

113188

DATE: March 6, 2026

TO: Board of Acquisition and Contract

FROM: Blanca P. Lopez, M.S.
Commissioner of Planning

SUBJECT: Resolution authorizing the Tenth Amendment to the agreement between the County of Westchester and Housing Action Council, Inc. to increase the not-to-exceed amount from \$2,952,934 to \$3,052,934, an increase of \$100,000, and to retroactively extend the term from December 31, 2025, to December 31, 2026.

On November 5, 2015, your Honorable Board approved a resolution authorizing the County of Westchester (the "County") to enter into an agreement (the "Agreement") with Housing Action Council Inc. ("HAC") to provide pre-purchase document review and post-purchase marketing and property management services for properties approved for purchase by the County that will affirmatively further fair housing ("AFFH") in an amount not-to-exceed \$200,000 (the "November 5, 2015 Resolution"). The Agreement was subsequently executed.

Thereafter, on January 21, 2016, your Honorable Board approved a resolution authorizing the County to amend the Agreement with HAC in order to provide additional services and to increase the amount of the Agreement from \$200,000 to an amount not-to-exceed \$700,000, as the number of properties had increased (the "January 21, 2016 Resolution"). The Amendment was subsequently executed.

Thereafter, on November 23, 2016, your Honorable Board approved a resolution authorizing the County to approve a Second Amendment to the Agreement with HAC in order to increase the Agreement from \$700,000 to an amount not-to-exceed \$1,187,366 and change the expiration date from June 30, 2017 to June 30, 2018, as the number of properties had increased (the "November 23, 2016 Resolution"). The Amendment was subsequently executed.

Thereafter, on April 12, 2018, your Honorable Board approved a resolution authorizing the County to approve a Third Amendment to the Agreement with HAC in order to increase the Agreement from \$1,187,366 to an amount not-to-exceed \$1,642,606 and change the expiration date from June 30, 2018 to December 30, 2018 as most of the properties had not yet been resold and were taking longer to sell, requiring additional

carrying costs (the (the “April 12, 2018 Resolution). The Amendment was subsequently executed.

Thereafter, on August 9, 2019, your Honorable Board approved a resolution authorizing the County to approve a Fourth Amendment to the Agreement with HAC in order to increase the Agreement from \$1,642,606 to an amount not-to-exceed \$2,316,606 an increase of \$674,000 and change the expiration date from December 30, 2018 to December 31, 2020, due to the extended time needed to rehabilitate some of the properties and sell them (the “August 9, 2019 Resolution). The Amendment was subsequently executed.

Thereafter, on October 28, 2021, your Honorable Board approved a resolution authorizing the County to approve a Fifth Amendment to the Agreement with HAC in order to increase the amount of the Agreement from \$2,316,606 to an amount not-to-exceed \$2,822,934, an increase of \$506,328 and change the expiration date from December 31, 2020 to December 31, 2022, due to the extended time needed to rehabilitate some of the properties and sell them (the October 28, 2021 Resolution). The Amendment was subsequently executed.

Thereafter, on May 4, 2023, your Honorable Board approved a resolution authorizing the County to approve a Sixth Amendment to the Agreement with HAC in order to change the expiration date from December 31, 2022 to December 31, 2023. The Amendment was subsequently executed.

Thereafter, on May 23, 2024, your Honorable Board approved a resolution authorizing the County to approve a Seventh Amendment to the Agreement with HAC in order to change the expiration date from December 31, 2023 to December 31, 2024 and increase the amount of the Agreement from \$2,822,934 to an amount not-to-exceed \$2,922,934 an increase of \$100,000. The Amendment was subsequently executed.

Thereafter, on January 16, 2025, your Honorable Board approved a resolution authorizing the County to approve an Eighth Amendment to the Agreement with HAC in order to change the expiration date from December 31, 2024 to December 31, 2025. The Amendment was subsequently executed.

Thereafter, on July 3, 2025 your Honorable Board approved a resolution authorizing the County to approve a Ninth Amendment to the Agreement with HAC, increasing the not-to-exceed amount from \$2,922,934 to \$2,952,934, an increase of \$30,000. The Amendment was subsequently executed.

Transmitted herewith is a resolution which, if approved by your Honorable Board, will authorize the County to amend the Agreement with HAC to (i) increase the not-to-exceed amount from \$2,952,934 to \$3,052,934, representing an increase of \$100,000, and (ii) retroactively extend the term thereof from December 31, 2025 to December 31, 2026, due to the additional time required to provide ongoing property management

services, marketing expenses, and repairs and maintenance for the remaining properties (the "Tenth Amendment").

As per the Settlement Agreement (defined below) these properties require marketing and property management services until they are sold to eligible buyers. The additional time is requested as some of the properties have not yet been sold and the property management services must cover the time when the properties are marketed and the potential purchasers pursue their mortgage financing.

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 of Metro New York, Inc. v. Westchester County, New York (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 development and rehabilitation of affordable AFFH units located in eligible census blocks as defined in the Settlement Agreement.

The goal and objective of this amendment is to provide services necessary to create and market affordable AFFH units in accordance with the terms of said Settlement Agreement. Department of Planning staff will review HAC's performance to ensure all contractual requirements are met.

I recommend approval of this Tenth Amendment.

BPL/je/tf
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 03/19/2016 - RAYMOND S. SUTHERLAND SECRETARY

RESOLUTION

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

RESOLVED: that the County of Westchester (the "County") is hereby authorized to amend its agreement with the Housing Action Council, Inc. ("HAC"), pursuant to which HAC provides marketing and property management services for certain properties approved for purchase by the County, to (i) increase the not-to-exceed amount from \$2,952,934 to \$3,052,934, an increase of \$100,000, and (ii) retroactively extend the term of the agreement from December 31, 2025 to December 31, 2026; and be it further

RESOLVED: that except as specifically amended hereby, all remaining terms and conditions of the Agreement shall remain in full force and effect; and be it further

RESOLVED: that the County Executive or his duly authorized designee is authorized to execute any and all documents and take any actions necessary to effectuate purposes hereof.

Original Agreement	\$ 200,000
First Amendment	\$ 500,000
Second Amendment	\$ 487,366
Third Amendment	\$ 455,240
Fourth Amendment	\$ 674,000
Fifth Amendment	\$ 506,328
Sixth Amendment	\$ 0.00
Seventh Amendment	\$ 100,000
Eighth Amendment	\$ 0.00
Ninth Amendment	\$ 30,000
This Amendment	<u>\$ 100,000</u>
 TOTAL	 \$3,052,934

AGREEMENT NUMBER C-67-10-T53 & C-PL-16-415-10A

Account to be Charged/Credited

Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
263	19	067X	4200	T067	\$100,000

Budget Funding Year(s) FY 2022 Start Date July 1, 2015 End Date December 31, 2026

Funding Source Tax Dollars \$100,000
 State Aid _____
\$100,000 Federal Aid _____
 Other _____