

50152

DATE: December 23, 2015

TO: Board of Acquisition and Contract

FROM: Edward Buroughs
Commissioner of Planning

Mary Mahon
Director of Real Estate

SUBJECT: Resolution authorizing the County of Westchester to enter into any and all agreements necessary to purchase and subsequently convey approximately 0.97+/- acre (combined sites total) of real property located at 147, 165 and 175 Railroad Avenue, Bedford Hills in the Town of Bedford all in support of a fair and affordable housing development that will affirmatively further fair housing ("AFFH")

On October 19, 2015 the Westchester County Board of Legislators approved (1) Act No. 203-2015 authorizing the County to purchase approximately 0.97 +/- acres of real property located at 147, 165, 175 Railroad Avenue, Town of Bedford (the "Property") from Antioch Baptist Church Housing Development Fund Corp. and/or its successor or assigns (hereinafter collectively "Antioch") and to re-convey the property back to Antioch for the purposes of developing twelve (12) affordable AFFH rental units and (2) Bond Act No. 204-2015 to finance acquisition of the Property in an amount not to exceed \$460,000.

Your Honorable Board's authority is now requested to authorize the County to enter into any and all agreements necessary to purchase the Property from Antioch for an amount not to exceed \$460,000 which will be funded from Capital Project BPL30- New Homes Land Acquisition II, and to accept and/or release property rights in connection therewith, and to re-convey the Property to back to Antioch for the purpose of creating twelve (12) affordable rental units that will AFFH.

Upon acquisition of the Property and prior to conveyance, the County will file a Declaration of Restrictive Covenants against the Property requiring that the AFFH rental units will AFFH as set forth in 42 U.S.C. Section 5304(b)(2). The units will be affordable to eligible households with incomes at or below 50% and up to 60% of the Westchester County Area Median Income ("AMI") for a period of affordability of not less than 50 years.

Pursuant to the Settlement Agreement between the United States and the County, the County is required to ensure the development of 750 affordable AFFH units. In furtherance of these objectives, the County provides funding to assist in the development or rehabilitation of affordable AFFH housing units, including the affordable AFFH units proposed herein. The

proposed affordable AFFH units will be located in a census block that conforms to Paragraph 7(a) of the Settlement Agreement.

The goal and objective of this agreement is to provide affordable housing units in Westchester County to low and moderate income households. Department of Planning staff will monitor the compliance with the ongoing affordable housing requirements.

EB/cp/eo
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 01/28/2016 - LISA MRIJAJ, SECRETARY

R E S O L U T I O N

UPON A COMMUNICATION FROM THE COMMISSIONER OF PLANNING AND THE DIRECTOR OF REAL ESTATE, BE IT HEREBY

RESOLVED: that the County of Westchester is hereby authorized to enter into any and all agreements necessary to purchase approximately 0.97+/- acre of real property located at 147, 165 and 175 Railroad Avenue, Bedford Hills in the Town of Bedford (the "Property") from Antioch Baptist Church Housing Development Fund Corp., its successor or assigns (hereinafter collectively "Antioch") for a total not to exceed amount of \$460,000 and to re-convey the Property back to Antioch for one Dollar (\$1.00) and to accept and/or release any and all property rights in connection therewith. All County funds will be allocated from Capital Project BPL30 -New Homes Land Acquisition II; and be it further

RESOLVED: that the purchase and re-conveyance of the Property shall be by such deeds as approved by the County Attorney; and be it further

RESOLVED: that following the purchase, the County will file a Declaration of Restrictive Covenants against the Property requiring that twelve (12) fair and affordable rental units constructed thereon will have rents that are affordable to households with incomes at or below 50% and up to 60% of the Westchester County Area Median Income for a period of affordability of not less than 50 years; and be it further

RESOLVED: that this will create twelve (12) one and two bedroom units that will affirmatively further fair housing as set forth in 42 U.S.C. Section 5304(b)(2) and in accordance with the settlement of a lawsuit titled United States of America ex rel. Anti-Discrimination Center of Metro New York, Inc. v. Westchester County, New York (the "Settlement Agreement"); and be it further

RESOLVED: that the County Executive or his duly authorized designee is authorized to execute any documents and take any actions necessary to effectuate the purposes hereof.

Account to be
Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
318	19	BPL30-01-R Bond Act 204-2015	6050	N/A	\$460,000

Budget Funding Year(s) FY 2015 Start Date: December 1, 2015 End Date: _____

Funding Source Tax Dollars \$460,000
State Aid _____
\$460,000 Federal Aid _____
(must match resolution) Other _____