

(BOND) ACT 147 - 2024
ACT 148 - 2024

**HONORABLE BOARD OF LEGISLATORS
THE COUNTY OF WESTCHESTER**

Your Committee is in receipt of a communication from the County Executive recommending the enactment of the following:

Land Purchase and Conveyance. An Act (the “Land Acquisition Act”) to authorize the purchase and subsequent conveyance of approximately +/- 1.71 acres of real property located at 21-23 Park Avenue (the “Property”) in the City of Yonkers (the “City”) to Kearney Realty & Development Group, Inc., its successors or assigns, or any entity created to carry out the purpose of the proposed transaction (the “Developer”), as part of the County’s program to support the creation of affordable housing units that affirmatively further fair housing (the “Affordable AFFH Units”). The Land Acquisition Act also authorizes the County to grant and accept any property rights necessary in furtherance thereof.

Acquisition Financing. A New Homes Land Acquisition Bond Act (the “NHLA Bond Act”), prepared by the firm of Hawkins, Delafield & Wood LLP, to authorize the issuance of bonds of the County in a total amount not to exceed \$4,900,000 as a part of Capital Project BPL30 New Homes Land Acquisition II. The Department of Planning (“Planning”) has advised that subject to the receipt of approval of your Honorable Board, the proposed NHLA Bond Act will authorize an amount not to exceed \$4,900,000 to purchase the Property from the current owner to create eighty-two (82) Affordable AFFH Units for rent (the “Development”). The Developer will also construct twenty-four (24) parking spaces and will lease another 58 parking spaces from the Yonkers Parking Authority in its Parkadrome Garage located less than 300 feet from the Property for use by the residents.

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 households earning at or below 50% and up to 70% of the Westchester County area median income (“AMI”). The units will remain affordable for a period of not less than fifty (50) years, noting that the income limits are subject to change based on the median income levels at the time of initial occupancy and subsequent occupancies, as

established by the U.S. Department of Housing and Urban Development.

In accordance with the Land Acquisition Act, the County will subsequently convey the Property to the Developer for One (\$1.00) Dollar to construct the Development with eighty-two (82) rental units including one superintendent's unit. The Development will include 31 studios, 41 one-bedroom and 10 two-bedroom units. The Development will consist of the new construction of one three-story building and the adaptive reuse of two buildings, and will contain the Affordable AFFH Units, as well as the twenty-four (24) parking spaces to be utilized by the residents.

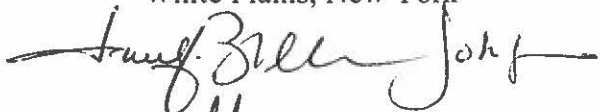
Your Committee has been advised that additional funds for the Development are anticipated to be provided from tax exempt bonds issued by the Yonkers Industrial Development Agency, Federal Low Income Housing Tax Credits, Federal and State Historic Tax Credits, Empire State Development Momentum Fund subsidy, Westchester County Housing Flex Fund, a Builder's Note and deferred developer fee for an estimated total development cost of approximately \$58,734,245. It should be noted that the total development cost of approximately \$58,734,245 includes not only the issuance of the aforementioned NHLA bonds of the County in a total amount not to exceed \$4,900,000, but it also includes the Developer's pending application for the County's Housing Flex Funds in which the County is considering providing the Developer funding of up to \$5,500,000.

Your Committee has been further informed that Planning has advised that the City of Yonkers Zoning Board of Appeals ("Yonkers ZBA") classified the proposed Development as an Unlisted action pursuant to 6 NYCRR 617.6(b)(3) of the State Environmental Quality Review ("SEQR") Act implementing regulations. On November 15, 2022, the Yonkers ZBA sent a notice of intent to serve as lead agency, along with Part I of a Full Environmental Assessment Form. Further, on December 20, 2022, the Yonkers ZBA issued a Negative Declaration for the Development. Your Committee has been advised that because the City of Yonkers undertook a coordinated review pursuant to SEQR and the County was included in the coordinated review process, no environmental review is required by the County. Your Committee has reviewed the annexed SEQR documentation and concurs with this recommendation.

Planning has further advised that Section 167.131 of the Laws of Westchester County ("LWC") mandates that a Capital Budget Amendment that introduces a new capital project or changes the location, size, or character of an existing capital project be accompanied by a report of the Westchester County Planning Board (the "Planning Board") with respect to the physical planning aspects of the project. On June 4, 2024, the Planning Board adopted Resolution No. 24-22, which recommended, the County provide financial assistance in a not-to-exceed amount of \$4,900,000 from BPL30 NHLA II for property acquisition of the Property. The Planning Board Resolution is attached hereto for your Honorable Board's information. In addition, in accordance with LWC Section 191.41, the Commissioner of Planning has provided a report, which is also attached hereto for your Honorable Board's consideration.

Based on the importance of creating more affordable housing units that affirmatively further fair housing in the County, your favorable action on the annexed Acts is respectfully requested, noting that the Land Acquisition Act and the NHLA Bond Act require the affirmative vote of two-thirds of the members of your Honorable Board.

