

78266

DATE: July 29, 2020

TO: Board of Acquisition and Contract

FROM: Norma V. Drummond
Commissioner of Planning

SUBJECT: Resolution authorizing the County of Westchester to enter into an Intermunicipal Developer Agreement with the City of Yonkers; 178 Warburton Limited Partnership and CPG Phase VI Limited Partnership, its successors and/or assigns, to fund the construction of certain infrastructure improvements in support of 173 affordable rental units to be constructed on +/-2.475 acres of real property at 178 Warburton Avenue and 160 Cottage Gardens in the City of Yonkers.

The attached resolution authorizes the County of Westchester (the "County"), by and through its Department of Planning (the "Department") to enter into an Intermunicipal Developer Agreement (the "IMDA") with the City of Yonkers (the "City") and 178 Warburton Limited Partnership and CPG Phase VI Limited Partnership its successors and/or assigns, (collectively the "Developer") for the construction of certain infrastructure improvements in support of the affordable housing development to be constructed at 178 Warburton Avenue and 160 Cottage Gardens (the "Development") in an amount not to exceed \$5,000,000.00 from Capital Project BPL1A-Housing Implementation Fund II and to grant and accept all necessary property rights in connection therewith. The IMDA will commence upon execution and continue for a term that will not exceed fifteen years.

The authorization requested herein is in support of the construction of certain infrastructure improvements, including, but not limited to, construction of a park, roads, curbing, retaining walls, play equipment, sidewalks, fencing, a water line, and landscaping in support of the Development which will consist of one hundred-seventy three (173) affordable rental units that will affirmatively further fair housing ("AFFH"). The units will be affordable to eligible households with incomes at or below 30% and up to 90% of the Westchester County Area Median Income ("AMI") as defined by the US Department of Housing and Urban Development and adjusted for household size (the "Affordable AFFH Units"). The Affordable AFFH Units are expected to include 11 studio, 85 one-bedroom, and 77 two-bedroom apartments which will be affordable for a period of not less than fifty (50) years. The Development will also include an Early Head Start center that will accommodate 64 children, and 35 on-grade parking spaces.

On June 2, 2020 the County Board of Legislators authorized the County, through Act No.98-2020, to enter into the IMDA, and by Bond Act No. 97-2020, approved funds for the costs of the infrastructure improvements.

The goal and objective of the IMDA is to support the construction of housing which will be safe, secure and energy efficient, and will provide rental opportunities for lower and moderate income households which may not otherwise be able to afford to live in Westchester County.

Department staff will monitor and track the IMDA, the construction of the Development and compliance with the affordability requirements.

Based upon the foregoing, I respectfully recommend that your Honorable Board approve the annexed resolution.

NVD/cp/jl
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 08/06/2020 - LISA MRJAH SECRETARY

RESOLUTION

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

RESOLVED, that the County of Westchester (the “County”) is hereby authorized to enter into an Intermunicipal Developer Agreement (the “IMDA”) with the City of Yonkers (the “City”) and 178 Warburton Limited Partnership and CPG Phase VI Limited Partnership its successors and/or assigns, (collectively the “Developer”) to fund the construction of certain infrastructure improvements, including but not limited to, construction of a park, roads, curbing, retaining walls, play equipment, sidewalks, fencing, water line, and landscaping in support of the Development at 178 Warburton Avenue and 160 Cottage Gardens in the City in an amount not to exceed \$5,000,000.00 from Capital Project BPL1A-Housing Implementation Fund II and to grant and accept all necessary property rights in connection therewith; and be it further

RESOLVED, that in accordance with the IMDA, the Developer will construct and provide 173 Affordable AFFH Units; 11 studios, 85 one-bedroom, 77 two-bedroom that will affirmatively further fair housing. The building will also include an Early Head Start center that will accommodate 64 children, and 35 on-grade parking spaces; and be it further

RESOLVED, that the rental units will be affordable for households with incomes at or below 30% and up to 90% of the Westchester County Area Median Income and will be affordable for a period of not less than fifty (50) years; and be it further

RESOLVED, that the IMDA will commence upon execution and continue for a term that will not exceed 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.

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
318	19	BPL1A-13S Bond Act 97-2020	6050	N/A	\$5,000,000.00

Budget Funding Year(s) FY 2020 Start Date: Upon Execution End Date: 15 Years after Execution

Funding Source Tax Dollars \$5,000,000.00
 State Aid _____
\$5,000,000.00 Federal Aid _____
 (must match resolution) Other _____