



George Latimer
County Executive

July 15, 2024

Westchester County Board of Legislators
800 Michaelian Office Building
White Plains, New York 10601

Dear Honorable Members of the Board of Legislators:

As your Honorable Board is aware, to encourage the development of affordable housing that will affirmatively further fair housing ("AFFH") in Westchester County (the "County"), the County has established Housing Implementation Fund II ("HIF" or "Capital Project BPL1A") to provide funds to assist in the construction of infrastructure improvements.

The Department of Planning ("Planning") has advised that the White Plains Housing Authority (the "WPHA") owns the 9.6 +/- acres of real property in the City of White Plains (the "City") where the Winbrook Public Housing Complex (the "Complex") was constructed in the 1950s. The Complex originally consisted of 450 public housing units within four 9-story buildings. The Complex has deteriorated and is in need of redevelopment. The first and second phase of the property's redevelopment has been completed with County assistance through HIF. Now in front of your honorable Board is the third phase.

Planning has advised that the WPHA and Trinity Financial Inc., its successors or assigns, (collectively, the "Developer") propose to construct 174 rental units in one building on the approximately +/- 1.28-acre site at 161 South Lexington Avenue in the City of White Plains, (the "Property"). All 174 rental units will be available to households that earn at or below 30% and up to 90% of the Westchester County area median income ("AMI") and will all remain affordable for a period of not less than 50 years (the "Affordable AFFH Units"). The Affordable AFFH Units are expected to include 79 one-bedroom, 85 two-bedroom, 8 three-bedroom and 2 four-bedroom units. The building will also include a community room/lounge, outdoor seating areas, fitness center, game room, rooftop terrace, management office and on-site laundry services on each floor. Also included will be the construction of 63 on-grade parking spaces. Together, the building and the parking comprise the "Development." The Developer is requesting an amount not to exceed \$8,134,000 to be used for infrastructure improvements that include, but will not be limited to, on-site and off-site paving, curbing, sidewalks, storm water detention, drainage systems, sanitary sewer system, water lines, lighting, signage, landscaping, construction management and County administrative costs.

Planning has advised that the Property is currently owned by the White Plains Housing Authority

Office of the County Executive

Michaelian Office Building
148 Martine Avenue
White Plains, New York 10601

Telephone: (914)995-2900 E-mail: ceo@westchestergov.com



(“WPHA”). WPHA will lease the land for the building to the Developer for 99 years for \$1 per year.

Transmitted herewith for your review and approval, please find the following two Acts:

Inter-Municipal Developer Agreement Act. An Act (the “IMDA Act”) which will authorize the County to enter into an Inter-Municipal Developer Agreement (the “IMDA”) with the City of White Plains (the “City”) and the Developer, its successors or assigns, to finance the construction of the infrastructure improvements including, but not limited to, on-site and off-site paving, curbing, sidewalks, retaining walls, storm water detention, drainage systems, sanitary sewer system, water lines, lighting, signage, landscaping, construction management and County administrative costs. (the “Infrastructure Improvements”) in support of the Affordable AFFH Units as part of the County’s program to ensure the development of new affordable housing. The term of the IMDA will be fifteen years (commensurate with the period of probable usefulness of the HIF bonds as described herein). The IMDA will provide that the City and/or the Developer, its successors or assigns, will be responsible for all costs of operation and maintenance of the Infrastructure Improvements. The IMDA will require the Developer, as a condition of the County’s financing of the Infrastructure Improvements, to record a declaration of restrictive covenants approved by, and enforceable by, the County which will run with the land and bind the Property and any successor(s) in interest and will require that the Affordable AFFH Units be maintained and marketed in accordance thereto for a period of not less than fifty years.

Construction Financing. A Bond Act (the “HIF Bond Act”) prepared by the firm of Hawkins, Delafield and Wood, LLP, to authorize the issuance of bonds of the County in an amount not-to-exceed \$8,134,000 as a part of Capital Project BPL1A to finance the Infrastructure Improvements for the Development. Planning has advised that subject to the approval of your Honorable Board, the HIF Bond Act will authorize an amount not to exceed \$8,134,000 (the “County Funds”) for the Infrastructure Improvements, which includes costs to cover the County’s legal fees and staff costs.

Planning has advised that the authorization of your Honorable Board is required to accept all necessary property rights required to construct the Infrastructure Improvements. The County will have an ownership interest in the Infrastructure Improvements through an easement until the expiration of the term of the HIF bonds, as described herein. However, the County will not be responsible for any costs related to the operation and maintenance of the Infrastructure Improvements.

Planning has further advised that additional funding for the Development is anticipated to be provided through a New York State Housing Finance Agency (“HFA”) first mortgage, New York State Homes and Community Renewal (“HCR”) subsidy, Federal and State Low Income Housing tax credits, New York State Brownfield tax credits, Westchester County Housing Flex Fund subsidy and City of White Plains subsidy for an estimated total cost of approximately \$130.99 Million.

