

**92893**

DATE: April 29, 2022

TO: Board of Acquisition and Contract

FROM: Norma V. Drummond  
Commissioner of Planning

SUBJECT: Resolution authorizing the County of Westchester to enter into an Inter-municipal Developer Agreement with the City of Yonkers and La Mora, LLC, its successors or assigns, to fund the construction of certain infrastructure improvements in support of the construction of an affordable housing development at 23 Mulberry Street in the City of Yonkers.

By Act No. 2022-29 adopted on April 11, 2022, the Westchester County Board of Legislators authorized the County of Westchester (the "County"), acting by and through its Department of Planning (the "Department") to enter into an Inter-Municipal Developer Agreement (the "IMDA") with the City of Yonkers (the "City") and La Mora, LLC, its successors or assigns, collectively the "Developer") for the construction of certain infrastructure improvements in support of the affordable housing development to be constructed at 23 Mulberry Street (the "Development") in the City in an amount not to exceed \$3,500,000.00. The term of the IMDA will commence upon execution thereof and will continue for fifteen (15) years thereafter, or until the County has retired the Bonds, whichever comes later, and to grant and accept all necessary property rights in connection therewith.

The attached resolution authorizes the County to enter into an IMDA with the City and the Developer, their successors or assigns, for the construction of certain infrastructure improvements, including, but not limited to, on-site and street paving, curbing, sidewalks, storm water detention, drainage systems, sanitary sewer system, water lines, lighting, signage, landscaping, construction management, County administrative costs and other related work from Capital Project BPL1A-Housing Implementation Fund II, and to grant and accept all necessary property rights in connection therewith and other related work.

The authorization requested herein is in support of the construction of certain infrastructure improvements for the Development, which will consist of sixty (60) affordable rental units that will affirmatively further fair housing (the "Affordable AFFH Units"). The Affordable AFFH Units will be available to eligible senior households where all members are over the age of 62 with incomes at or below 30% and up to 60% of the Westchester County area median income as defined by the US Department of Housing and Urban Development and adjusted for household size, for a period of not less than fifty (50) years. A Declaration of Restrictive

Covenants assuring that the Affordable AFFH Units remain affordable and an Infrastructure Easement to enable the County to finance the infrastructure improvements, will both be filed with the Office of the Westchester County Clerk when this transaction closes. The Affordable AFFH Units are expected to include 57 one-bedroom and 3 two-bedroom apartments. The building will also include a community room with an attached outdoor area, rooftop terrace, management office, resident storage and on-site laundry services on each floor.

The goal and objective of the IMDA is to support the construction of safe, secure, and energy efficient housing, and to provide rental opportunities for low to moderate income households who 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//lg/cp/di  
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 05/19/2022 - RAYMOND SCULKY, 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 Inter-municipal Developer Agreement (the “IMDA”) with the City of Yonkers and La Mora, LLC, its successors or assigns, (the “Developer”) to fund the construction of certain infrastructure improvements, including but not limited to, on-site and street paving, curbing, sidewalks, storm water detention, drainage systems, sanitary sewer system, water lines, lighting, signage, landscaping, construction management, County administrative costs and other related work in support of the affordable housing development to be constructed at 23 Mulberry Street in the City of Yonkers in an amount not to exceed \$3,500,000.00 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 sixty (60) rental units consisting twenty (20) studios units, fifty-seven (57) one-bedroom units and three (3) two-bedroom units that will affirmatively further fair housing; and be it further

**RESOLVED**, that the rental units will have rents that are affordable for senior households where all members are over the age of 62 with incomes at or below 30% and up to 60% 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 term shall commence upon execution and shall continue for fifteen (15) years thereafter, or until the County has retired the Bonds, whichever comes later; 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	Bond Act #	Dollars
318	19	BPL1A-15-S	6050	28-2022	\$3,500,000.00

Budget Funding Year(s) FY 2022 Start Date: Upon Execution End Date: 15 Years after Execution or County retires Bonds

Funding Source Tax Dollars \$3,500,000.00  
 State Aid \_\_\_\_\_  
\$3,500,000.00 Federal Aid \_\_\_\_\_  
 (must match resolution) Other \_\_\_\_\_