

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

Your Committee is in receipt of a communication from the County Executive recommending that your Honorable Board approve an Act authorizing the County of Westchester (the “County”) to enter into cooperation agreements (the “Agreements”) with any or all cooperating Westchester communities, listed below, for the purpose of undertaking a community development program pursuant to the Housing and Community Development Act of 1974, as amended. In a continuing effort to maximize federal funding to the County, the Board is being asked to authorize the Agreements to qualify the participating municipalities to receive Community Development Block Grant (“CDBG”), HOME Investment Partnership Program (“HOME”) and Emergency Solutions Grant (“ESG”) funds as an Urban County, under 24 CFR 570.307(a) of the CDBG regulations, during Fiscal Years 2022-2024 (commencing May 1, 2022 and ending April 30, 2025) from the United States Department of Housing and Urban Development (“HUD”). The Agreements will automatically renew for successive three year periods unless the County or the municipality exercises their option to terminate their Agreement at the end of any three- year period.

The Secretary of HUD is authorized under Title I of the Housing and Community Development Act of 1974, as amended, to make grants to states and other units of general local government to help finance community development programs.

Section 99-H of the General Municipal Law of the State of New York grants to any municipal corporation the power, either individually or jointly with one or more other municipal corporations, to apply for, accept and expend funds made available by the federal government, either directly or through the state, pursuant to the provisions of any federal law which is not inconsistent with the statutes or constitution of this state, in order to administer, conduct, or participate with the federal government in programs relating to the general welfare of the inhabitants of such municipal corporation.

Thirty municipalities have joined the Consortium in the last three years and several more are considering it for the next cycle. Participation by the County as an Urban County in these programs required that Westchester municipalities and the County cooperate in undertaking, or assist in undertaking, essential community development and housing activities as authorized by

statutes enacted pursuant to the New York State Constitution.

The execution of the Agreements, which have to be submitted to the New York Regional Office of HUD by July 16, 2021, is the first step in qualifying the County and the participating municipalities for CDBG, HOME and ESG funding commencing May 1, 2022.

Your Committee has been advised that the Planning Department has determined that under the State Environmental Quality Review Act Regulations (“SEQRA”), your Board is not required to make any determination because this legislation is a “Type II” action. Your Committee concurs with this conclusion.

Over the 38 years the County had previously administer these programs, the County received over \$252 million dollars of non-repayable federal funding under these programs (over \$203 million under the CDBG program, \$39 million under the HOME program and \$10 million under the ESG program). Critically needed programs in neighborhood preservation, housing and public improvements are carried out on behalf of the municipalities throughout the Urban County Consortium. The grant is a 100% non-repayable federally funded program.

Therefore, your Committee recommends the adoption of the Act as submitted by the County Executive, authorizing execution of Agreements with any or all of the following municipalities who do not currently participate in the Consortium:

Bronxville, Village of
Harrison, Town/Village of
Mount Pleasant, Town of
Pelham, Town of
Pound Ridge, Town of
Somers, Town of

Eastchester, Town of
Larchmont, Village of
North Castle, Town of
Pelham Manor, Village of
Rye, City of

Dated: June 14, 2021

White Plains, New York

COMMITTEE ON

Benjamin Boyfrost
W.H.M.
Arthur R.

Benjamin Boyfrost
Arthur R.

Benjamin Boyfrost
W.H.M.

Budget & Appropriations

Planning, Economic Development & Energy

Labor & Housing

Dated: June 7, 2021
White Plains, New York

The following members attended the meeting remotely, as per Governor Cuomo's Executive Order 202.1 and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

Committee(s) on:

Budget and Appropriations

Vedat Oadin
Margaret A. Cunzio
Nancy E. Pan
Catherine F. Parker
Alfreda Willis
David Q. Iuliano
Ruth Walter

Planning, Economic Development
& Energy

Catherine F. Parker
Nancy E. Pan
Margaret A. Cunzio
Mary Jane Skomsky
Colin J. Smith
Ruth Walter
David Q. Iuliano

