



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE
April 21, 2014

Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, New York 14202

Re: Analysis of Impediments to Fair Housing Choice Agreements

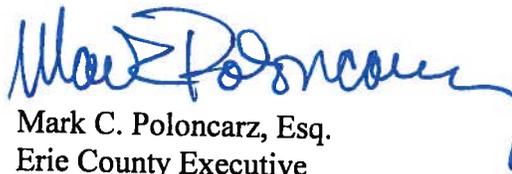
Dear Honorable Members:

Enclosed please find a memorandum and suggested resolution from the Erie County Department of Environment and Planning seeking authorization for the County Executive to enter into agreements with the Towns of Amherst, Tonawanda, Cheektowaga and Hamburg, and Northeast and Bucks Company T/A Mullin & Lonergan Associates, Inc.

The agreements will allow funding for completing an Analysis of Impediments to Fair Housing Choice within the abovementioned Towns (including Villages therein) and the 37 municipalities comprising the Erie County HOME Investment Partnership Consortium.

Should your Honorable Body require any further information, I encourage you to contact Deputy Commissioner Thomas J. Dearing at the Department of Environment and Planning. Thank you for your consideration of this matter.

Sincerely yours,


Mark C. Poloncarz, Esq.
Erie County Executive

MCP/vb
Enclosures

cc: Maria R. Whyte, Commissioner

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment and Planning
Re: Analysis of Impediments to Fair Housing Choice Agreements
Date: April 21, 2014

SUMMARY

The Department of Environment and Planning is seeking authorization for the County Executive to sign agreements with Northeast and Bucks Company T/A Mullin & Lonergan Associates, Inc., and the Towns of Tonawanda, Amherst, Cheektowaga, and Hamburg. The agreements will allow the transfer of \$46,752 from the four communities to Erie County for use in completing an Analysis of Impediments to Fair Housing Choice. The study area for the analysis will be the thirty-seven municipalities comprising the Erie County Community Development Block Grant (CDBG) Consortium and the Towns of Amherst, Tonawanda, Cheektowaga, and Hamburg as well as the Villages of Williamsville, Kenmore, Sloan, Hamburg, and Blasdell.

The abovementioned \$46,752 will be combined with \$33,884 in federal CDBG funds available to the Erie County Consortium. This will allow Northeast and Bucks Company T/A Mullin & Lonergan Associates, Inc. to complete their elements of the analysis under a contractual amount not to exceed \$80,636.

FISCAL IMPLICATIONS

The budget for completing the Analysis includes the following funding sources:

a)	\$13,834	:	Town of Amherst – CDBG Federal Funds
b)	\$13,834	:	Town of Cheektowaga – CDBG Federal Funds
c)	\$13,834	:	Town of Tonawanda – CDBG Federal Funds
d)	\$5,250	:	Town of Hamburg – CDBG Federal Funds
e)	<u>\$33,884</u>	:	Erie County – CDBG Federal Funds
	\$80,636		

There are no County-share funds required to undertake the Analysis. The monies are available within the Erie County Community Development Block Grant budget. The proposed resolution requests that a total amount of \$33,884 be allocated from available funds in the SAP Account J.00513, 2013-14 CDBG Program. An Additional \$5,083 is being requested from the same account for contract contingencies.

REASONS FOR RECOMMENDATION

The Towns of Amherst, Tonawanda, Cheektowaga, and Hamburg and the County of Erie (representing the 34 municipalities comprising the CDBG Consortium) receive over \$5,000,000 annually in federal CDBG funds. The monies are intended to primarily benefit low- and moderate-income households in a variety of ways, including the provision of affordable housing.

As a condition of receiving the federal funds all recipient organizations are required to analyze impediments to fair housing choice within their jurisdiction. This effort will assist in complying with the federal regulatory requirement.

In accordance with provisions of Section 19.08 of the County Administrative Code, proposals for planning services for this project were solicited by the Department of Environment and Planning and the Towns of Amherst, Tonawanda, Cheektowaga, and Hamburg. Three firms responded to the RFP. The result of the consultant review is included as Attachment A to the resolution.

BACKGROUND INFORMATION

The jurisdictions receiving CDBG funds are required to undertake impediments to fair housing choice study every five years. The last study was completed in November 2008.

CONSEQUENCES OF NEGATIVE ACTION

In the event the resolution is not adopted by the Legislature and approval of the item permanently set aside, an annual loss of over \$5,000,000 in federal CDBG funds is possible.

STEPS FOLLOWING APPROVAL

Upon approval, agreements will be executed with the Towns of Amherst, Tonawanda, Cheektowaga, and Hamburg, and Northeast and Bucks Company T/A Mullin & Lonergan Associates, Inc.