On June 4, 2024, the Westchester County Planning Board (the “Planning Board”) adopted

Resolution No. 24-21 to recommend funding to finance the Infrastructure Improvements on the Property. The Planning Board Resolution has been annexed hereto.

Based on the importance of increasing the number of Affordable AFFH Units in the County, your favorable action on the annexed Acts is respectfully requested.

Sincerely,

A handwritten signature in blue ink, appearing to read "George Latimer", written in a cursive style.

George Latimer
County Executive

Attachments
GL/BPL/DV

**HONORABLE BOARD OF LEGISLATORS
THE COUNTY OF WESTCHESTER**

Your Committee is in receipt of a communication from the County Executive recommending the adoption of two Acts in connection with “Capital Project BPL1A – Housing Implementation Fund II.”

As your Honorable Board is aware, to encourage the development of affordable housing that will affirmatively further fair housing (“AFFH”) in Westchester County (the “County”), the County has established a Housing Implementation Fund II (“HIF” or “Capital Project BPL1A”) to provide funds to assist in the construction of infrastructure improvements.

The Department of Planning (“Planning”) has advised your Committee that the White Plains Housing Authority (the “WPHA”) owns the 9.6 +/- acres of real property in the City of White Plains (the “City”) where the Winbrook Public Housing Complex (the “Complex”) was constructed in the 1950s. The Complex originally consisted of 450 public housing units within four 9-story buildings. The Complex is in need of redevelopment. The first and second phase of the property’s redevelopment now known as Brookfield Commons has been completed with County assistance through HIF. Now in front of your Honorable Board is the third phase.

Planning has advised your Committee that the WPHA and Trinity Financial Inc., its successors or assigns (the “Developer”) propose to construct one building with 174 rental units on the approximately +/- 1.28-acre site at 161 South Lexington Avenue, in the City of White Plains (the “Property”). All 174 rental units will be available to households that earn at or below 30% and up to 90% of the Westchester County area median income (“AMI”), and will all remain affordable for a period of not less than 50 years (the “Affordable AFFH Units”). The Affordable AFFH Units are expected to include 79 one-bedroom, 85 two-bedroom, 8 three-bedroom and 2 four bedroom units. The building will also include a community room/lounge, outdoor seating areas, fitness center, game room, rooftop terrace, management office and on-site laundry services on each floor. Also included will be the construction of 63 on-grade parking spaces. Together,

the building and the parking comprise the "Development." The Developer is requesting an amount not to exceed \$8,134,000 to be used for infrastructure improvements that include, but will not be limited to, on-site and off-site paving, curbing, sidewalks, storm water detention, drainage systems, sanitary sewer system, water lines, lighting, signage, landscaping, construction management and County administrative costs.

Planning has advised your Committee that the Property is currently owned by the White Plains Housing Authority ("WPHA"). WPHA will lease the land for the building to the Developer for 99 years for \$1 per year.

Transmitted herewith for your review and approval, please find the following two Acts:

Inter-Municipal Developer Agreement Act. An Act (the "IMDA Act") which will authorize the County to enter into an Inter-Municipal Developer Agreement (the "IMDA") with the City of White Plains (the "City") and the Developer, its successors or assigns, to finance the construction of the infrastructure improvements including, but not limited to, on-site and off-site paving, curbing, sidewalks, storm water detention, drainage systems, sanitary sewer system, water lines, lighting, signage, landscaping, construction management and County administrative costs (the "Infrastructure Improvements") in support of the Affordable AFFH Units as part of the County's program to ensure the development of new affordable housing. The term of the IMDA will be fifteen years (commensurate with the period of probable usefulness of the HIF bonds as described herein). The IMDA will provide that the City and/or the Developer, its successors, or assigns, will be responsible for all costs of operation and maintenance of the Infrastructure Improvements. The IMDA will require the Developer, as a condition of the County's financing of the Infrastructure Improvements, to record a declaration of restrictive covenants approved by, and enforceable by, the County which will run with the land and bind the Property and any successor(s) in interest and will require that the Affordable AFFH Units be maintained and marketed in accordance thereto for a period of not less than fifty.

Construction Financing. A Bond Act (the “HIF Bond Act”) prepared by the firm of Hawkins, Delafield and Wood, LLP, to authorize the issuance of bonds of the County in an amount not-to-exceed \$8,134,000 as a part of Capital Project BPL1A to finance the Infrastructure Improvements for the Development. Planning has advised that subject to the approval of your Honorable Board, the HIF Bond Act will authorize an amount not to exceed \$8,134,000 (the “County Funds”) for the Infrastructure Improvements which includes costs to cover the County’s legal fees and staff costs.

Planning has advised your Committee that your Honorable Board’s authorization is required to accept all necessary property rights required to construct the Infrastructure Improvements. The County will have an ownership interest in the Infrastructure Improvements through easements until the expiration of the term of the HIF bonds, as described herein. However, the County will not be responsible for any costs related to the operation and maintenance of the Infrastructure Improvements.