Dated: July 29th, 2024
White Plains, New York

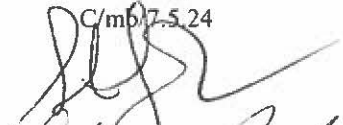
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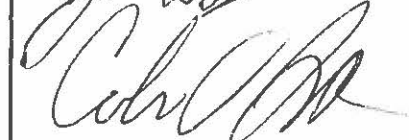
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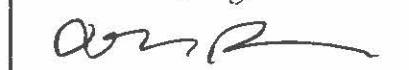
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Budget & Appropriations

Housing & Planning

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: BPL30

☐ NO FISCAL IMPACT PROJECTED

SECTION A - CAPITAL BUDGET IMPACT

To Be Completed by Budget

☒ GENERAL FUND

☐ AIRPORT FUND

☐ SPECIAL DISTRICTS FUND

Source of County Funds (check one):

☒ Current Appropriations

☐ Capital Budget Amendment

21-23 PARK AVE YONKERS

SECTION B - BONDING AUTHORIZATIONS

To Be Completed by Finance

Total Principal \$ 4,900,000 PPU 30 Anticipated Interest Rate 3.60%

Anticipated Annual Cost (Principal and Interest): \$ 258,453

Total Debt Service (Annual Cost x Term): \$ 7,753,583

Finance Department: maab 7-8-24

SECTION C - IMPACT ON OPERATING BUDGET (exclusive of debt service)

To Be Completed by Submitting Department and Reviewed by Budget

Potential Related Expenses (Annual): \$ -

Potential Related Revenues (Annual): \$ -

Anticipated savings to County and/or impact of department operations
(describe in detail for current and next four years):

SECTION D - EMPLOYMENT

As per federal guidelines, each \$92,000 of appropriation funds one FTE Job

Number of Full Time Equivalent (FTE) Jobs Funded: N/A

Prepared by: Blanca P. Lopez

Title: Commissioner

Department: Planning

Date: 7/8/24

Reviewed By:


DN 7/8/24

Date:

James Lopez
Budget Director

7/9/24

TO: Leonard Gruenfeld, Program Director
Division of Housing & Community Development

FROM: David S. Kvinge, AICP, RLA, CFM 
Assistant Commissioner

DATE: July 1, 2024

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR
BPL30 NEW HOMES LAND ACQUISITION II
21-23 PARK AVENUE, YONKERS**

Pursuant to your request, Environmental Planning staff has reviewed the above referenced project with respect to the State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617 (SEQR).

The action involves the provision of County funding under capital projects BPL30 - New Homes Land Acquisition II (Fact Sheet ID 2562) to facilitate the development of affordable housing at 21-23 Park Avenue in the City of Yonkers. County BPL30 funds will be applied towards the purchase of approximately 1.71 acres of property, which will be transferred to a developer, who will create approximately 82 units of affordable rental housing that will affirmatively further fair housing. The project will include the construction of one new 3-story building and the rehabilitation of two existing buildings, which will include community rooms, lounges, bicycle storage, laundry facilities and outdoor seating areas. Twenty-four parking spaces will be provided onsite. Fifty-eight parking spaces will be leased from a nearby municipal garage.

In accordance with SEQR, the City of Yonkers Zoning Board of Appeals (ZBA) classified this project as an Unlisted action. On November 15, 2022, the Yonkers ZBA sent out a notice of intent to serve as lead agency, along with Part 1 of a Full Environmental Assessment Form. On December 20, 2022, the Yonkers ZBA issued a Negative Declaration for the project. Since the City undertook coordinated review and the County of Westchester was included in the coordinated review process, then, in accordance with section 617.6(b)(3), no further environmental review is required by the County.

Please do not hesitate to contact me if you have any questions regarding this matter.

DSK/cnm

cc: Blanca Lopez, Commissioner
Susan Darling, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Principal Environmental Planner
Maria Baratta, Assistant County Attorney



Memorandum

**Department of Planning
432 Michaelian Office Building
148 Martine Avenue
White Plains, NY 10601**

TO: Honorable George Latimer
County Executive

FROM: Blanca P. Lopez
Commissioner

DATE: July 5, 2024

SUBJECT: Acquisition of Real Property – 21-23 Park Avenue –City of Yonkers

Pursuant to Section 191.41 of the County Charter, submitted herewith is the required report of the Commissioner of Planning on the proposed acquisition and subsequent conveyance of +/- 1.71 acres of real property located at 21-23 Park Avenue in the City of Yonkers, identified on the City tax maps as Section 2; Block 2090; Lot: 44 (the "Property") for the purpose of creating 82 affordable housing units (the "Affordable AFFH Units"), including one superintendent's unit that will affirmatively further fair housing ("AFFH"). The development will also provide approximately 24 parking spaces for residents on-site with another 58 parking spaces leased from the Yonkers Parking Authority in their Parkadrome Garage located under 300 feet from the Property.

The County of Westchester ("the County") intends to finance the purchase of the Property from the current owner in an amount not to exceed \$4,900,000 as a part of Capital Project BPL30 New Homes Land Acquisition II. Upon acquisition of the Property, the County will file a Declaration of Restrictive Covenants to require that the Affordable AFFH Units are marketed and leased in accordance with an approved affirmative fair housing marketing plan and will remain available to eligible households for a period of not less than 50 years. The County will then convey ownership of the Property to Kearney Realty & Development Group (the "Developer"), its successors or assigns, for One (\$1.00) Dollar.

