RESOLUTION NO. 2024155

RE: APPROVING HOME CONSORTIUM AGREEMENT WITH THE CITY OF POUGHKEEPSIE PURSUANT TO THE HOME INVESTMENT PARTNERSHIP PROGRAM

Legislators D'AQUANNI, POLASEK, GORMAN, and PAOLONI offer the following and move its adoption:

WHEREAS, as a Community Development Block Grant Program participant meeting the U.S. Department of Housing and Urban Development's HOME Investment Partnership Program funding threshold, the County of Dutchess (the "County") is an entitlement community under the HOME Investment Partnership Program, and

WHEREAS, the City of Poughkeepsie (the "City") does not meet the HOME Investment Partnership Program's funding threshold and is not an entitlement community under the HOME Program, and

WHEREAS, Section 216(2) of the National Affordable Housing Act ("NAHA") provides that a consortium of geographically contiguous units can be considered to be a unit of general local government for purposes of the HOME Investment Partnership Act, and

WHEREAS, the County and the City are geographically contiguous within the meaning of NAHA, and

WHEREAS, the County and the City desire to continue to be considered a Consortium and have sufficient statutory authority under the laws of the State of New York as well as sufficient administrative capabilities to carry out the purposes of the HOME on behalf of both municipalities, and

WHEREAS, as a Consortium, the County and the City will be able to access additional federal funds to provide assistance to build affordable housing for those of low and moderate incomes within their boundaries, and

WHEREAS, this Legislature previously authorized consortium agreements between the County and the City, to wit: Resolution No. 200200 for the period October 1, 2000 to September 30, 2003; Resolution No. 203075 for the period October 1, 2003 to September 30, 2006; Resolution No. 206148 for the period October 1, 2006 to September 30, 2009; Resolution No. 209135 for the period October 1, 2009 to September 30, 2012; Resolution No. 2012141 for the period October 1, 2012 to September 30, 2015; and Resolution No. 2015139 for the period October 1, 2015 to September 30, 2024, and

WHEREAS, in order to meet Federal requirements with respect to the consortium for the period October 1, 2024 to September 30, 2027, the County and the City must execute a Consortium Agreement, a copy of which is annexed hereto, and

WHEREAS, this Legislature authorizes automatic renewal of this agreement for successive qualification periods and acknowledges that the agreement must remain in effect at least until the HOME funds from each of the federal fiscal years of the agreement's specified qualification period, and each successive qualification period for which the agreement is renewed, are expended on eligible activities, now, therefore, it is

RESOLVED, that the County Executive, or her designee, is hereby authorized and empowered to execute a Consortium Agreement for the current qualification period and successive three-year qualification periods between the County of Dutchess and the City of Poughkeepsie in substantially the same form as annexed hereto, and be it further

RESOLVED, that the City of Poughkeepsie and the County of Dutchess equitably share any HOME Investment Partnership Program funding which becomes available pursuant to the program.

CA-092-24
CEB/rjw
G-0179
08/14/24
Fiscal Impact: See Attached.

APPROVED
SUSAN J. SERINO
COUNTY EXECUTIVE
Date 9-16-2024

STATE OF NEW YORK
ss:
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess, have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 9th day of September 2024, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 9th day of September 2024.

DUTCHESS COUNTY SEAL

LEIGH WAGER, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

☑ NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost $ _____

Total Current Year Revenue $ _____
and Source

Source of County Funds *(check one)*: ☐ Existing Appropriations, ☐ Contingency,
☐ Transfer of Existing Appropriations, ☐ Additional Appropriations, ☐ Other *(explain)*.

Identify Line Items(s):

Related Expenses: Amount $ _____
Nature/Reason:

Anticipated Savings to County: _____

Net County Cost (this year): _____
Over Five Years: _____

Additional Comments/Explanation:

Prepared by: Paul Hesse, Community Development Coordinator Prepared On: 8/1/2024

Dut.pdf

SUE SERINO
COUNTY EXECUTIVE

EOIN WRAFTER, AICP
COMMISSIONER

DUTCHESS COUNTY GOVERNMENT
DEPARTMENT OF PLANNING & DEVELOPMENT

TO: Chris Baiano, Assistant County Executive

FROM: Eoin Wrafter, Commissioner of Planning & Development EW

DATE: August 8, 2024

RE: Legislative Resolution – September 2024 Meeting 2025-2027 HOME Consortium

Attached is a resolution request for the legislature to authorize the County Executive to re-form the HOME Consortium between the County and the City of Poughkeepsie for the 2025-2027 Federal fiscal years plus automatic renewals for successive qualifications periods. The existing Consortium expires this year on September 30, 2024.

