

**93028**

DATE: May 4, 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 agreement with Housing Action Council, Inc., to provide technical assistance to not-for-profit developers of new fair and affordable housing developments and/or local housing boards.

The attached resolution, if approved by your Honorable Board, would authorize the County of Westchester (the "County") to enter into an agreement with the Housing Action Council, Inc. (the "HAC") for the provision of technical assistance to not-for-profit developers of new fair and affordable housing developments and/or local housing boards, for a term commencing on January 1, 2022 and continuing through December 31, 2022. In consideration for services to be rendered, the County will pay HAC an amount not exceed \$125,840.00, to be paid pursuant to an approved budget.

HAC will facilitate the development and preservation of affordable housing by assisting not-for-profit organizations and/or local housing boards with nine affordable housing developments sponsored by such organizations through: grant application processes; determining financial feasibility; securing federal, state and private funds; and other matters related to the development, preservation and improvement of affordable housing.

HAC has been providing these services to the County for over fifteen (15) years and has been deemed to possess the requisite skills and experience to meet the needs of those in our community who require these services.

HAC will provide organizational assistance services such as, but not limited to, assisting various organizations with their housing development options, developing and educating boards of directors, helping to set or clarify housing goals and objectives and preparing applications for federal tax exemption under 501(c)3 of the Internal Revenue Code. HAC will provide technical services to up to six (6) organizations that will include, but not be limited to, assessing the potential of housing development or preservation on specific sites; preparing preliminary development and operating budgets; presenting

options on maintaining affordability; advising on zoning, site planning and other approvals; guiding through the acquisition and development processes; preparing loan and grant applications; and coordinating development and construction oversight.

Authority is further requested for HAC to subcontract a portion of the services to Pace University's Elisabeth Haub School of Law's Land Use Law Center ("LULC"). LULC will serve as a subconsultant for the provision of organizational and technical assistance to both HAC and the not-for-profit organizations, municipalities, affordable housing committees and affordable housing coalitions, which assistance shall include but not be limited to guidance on land use issues, site feasibility, and advice on local, county and regional affordable housing needs. HAC met and exceeded their goals for the 2021 contract period. We anticipate HAC will continue to meet or exceed all of their goals in 2022.

The goal and objective of this agreement is to assist in the provision of fair and affordable housing in Westchester County. The organization assistance and technical services provided by the Housing Action Council, Inc., are essential to the provision of fair and affordable housing in Westchester County. The program will be monitored by Department of Planning staff who will review all payment requests to make sure all contractual requirements are met. HAC will submit quarterly reports to the Department of Planning.

Authority to exempt the agreement from the requirements of the County of Westchester Procurement Policy and Procedures, pursuant to Section 3(a)xxi thereof, has been requested from your Honorable Board by a separate resolution of even date herewith.

I recommend approval of this agreement.

NVD/cp  
Attachment

## RESOLUTION

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

RESOLVED: that the County of Westchester is authorized to enter into an agreement with the Housing Action Council, Inc. ("HAC"), for the provision of technical assistance to not-for-profit developers of new fair and affordable housing projects and/or local housing boards, in an amount not to exceed \$125,840.00, to be paid pursuant to an approved budget, for a term commencing on January 1, 2022, and continuing through December 31, 2022; and be it further

RESOLVED: that HAC is hereby authorized to subcontract with Pace University's Elisabeth Haub School of Law's Land Use Law Center ("LULC"). LULC will serve as a sub-consultant for the provision of organizational and technical assistance to both HAC and the local not-for-profit developers and housing boards is hereby approved; and be it further

RESOLVED: that this Agreement is subject to County appropriations, and be it further

RESOLVED: that this Agreement is also subject to further financial analysis of the impact of any New York State Budget (the "State Budget") proposed and adopted during the term of this Agreement. The County shall retain the right, upon the occurrence of any release by the Governor of a proposed State Budget and/or the adoption of a State Budget or any amendments thereto, and for a reasonable period of time after such release(s) or adoption(s), to conduct an analysis of the impacts of any such State Budget on County finances. After such analysis, the County shall retain the right to either terminate the Agreement or to renegotiate the amounts and rates approved herein. If the County subsequently offers to pay a reduced amount to the Contractor, then the Contractor shall have the right to terminate this Agreement upon reasonable prior written notice; 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.

Account to be  
Charged/Credited

|      |      | Major Program,<br>Program & Phase | Object/<br>Sub Object | Trust<br>Account |              |
|------|------|-----------------------------------|-----------------------|------------------|--------------|
| Fund | Dept | Or Unit                           |                       |                  | Dollars      |
| 101  | 19   | 0100                              | 4420                  | n/a              | \$125,840.00 |

Budget Funding Year(s)  
(must match resolution)

FY 2022 Start Date January 1, 2022 End Date December 31, 2022

Funding Source

Tax Dollars \$125,840.00

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

\$125,840.00  
(must match resolution)

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

Other \_\_\_\_\_