A RESOLUTION SUBMITTED BY:
Department of Environment and Planning

RE: Analysis of Impediments to Fair Housing Choice Agreements

WHEREAS, the Towns of Amherst, Tonawanda, Cheektowaga, and Hamburg including the Villages located therein, and Erie County receive over \$5,000,000 annually in federal Community Development Block Grant funds; and

WHEREAS, an important element for receiving federal funds is an Analysis of Impediments to Fair Housing Choice within recipient municipalities; and

WHEREAS, the aforementioned local governments and Erie County are desirous of conducting a joint Analysis of Impediments to Fair Housing Choice consistent with federal guidelines; and

WHEREAS, based on results from a Request for Proposal process conducted by the Department of Environment and Planning, and the Towns of Amherst, Tonawanda, Cheektowaga, and Hamburg the County Executive is desirous of executing a contract in an amount not to exceed \$80,636 with Northeast and Bucks Company T/A Mullin & Lonergan Associates, Inc.; and

WHEREAS, funds for the Analysis will be federal Community Development Block Grant (CDBG) monies available to each municipality with contributions shown as follows:

• \$33,884	–	Erie County
• \$13,834	–	Town of Amherst
• \$13,834	–	Town of Tonawanda
• \$13,834	–	Town of Cheektowaga
• <u>\$5,250</u>	–	Town of Hamburg
<u>\$80,636</u>	–	Total

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to execute a contract with Northeast and Bucks Company T/A Mullin & Lonergan Associates, Inc. in an amount not to exceed \$80,636 for the purpose of conducting an “Analysis of Impediments to Fair Housing Choice” within those municipalities comprising the Erie County Community Development Block Grant Consortium, and the Towns of Amherst, Tonawanda, Cheektowaga, and Hamburg and Villages therein; and be it further

RESOLVED, that the Erie County share of the project cost shall be allocated from SAP Account J.00513, 2013-14 CDBG Program; and be it further

RESOLVED, that the County Executive is further authorized to execute contracts with the Towns of Amherst, Tonawanda, and Cheektowaga for the purpose of receiving an amount not to exceed \$13,834 from each municipality for completion of said Analysis, and the Town of Hamburg for the purpose of receiving an amount not to exceed \$5,250 for the completion of said Analysis; and be it further

RESOLVED, that authorization is hereby provided to accept funding in an amount not to exceed \$46,752 from the Towns of Amherst, Tonawanda, Cheektowaga and Hamburg, and establish a grant budget for the period June 1, 2014 to May 30, 2015 in Project J.00513 for the County and Towns share as follows:

2014 Budget – Fund 290
Analysis of Impediments to Fair Housing Choice (AI Study)

<u>Revenue</u>	<u>Increase</u>
Town of Amherst	\$13,834
Town of Tonawanda	\$13,834
Town of Cheektowaga	\$13,834
Town of Hamburg	\$5,250
County of Erie	<u>\$33,884</u>
Total Revenue	\$80,636
<u>Appropriations</u>	
Professional Services	\$80,636
Net – Revenue less Expense	0

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive; the County Comptroller; the Director of the Division of Budget and Management; the County Attorney; and the Commissioner of the Department of Environment and Planning, Maria R. Whyte, 10th Floor, Edward A. Rath County Office Building.

ATTACHMENT A

Erie County / Towns of Amherst, Tonawanda, Cheektowaga and Hamburg Analysis of Impediments to Fair Housing Choice

Qualifications Rating Sheet – Review Rand (With #1 Being Highest Rank)

Reviewer	Consulting Firm	Mullin & Lonergan Associates, Inc.	H. Sichernan & Company, Inc.	WFN Associates
Susan DiVita – Associate Planner Planning Department, Town of Amherst		1	3	2
Christopher Hull, Director of Community Development Town of Hamburg		1	2	3
Diane Cadle, Senior Housing Specialist and Ellary Mori, Housing Specialist, DEP		1	3	2
James Hartz, Director of Community Development Town of Tonawanda		1	3	2
Carla Kosmerl, Director of Community Development Town of Cheektowaga		1	3	2

In my opinion in recommending Mullin & Lonergan Associates, Inc. to prepare the Analysis of Impediments to Fair Housing Choice for the Erie County Community Development Block Grant (CDBG) Consortium, and the Towns of Amherst, Tonawanda, Cheektowaga and Hamburg, the Department of Environment and Planning (DEP) has complied with all applicable provisions of Section 19.08 of the Erie County Administrative Code. Scoring sheets and other materials related to this matter are available for review at the DEP offices during regular business hours.