015	6050	N/A	\$0.00

Budget Funding Year(s) FY 2015 Start Date September 1, 2015 End Date: August 31, 2017

Funding Source Tax Dollars \_\_\_\_\_

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

\$ 0.00 Federal Aid \$0.00

(must match resolution)

Other \_\_\_\_\_