Planning has further advised your Honorable Board that additional funding for the Development is anticipated to be provided through a New York State Housing Finance Agency (“HFA”) first mortgage, New York State Homes and Community Renewal (“HCR”) subsidy, Federal and State Low Income Housing tax credits, New York State Brownfield tax credits, Westchester County Housing Flex Fund subsidy and City of White Plains subsidy for an estimated total cost of approximately \$130.99 Million.

Your Committee has been advised that on June 4, 2024, the Westchester County Planning Board (the “Planning Board”) adopted Resolution No. 24-21 to recommend funding to finance the Infrastructure Improvements on the Property. The Planning Board Resolution has been annexed hereto.

As your Honorable Board is aware, no action may be taken with regard to the proposed legislation until the requirements of the State Environmental Quality Review Act (“SEQRA”) have been met. The Planning Department has advised the City Common Council classified this

project as an Unlisted action. On July 3, 2023, the City Common Council issued a notice of intent to serve as lead agency, circulated Part 1 of a Full Environmental Assessment Form and circulated a Full Environmental Assessment Form to involved agencies, including the Westchester County Board of Legislators. On August 7, 2023, the City Common Council issued a Negative Declaration for the project. Since the City undertook coordinated review and the County was included as an involved agency, then, in accordance with SEQRA and its implementing regulations (6 NYCRR Part 617), no further environmental review is required by the County.

Based on the foregoing, your Committee believes that the Acts are in the best interest of the County and therefore recommends their adoption, noting that the IMDA Act requires an affirmative vote of the majority of your Honorable Board, while the HIF Bond Act requires the affirmative vote of two-thirds of your Honorable Board.

Dated: _____, 2024
White Plains, New York

COMMITTEE ON

c/dlv

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: BPL1A

☐ NO FISCAL IMPACT PROJECTED

SECTION A - CAPITAL BUDGET IMPACT

To Be Completed by Budget

☒ GENERAL FUND

☐ AIRPORT FUND

☐ SPECIAL DISTRICTS FUND

Source of County Funds (check one):

☒ Current Appropriations

☐ Capital Budget Amendment

161 SOUTH LEXINGTON AVE WHITE PLAINS

SECTION B - BONDING AUTHORIZATIONS

To Be Completed by Finance

Total Principal \$ 8,134,000 PPU 15 Anticipated Interest Rate 3.13%

Anticipated Annual Cost (Principal and Interest): \$ 686,914

Total Debt Service (Annual Cost x Term): \$ 10,303,716

Finance Department: maab 7-8-24

SECTION C - IMPACT ON OPERATING BUDGET (exclusive of debt service)

To Be Completed by Submitting Department and Reviewed by Budget

Potential Related Expenses (Annual): \$ -

Potential Related Revenues (Annual): \$ -

Anticipated savings to County and/or impact of department operations
(describe in detail for current and next four years):

SECTION D - EMPLOYMENT

As per federal guidelines, each \$92,000 of appropriation funds one FTE Job

Number of Full Time Equivalent (FTE) Jobs Funded: n/a

Prepared by: Blanca P. Lopez

Title: Commissioner

Department: Planning

Date: 7/8/24

Reviewed By: 

Budget Director

Date: 7/9/24

TO: Leonard Gruenfeld, Program Director
Division of Housing & Community Development

FROM: David S. Kvinge, AICP, RLA, CFM
Assistant Commissioner



DATE: July 3, 2024

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR
BPL1A HOUSING IMPLEMENTATION FUND II
BROOKFIELD COMMONS PHASE III, WHITE PLAINS**

Pursuant to your request, Environmental Planning staff has reviewed the above referenced project with respect to the State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617 (SEQR).

The project involves the construction of an 11-story residential building, containing 174 new affordable apartments and approximately 2,100 square feet of community space, along with 63 parking spaces on an approximately one-acre site at 161 South Lexington Avenue in the City of White Plains. This project represents the third phase of a multi-phased project to redevelop the Winbrook public housing complex, which was built around 1949 and consisted of 450 units divided into five buildings on approximately 9.6-acres of land in downtown White Plains.

Phase 1 consisted of a new 10-story building with 104 new affordable apartments that was built on a vacant portion of the public housing property, which enabled the existing residents in one of the five original buildings (135 South Lexington Avenue) to be relocated to the first new building prior to its demolition which occurred under Phase 2. Under Phase 2, a second new building was constructed in its place, consisting of 129 affordable apartments in a 9-story building with approximately 75 parking spaces, which now houses the residents from the second original building to be replaced (159 South Lexington Avenue). Under Phase 3, the second original building will be demolished and a third new building will be constructed in its place. The third new building will not only accommodate the existing residents from another one of the original buildings, but will also provide an additional 84 new units of affordable rental housing.

To facilitate this next phase of affordable housing, the County will provide financial assistance through Capital Project BPL1A- Housing Implementation Fund II (Fact Sheet ID: 2546) to support a portion of the infrastructure improvements, such as paving, curbing, sidewalks, stormwater management, water lines, sanitary sewer system, lighting, signage, and landscaping.