Labor & Housing

Cathy
Catherine F. Parker
Alfreda Willis
Margaret A. Cunzio

FISCAL IMPACT STATEMENT

SUBJECT: Cooperation Agreements for HUD App. NO FISCAL IMPACT PROJECTED

OPERATING BUDGET IMPACT

To Be Completed by Submitting Department and Reviewed by Budget

SECTION A - FUND

GENERAL FUND

AIRPORT FUND

SPECIAL DISTRICTS FUND

SECTION B - EXPENSES AND REVENUES

Total Current Year Expense TBD

Total Current Year Revenue TBD

Source of Funds (check one): Current Appropriations Transfer of Existing Appropriations

Additional Appropriations Other (explain)

Identify Accounts: TBD

Potential Related Operating Budget Expenses: Annual Amount TBD

Describe: An ACT authorizing the County of Westchester to enter into Cooperation Agreements with one or more Westchester municipalities to undertake a community development program and apply for CDBG, HOME & ESG funds from the US Dept. of HUD for fiscal years 2022-2024.

Potential Related Operating Budget Revenues: Annual Amount TBD

Describe: _____

Anticipated Savings to County and/or Impact on Department Operations:

Current Year: TBD

Next Four Years: TBD

Prepared by: Roberto Nascimento

Title: Sr. Budget Analyst

Department: Budget


Date: June 2, 2021

Reviewed By: 

Budget Director

Date: 6/2/21

TO: Norma V. Drummond
Acting Commissioner

FROM: David S. Kvinge, AICP, RLA, CFM 
Director of Environmental Planning

DATE: May 27, 2021

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR URBAN COUNTY
COOPERATION AGREEMENTS**

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

The action involves entering into cooperation agreements with participating municipalities for the purpose of undertaking a community development program. In 1975, the Westchester Urban County Consortium was created to assist municipalities within Westchester County in the pursuit of HUD funding for community development and affordable housing projects. Up to 41 municipalities are eligible to enter into cooperation agreements with the County to participate in the Consortium; all have participated at some point in the past.

Execution of a cooperation agreement is a prerequisite, routine administrative procedure required by the U.S. Department of Housing and Urban Development (HUD) in order for municipalities to qualify for federal funding as an Urban County. The agreements are for a term of three years, with the option to renew for successive three year periods. Environmental reviews of the specific projects to be funded will be conducted during the applicable program year. HUD will not release funds for a project until all environmental review requirements pursuant to SEQR and the National Environmental Policy Act (NEPA) have been met.

Based on the above, the cooperation agreements (which will include an automatic renewal clause) may be classified as Type II actions, pursuant to section 617.5(c)(20), "routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment." As such, no further environmental review is required to enter into these cooperation agreements.

Please contact me if you need any additional information regarding this classification.

DSK/cnm

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Tami Altschiller, Assistant Chief Deputy County Attorney
Claudia Maxwell, Associate Environmental Planner

ACT NO. _____ - 2021

AN ACT authorizing the County of Westchester to enter into Cooperation Agreements with any or all of the listed municipalities to undertake a community development program and apply for Community Development Block Grant, HOME Investment Partnership Program, and Emergency Solution Grants from the U.S. Department of Housing and Urban Development for the term of 2022 – 2024 which will automatically renew for successive three-year periods.

NOW, THEREFORE, BE IT ENACTED by the members of the Board of Legislators of the County of Westchester as follows:

SECTION 1. The County of Westchester (the “County”) is hereby authorized to enter into cooperation agreements (“Agreement(s)”) with the following Westchester municipalities for the purpose of undertaking a community development program during Fiscal Years 2022-2024, with automatic renewals for successive three-year periods unless the County or the municipality exercises their option to terminate their Agreement at the end of any three- year period, pursuant to the Housing and Community Development Act of 1974, as amended with any or all of the following municipalities that do not already participate:

Bronxville, Village of	Eastchester, Town of
Harrison, Town/Village of	Larchmont, Village of
Mount Pleasant, Town of	North Castle, Town of
Pelham, Town of	Pelham Manor, Village of
Pound Ridge, Town of	Rye, City of
Somers, Town of	

§2. The County Executive or his duly authorized designee is hereby authorized and empowered to execute all instruments and to take all action necessary and appropriate to effectuate the purposes hereof.

§3. This Act shall take effect immediately.