The Developer proposes to construct one new three-story building and adaptively reuse two existing buildings on the Property that will include a mix of affordable studio, one and two-bedroom rental apartments that will be leased to households who earn at or below 50% and up to 70% of the area median income (collectively the "Development").

I recommend funding for acquisition and conveyance of the Property for the following reasons:

1. The acquisition of this Property will advance the County's efforts to provide fair and affordable housing;
2. The acquisition and subsequent conveyance of the Property to develop fair and affordable housing is consistent with development policies adopted by the County Planning

Board as set forth in *Westchester 2025 - Context for County and Municipal Planning in Westchester County and Policies to Guide County Planning*, adopted May 6, 2008, and amended January 5, 2010, and the recommended strategies set forth in *Patterns for Westchester: The Land and the People*, adopted December 5, 1995;

3. The Development is proposed to include green technology, such as energy efficient appliances, lighting and heating systems and water-conserving fixtures to reduce operating and maintenance costs, minimize energy consumption and conserve natural resources. A solar array will be installed on the roof that is expected to supply common area power. The Development is designed to meet the requirements of Enterprise Green Communities 2020 program;
4. The Development is consistent with the land use policies and regulations of the City of Yonkers; and
5. On June 4, 2024, the County Planning Board adopted a resolution to recommend County financing towards the purchase the Property to support the Development.

BPL/lg

cc: Kenneth Jenkins, Deputy County Executive
Joan McDonald, Director of Operations
John M. Nonna, County Attorney
Westchester County Planning Board

RESOLUTION 24- 22

WESTCHESTER COUNTY PLANNING BOARD

New Homes Land Acquisition II
Capital Project Funding Request
21-23 Park Avenue
City of Yonkers

WHEREAS, the County of Westchester (the "County") has established Capital Project BPL30 New Homes Land Acquisition II ("NHLA") to assist in the acquisition of property associated with the development and preservation of fair and affordable housing; and

WHEREAS, Kearney Realty & Development Group (the "Developer"), its successors or assigns, desires to develop the real property located at 21-23 Park Avenue in the City of Yonkers (the "City"), identified on the tax maps as Section 2, Block 2090, Lot 44 (the "Property") to create 82 residential units and approximately 24 parking spaces (collectively the "Development"). All 82 units will be affordable residential units that will affirmatively further fair housing (the "Affordable AFFH Units"); and

WHEREAS, the County proposes to purchase the Property from the owner of record, for a not to exceed amount of \$4,900,000 with funds from NHLA and subsequently convey the Property to the Developer for One (\$1.00) Dollar to underwrite the cost of the land; and

WHEREAS, upon acquisition, the County will file a Declaration of Restrictive Covenants to require that the Affordable AFFH Units constructed on the Property be leased to households who earn at or below 50% and up to 70% of the Westchester County Area Median Income ("AMI"); and

WHEREAS, the County will transfer ownership of the Property to the Developer to construct a mix of studio, one- and two-bedroom apartments to be leased to eligible households, pursuant to an approved Affirmative Fair Housing Marketing Plan, for a minimum of 50 years; and

WHEREAS, in furtherance of the above, the County Executive will be submitting legislation to the Board of Legislators to amend Capital Project BPL30 NHLA II to add the Property, 21-23 Park Avenue; City of Yonkers, and authorize bonding in a not to exceed amount of \$4,900,000 to develop the Property; and

WHEREAS, the Development is subject to approvals by the City of Yonkers and

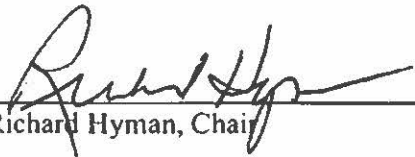
WHEREAS, the funding to support the development of the Affordable AFFH Units is consistent with and reinforces *Westchester 2025 – Policies to Guide County Planning*, the County Planning Board's adopted long-range land use and development policies, by contributing to the development of "a range of housing types" "affordable to all income levels"; and

WHEREAS, the staff of the County Department of Planning have reviewed the proposal and recommend the requested funding associated with acquisition of the Property; and

RESOLVED, that the Westchester County Planning Board after completing a review of the physical planning aspects of the Affordable AFFH Units, subject to an appraisal, recommends that the County provide financial assistance in a not-to-exceed amount of \$4,900,000 from BPL30 NHLA II for property acquisition; and be it further

RESOLVED, that the Westchester County Planning Board amends its report on the 2024 Capital Project requests to include 21-23 Park Avenue in the City of Yonkers, as a new component project in Capital Project BPL30 under the heading of Buildings, Land and Miscellaneous.

Adopted this 4th day of June 2024.


Richard Hyman, Chair

ACT NO. 147 - 2024

BOND ACT AUTHORIZING THE ISSUANCE OF \$4,900,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE PURCHASE OF REAL PROPERTY LOCATED AT 21-23 PARK AVENUE, IN THE CITY OF YONKERS, IN ORDER TO AFFIRMATIVELY FURTHER FAIR HOUSING (“AFFH”) PURSUANT TO THE COUNTY’S NEW HOMES LAND ACQUISITION II CAPITAL PROJECT (BPL30); STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$4,900,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$4,900,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS (Adopted 08/05 , 2024)

BE IT ENACTED BY THE COUNTY BOARD OF LEGISLATORS OF THE COUNTY OF WESTCHESTER, NEW YORK (by the affirmative vote of not less than two-thirds of the voting strength of said Board), AS FOLLOWS:

Section 1. Pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the “Law”), the Westchester County Administrative Code, being Chapter 852 of the Laws of 1948, as amended, and other laws applicable thereto, bonds of the County in the aggregate amount of \$4,900,000, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of the purchase of approximately 1.71 acres of real property located at 21-23 Park Avenue, in the City of Yonkers (the “AFFH Property”) from the current owner(s) of record at a cost of \$4,900,000, including acquisition and settlement costs, in order to support the construction of 82 affordable housing units (“AFFH”).