With respect to SEQR, the White Plains Common Council classified this project as an Unlisted action. On July 3, 2023, the White Plains Common Council issued a notice of intent to serve as lead agency and circulated a Full Environmental Assessment Form to involved agencies, including the Westchester County Board of Legislators. On August 7, 2023, the White Plains Common Council issued a Negative Declaration for the project. Since the City undertook coordinated review

and the County of Westchester was included as an involved agency, then, in accordance with section 617.6(b)(3), no further environmental review is required by the County.

Please do not hesitate to contact me if you have any questions regarding this matter.

DSK/cnm

cc: Blanca Lopez, Commissioner
David Vutera, Associate County Attorney
Susan Darling, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Principal Environmental Planner

RESOLUTION 24- 21

WESTCHESTER COUNTY PLANNING BOARD

**Housing Implementation Fund II
Capital Project Funding Request
Brookfield Commons Phase III
161 South Lexington Avenue, City of White Plains**

WHEREAS, the County has established Capital Project BPLIA Housing Implementation Fund II ("HIF") to assist municipalities with the cost of construction of public infrastructure improvements associated with the development of fair and affordable housing; and

WHEREAS, White Plains Housing Authority and Trinity Financial, Inc. (collectively the "Developer"), its successors or assigns, desire to develop the real property located at 161 South Lexington Avenue in the City of White Plains (the "City"), identified on the City tax maps as Section 125.83; Block 7; Lot 1 (the "Property") to create 174 residential units, 2,100 square feet of community facility space and approximately 63 parking spaces (collectively the "Development"). 155 of the 174 units will be affordable residential units that will affirmatively further fair housing (the "Affordable AFFH Units");

WHEREAS, the Developer desires the County to fund infrastructure improvements to support the construction of an eleven-story building, with 155 affordable residential rental units and 63 parking spaces (the "Development"); and

WHEREAS, 155 rental units will be available to households who earn at or below 30% and up to 60% of Westchester County's Area Median Income ("AMI"). 18 rental units will be available to households who earn at or below 90% of the AMI. One unit will be an employee unit restricted at 90% of the AMI; and

WHEREAS, the Affordable AFFH Units will be leased to eligible households pursuant to an approved Affirmative Fair Housing Marketing Plan and remain affordable for a minimum of 50 years; and

WHEREAS, a not to exceed amount of \$8,134,000 is requested from Capital Project BPLIA Housing Implementation Fund II to fund eligible expenses that include, but will not be limited to, on-site and off-site paving, curbing, sidewalks, retaining walls, storm water detention, drainage systems, sanitary sewer system, water lines, lighting, signage, landscaping, construction management and County administrative costs; and

WHEREAS, the Development proposes to include green technology such as energy efficient appliances, lighting and heating systems and water-conserving fixtures to maximize energy efficiency, reduce heating and cooling costs and conserve natural resources; and

WHEREAS, the Development is subject to approvals by the City of White Plains; and

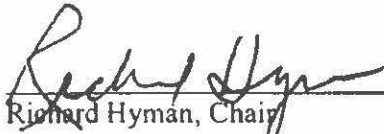
WHEREAS, the funding to support the development of the Affordable AFFH Units is consistent with and reinforces *Westchester 2025 – Policies to Guide County Planning*, the County Planning Board's adopted long-range land use and development policies, by contributing to the development of "a range of housing types" "affordable to all income levels;" and

WHEREAS, the staff of the County Department of Planning have reviewed the proposal and recommend the requested funding associated with the construction of the infrastructure improvements; and

RESOLVED, that the Westchester County Planning Board after completing a review of the physical planning aspects of the Development, supports the request to provide a not to exceed amount of \$8,134,000 for infrastructure improvements for the Development under the terms of the HIF Program, which will support the creation of 155 Affordable AFFH Units which will be available to households who earn at or below 30% and up to 60% of AMI, located at 161 South Lexington Avenue in the City of White Plains; and

RESOLVED, that the Westchester County Planning Board amends its report on the 2024 Capital Project Requests to include 161 South Lexington Avenue in the City of White Plains, as a new component project in Capital Project BPL1A under the heading of Buildings, Land and Miscellaneous.

Adopted this 4th day of June, 2024.


Richard Hyman, Chair

ACT NO. -20__

BOND ACT AUTHORIZING THE ISSUANCE OF \$8,134,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF INFRASTRUCTURE IMPROVEMENTS ASSOCIATED WITH THE CONSTRUCTION OF AFFORDABLE HOUSING UNITS ON PROPERTY LOCATED AT 161 SOUTH LEXINGTON AVENUE, IN THE CITY OF WHITE PLAINS, IN ORDER TO AFFIRMATIVELY FURTHER FAIR HOUSING ("AFFH") PURSUANT TO THE COUNTY'S HOUSING IMPLEMENTATION FUND II CAPITAL PROJECT; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$8,134,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$8,134,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS (Adopted , 20__)

