

FIRST AMENDMENT TO URBAN COUNTY COOPERATION AGREEMENT

This First Amendment to the Urban County Cooperation Agreement entered into this ____ day of
, 2021, between the County of Westchester (the "County") and

(the "Cooperating Municipality")

WITNESSETH:

WHEREAS, the County and the Cooperating Municipality entered into an agreement (the "Cooperation Agreement") to undertake essential community development and housing assistance activities pursuant to the Title I of the Housing and Community Development Act of 1974, as amended, (the "Act"); and

WHEREAS, the United States Department of Housing and Urban Development ("HUD") has notified the County that Paragraph 6 of the Cooperation Agreement must include all statutes and HUD regulations found in Section V, Paragraph H of the April 29, 2021 Notice from HUD entitled "Instructions for Urban County Qualification for Participation in the Community Development Block Grant (CDBG) Program for Fiscal Years (FYs) 2022-2024" (the "Notice"); and

WHEREAS, the County and the Cooperating Municipality, in accordance with Section 20 of the Cooperation Agreement, agree to adopt this Amendment in order to meet the requirements as set forth in the Notice.

NOW, THEREFORE, IT IS AGREED BETWEEN THE COUNTY AND THE COOPERATING MUNICIPALITY AS FOLLOWS:

1. Paragraph 6 of the Cooperation Agreement is hereby deleted in its entirety and replaced with the following:

"6. The County and Cooperating Municipality will take all required action to comply with the provisions of Title VI of the Civil Rights Act of 1964 and the implementing regulations at 24 CFR part 1, the Fair Housing Act of 1968 and the implementing regulations at 24 CFR part 100, and the Americans with Disabilities Act of 1990 and the implementing regulations at 28 CFR part 35, to assure compliance with the certification required by Section 104(b) and 109 of Title I of the Housing and Community Development Act of 1974 as amended and the implementing regulations at 24 CFR part 6, which incorporates Section 504 of the Rehabilitation Act of 1973 and the implementing regulations at 24 CFR part 8 and the Age Discrimination Act of 1975 and the implementing regulation at 24 CFR part 146, and Section 3 of the Housing and Urban Development Act of 1968, and other applicable laws (the "Acts") and implementing regulations. Accordingly, the Cooperating Municipality agrees to do what is necessary, as determined by the County, to comply with each of the above referenced Acts, the rules and regulations thereunder, and the undertakings and assurances in the application form insofar as they relate to the activities and programs conducted by the Cooperating Municipality pursuant to said Grants. Further, the County is prohibited from expending Urban County funding for activities in or in support of any local government that does not affirmatively further fair housing within its own jurisdiction or that impedes the County's action to comply with its fair housing certifications. In addition, the Cooperating Municipality agrees to indemnify and hold the County harmless against all losses, damages, penalties, settlements, costs, charges, fees, and other expenses or liabilities relating to or arising out of the failure of the

Cooperating Municipality to comply with the Acts, the rules and regulations thereunder, and the undertakings and assurances in said application form.”

2. All other Provisions of the Cooperation Agreement shall remain in full force and effect.

THE COUNTY OF WESTCHESTER

by _____
County Executive

COOPERATING MUNICIPALITY

by _____
Chief Executive

SEAL:

