

11987

DATE: June 1, 2010

TO: Board of Acquisition and Contract

FROM: Edward Burroughs
Acting Commissioner

SUBJECT: Resolution Authorizing an Agreement Between the County of Westchester and Freedom Gardens for the Handicapped, Inc., to Supplement a Portion of the Costs for Construction of Three (3) Fair and Affordable Housing Rental Units for Physically Handicapped Households at Freedom Gardens Located at 1680 Strawberry Road in the Hamlet of Mohegan Lake, Town of Yorktown.

The attached resolution authorizes the County of Westchester to enter into an agreement with Freedom Gardens for the Handicapped, Inc., to provide a grant from the Federal HOME Investment Partnership Program (HOME). The grant will be used to supplement a portion of the construction costs for three (3) fair and affordable rental units for physically handicapped households at Freedom Gardens located at 1680 Strawberry Road in the Hamlet of Mohegan Lake, Town of Yorktown. The term of the agreement is June 15, 2010 to June 14, 2012, and the amount of the grant is \$225,000.00.

The proposed development is located at Freedom Gardens for the Handicapped, Inc. located at 1680 Strawberry Road in the Hamlet of Mohegan Lake, Town of Yorktown, New York. The development will provide fair and affordable rental housing for physically handicapped households. The units will be allocated to households with incomes not to exceed 60% AMI for Westchester County and will have an affordability period for a minimum of 50 years. This agreement's HOME funds will be used to supplement a portion of the costs of construction for three (3) of these fair and affordable rental units for physically handicapped households.

Pursuant to the Stipulation and Settlement and Dismissal entered in U.S. ex el. Anti-Discrimination Center vs. Westchester ("Stipulation"), the County of Westchester is required to develop 750 units of fair and affordable housing. The proposed units are anticipated to constitute eligible units as set forth in the Stipulation. In furtherance of these objectives, the County provides funding to assist in the development or rehabilitation of fair and affordable housing units.

The agreement will serve the public purpose of providing fair and affordable housing for physically handicapped households.

The goal and objective of this agreement is to create fair and affordable housing that is safe, secure and energy efficient. The proposed development will create three (3) fair and affordable handicapped accessible rental units of housing. This project will relieve the physically handicapped tenants from the burden of the high cost of rental housing in Westchester County. The Westchester County Department of Planning Staff will monitor and track this construction to ensure continued compliance with affordability requirements and fiscal responsibility.

Should this agreement not be authorized, the financial viability of the development may be jeopardized and the creation of fair and affordable rental units for physically handicapped households will not be realized. Also, the residents will not be relieved from the burden of the high costs of rental housing in Westchester County.

Act # 34-2009 was adopted March 5, 2009, by the Westchester County Board of Legislators and approved May 28, 2009, by the Board of Acquisition and Contract. This act authorized the County of Westchester to accept and administer a \$1,902,422.00 grant under the Federal HOME Investment Partnership Program from the United States Department of Housing and Urban Development. This project will be funded from this fiscal year.

I recommend approval of this resolution

EB/cp
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 7-8-2010 - JOMARY VIEIRA, SECRETARY

RESOLUTION

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

RESOLVED, that the County of Westchester is hereby authorized to enter into an agreement with Freedom Gardens for the Handicapped, Inc., through the Federal HOME Investment Partnership Program (HOME) in the amount of \$225,000.00, to be paid pursuant to an approved budget, for a period beginning June 15, 2010, and ending June 14, 2012, to supplement a portion of the construction costs for three (3) units of fair and affordable rental units for physically handicapped households. The units will be allocated to handicapped households with a range of incomes not to exceed 60% AMI for Westchester County and will have an affordability period for a minimum of 50 years. The property is located at Freedom Gardens, 1680 Strawberry Road in the Hamlet of Mohegan Lake, Town of Yorktown, New York and it is 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	173J	4380	T173	\$225,000.00

Budget Funding Year(s) FY 2009 Start Date June 15, 2010 End Date June 14, 2012
 (must match resolution)

Funding Source Tax Dollars _____

State Aid _____

\$225,000.00 Federal Aid \$225,000.00 – U.S. Department of Housing and Urban Development

(must match resolution)

Other _____

APPROVED BOARD OF ACQUISITION & CONTRACT - 7/8/2010 - JOMARY WEBB, SECRETARY