

**111353**

DATE: June 24, 2025

TO: Board of Acquisition and Contract

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

SUBJECT: Authority to further amend an agreement between the County of Westchester and Housing Action Council Inc. for the provision of pre-purchase document review and post-purchase marketing and property management services in order to increase the dollar amount by an additional \$30,000, from \$2,922,934 to \$2,952,934.

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 "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.

Transmitted herewith is a resolution which, if approved by your Honorable Board, will authorize the County to further amend the Agreement with HAC in order to increase the amount of the Agreement from of \$2,922,934 to \$2,952,934, an increase of \$30,000, in order for HAC to provide post purchase property management and marketing expenses as well as repairs and maintenance of the remaining properties (the "Ninth 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.

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.

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 Ninth Amendment.

BPL/je/tf  
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 07/03/2025 - RAYMOND BULLY, SECRETARY

## RESOLUTION

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

**RESOLVED:** that the County of Westchester is authorized to further amend an agreement with the Housing Action Council, Inc. (the "HAC"), as previously amended, pursuant to which HAC agreed to provide marketing and property management services for certain properties approved for purchase by the County, in order to increase the dollar amount of the agreement by \$30,000, from \$2,922,934 to \$2,952,934; and be it further

**RESOLVED:** that except as specially amended hereby, all other terms and conditions of the same will remain the same; 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 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

TOTAL \$2,952,934

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

Account to be  
Charged/Credited

Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
101	19	0100	4420	N/A	\$0.00
263	19	067K	4380	T067	\$0.00
263	19	067U	4380	T067	\$0.00
263	19	067V	4380	T067	\$0.00
263	19	067W	4380	T067	\$0.00
263	19	123M	4380	T067	\$0.00
263	19	793R	4380	T067	\$0.00
276	19	2039	N/A	N/A	\$0.00
318	19	BPL50	6050	N/A	\$0.00
263	19	123M	4380	T123	\$30,000

Budget Funding Year(s) FY 2010, 2012, 2016, 2020 & 2021 Start Date July 1, 2015 End Date December 31, 2025

Funding Source Tax Dollars \$30,000

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

**\$30,000**

Federal Aid \_\_\_\_\_

Other \_\_\_\_\_