BE IT ENACTED BY THE COUNTY BOARD OF LEGISLATORS OF THE COUNTY OF WESTCHESTER, NEW YORK (by the affirmative vote of not less than two-thirds of the voting strength of said Board), AS FOLLOWS:

Section 1. Pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law"), the Westchester County Administrative Code, being Chapter 852 of the Laws of 1948, as amended, and other laws applicable thereto, bonds of the County in the aggregate amount of \$8,134,000, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of infrastructure improvements associated with the construction of affordable housing units on property located at

161 South Lexington Avenue, in the City of White Plains (the "AFFH Property") at a cost to the County of \$8,134,000, including related costs incurred by the County, which may include construction management and engineering costs, and staff and legal fees, in order to support the construction of affordable housing units that will affirmatively further fair housing ("AFFH"). The infrastructure improvements may include, but shall not be limited to, paving with curbing and/or sidewalks, storm water detention, drainage systems, sanitary sewer systems, water lines, lighting, related signage and landscaping and construction management and County administrative costs. The funding requested herein, at the aggregate estimated maximum cost of \$8,134,000, is in support of the construction of 174 Affordable AFFH units. The County shall enter into an Inter-municipal/Developer Agreement ("IMDA") with the City of White Plains, White Plains Housing Authority and Trinity Financial, Inc. (the "Developer"), its successors or assigns, to finance eligible infrastructure improvements associated with the construction of said affordable AFFH units (the "Development"). A deed restriction will be filed against the AFFH Property to require that the AFFH units will be marketed and leased in accordance with an approved affirmative fair housing marketing plan to eligible households for a period of not less than 50 years. The cost of said infrastructure improvements for the AFFH Property is set forth in the County's Current Year Capital Budget, as amended. To the extent that the details set forth in this act are inconsistent with any details set forth in the Current Year Capital Budget of the County and the Statement of Need, such Budget and Statement of Need shall be deemed and are hereby amended. The estimated maximum cost of said object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$8,134,000. The plan of financing includes the issuance of \$8,134,000 bonds herein authorized, and any bond anticipation notes issued in anticipation of the sale of such

bonds, and the levy and collection of a tax on taxable real property in the County to pay the principal of and interest on said bonds and notes.

Section 2. The period of probable usefulness for which said \$8,134,000 bonds are authorized to be issued, within the limitations of Section 11.00 a. 91 of the Law, is fifteen (15) years.

Section 3. The County intends to finance, on an interim basis, the costs or a portion of the costs of said object or purpose for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County, pursuant to this Bond Act, in the maximum amount of \$8,134,000. This Act is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The estimate of \$8,134,000 as the estimated maximum cost of the aforesaid object or purpose is hereby approved.

Section 5. Subject to the provisions of this Act and of the Law, and pursuant to the provisions of section 30.00 relative to the authorization of the issuance of bond anticipation notes and the renewals thereof, and of sections 50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the County Board of Legislators relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, and the renewals thereof, relative to providing for substantially level or declining annual debt service, relative to prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds and the renewals of said notes, and relative to executing agreements for credit enhancement, are hereby delegated to the Commissioner of Finance

of the County, as the chief fiscal officer of the County.

Section 6. Each of the bonds authorized by this Act and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by section 52.00 of said Local Finance Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the County of Westchester, payable as to both principal and interest by general tax upon all the taxable real property within the County. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and the renewals of said notes, and provision shall be made annually in the budgets of the County by appropriation for (a) the amortization and redemption of the notes and bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 7. The validity of the bonds authorized by this Act and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of this Act or a summary hereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This Act shall take effect in accordance with Section 107.71 of the Westchester County Charter.

* * *

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STATE OF NEW YORK)
 : ss.:
COUNTY OF WESTCHESTER)

I HEREBY CERTIFY that I have compared the foregoing Act No. -20__ with the original on file in my office, and that the same is a correct transcript therefrom and of the whole of the said original Act, which was duly adopted by the County Board of Legislators of the County of Westchester on , 20__ and approved by the County Executive on , 20__.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said County Board of Legislators this day of , 20__.

Clerk and Chief Administrative Officer of the County
Board of Legislators of the County of Westchester,
New York

(SEAL)

LEGAL NOTICE

A Bond Act, a summary of which is published herewith, has been adopted by the Board of Legislators on _____, 20__ and approved by the County Executive on _____, 20__ and the validity of the obligations authorized by such Bond Act may be hereafter contested only if such obligations were authorized for an object or purpose for which the County of Westchester, in the State of New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this Notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the publication of this Notice, or such obligations were authorized in violation of the provisions of the Constitution. Complete copies of the Bond Act summarized herewith shall be available for public inspection during normal business hours at the Office of the Clerk of the Board of Legislators of the County of Westchester, New York, for a period of twenty days from the date of publication of this Notice.

