

51952

DATE: May 3, 2016

TO: Board of Acquisition and Contract

FROM: Edward Buroughs
Commissioner of Planning

SUBJECT: Resolution amending a prior resolution which authorized the County of Westchester to enter into any and all agreements necessary to purchase 0.22 acre of real property located at 104 Pine Street, Town of Cortlandt in support of the affordable single-family home that will Affirmatively Further Fair Housing, in order to also authorize the conveyance of the property to an eligible buyer

On April 28, 2016, your Honorable Board approved a resolution (the "April 28 Resolution") authorizing the County of Westchester to purchase 0.22 acre of real property located at 104 Pine Street, Town of Cortlandt from the current owner(s) of record for an amount not to exceed of \$353,000, in order to create an affordable AFFH home ownership unit (the "Affordable AFFH Unit"). The property has not been purchased by the County.

Authorization is now requested to amend the April 28 Resolution in order to authorize the County to convey this property to an eligible buyer with income at or below 80% of the Westchester County Area Median Income, noting that the income limits are subject to change based on the median income levels at the time of initial occupancy. The "Resolved" clause authorizing the re-conveyance of this property to an eligible homebuyer was mistakenly omitted from the April 28 Resolution.

The goal and objective of the purchase and sale this property is to carry out the County's obligations under the Settlement Agreement by ensuring the development of affordable AFFH Units in accordance with the terms of the Settlement Agreement. In addition, it will create home ownership opportunities for lower and moderate income individuals and families who may not otherwise be able to afford to purchase a home in Westchester County. The Affordable AFFH Unit will be safe and secure. Department of Planning staff will monitor the Property to ensure compliance with the ongoing affordability requirements.

I recommend approval of this Amended Resolution.

EB/cp/JP
Attachment

RESOLUTION

UPON A COMMUNICATION FROM THE COMMISSIONER OF PLANNING, BE IT HEREBY

WHEREAS, by Resolution dated April 28, 2016 (the "April 28 Resolution") the County of Westchester (the "County") was authorized to enter into any and all agreements necessary to purchase 0.22 acre of real property located at 104 Pine Street, Town of Cortlandt (the "Property") from the current owner(s) of record for a total not-to-exceed amount of \$328,000 and to accept and/or release any and all property rights in connection therewith; now, therefore, be it

RESOLVED, that the April 28 Resolution be and is hereby amended in order to also authorize the County to re-convey the Property to an eligible buyer, in order to create an affordable ownership home that will Affirmatively Further Fair Housing ("AFFH") 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/or agreements and take any actions necessary to effectuate purposes hereof.

RESOLVED, that all other terms and conditions of the April 28 Resolution shall remain unchanged.

Original Agreement	\$328,000
This Amendment	\$ <u>0</u>
 Total	 \$328,000

AGREEMENT NUMBER C-LA-16-63

Account to be
Charged/Credited

		Major Program, Program & Phase	Object/ Sub Object	Trust Account	Dollars
Fund	Dept	Or Unit & Bond Act			
318	19	BPL30-07-R Bond Act 2016-24	6050	N/A	\$0

Budget Funding Year(s) FY 2016 Start Date: May 18, 2016 End Date: _____

Funding Source	Tax Dollars <u>\$0</u>
	State Aid _____
\$0 (must match resolution)	Federal Aid _____
	Other _____