

26651

DATE May 2, 2012

TO: Board of Acquisition and Contract

FROM: Edward Buroughs
Commissioner of Planning

SUBJECT: Resolution authorizing an agreement by and between the County of Westchester and Hastings-on-Hudson Affordable Housing Development Fund Company, Inc., its designee or assign, to supplement the acquisition of real property at 52 Washington Ave in Hastings-on-Hudson for the purpose of creating three affordable affirmatively further fair housing (AFFH) homeownership units

The attached resolution authorizes the County of Westchester to enter into an agreement with Hastings-on-Hudson Affordable Housing Development Fund Company, Inc., its designee or assign, to provide a grant from the Federal HOME Investment Partnership Program. The grant will be used to supplement the acquisition of real property at 52 Washington Ave. in Hastings-on-Hudson for the purpose of creating two (2) three bedroom and one (1) two bedroom affordable affirmatively furthering fair housing (AFFH) homeownership units at that address (the "Development"). The proposed agreement shall have a term of two years, commencing upon execution. The grant shall be in an amount not to exceed \$257,539.34 and is contingent upon the Development receiving all necessary approvals and financial commitments.

Pursuant to the Stipulation and Order of Settlement and Dismissal entered into in connection with a lawsuit titled U.S. ex rel. Anti-Discrimination Center vs. Westchester (the "Settlement Agreement"), the County is required to ensure the development of 750 units of Affordable AFFH Units. In furtherance of these objectives, the County provides funding to assist in the acquisition and rehabilitation of properties for the creation of affordable AFFH housing units, including the three AFFH Units in the proposed development. In addition to funds requested herein and by a separate Acquisition and Rehabilitation Agreement, the County will provide a not-to-exceed total of \$790,000.00 of FAH funds consisting of a grant in the amount of \$176,500.00 and a short term loan in the amount of \$585,000.00. The loan will be repaid to the County as part of a revolving loan fund upon the sale of the AFFH Units. Pursuant to a letter from the federal monitor dated October 25, 2011, the County has been advised that the proposed use of funds would further the goals of the Stipulation.

Act 11-2010, which authorized the County to accept and administer a grant under the HOME Program of \$1,845,350.00, was adopted by the Westchester County Board of Legislators on March 11, 2010 and approved on April 29, 2010 by the Board of Acquisition and Contract. This project will be funded from that fiscal year.

This Agreement will provide a total of \$257,539.34 of Home Program funds authorized under the HOME program and shall specify that said funds shall be allocated to underwrite the cost of purchasing the property in support of the creation of three HOME AFFH ownership Units which will be affordable to families at or below 80% of the Westchester County Area Median Income. The AFFH Units will remain affordable for a period of not less than fifty (50) years.

The goal and objective of this agreement is to carry out the County's obligations under the Settlement Agreement by supporting the construction of affordable AFFH units in accordance with the terms of said Settlement Agreement. In addition, the project will create home ownership opportunities for lower and moderate income individuals and families who may not otherwise be able to afford to purchase a home in Westchester County, which is safe, secure and energy efficient. It 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 certify that my department, a) has copies of, or access to, all applicable laws, rules, regulations, grant applications and grant agreements (including any master grant agreement), as well as any guidance or instructions received from the agency making the grant (the "Grant Terms"), b) has reviewed the Grant Terms, c) is aware of and understands all of the Grant Terms, and d) can and will comply with all of the Grant Terms.

I recommend approval of this Agreement.

EB/cp
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACTS 05/24/2017 - CHRISTOPHER VEIRA, 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 with Hastings-on-Hudson Affordable Housing Development Fund Company, Inc., its designee or assign, through the Federal HOME Investment Partnership Program to supplement the acquisition of real property at 52 Washington Ave. in Hastings-on-Hudson for the purpose of creating three affordable affirmatively furthering fair housing (AFFH) homeownership units for the purpose of carrying out the County's obligations pursuant to the Stipulation and Order of Settlement and Dismissal entered into in connection with a lawsuit titled U.S. ex rel. Anti-Discrimination Center vs. Westchester; and it is further

RESOLVED: that this Agreement shall be in an amount not to exceed \$257,539.34 to be paid pursuant to an approved budget and contingent upon receipt of all necessary financial commitments and required approvals and shall have a two year term commencing upon execution; 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	173K	4380	T173	\$257,539.34

Budget Funding Year(s) FY 2010 Start Date: Upon Execution End Date: Two (2) years from Execution

Funding Source Tax Dollars _____
 State Aid _____
 \$257,539.34 Federal Aid \$257,539.34 - U.S. Department of Housing and Urban Development
 (must match resolution) Other _____