

**51109**

DATE: February 24, 2016

TO: Board of Acquisition and Contract

FROM: Edward Buroughs  
Commissioner of Planning

SUBJECT: Resolution authorizing the County of Westchester to enter into an Agreement with Antioch Homes Housing Development Fund Corp. to provide subsidy funding in connection with the affordable affirmatively furthering fair housing ("AFFH") development to be located at 147, 165 and 175 Railroad Avenue, Bedford Hills in the Town of Bedford (the "Development") in an amount not to exceed \$1,288,536, for a two (2) year term, in order to fund the partial construction costs to create twelve (12) affordable rental units that will Affirmatively Further Fair Housing

The attached resolution authorizes the County to enter into an agreement (the "Agreement") with Antioch Homes Housing Development Fund Corp., and/or its successor or assign (the "Developer"), to provide subsidy funding to fund the partial construction costs of the Development which will consist of twelve (12) affordable AFFH rental units that will be affordable to eligible households with incomes up to 50% and 60% of the Westchester County Area Median Income ("AMI") for a period of affordability of not less than fifty (50) years. The Agreement shall be in an amount not to exceed \$1,288,536 payable from Capital Project BPL50 Fair and Affordable Housing. The Agreement, which will commence on March 1, 2016 and terminate on February 28, 2018, will be payable in accordance with an approved budget.

In furtherance of the Settlement Agreement, the County intends to provide subsidy funding to assist in the creation of the affordable AFFH housing units proposed herein, so that the units can be made affordable at a rate not to exceed 60% of AMI as required under Paragraph 7(d) of the Settlement Agreement. The proposed affordable AFFH units will be located in a census block that conforms to Paragraph 7(a) of the Settlement Agreement.

On October 19, 2015 the Westchester County Board of Legislators, through Bond Act No. 205-2015, approved funds for this Agreement.

The goal and objective of this agreement is to carry out the County's obligations under the Settlement Agreement by enabling the construction of affordable AFFH units in accordance with the terms of the Settlement Agreement. In addition, the Development, which will be safe, secure and energy efficient, will provide rental opportunities for lower and moderate income individuals and families who may not otherwise be able to afford to live in Westchester County. Department

of Planning staff will monitor and track construction of the Development, as well as monitor compliance with the affordability requirements.

EB/cp/jp  
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 03/10/2016 - LISA MRIJAJ, 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 (the "Agreement") with Antioch Homes Housing Development Fund Corp., its successor or assign, to provide subsidy funding for the partial construction costs of the affordable affirmatively furthering fair housing development to be constructed at 147, 165 and 175 Railroad Avenue, Bedford Hills in the Town of Bedford (the "Development") in an amount not to exceed \$1,288,536 from Capital Project BPL50 Fair and Affordable Housing, payable in accordance with an approved budget; and be it further

RESOLVED: that the Development will provide twelve (12) fair and affordable rental units that will have rents that are affordable to households with incomes at or below 50% and 60% of the Westchester County Area Median Income that will affirmatively further fair housing for a period of affordability of not less than fifty (50) years in compliance with 42 U.S.C. Section 5304(b)(2) and in accordance with the settlement of a lawsuit titled United States of America ex rel. Anti-Discrimination Center of Metro New York, Inc. v. Westchester County, New York (the "Settlement Agreement"); and be it further

RESOLVED: that the Agreement will commence on March 1, 2016 and terminate on February 28, 2018; 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.

Account to be Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
13	19	BPL50-30-S Bond Act 205-2015	6050	N/A	\$1,288,536

Budget Funding Year(s) FY 2016 Start Date: March 1, 2016 End Date: February 28, 2018

Funding Source Tax Dollars \$1,288,536

State Aid \_\_\_\_\_

\$1,288,536 Federal Aid \_\_\_\_\_

(must match resolution)

Other \_\_\_\_\_