

55088

DATE February 7, 2017

TO: Board of Acquisition and Contract

FROM: Eileen Mildenberger
Acting Commissioner of Planning

SUBJECT: Resolution authorizing the County of Westchester to enter into an agreement with The Preservation Company, Inc. in order to provide Community Development Block Grant Program funds for a portion of the costs related to the construction of 12 affordable affirmatively furthering fair housing (“AFFH”) rental units at 322 Kear Street in the Town of Yorktown.

The attached resolution will authorize the County of Westchester (the “County”) to enter into an agreement with The Preservation Company, Inc. to provide Community Development Block Grant (“CDBG”) program funds in an amount not to exceed \$175,000 from program income received from previous loans made through the CDBG program all in accordance with the CDBG regulations. The funds will be used for a portion of the costs related to the construction of the site work associated with the development of six one-bedroom and six two-bedroom units for a total of 12 affordable AFFH rental units (the “Development”) at 322 Kear Street in the Town of Yorktown. The term of the agreement shall begin on March 2, 2017 and end on March 1, 2019.

Pursuant to the Stipulation and Order of Settlement and dismissal entered into in connection with 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”), 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 the affordable AFFH housing units, including the affordable AFFH rental units proposed herein. The proposed affordable AFFH units are expected to qualify under Paragraph 7(a) of the Settlement Agreement.

This procurement is in compliance with the County of Westchester Procurement Policy 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.

The goal and objective of the 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 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. The Development 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 the attached resolution.

EM/cp/lac
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 03/02/2017 - LISA MRIJAS, SECRETARY

RESOLUTION

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

RESOLVED, that the County of Westchester (the “County”) is hereby authorized to enter into an agreement with The Preservation Company, Inc. to provide Community Development Block Grant (“CDBG”) funds to construct site work related to the development of six one-bedroom and six two-bedroom rental units for a total of 12 affordable affirmatively further fair housing rental units at 322 Kear Street in the Town of Yorktown in order to affirmatively further fair housing. The agreement will commence on March 2, 2017 and terminate on March 1, 2019; and be it further

RESOLVED, that the agreement will provide grant funds from program income received from previous loans made through the CDBG program in the not-to- exceed amount of \$175,000, to be used for a portion of construction costs payable in accordance with an approved budget; 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	123M	4380	T123	\$175,000

Budget Funding Year(s) FY 2017 Start Date: March 2, 2017 End Date: March 2, 2019

Funding Source Tax Dollars _____

State Aid _____

\$175,000 Federal Aid \$175,000 – U.S. Dept. of Housing & Urban Development

(must match resolution)

Other _____