ACT NO. _____-20__

BOND ACT AUTHORIZING THE ISSUANCE OF \$8,134,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF INFRASTRUCTURE IMPROVEMENTS ASSOCIATED WITH THE CONSTRUCTION OF AFFORDABLE HOUSING UNITS ON PROPERTY LOCATED AT 161 SOUTH LEXINGTON AVENUE, IN THE CITY OF WHITE PLAINS, IN ORDER TO AFFIRMATIVELY FURTHER FAIR HOUSING ("AFFH") PURSUANT TO THE COUNTY'S HOUSING IMPLEMENTATION FUND II CAPITAL PROJECT; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$8,134,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$8,134,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS (Adopted _____, 20__)

Object or purpose: to finance the cost of infrastructure improvements associated with the construction of affordable housing units on property located at 161 South Lexington Avenue, in the City of White Plains (the "AFFH Property") at a cost to the County of \$8,134,000, including related costs incurred by the County, which may include construction management and engineering costs, and staff and legal fees, in order to support the construction of affordable housing units that will affirmatively further fair housing ("AFFH"). The infrastructure improvements may include, but shall not be limited to, paving with curbing and/or sidewalks, storm water detention, drainage systems, sanitary sewer systems, water lines, lighting, related signage and landscaping and construction management and County administrative costs. The funding requested herein, at the aggregate

estimated maximum cost of \$8,134,000, is in support of the construction of 174 Affordable AFFH units. The County shall enter into an Inter-municipal/Developer Agreement ("IMDA") with the City of White Plains, White Plains Housing Authority and Trinity Financial, Inc. (the "Developer"), its successors or assigns, to finance eligible infrastructure improvements associated with the construction of said affordable AFFH units (the "Development"). A deed restriction will be filed against the AFFH Property to require that the AFFH units will be marketed and leased in accordance with an approved affirmative fair housing marketing plan to eligible households for a period of not less than 50 years. The cost of said infrastructure improvements for the AFFH Property is set forth in the County's Current Year Capital Budget, as amended.

Amount of obligations to be issued
and period of probable usefulness: \$8,134,000 - fifteen (15) years

Dated: _____, 20____
White Plains, New York

Clerk and Chief Administrative Officer of the County Board
of Legislators of the County of Westchester, New York

Capital Project Fact Sheet Form

Project ID: *
BPL1A

☒ CBA

Fact Sheet Date: *
04/23/2024

Fact Sheet Year *
2024

Project Title: *
HOUSING IMPLEMENTATION
FUND II

Legislative District ID:
8

Category *
BUILDINGS, LAND &
MISCELLANEOUS

Department *
PLANNING

Unique Identifier
2546

Overall Project Description

This project continues the funding for the Westchester County Housing Implementation Fund (HIF) previously funded under BPL01. HIF is a unique housing incentive program established to provide municipalities with funds for public infrastructure and improvements such as water, sanitary and storm sewer, road and site improvements needed to facilitate the construction or rehabilitation of fair and affordable housing. This is a general fund, specific projects are subject to a Capital Budget Amendment.

☐ Best Management

☐ Energy Efficiencies

☐ Infrastructure

☐ Life Safety

☐ Project Labor Agreement

☐ Revenue

☐ Security

☒ Other

Other Details

Five Year Capital Program (in Thousands)

	Estimate d Ultimate Total Cost	Prior Appropri ation	2024	2025	2026	2027	2028	Under Review
Gross	86,060	86,060	0	0	0	0	0	0
Less Non- County Shares	0	0	0	0	0	0	0	0
Net	86,060	86,060	0	0	0	0	0	0

Expended Obligated Amount (in thousands)
30,404

Current Bond Request / Description:

Bonding is requested to provide funding for certain infrastructure improvements for a 174 unit 100% affordable AFFH apartment building with a total of 63 outdoor parking spaces at 161 South Lexington Avenue in the City of White Plains.

Financing Plan for Current Request:

Bond/Notes: 8,134,000

Cash: 0

Non-county
Shares: 0

Total: 8,134,000

SEQR Classification

UNLISTED

Amount Requested

8,134,000

PPU

Description	Amount	Years
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Expected Design Work Provider

☐ County Staff ☐ Consultant ☒ Not Applicable

Comments

The County will enter into an Inter-Municipal/Developer Agreement with the City of White Plains, White Plains Housing Authority and Trinity Financial, Inc., its successors or assigns (the "Developer") to finance eligible infrastructure improvements associated with multi-family development to be constructed at 161 South Lexington Avenue in the City of White Plains (the "City"), identified on the tax maps as Section 125.83, Block 7, Lot 1 (the "Property"). The City will be responsible for operation and maintenance of the infrastructure and the County shall own the infrastructure improvements for the life of the County bonds. The developer will construct an eleven-story building with 174 apartments all of which will affirmatively furthering fair housing (the "Affordable AFFH Units") which will be affordable to households who earn at or below 90% of Westchester County's Area Median Income.

The building will have three elevators and residential amenities such as a fitness center, an onsite management office, a resident lounge, an outdoor rooftop terrace and seating areas, laundry facilities on each floor. The building will have 79 one-bedroom, 85 two-bedroom, 8 three-bedroom and 2 four-bedroom apartments and 63 on-site parking spaces reserved for residents.