The County will file, or cause to be filed, a Declaration of Restrictive Covenants in the Westchester County Clerk's office requiring that the AFFH Property remain affordable for a period of not less than 50 years. The funding requested herein is in support of the construction of 82 affordable AFFH rental units at the aggregate estimated maximum cost of \$4,900,000 for the acquisition of the AFFH Property. The AFFH Property shall be acquired by the County, subjected to said Declaration of Restrictive Covenants and subsequently conveyed to Kearney Realty and Development Group (the "Developer"), its successors or assigns. The Developer will construct a project which will include 82 affordable AFFH rental units on the AFFH Property. The County's acquisition of the AFFH Property is set forth in the County's Current Year Capital Budget, as amended. To the extent that the details set forth in this act are inconsistent with any details set forth in the Current Year Capital Budget of the County and the Statement of Need, such Budget and Statement of Need shall be deemed and are hereby amended. The estimated maximum cost of said object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$4,900,000. The plan of financing includes the issuance of \$4,900,000 bonds herein authorized, and any bond anticipation notes issued in anticipation of the sale of such bonds, and the levy and collection of a tax on taxable real property in the County to pay the principal of and interest on said bonds and notes.

Section 2. The period of probable usefulness for which said \$4,900,000 bonds are authorized to be issued, within the limitations of Section 11.00 a. 21 of the Law, is thirty (30) years.

Section 3. The County intends to finance, on an interim basis, the costs or a portion of the costs of said object or purpose for which bonds are herein authorized, which costs are

reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County, pursuant to this Bond Act, in the maximum amount of \$4,900,000. This Act is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The estimate of \$4,900,000 as the estimated maximum cost of the aforesaid object or purpose is hereby approved.

Section 5. Subject to the provisions of this Act and of the Law, and pursuant to the provisions of section 30.00 relative to the authorization of the issuance of bond anticipation notes and the renewals thereof, and of sections 50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the County Board of Legislators relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, and the renewals thereof, relative to providing for substantially level or declining annual debt service, relative to prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds and the renewals of said notes, and relative to executing agreements for credit enhancement, are hereby delegated to the Commissioner of Finance of the County, as the chief fiscal officer of the County.

Section 6. Each of the bonds authorized by this Act and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by section 52.00 of said Local Finance Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the County of Westchester, payable as to both principal and interest by general tax upon all the taxable real property within the County. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on

said bonds and any notes issued in anticipation of the sale of said bonds and the renewals of said notes, and provision shall be made annually in the budgets of the County by appropriation for (a) the amortization and redemption of the notes and bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 7. The validity of the bonds authorized by this Act and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of this Act or a summary hereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This Act shall take effect in accordance with Section 107.71 of the Westchester County Charter.

* * *

Capital Project Fact Sheet Form

Project ID: *

BPL30

☒ CBA

Project Title: *

NEW HOMES LAND ACQUISITION
II

Fact Sheet Date: *

06/10/2024

Fact Sheet Year *

2024

Legislative District ID:

16

Category *

BUILDINGS, LAND &
MISCELLANEOUS

Department *

PLANNING

Unique Identifier

2562

Overall Project Description

This is a continuation of project BPL10 New Homes Land Acquisition Fund (NHLA). NHLA provides funds to acquire property for the construction of fair and affordable housing. The purpose of the Fund is to increase the inventory of available properties for fair and affordable housing development. In addition to the acquisition cost of properties, other costs associated with, and often required for, site acquisition may be considered eligible costs to be funded through the NHLA program. Such associated costs may include, but are not limited to, closing costs, appraisals, property surveys, environmental assessments, hazardous materials reports and demolition of existing structures. Demolition may be particularly critical in the County's urban areas where existing structures need to be removed to allow construction of fair and affordable units. Funds can be used in all municipalities. This is a general fund, specific projects are subject to a Capital Budget Amendment.

☐ Best Management

☐ Energy Efficiencies

☐ Infrastructure

☐ Life Safety

☐ Project Labor Agreement

☐ Revenue

☐ Security

☒ Other

Other Details

Five Year Capital Program (in Thousands)

| | Estimate d Ultimate Total Cost | Prior Appropri ation | 2024 | 2025 | 2026 | 2027 | 2028 | Under Review |
|----------------------------------|--|----------------------------|------|------|------|------|------|-----------------|
| Gross | 104,500 | 104,500 | 0 | 0 | 0 | 0 | 0 | 0 |
| Less Non- County Shares | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Net | 104,500 | 104,500 | 0 | 0 | 0 | 0 | 0 | 0 |

Expended Obligated Amount (in thousands)

54,851

Current Bond Request / Description:

Bonding is requested to finance the acquisition of approximately 1.71 acres of real property located at 21-23 Park Avenue in the City of Yonkers and identified on the tax maps as Section 2; Block 2090; Lot 44 (the "Property") in order to construct 82 units of rental housing (includes one employee unit) that will Affirmatively Further Fair Housing (the "Affordable AFFH Units"). The Development will also include 24 parking spaces for residents.