A draft of the agreement is attached. The executed agreement is due to HUD by September 13, 2024. We are working with the City to ensure that the City Council passes its authorizing resolution.

Please contact Gail Padalino, Community Development Administrator, at x2549 or gpadalino@dutchessny.gov if you have questions or need more information.

Attachments

c: County Attorney

HOME CONSORTIUM AGREEMENT
COUNTY OF DUTCHESS/CITY OF POUGHKEEPSIE

THIS AGREEMENT, made this ____day of _____, 2024, by and between the County of Dutchess (the "County"), a municipal corporation of the State of New York, having its principal place of business at 22 Market Street, Poughkeepsie, New York 12601 and the City of Poughkeepsie (the "City"), a municipal corporation of the State of New York, having its principal place of business at City Hall, 62 Civic Center Plaza, Poughkeepsie, New York 12602.

WITNESSETH:

WHEREAS, under the Cranston-Gonzales National Affordable Housing Act (hereinafter called NAHA), the Secretary of Housing and Urban Development is authorized to make grants to States and units of general local government to help finance investments in affordable housing, and

WHEREAS, Section 216(2) of NAHA provides that a consortium of geographically contiguous units can be considered to be a unit of general local government for purposes of the HOME Investment Partnerships Act (hereinafter called HOME); and

WHEREAS, the County and the City are geographically contiguous within the meaning of NAHA, and

WHEREAS, the County and the City desire to be considered such a consortium (hereinafter called "Consortium") and have sufficient statutory authority under the laws of the State of New York as well as sufficient administrative capabilities to carry out the purposes of the HOME on behalf of their jurisdictions, and

WHEREAS, the County and the City agree to direct their activities to the alleviation of housing problems within their respective jurisdictions, and

WHEREAS, it is desirable and in the public interest that the County and the City make application for HOME funding as a Consortium in order to maximize receipt of funding under the HOME Program;

NOW THEREFORE, the parties mutually agree as follows:

1. This Cooperation Agreement will cover the time period of October 1, 2024 to September 30, 2027 and will govern activities to be carried out with annual HOME Investment Partnership Program grants from Federal fiscal years 2025, 2026 and 2027 appropriations and from any program income generated from the expenditure of such funds including such additional time as may be required for the expenditure of such funds granted to the Consortium, and may not be terminated during such time. All future agreements will consist of three-year terms. The County will act as lead agency for this grant and will be responsible for its overall administration.

2. The County and City agree to cooperate to undertake or assist in undertaking housing assistance activities for the HOME Investment Partnership Program.

3. The parties authorize the County to act in a representative capacity for the City for the purposes of the HOME Program.

4. The County agrees to assume overall responsibility for insuring that the Consortium's HOME Program is carried

out in compliance with the requirements of the program, including 24 CFR Parts 91 and 92 respectively, including 24 CFR 92.350 (a) (5), the provisions of Title VI of the Civil Rights Act of 1964, Title VIII of the Civil Rights Act of 1968, Title II of the Cranston-Gonzalez NAHA, the requirements concerning the Consolidated Plan and all other applicable laws.

5. The County and the City shall obtain resolutions from their respective governing bodies, or other acceptable evidence that each chief executive officer is authorized to sign the Agreement.

6. The County and the City in the furtherance of implementing the HOME Program, shall undertake efforts to affirmatively further the cause of fair housing.

7. This Agreement shall automatically be renewed for the Consortium's participation in successive qualification periods of three federal fiscal years. No later than the date specified by HUD's consortia designation notice, the County shall notify the City in writing of its right to decide not to participate in the Consortium for the next qualification period and the County shall send a copy of the notification to the HUD Field Office. The City shall respond to the County's notification within thirty (30) days.

If either Consortium Member decides not to participate in the Consortium for the next qualification period, they shall notify the other party and the County shall notify the HUD Field Office, before the beginning of the new qualification period.

Before the beginning of each new qualification period, the County shall submit to the HUD Field Office a statement of whether or not any amendments have been made to this Agreement, a copy of each amendment to this Agreement, and, if the Consortium's membership has changed, the state certification required under 24 C.F.R. § 92.101(a)(2)(i). The Consortium shall adopt any amendments to this Agreement that are necessary to meet HUD requirements for consortium agreements in successive qualification periods.

The automatic renewal of the Agreement will be void if: the County fails to notify the City or the HUD field office as required under this automatic renewal provision or the County fails to submit a copy of each amendment to this Agreement as required under this automatic renewal provision.