A total of \$8,134,000 will finance the construction of infrastructure improvements that may include but will not be limited to: on-site and off-site paving, curbing, sidewalks, storm water detention, drainage systems, sanitary sewer systems, water lines, lighting, signage, landscaping, construction management and County administrative cost.

A deed restriction will be filed against the Property to require that the Affordable AFFH Units be marketed and leased in accordance with an approved affirmative fair housing marketing plan to eligible households for a period of not less than 50 years.

Energy Efficiencies:

GREEN TECHNOLOGY SUCH AS THE INSTALLATION OF ENERGY STAR APPLIANCES, LIGHTING AND HEATING SYSTEMS TO REDUCE THE EMISSIONS OF CARBON DIOXIDE INTO THE ENVIRONMENT AND A DETENTION SYSTEM TO MANAGE THE STORM WATER ONSITE.

Appropriation History		
Appropriation Year	Amount	Description
2014	5,000,000	PUBLIC INFRASTRUCTURE IMPROVEMENTS
2015	3,000,000	PUBLIC INFRASTRUCTURE IMPROVEMENTS
2016	2,500,000	PUBLIC INFRASTRUCTURE IMPROVEMENTS
2017	3,500,000	GREENBURGH MANHATTAN AVE REDEVELOPMENT SENIOR HOUSING - \$1,000,000; CONTINUATION OF THIS PROJECT -\$2,500,000
2018	4,150,000	CONTINUATION OF THIS PROJECT.
2019	5,910,000	CONTINUATION OF THIS PROJECT
2020	10,000,000	CONTINUATION OF THIS PROJECT
2021	12,000,000	CONTINUATION OF THIS PROJECT \$10,000,000 ; INFRASTRUCTURE BROADBAND \$2,000,000
2022	25,000,000	CONTINUATION OF THIS PROJECT
2023	15,000,000	CONTINUATION OF THIS PROJECT

Total Appropriation History
86,060,000

Financing History

Year	Bond Act #	Amount	Issued Amount	Description
15	164	0	0	INFRASTRUCTURE IMPROVEMENTS AT 16 ROUTE 6 IN TOWN OF SOMERS
15	170	2,400,000	2,399,394	FAH DEVELOPMENT AT 150 NORTH STREET AND THEODORE FREMD AVE IN CITY OF RYE
15	206	500,000	494,505	147, 165 AND 175 RAILROAD AVENUE, BEDFORD HILLS INFRASTRUCTURE IMPROVEMENTS
17	174	2,250,000	2,222,696	CONSTRUCTION OF INFRASTRUCTURE IMPROVEMENTS TO 1847 CROMPOND ROAD PEEKSKILL
17	210	0	0	CONSTRUCTION OF INFRASTRUCTURE IMPROVEMENTS AT 501 BROADWAY IN VILLAGE OF BUCHANAN
18	84	2,400,000	1,962,013	CONSTRUCTION OF CERTAIN PUBLIC INFRASTRUCTURE IMPROVEMENTS IN SUPPORT OF HIDDEN MEADOWS DEVELOPMENT
18	156	0	0	CONSTRUCTION OF INFRASTRUCTURE IMPROVEMENTS FOR DEVELOPMENT OF AFFORDABLE HOUSING IN NEW ROCHELLE
18	188	1,300,000	1,155,841	INFRASTRUCTURE ASSOCIATED WITH CONSTRUCTION OF AFFORDABLE UNITS AT 25 SOUT REGENT ST IN PORT CHESTER
18	183	4,400,000	4,000,982	INFRASTRUCTURE ASSOCIATED WITH AFFORDABLE HOUSING AT 135 S. LEXINGTON AVE IN WHITE PLAINS
19	72	0	0	RESCINDING ACT NO. 156-2018, INFRASTRUCTURE IMPROVEMENTS IN NEW ROCHELLE
19	180	0	0	RESCINDS BOND ACT 210-2017
19	179	2,500,000	0	CONSTRUCTION OF AFFORDABLE RENTAL UNITS AT 11 GRADEN STREET, NEW ROCHELLE
19	152	5,760,000	5,760,004	CONSTRUCTION OF AFFORDABLE RENTAL UNITS AT 645 MAIN STREET IN PEEKSKILL
20	51	5,000,000	5,000,008	COST OF INFRASTRUCTURE IMPROVEMENTS OF AFFORDABLE HOUSING UNITS IN NEW ROCHELLE
20	97	5,000,000	3,358,249	COST OF INFRASTRUCTURE IMPROVEMENTS OF AFFORDABLE HOUSING UNITS IN YONKERS
20	201	2,500,000	0	INFRASTRUCTURE IMPROVEMENTS FOR AFFORDABLE HOUSING UNIT AT 48 MANHATTAN AVE., GREENBURG