Financing Plan for Current Request:

Bond/Notes: 4,900,000

Cash: 0

Non-county
Shares: 0

Total: 4,900,000

SEQR Classification

UNLISTED

Amount Requested

4,900,000

PPU

| Description | Amount | Years |
|-------------|--------|-------|
|-------------|--------|-------|

Expected Design Work Provider

☐ County Staff ☐ Consultant ☒ Not Applicable

Comments

A Capital Budget Amendment ("CBA") is requested to add the property to Capital Projects BPL30 and to authorize the County to purchase the vacant land from the current owner for an amount not to exceed \$4,900,000 to support the construction of (1) three- story residential building and rehabilitate two (2) existing buildings with 82 Affordable AFFH rental units (including one employee unit) and 24 parking spaces with an additional 58 spaces being leased nearby by the Development from the City of Yonkers Parking Authority. Upon acquisition, the County will file a Declaration of Restrictive Covenants to require that the units will be marketed to households who earn less than 50% and up to 70% of the County Area Median Income for a period of no less than 50 years, and further that the units will be leased and marketed to eligible households under an approved Affordable Housing Marketing plan. The County will then convey ownership to Kearney Realty and Development Group (the "Developer") its successors or assigns for one dollar (\$1.00).

Energy Efficiencies:

THE BUILDING WILL BE CONSTRUCTED WITH ENERGY EFFICIENT APPLIANCES, LIGHTING, HEATING SYSTEMS AND WATER-CONSERVING FIXTURES. THE DEVELOPMENT IS DESIGNED TO MEET THE STANDARDS OF 2020 ENTERPRISE GREEN COMMUNITIES.

Appropriation History

| Appropriation Year | Amount | Description |
|-----------------------|------------|---|
| 2014 | 5,000,000 | CONTINUATION OF THIS PROJECT |
| 2016 | 2,500,000 | CONTINUATION OF THIS PROJECT |
| 2017 | 7,200,000 | \$2,200,000 LAND ACQUISITION FOR MT HOPE PLAZA FOR MT HOPE COMMUNITY REDEVELOPMENT CORP, LOCATED AT 65 LAKE ST. WHITE PLAINS AND \$5,000,000CONTINUATION OF THIS PROJECT. |
| 2018 | 8,000,000 | CONTINUATION OF THIS PROJECT. |
| 2019 | 5,000,000 | CONTINUATION OF THIS PROJECT |
| 2020 | 10,000,000 | CONTINUATION OF THIS PROJECT |
| 2021 | 16,800,000 | CONTINUATION OF THIS PROJECT |
| 2022 | 25,000,000 | CONTINUATION OF THIS PROJECT |
| 2023 | 25,000,000 | CONTINUATION OF THIS PROJECT |

Total Appropriation History
104,500,000

Financing History

| Year | Bond Act # | Amount | Issued Amount | Description |
|------|------------|-----------|---------------|--|
| 15 | 204 | 460,000 | 460,608 | 147, 165 AND 175 RAILROAD AVENUE, BEDFORD HILLS ACQUISITION |
| 15 | 235 | 1,840,000 | 1,830,000 | ACQUISITION OF 80 BOWMAN AVENUE, VILLAGE OF RYE BROOK |
| 15 | 240 | 0 | 0 | |
| 15 | 267 | 284,000 | 284,375 | ACQUISITION OF 322 KEAR STREET, YORKTOWN HEIGHTS |
| 16 | 24 | 353,000 | 290,732 | 104 PINE STREET, CORTLANDT- COST OF ACQUISITION |
| 16 | 21 | 197,000 | 191,659 | 27 WALDEN COURT, UNIT #M YORKTOWN - COST OF ACQUISITION |
| 16 | 18 | 385,000 | 0 | 164 PHYLLIS COURT, YORKTOWN - COST OF ACQUISITION |
| 16 | 56 | 400,220 | 388,541 | 9 WATSON ST-CORTLANDT |
| 16 | 231 | 2,009,980 | 1,999,980 | 200 READER'S DIGEST ROAD CHAPPAQUA AFFIRMATIVELY FURTHERING AFFORDABLE HOUSING AMEND |
| 16 | 53 | 219,050 | 0 | 18 MINKEL RD OSSINING |
| 16 | 59 | 210,800 | 211,079 | 5 STANLEY AVE - OSSINING |
| 16 | 50 | 228,800 | 207,286 | 112 VILLAGE RD YORKTOWN |
| 17 | 172 | 1,250,000 | 1,250,000 | ACQUISITION OF LAND AT 1847 CROMPOND ROAD PEEKSKILL |
| 17 | 142 | 2,600,000 | 2,312,500 | ACQUISITION OF LAND LOCATED ON ROUTE 22 IN LEWISBORO |
| 17 | 209 | 0 | 0 | PURCHASE OF LAND AT 501 BROADWAY IN VILLAGE OF BUCHANAN |
| 18 | 155 | 0 | 0 | PURCHASE PROPERTY TO SUPPORT DEVLOPMENT OF AFFORDABLE HOUSING UNITS IN NEW ROCHELLE |
| 18 | 123 | 787,500 | 787,507 | PURCHASE PROPERTY AT 5 HUDSON STREET IN YONKERS TO PRESERVE AFFORDABLE AFFH RENTAL UNITS |
| 18 | 77 | 2,100,000 | 2,100,000 | PURCHASE OF LAND LOCATED AT 65 LAKE STREET IN WHITE PLAINS FOR FAIR HOUSING |
| 18 | 159 | 1,000,000 | 1,000,000 | PURCHASE OF PROPERTY LOCATED AT HALSTEAD AVENUE TO SUPPORT DEVELOPMENT OF AFFORDABLE HOUSING |