8. The term of this Agreement is October 1, 2024 to September 30, 2027 and covers the period necessary to carry out the activities which will be funded from federal fiscal years 2025, 2026, and 2027. The County and the City shall remain as a part of the Consortium for the entire period and shall have no right to withdraw from this Agreement. The County is authorized to amend the Agreement and add new members on behalf of the Consortium.

'N WITNESS WHEREOF, the parties hereto have executed this Agreement.

APPROVED AS TO FORM:

_____
County Attorney's Office

_____
City Attorney

APPROVED AS TO CONTENT:

_____
County Commissioner of Planning
and Development

_____

COUNTY OF DUTCHESS:

_____
Susan J. Serino
County Executive

CITY OF POUGHKEEPSIE:

_____
Yvonne Flowers
Mayor

STATE OF NEW YORK)
) SS:
COUNTY OF DUTCHESS)

On this ____day of _____, 2024, before me, the undersigned, a Notary Public in and for said State, personally appeared SUSAN J. SERINO, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.

_____
Notary Public

STATE OF NEW YORK)
) SS:
COUNTY OF DUTCHESS)

On this ____day of_____, 2024, before me, the undersigned, a Notary Public in and for said State, personally appeared YVONNE FLOWERS, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.

_____
Notary Public

DRAFT

Environment Committee Roll Call

District	*Name*	*Yes*	*No*
District 7 - Hyde Park and Pleasant Valley	Truitt*	✓	
District 25 - Amenia, Washington, Pleasant Valley & Millbrook	Houston*		
District 3 - LaGrange	Polasek*		
District 16 - Fishkill and Beacon	Valdés Smith*		
District 9 - City of Poughkeepsie	Atkins*		
District 1 - Town of Poughkeepsie	Gorman		
District 4 - Hyde Park and Town of Poughkeepsie	Lawler		
District 5 - Town of Poughkeepsie	D'Aquanni (C)		
District 6 - Town of Poughkeepsie	Kaul		
District 13 - East Fishkill and Wappinger	Paoloni (VC)		
District 18 - City of Beacon and Fishkill	Page		
District 24 - Dover and Pawling	House		

Present: 12
Absent: 0
Vacant: 0

Resolution: ✓
Motion: ___

Total : 12 Yes 0 No
Abstentions: 0

2024155 APPROVING HOME CONSORTIUM AGREEMENT WITH THE CITY OF POUGHKEEPSIE PURSUANT TO THE HOME INVESTMENT PARTNERSHIP PROGRAM

SEPTEMBER 5, 2024

Roll Call Sheets

District	Last Name	YES	NO
District 7 - Hyde Park and Pleasant Valley	Truitt	✓	
District 25 - Amenia, Washington, Pleasant Valley & Millbrook	Houston		
District 3 - LaGrange	Polasek		
District 16 - Fishkill and Beacon	Valdés Smith		
District 9 - City of Poughkeepsie	Atkins	Absent	
District 1 - Town of Poughkeepsie	Gorman		
District 2 - LaGrange, Pleasant Valley & Town of Poughkeepsie	Travelpiece		
District 4 - Hyde Park and Town of Poughkeepsie	Lawler		
District 5 - Town of Poughkeepsie	D'Aquanni		
District 6 - Town of Poughkeepsie	Kaul		
District 8 - City and Town of Poughkeepsie	Brendli		
District 10 - City of Poughkeepsie	Johnson		
District 11 - Clinton, Pleasant Valley, and Rhinebeck	Kearney		
District 12 - East Fishkill	Metzger		
District 13 - East Fishkill and Wappinger	Paoloni		
District 14 - Wappinger and Town of Poughkeepsie	Versaci		
District 15 - Wappinger	Faust		
District 17 - Town and Village of Fishkill	McHoul		
District 18 - City of Beacon and Fishkill	Page	Absent	
District 19 - North East, Stanford, Pine Plains, Milan & Red Hook	Drago		
District 20 - Red Hook, Tivoli, and Rhinebeck	Munn		
District 21 - East Fishkill	Caswell		
District 22 - Beekman and Union Vale	Garito		
District 23 - Pawling, Beekman and East Fishkill	Rolison		
District 24 - Dover and Pawling	House	Absent	

Present: 22 **Absent:** 3 **Vacant:** 0

Resolution: ✓ **Motion:** ___

Total : 22 Yes 0 No

Abstentions: 0

2024155 APPROVING HOME CONSORTIUM AGREEMENT WITH THE CITY OF POUGHKEEPSIE PURSUANT TO THE HOME INVESTMENT PARTNERSHIP PROGRAM

SEPTEMBER 9, 2024