Financing History

Year	Bond Act #	Amount	Issued Amount	Description
22	28	3,500,000	241,204	AFFH AND HIF 23 MULBERRY STREET, YONKERS 60 RENTAL UNITS
23	58	2,750,000	0	HOUSING IMPLEMENTATION FUND II - 65 LAKE STREET WHITE PLAINS
23	147	5,555,000	0	HOUSING IMPLEMENTATION FUND II - 345 MCLEAN AVE YONKERS

Cash History

Year	Amount	Description
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Financing History Total
45,815,000

Recommended By:

Department of Planning
MLLL

Date
06/14/2024

Department of Public Works
RJB4

Date
06/14/2024

Budget Department
DEV9

Date
06/17/2024

Requesting Department
MLLL

Date
06/18/2024

HOUSING IMPLEMENTATION FUND II (BPL1A)

User Department : Planning

Managing Department(s) : Planning ;

Estimated Completion Date: TBD

Planning Board Recommendation: Project approved in concept but subject to subsequent staff review.

FIVE YEAR CAPITAL PROGRAM (in thousands)

	Est Ult Cost	Appropriated	Exp / Obl	2024	2025	2026	2027	2028	Under Review
Gross	86,060	86,060	30,404						
Non County Share			72						
Total	86,060	86,060	30,476						

Project Description

This project continues the funding for the Westchester County Housing Implementation Fund (HIF) previously funded under BPL01. HIF is a unique housing incentive program established to provide municipalities with funds for public infrastructure and improvements such as water, sanitary and storm sewer, road and site improvements needed to facilitate the construction or rehabilitation of fair and affordable housing. This is a general fund, specific projects are subject to a Capital Budget Amendment.

Current Year Description

There is no current year request.

Impact on Operating Budget

The impact on the Operating Budget is the debt service associated with the issuance of bonds.

Appropriation History

Year	Amount	Description	Status
2014	5,000,000	Public infrastructure improvements	COMPLETE
2015	3,000,000	Public infrastructure improvements	COMPLETE
2016	2,500,000	Public infrastructure improvements	COMPLETE
2017	3,500,000	Greenburgh Manhattan Ave Redevelopment Senior Housing - \$1,000,000; continuation of this project -\$2,500,000	COMPLETE
2018	4,150,000	Continuation of this project.	COMPLETE
2019	5,910,000	Continuation of this project	COMPLETE
2020	10,000,000	Continuation of this project	PARTIALLY IN PROGRESS
2021	12,000,000	Continuation of this project \$10,000,000 ; Infrastructure Broadband \$2,000,000	AWAITING BOND AUTHORIZATION
2022	25,000,000	Continuation of this project	AWAITING BOND AUTHORIZATION
2023	15,000,000	Continuation of this project	AWAITING BOND AUTHORIZATION
Total	86,060,000		

HOUSING IMPLEMENTATION FUND II (BPL1A)

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	86,060,000	26,648,042	59,411,958
Others		(71,958)	71,958
Total	86,060,000	26,576,084	59,483,916

Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
164 15				
170 15	2,400,000	12/15/17	1,053,460	605
		12/15/17	193,426	
		12/15/17	1,634	
		12/10/18	551,309	
		12/10/19	271,876	
		12/10/19	53,689	
		12/01/22	249,231	
		12/01/22	24,769	
206 15	500,000	12/15/17	262,311	5,494
		12/15/17	48,163	
		12/15/17	407	
		12/10/18	183,625	
174 17	2,250,000	12/10/18	24,138	27,303
		12/10/19	127,644	
		12/10/19	25,207	
		04/30/20	192,926	
		10/28/20	985,486	
		10/28/20	138,079	
		10/28/20	38,077	
		10/28/20	(38,077)	
		12/01/21	445,116	
		12/01/22	258,419	
		12/01/22	25,682	
210 17				
84 18	2,400,000	12/10/19	270,781	437,986
		12/10/19	53,472	
		04/30/20	560,358	
		10/28/20	389,869	
		10/28/20	54,626	
		10/28/20	15,064	
		10/28/20	(15,064)	
		12/01/21	632,909	

HOUSING IMPLEMENTATION FUND II (BPL1A)

156	18				
188	18	1,300,000	04/30/20	27,188	175,290
			10/28/20	487,032	
			10/28/20	68,239	
			10/28/20	18,818	
			12/01/21	294,989	
			12/01/22	207,794	
			12/01/22	20,651	
183	18	4,400,000	12/01/21	1,765,006	1,225,102
			12/01/22	1,282,442	
			12/01/22	127,450	
72	19				
152	19	5,760,000	12/01/21	2,419,574	288,000
			12/01/22	2,776,495	
			12/01/22	275,931	
179	19	2,500,000			2,500,000
180	19				
51	20	5,000,000	12/01/21	148,675	515,682
			12/01/22	3,943,713	
			12/01/22	391,930	
97	20	5,000,000	12/01/21	43,723	3,721,792
			12/01/22	1,122,890	
			12/01/22	111,594	
201	20	2,500,000			2,500,000
28	22	3,500,000			3,500,000
58	23	2,750,000			2,750,000
147	23	5,555,000			5,555,000
Total		45,815,000		22,612,745	23,202,255