

90154

DATE: January 13, 2022
TO: Board of Acquisition and Contract
FROM: Norma V. Drummond
Commissioner of Planning

Christopher D. Steers
Director of Countywide Administrative Services

SUBJECT: Resolution authorizing the County of Westchester to enter into any and all agreements necessary to purchase and subsequently convey approximately 0.36 +/- acres of real property located at 26 Garden Street in the City of New Rochelle to create 186 affordable rental housing units that will affirmatively further fair housing.

On October 4, 2021 the Westchester County Board of Legislators approved Act No. 179-2021 authorizing the County of Westchester (the "County") to purchase approximately 0.36 +/- acres of real property located at 26 Garden Street in the City of New Rochelle (the "Property") from the current owner(s) of record in an amount not to exceed Five Million (\$5,000,000) Dollars and to then convey the Property to MJ Garden V LLC, its successors or assigns (the "Developer") for One (\$1.00) Dollar for the purpose of developing one hundred eighty six (186) affordable rental units that will affirmatively further fair housing ("AFFH").

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 the current owner(s) of record, in an amount not to exceed Five Million (\$5,000,000) Dollars, which represents the purchase price and will be funded from Capital Project BPL30-New Homes Land Acquisition II, and to convey the Property to the Developer for One (\$1.00) Dollar for the purpose of creating the 186 affordable AFFH rental units.

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 be affordable to eligible households with incomes at or below 50% and up to 60% of the Westchester County area median income as defined by the U.S. Department of Housing and Urban Development for a period of not less than fifty (50) years, and will be marketed and leased pursuant to an approved affirmative fair housing marketing plan.

The goals and objectives of the agreements are to provide affordable rental housing units in Westchester County to low and moderate income households. Department of Planning staff will monitor the compliance with the construction and ongoing affordable housing requirements.

We recommend of these agreements.

NVD/CDS/cp/lg/jc
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 01/27/2022 - RAYMOND SCULKY, SECRETARY

RESOLUTION

UPON A COMMUNICATION FROM THE COMMISSIONER OF PLANNING AND THE DIRECTOR OF COUNTYWIDE ADMINISTRATIVE SERVICES, BE IT HEREBY

RESOLVED: that the County of Westchester is authorized to enter into any and all agreements necessary to purchase approximately 0.36 +/- acres of real property located at 26 Garden Street, City of New Rochelle (the "Property") from the current owner(s) of record in an amount not to exceed Five Million (\$5,000,000) Dollars and to convey the Property to MJ Garden V LLC, its successors or assigns (the "Developer") for One (\$1.00) Dollar and to grant and/or accept any and all property rights in connection therewith for the purpose of developing one-hundred eighty six (186) affordable rental units that will affirmatively further fair housing ("AFFH"); and be it further

RESOLVED: that the purchase and conveyance of the Property shall be by such deeds as shall be 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 Covenants against the Property requiring that the affordable AFFH rental units to be constructed thereon be marketed and leased to households with incomes at or below 50% and up to 60% of the Westchester County area median income and will remain affordable for a period of not less than 50 years; and be it further

RESOLVED: that the County Executive or his duly authorized designee is hereby authorized to execute any and all documents and to 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	BPL30-28-R Bond Act 178-2021	6050	N/A	\$5,000,000

Budget Funding Year(s) FY 2021 Start Date: Upon Execution End Date: Fifteen years from execution

Funding Source Tax Dollars \$5,000,000
 State Aid _____
\$5,000,000
 (must match resolution)
 Federal Aid _____
 Other _____