Financing History

| Year | Bond Act # | Amount | Issued Amount | Description |
|------|------------|-----------|---------------|---|
| 18 | 186 | 3,000,000 | 3,000,000 | PURCHASE OF REAL PROPERTY AT 25 SOUTH REGENT STREET IN PORT CHESTER TO FURTHER FAIR HOUSING |
| 19 | 70 | 5,225,000 | 5,225,000 | PURCHASE PROPERTY TO SUPPORT DEVELOPMENT OF AFFORDABLE HOUSING UNITS IN NEW ROCHELLE |
| 19 | 68 | 1,765,000 | 1,765,000 | PURCHASE AND SUBSEQUENT CONVEYANCE OF PROPERTY LOCATED AT 227 ELM STREET IN YONKERS |
| 19 | 150 | 2,340,000 | 2,419,325 | PURCHASE OF REAL PROPERTY LOCATED AT 645 MAIN STREET IN PEEKSKILL, FOR FAIR HOUSING |
| 19 | 171 | 306,000 | 305,325 | FINANCE THE PURCHASE OF REAL PROPERTY, INCLUDING THREE UNIT RENTAL BUILDING AT 162 LINCOLN |
| 19 | 182 | 1,375,000 | 0 | |
| 20 | 206 | 5,000,000 | 5,000,007 | AFFORDABLE HOUSING DEVELOPMENT 62 MAIN STREET, TARRYTOWN |
| 21 | 84 | 3,825,000 | 3,825,063 | AFFORDABLE AFFH UNITS - GREENBURGH 1 DROMORE ROAD |
| 21 | 47 | 5,000,000 | 5,000,000 | AFFORDABLE HOUSING - POINT ST AND RAVINE AVE YONKERS |
| 21 | 93 | 1,400,000 | 1,399,999 | AFFORDABLE AFFH UNITS - 76 LOCUST HILL AVE YONKERS |
| 21 | 190 | 5,000,000 | 4,999,999 | 500 MAIN STREET NEW ROCHELLE |
| 21 | 178 | 5,000,000 | 4,999,999 | AFFH 26 GARDEN ST NEW ROCHELLE |
| 21 | 166 | 1,800,000 | 1,757,604 | AFFH 51 MAPLE ST VILLAGE OF CROTON |
| 22 | 154 | 1,900,000 | 1,900,031 | 32, 36-38 MAIN STREET AND 1-3 RIVERDALE AVENUE CITY OF YONKERS |
| 24 | 1 | 2,700,000 | 0 | 317, 319, 321 WARBURTON AVE AND 247-255 WOODWORTH AVE AND 32 POINT STREET |
| 24 | 26 | 6,125,000 | 0 | 1, 7-11, 25,29 & 33 NO MACQUESTEN PARKWAY |
| 24 | 24 | 6,000,000 | 0 | 2&8 GROVE, 102&106 SOUTH TERRACE, 111&115 SO MACQUESTEN PARKWAY |
| 24 | 3 | 3,000,000 | 0 | |
| 24 | 83 | 4,360,000 | 0 | LAND ACQUISITION II - 30 WATER ST. OSSINING |

Cash History

| Year | Amount | Description |
|------|--------|-------------|
|------|--------|-------------|

Financing History Total
79,446,350

Recommended By:

Department of Planning
MLLL

Date
06/23/2024

Department of Public Works
RJB4

Date
06/23/2024

Budget Department
DEV9

Date
06/24/2024

Requesting Department
LNGA

Date
06/27/2024

NEW HOMES LAND ACQUISITION II (BPL30)

User Department : Planning

Managing Department(s) : Planning ;

Estimated Completion Date: TBD

Planning Board Recommendation: Project approved in concept but subject to subsequent staff review.

FIVE YEAR CAPITAL PROGRAM (in thousands)

| | Est Ult Cost | Appropriated | Exp / Obl | 2024 | 2025 | 2026 | 2027 | 2028 | Under Review |
|-------------------------|----------------|----------------|---------------|------|------|------|------|------|--------------|
| Gross | 104,500 | 104,500 | 54,851 | | | | | | |
| Non County Share | | | (688) | | | | | | |
| Total | 104,500 | 104,500 | 54,163 | | | | | | |

Project Description

This is a continuation of project BPL10 New Homes Land Acquisition Fund (NHLA). NHLA provides funds to acquire property for the construction of fair and affordable housing. The purpose of the Fund is to increase the inventory of available properties for fair and affordable housing development. In addition to the acquisition cost of properties, other costs associated with, and often required for, site acquisition may be considered eligible costs to be funded through the NHLA program. Such associated costs may include, but are not limited to, closing costs, appraisals, property surveys, environmental assessments, hazardous materials reports and demolition of existing structures. Demolition may be particularly critical in the County's urban areas where existing structures need to be removed to allow construction of fair and affordable units. Funds can be used in all municipalities. This is a general fund, specific projects are subject to a Capital Budget Amendment.

