

**53280**

DATE: November 10, 2016

TO: Board of Acquisition and Contract

FROM: Edward Buroughs  
Commissioner of Planning

SUBJECT: Resolution authorizing the County of Westchester to enter into an Agreement with Riverton Lofts West LLC, to provide subsidy funding in connection with the affordable affirmatively furthering fair housing (“AFFH”) development located at 10 West Main Street in the of Village of Hastings-on-Hudson (the “Development”) in an amount not to exceed \$727,900, for a two-year term, in order to fund the partial rehabilitation costs to create four two-bedroom affordable rental units that will affirmatively further fair housing

The attached resolution authorizes the County to enter into an agreement (the “Agreement”) with Riverton Lofts West LLC, and/or its successor or assign (the “Developer”), to provide subsidy funding to fund the partial rehabilitation costs of the Development which will consist of four two-bedroom affordable AFFH rental units that will be affordable to eligible households with incomes up to 60% of the Westchester County Area Median Income (“AMI”) for a period of not less than fifty years. The Agreement shall be in an amount not to exceed \$727,900 payable from Capital Project BPL50 Fair and Affordable Housing. The Agreement, which will commence on December 2, 2016 and terminate on December 1, 2018, will be payable in accordance with an approved budget.

In furtherance of the Settlement Agreement, the County intends to provide subsidy funding to assist in the creation of the affordable AFFH housing units proposed herein, so that the units can be made affordable at a rate not to exceed 60% of AMI. The proposed affordable AFFH units will be located in a census block that conforms to Paragraph 7(a) of the Settlement Agreement.

On November 1, 2016 the Westchester County Board of Legislators, through Bond Act No. 336-2016, approved funds for this Agreement.

The goal and objective of this agreement is to carry out the County’s obligations under the Settlement Agreement by enabling the establishment 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 low 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/jrc  
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 12/08/2016 - LISA MRIJAJ, 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 (the "Agreement") with Riverton Lofts West LLC, its successor or assign, to provide subsidy funding for partial rehabilitation costs of the affordable affirmatively furthering fair housing development located at 10 West Main Street in the Village of Hastings-on-Hudson (the "Development") in an amount not to exceed \$727,900 from Capital Project BPL50 Fair and Affordable Housing, payable in accordance with an approved budget; and be it further

RESOLVED: that the Development will provide four two-bedroom fair and affordable rental units that will have rents that are affordable to households with incomes at or below 60% of the Westchester County Area Median Income that will affirmatively further fair housing for a period of affordability of not less than fifty years 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; and be it further

RESOLVED: that the Agreement will commence on December 2, 2016 and terminate on December 1, 2018; 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	BPL50-81-C Bond Act 336-2016	6050	N/A	\$727,900

Budget Funding Year(s) FY 2016 Start Date: December 2, 2016 End Date: December 1, 2018

Funding Source Tax Dollars \$727,900  
 State Aid \_\_\_\_\_  
**\$727,900** Federal Aid \_\_\_\_\_  
 (must match resolution) Other \_\_\_\_\_