

50162

DATE: December 23, 2015

TO: Board of Acquisition and Contract

FROM: Edward Buroughs
Commissioner of Planning

SUBJECT: Resolution authorizing the County of Westchester to enter into an intermunicipal-developer agreement with the Town of Bedford and Antioch Baptist Church Housing Development Fund Corp., to fund the construction of site work and infrastructure improvements all in support of the affordable affirmatively furthering fair housing (“AFFH”) development to be constructed at 147, 165, 175 Railroad Avenue, Bedford Hills in the Town of Bedford

The attached resolution authorizes the County to enter into an intermunicipal-developer agreement with the Town of Bedford and Antioch Baptist Church Housing Development Fund Corp., and/or its successor or assigns (the “IMDA”) for the construction of certain infrastructure improvements in support of the affordable affirmatively furthering fair housing (“AFFH”) development to be constructed at 147, 165, 175 Railroad Avenue, Town of Bedford in an amount not to exceed \$500,000 from Capital Project BPL1A Housing Implementation Funds II and to grant and accept all necessary property rights in connection therewith. The IMDA will commence upon execution and continue for a term of Fifteen (15) years.

The authorizations requested herein are in support of the construction of the affordable AFFH housing development known as “147, 165, 175 Railroad Avenue” which will consist of twelve (12) affordable AFFH rental units (the “Development”) that will be affordable to eligible households with incomes at or below 50% and up to 60% of the Westchester County Area Median Income (“AMI”) for a period of affordability of not less than 50 years.

Pursuant to the Settlement Agreement between the United States and the County, 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 Paragraph 7(a) of the Settlement Agreement.

On October 19, 2015 the Westchester County Board of Legislators authorized the County, through Act No. 207-2015, to enter into the IMDA and by Bond Act No. 206-2015, approved funds for the costs of the infrastructure improvements.

The goal and objective of this agreement is to carry out the County's obligations under the Settlement Agreement by enabling the construction of affordable AFFH units in accordance with the terms of the Settlement Agreement. In addition, the Development, which will be 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. Department of Planning staff will monitor and track construction of the Development, as well as monitor compliance with the affordability requirements.

EB/cp/eo
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 01/14/2016 - JOAN COCCIARDI, 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 Intermunicipal-Developer Agreement (the "IMDA") with the Town of Bedford and Antioch Baptist Church Housing Development Fund Corp., its successor or assign for the construction of certain infrastructure improvements in support of the affordable affirmatively furthering fair housing development to be constructed at 147, 165 and 175 Railroad Avenue, Bedford Hills in the Town of Bedford (the "Development") in an amount not to exceed \$500,000 from Capital Project BPL1A Housing Implementation Funds II and to grant and accept all necessary property rights in connection therewith; and be it further

RESOLVED: that the Development will provide twelve (12) fair and affordable rental units that will have rents that are affordable to households with incomes at or below 50% and up to 60% of the Westchester County Area Median Income that will affirmatively further fair housing in compliance with 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: the IMDA will commence upon execution and continue for a term of Fifteen (15) 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 the purposes hereof.

Account to be Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
318	19	BPL1A-03-S Bond Act 206-2015	6050	N/A	\$500,000

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

Funding Source Tax Dollars \$500,000

State Aid _____

\$500,000 Federal Aid _____

(must match resolution)

Other _____