

66448

DATE: December 5, 2018

TO: Board of Acquisition and Contract

FROM: Norma V. Drummond
Commissioner of Planning

Gary Friedman
Director of Real Estate

SUBJECT: Authority for the County of Westchester (“County”) to enter into agreements to purchase and subsequently convey approximately 3.77 acres of real property located at Halstead Avenue adjacent to the Harrison Metro North Railroad Station in the Town/Village of Harrison to support the creation of affordable units that will affirmatively further fair housing.

Pursuant to Act No. 2018-158 adopted on October 1, 2018, the Board of Legislators authorized the County to purchase and subsequently convey approximately 3.77 acres of real property located at Halstead Avenue adjacent to the Harrison Metro North Railroad Station in the Town/Village of Harrison, identified on the tax maps as Block 182, Lots 12 and 15 (the “Property”), as part of the County’s program to support the creation of affordable units (the “Affordable AFFH Units”) that affirmatively further fair housing (“AFFH”). The proposed Resolution would also authorize the County to grant and accept any property rights necessary in furtherance thereof in an amount not to exceed \$1,000,000.00, and subsequently convey it to a developer for \$1.00 for the purpose of developing 143 rental apartments of which seven will be AFFH Units.

Your Honorable Board’s Authority is now requested to authorize the County to enter into all agreements necessary to purchase the Property from AvalonBay Communities Inc., or the current owner(s) of record for an amount not to exceed \$1,000,000.00 which will be funded from Capital Project BPL30 – New Homes Land Acquisition II, and to convey fee title to the Property to the Developer for one dollar (\$1.00) for the purpose of creating seven AFFH units.

Upon acquisition, the County will file a Declaration of Restrictive Covenants against the Property to require that the proposed Affordable AFFH Units be marketed and leased in accordance with an approved affordable fair housing marketing plan to individuals and/or households who earn at or below 60% of the Westchester County area median income and remain affordable for a period of not less than 50 years (the “Period of Affordability”). The County will subsequently convey the Property to the Developer for \$1.00 to construct three multi-story buildings on the Property with 143 rental apartments that will include seven Affordable AFFH Units and 136 market rate units.

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

Accordingly, I respectfully recommend the adoption of the attached proposed Resolution.

NVD/dlv/je
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 12/20/2018 - JOAN COCCARDI, SECRETARY

RESOLUTION

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

RESOLVED, that the County of Westchester (the "County") is authorized to enter into agreements with AvalonBay Communities Inc., its successor or assign or the current owner(s) of record (the "Developer") to purchase approximately 3.77 acres of real property located at Halstead Avenue, adjacent to the Harrison Metro North Railroad Station in the Town/Village of Harrison, identified on the tax maps as Block 182, Lots 12 and 15 (the "Property"), for the purpose of developing seven (7) affordable rental units (the "Affordable AFFH Units") that will affirmatively further fair housing ("AFFH"); and be it further

RESOLVED, that the amount to be paid for the purchase of the Property shall not exceed \$1,000,000.00 and that the County shall subsequently convey the Property to the Developer for the construction of the Affordable AFFH Units for one dollar (\$1.00); and be it further

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

RESOLVED, that following the purchase of the Property, the County will file a Declaration of Restrictive Covenant against the Property to require that the proposed Affordable AFFH Units be marketed and leased in accordance with an approved affordable fair housing marketing plan to individuals and/or households who earn at or below 60% 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 and subsequent occupancies; and be it further

RESOLVED, that the period of affordability for the Affordable AFFH Units shall be not less than fifty (50) years; and be it further

RESOLVED, that the County Executive or his authorized designee is hereby authorized and empowered to execute all instruments and take all actions necessary and appropriate 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	BPL30-17-R 2018-159	6050	N/A	\$1,000,000.00

Budget Funding Year(s) FY 2018 Start Date _____ End Date _____
(must match resolution)

Funding Source Tax Dollars \$1,000,000.00
State Aid _____
\$1,000,000.00 Federal Aid _____
(must match resolution) Other _____