Current Year Description

There is no current year request.

Impact on Operating Budget

The impact on the Operating Budget is the debt service associated with the issuance of bonds.

Appropriation History

| Year | Amount | Description | Status |
|--------------|--------------------|--|-----------------------|
| 2014 | 5,000,000 | Continuation of this project | COMPLETE |
| 2016 | 2,500,000 | Continuation of this project | COMPLETE |
| 2017 | 7,200,000 | \$2,200,000 Land acquisition for Mt Hope Plaza for Mt Hope Community Redevelopment Corp, located at 65 Lake St. White Plains and \$5,000,000 continuation of this project. | COMPLETE |
| 2018 | 8,000,000 | Continuation of this project. | COMPLETE |
| 2019 | 5,000,000 | Continuation of this project | COMPLETE |
| 2020 | 10,000,000 | Continuation of this project | COMPLETE |
| 2021 | 16,800,000 | Continuation of this project | COMPLETE |
| 2022 | 25,000,000 | Continuation of this project | DESIGN / CONSTRUCTION |
| 2023 | 25,000,000 | Continuation of this project | DESIGN / CONSTRUCTION |
| Total | 104,500,000 | | |

NEW HOMES LAND ACQUISITION II (BPL30)

Prior Appropriations

| | Appropriated | Collected | Uncollected |
|---------------|--------------------|-------------------|-------------------|
| Bond Proceeds | 104,500,000 | 54,938,308 | 49,561,692 |
| Others | | 688,010 | (688,010) |
| Total | 104,500,000 | 55,626,319 | 48,873,681 |

Bonds Authorized

| Bond Act | Amount | Date Sold | Amount Sold | Balance |
|----------|-----------|-----------|-------------|---------|
| 204 15 | 460,000 | 12/15/17 | 388,647 | (609) |
| | | 12/15/17 | 71,360 | |
| | | 12/15/17 | 603 | |
| 235 15 | 1,840,000 | 12/15/16 | 1,830,000 | 10,000 |
| 240 15 | | | | |
| 267 15 | 284,000 | 12/15/17 | 239,947 | (376) |
| | | 12/15/17 | 44,057 | |
| | | 12/15/17 | 372 | |
| 18 16 | 385,000 | | | 385,000 |
| 21 16 | 197,000 | 12/15/16 | 191,659 | 5,341 |
| 24 16 | 353,000 | 12/15/16 | 290,732 | 62,268 |
| 56 16 | 400,220 | 12/15/17 | 327,838 | 11,679 |
| | | 12/15/17 | 60,194 | |
| | | 12/15/17 | 509 | |
| 59 16 | 210,800 | 12/15/17 | 178,102 | (279) |
| | | 12/15/17 | 32,701 | |
| | | 12/15/17 | 276 | |
| 50 16 | 228,800 | 12/15/17 | 174,902 | 21,513 |
| | | 12/15/17 | 32,114 | |
| | | 12/15/17 | 271 | |
| 53 16 | 219,050 | | | 219,050 |
| 231 16 | 2,009,980 | 12/15/16 | 1,999,980 | 10,000 |
| 142 17 | 2,600,000 | 12/01/21 | 2,312,500 | 287,500 |
| 172 17 | 1,250,000 | 12/10/18 | 1,250,000 | |
| 209 17 | | | | |
| 77 18 | 2,100,000 | 12/10/19 | 1,205,036 | |
| | | 12/10/19 | 237,964 | |
| | | 12/01/21 | 657,000 | |
| 123 18 | 787,500 | 10/28/20 | 690,728 | (8) |
| | | 10/28/20 | 96,780 | |
| | | 10/28/20 | 26,688 | |
| | | 10/28/20 | (26,688) | |
| 155 18 | | | | |

NEW HOMES LAND ACQUISITION II (BPL30)

| | | | | | |
|-------|----|------------|----------|------------|-----------|
| 159 | 18 | 1,000,000 | 12/10/19 | 835,090 | |
| | | | 12/10/19 | 164,910 | |
| 186 | 18 | 3,000,000 | 12/10/19 | 2,505,271 | |
| | | | 12/10/19 | 494,729 | |
| 68 | 19 | 1,765,000 | 12/10/19 | 1,473,935 | |
| | | | 12/10/19 | 291,065 | |
| 70 | 19 | 5,225,000 | 12/10/19 | 4,363,348 | |
| | | | 12/10/19 | 861,652 | |
| 150 | 19 | 2,340,000 | 10/28/20 | 2,052,449 | (79,325) |
| | | | 10/28/20 | 287,575 | |
| | | | 10/28/20 | 79,302 | |
| 171 | 19 | 306,000 | 12/01/21 | 305,325 | 675 |
| 182 | 19 | 1,375,000 | | | 1,375,000 |
| 206 | 20 | 5,000,000 | 12/01/21 | 5,000,000 | |
| 47 | 21 | 5,000,000 | 12/01/21 | 5,000,000 | |
| 84 | 21 | 3,825,000 | | | 3,825,000 |
| 93 | 21 | 1,400,000 | 12/01/22 | 1,273,444 | |
| | | | 12/01/22 | 126,556 | |
| 166 | 21 | 1,800,000 | | | 1,800,000 |
| 178 | 21 | 5,000,000 | 12/01/22 | 4,548,013 | |
| | | | 12/01/22 | 451,987 | |
| 190 | 21 | 5,000,000 | 12/01/22 | 4,548,013 | |
| | | | 12/01/22 | 451,987 | |
| 154 | 22 | 1,900,000 | | | 1,900,000 |
| Total | | 57,261,350 | | 47,428,921 | 9,832,429 |

