

44665

DATE February 9, 2015

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 the Housing Action Council Inc., to provide Community Development Block Grant Property Improvement Program funds for a portion of costs related to the down-payment on a single-family residence located at 843 McKinley Street in the City of Peekskill to create one affordable owner-occupied unit that will affirmatively further fair housing

The attached resolution authorizes the County of Westchester to enter into an agreement with the Housing Action Council Inc. (HAC) to provide \$40,000.00 in funding from the Community Development Block Grant Property Improvement Program to support a portion of the costs related to the down-payment on the single-family residence located at 843 McKinley Street in the City of Peekskill. The proposed agreement shall have a term of two years, commencing upon execution.

The proforma for this property originally anticipated the rehabilitation of this house and the use of \$40,000.00 in subsidy from the New York State Affordable Housing Corporation (NYS AHC) Acquisition and Rehabilitation program. Due to the condition of the structure and foundation, it has been determined that the existing structure must be demolished and a new house built. The County Department of Planning was recently informed by NYS AHC that their subsidy is not eligible to be used for this unit as it is now to be new construction, necessitating the need to replace this subsidy.

It should be noted that HAC has filed a Declaration of Restrictive Covenants against this property requiring that the affordable ownership unit will be affordable to households with incomes at or below 80% of the Westchester County Area Median Income who have been selected pursuant to an approved Affirmative Fair Housing Marketing Plan. The period of affordability is 50 years.

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

Act #11-2010, adopted March 15, 2010, by the Westchester County Board of Legislators, authorized the County to file an FY 2009-2013 Consolidated Plan application consisting of an Action Plan for Fiscal Year 2010 as an Urban County to the United States Department of Housing and Urban Development (HUD).

On April 29, 2010, the Board of Acquisition and Contract approved a resolution authorizing the County of Westchester to enter into an agreement with the United States Department of Housing and Urban

Development for the thirty-fifth year grant totaling \$8,473,589.00 from HUD. The allocation for the Community Development Block Grant Program is \$6,378,239.00. This project will be funded from the thirty-fifth year CDBG allocation.

The goal and objective of this agreement is to ensure that the single family home will be an affordable unit that will affirmatively further fair housing. In addition, it 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. The home will be safe, secure and energy efficient and will also enhance the neighborhood. Department of Planning staff will make site visits to ensure that the construction is being conducted according to contract specifications and will monitor compliance with the ongoing affordability requirements.

I recommend approval of this Agreement.

EB/cp
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 03/12/2015 - JOSEPH VERA, 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 the Housing Action Council Inc. (HAC) to provide \$40,000.00 in funding from the Community Development Block Grant Property Improvement Program and that the proposed agreement shall have a term of two years, commencing upon execution; and it is further

RESOLVED: that the funds will support a portion of costs related to the down-payment of a single-family residence located at 843 McKinley Street in the City of Peekskill to create one affordable owner-occupied unit that will affirmatively further fair housing; and be it further

RESOLVED: that HAC has filed a Declaration of Restrictive Covenants against the property requiring that the affordable ownership AFFH unit established thereon will be affordable to a household with an income at or below below 80% of the Westchester County Area Median Income for a period of not less than 50 years; 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	067K	4380	T067	\$40,000.00

Budget Funding Year(s) FY 2010 Start Date Upon Execution End Date Two Years from Execution

Funding Source Tax Dollars _____

State Aid _____

\$40,000.00 Federal Aid \$40,000.00 - U. S. Department of Housing & Urban Development

(must match resolution)

Other _____