

61102

DATE January 30, 2018

TO: Board of Acquisition and Contract

FROM: Norma V. Drummond
Acting Commissioner of Planning

SUBJECT: Resolution authorizing an amendment to the agreement between the County of Westchester and Housing Action Council, Inc. to provide funds to rehabilitate the vacant building located at 19 Park Avenue, in the Town of Lewisboro, to create an affordable homeownership unit and a rental unit that affirmatively further fair housing ("AFFH") in order to increase the rehabilitation funding for the property by \$55,000.

On December 1, 2016, your Honorable Board approved a resolution (the "December 1 Resolution") which authorized the County to purchase a +/- 0.46 acre parcel of real property with a vacant former chapel building at 19 Park Avenue, in the Town of Lewisboro, (the "Property") in an amount not-to-exceed \$200,000 from Capital Project BPL50 Fair and Affordable Housing from the current owner(s) of record, including entering into a contract of sale for the Property and the subsequent conveyance of the Property to rehabilitate the Property to create two affordable units that affirmatively further fair housing ("AFFH"). The December 1 Resolution further authorized the use of grant funding from the New York State Affordable Housing Corporation in an amount not-to-exceed \$80,000, and program income received from previous loans made through the County's Community Development Block Grant Property Improvement Program ("CDBG") all in accordance with the Program's regulations in the amount not-to-exceed \$235,000, in order to substantially rehabilitate and/or reimburse soft costs for the rehabilitation of the Property which will create an affordable AFFH two bedroom ownership home with an accessory rental studio apartment. The Agreement between the County and Housing Action Council, Inc. to rehabilitate the Property was executed on May 25, 2017 (the "Agreement").

The attached resolution, if approved by your Honorable Board, will authorize an the County to amend the Agreement in order to increase the amount of CDBG funding from \$235,000 to \$290,000, an increase of \$55,000, for the rehabilitation of the Property to reimburse soft costs for the rehabilitation of the Property in order to create an affordable AFFH two bedroom ownership home with an accessory rental studio apartment. The additional funds are needed due to an increase in the estimated costs of rehabilitation.

All other terms and conditions of the Agreement shall remain in full force and effect.

The goal and objective is to carry out the County's obligations under the Settlement Agreement by creating two affordable AFFH units in accordance with the terms of the settlement of a lawsuit titled United States of America es rel. Anit-Discrimination Center of Metro New York, INC. v. Westchester County, New York ("Settlement Agreement"). In addition, it will create homeownership and rental opportunities for lower and moderate income individuals and families who may not otherwise be able to afford to live in Westchester County. The units will be safe and secure. Department of Planning staff will monitor the Property to ensure compliance with the proposed Amendment and the ongoing affordability requirements.

NVD/cp/DI
Attachment

RESOLUTION

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

RESOLVED, that the County of Westchester (“County”) is hereby authorized to amend the Agreement dated May 25, 2017 with Housing Action Council Inc., to provide funds to renovate the vacant former chapel building located at 19 Park Avenue, in the Town of Lewisboro with funds from program income received from previous loans through the County’s Community Development Block Grant Property Improvement Program (“CDBG”) in the amount of \$235,000, in order to create a two-bedroom affordable homeownership unit and an accessory studio rental unit that will affirmatively further fair housing (the “Agreement”) and increase the CDBG funding provided for in the Agreement by an additional \$55,000 due to an increase in the estimated costs of rehabilitation, thereby increasing the total not-to-exceed CDBG amount of the Agreement from \$235,000 to a new total amount not-to-exceed \$290,000; and be it further

RESOLVED, that all other terms and conditions of the Agreement shall remain in full force and effect; and be it further

RESOLVED, that the County Executive or his duly authorized designee is authorized to execute any documents and/or agreements and take any actions necessary to effectuate purposes hereof.

Original Agreement	\$315,000
This Amendment	<u>\$ 55,000</u>
 Total	 \$370,000

AGREEMENT NUMBER C-FAH-17-126

Account to be Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
263	19	123M	4380	T123	\$55,000

Budget Funding Year(s) FY 2016 -18 Start Date: December 12, 2016 End Date: December 11, 2018

Funding Source Tax Dollars _____

State Aid _____

\$55,000
(must match resolution)

Federal Aid \$55,000 – U.S. Department of Housing and Urban Development

Other _____