STATE OF NEW YORK)
)
COUNTY OF WESTCHESTER)

I, the undersigned Clerk of the Board of Legislators of the County of Westchester, New York, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Board of Legislators of said County, including the Bond Act contained therein, held on August 5, 2024 with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting.

I FURTHER CERTIFY that, pursuant to Section 103 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public.

I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused a public notice of the time and place of said meeting to be to be given to the following newspapers and/or other news media as follows:

Newspaper and/or other news media

Date Given
July 31, 2024

News Channel 12
The Journal News
Hometown Media
CBS2NY
The Examiner News
WABCTV News

I FURTHER CERTIFY that PRIOR to the time of said meeting, I duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public location(s) on the following dates:


Designated Location(s)
of posted notice

Date of Posting
July 31, 2024

www.westchesterlegislators.com

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County Board of Legislators on August 5, 2024.





Malika Vanderberg, Clerk
Westchester County Board of Legislators

The foregoing Bond Act was duly put to a vote which resulted as follows:

AYES:

Legislator Nancy Barr
Legislator Benjamin Boykin
Legislator Terry Clements
Legislator Margaret Cunzio
Legislator Vedat Gashi
Legislator Judah Holstein
Legislator David Imamura
Legislator James Nolan
Legislator Catherine Parker
Legislator Erika Pierce
Legislator Colin Smith
Legislator David Tubiolo
Legislator Emiljana Ula
Legislator Shanae Williams
Legislator Jewel Williams-Johnson
Legislator Tyrae Woodson-Samuels

NOES:

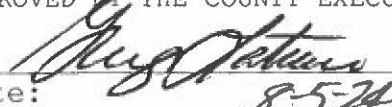
ABSENT: Legislator Jose Alvarado

EXCUSED:

The Bond Act was thereupon declared duly adopted.

* * * * *
APPROVED BY THE COUNTY EXECUTIVE

Date: _____


8-5-24

ACT NO. 2024 148 -

AN ACT authorizing the County of Westchester to purchase approximately +/- 1.74 acres of real property located at 21-23 Park Avenue in the City of Yonkers and to subsequently convey said property, as well as authorizing the County to grant and accept any property rights necessary in furtherance thereof, for the purpose of creating 82 affordable rental units that will affirmatively further fair housing and remain affordable for a period of not less than fifty (50) years.

BE IT ENACTED, by the County Board of Legislators of the County of Westchester, as follows:

Section 1. The County of Westchester (the "County") is hereby authorized to purchase from the current owner(s) of record approximately +/- 1.71 acres of real property located at 21-23 Park Avenue in the City of Yonkers, (the "Property") to construct 82 affordable rental housing units that will affirmatively further fair housing (the "Affordable AFFH Units") as set forth in 42 U.S.C. Section 5304(b)(2).

§2. The County is hereby authorized to purchase the Property for an amount not to exceed FOUR MILLION NINE HUNDRED THOUSAND (\$4,900,000) DOLLARS.

§3. The County is hereby authorized to convey the Property to Kearney Realty & Development Group, Inc., its successors or assigns or any entity created to carry out the purpose of the proposed transaction, for One (\$1.00) Dollar to construct the 82 Affordable AFFH Units that will be marketed and leased to households earning at or below 50% and up to 70% of the Westchester County area median income, that will remain affordable for a period of not less than fifty (50) years, and will be marketed and leased in accordance with an approved affirmative fair housing marketing plan, noting that the income limits are subject to change based on the median income levels at the time of initial occupancy and subsequent occupancies, as established by the U.S. Department of

Housing and Urban Development.

§4. The County is hereby authorized to grant and accept any and all property rights necessary in furtherance hereof.

§5. The transfers of the Property shall be by such deeds as approved by the County Attorney.

§6. The County Executive or his duly authorized designee is hereby authorized and empowered to execute all instruments and to take all action necessary and appropriate to effectuate the purposes hereof.

§7. This Act shall take effect immediately.

STATE OF NEW YORK)
) ss.
COUNTY OF WESTCHESTER)

I HEREBY CERTIFY that I have compared the foregoing (Bond) Act No. 147 - 2024, and Act No. 148 - 2024, with the originals on file in my office, and that the same are correct transcripts therefrom, and of the whole, of said original (Bond) Act, and Act, which were duly adopted by the Westchester County Board of Legislators, of the County of Westchester on August 5, 2024, and approved by the County Executive on August 5, 2024.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said County Board of Legislators on this 6th day of August, 2024.

Malika Vanderberg

Malika Vanderberg

The Clerk of the Westchester County
Board of Legislators

County of Westchester, New York

