

Introduced by Presiding Officer, on request of the County Executive and Legislator Fleming

**RESOLUTION NO. 613 -2017, AUTHORIZING FUNDING OF
LAND ACQUISITION AND OVERSIGHT OF REAL PROPERTY
UNDER THE SUFFOLK COUNTY AFFORDABLE HOUSING
OPPORTUNITIES PROGRAM (SPEONK COMMONS)**

WHEREAS, Local Law No. 13-2000 as amended in its entirety by Local Law No. 17-2004, known as Suffolk County Administrative Code (“SCAC”) Article XXXVI, as amended, found and determined that there was a need for the County to provide assistance in creating affordable housing and established the Suffolk County Affordable Housing Opportunities Program; and

WHEREAS, SCAC § A-36-2 provides a statutory framework for land to be acquired and infrastructure improvements for the development of affordable housing through the use of capital bond proceeds; and

WHEREAS, the Town of Southampton Housing Authority and Georgica Green Ventures, LLC (the “Co-Developers”) have identified a site in the County of Suffolk which would be appropriate for development as affordable housing and is identified by Suffolk County Tax Map Number: 0900-350.00-02.00-018.000 (the “Subject Premises”); and

WHEREAS, the affordable housing development will be known as Speonk Commons and contemplates the construction of 38 studio, one, and two bedroom units, 37 of which will be affordable rental units marketed to households under certain income limits, as more particularly described in Exhibit “1”, (the “Development Plan”) attached hereto; and

WHEREAS, the Subject Premises will require land to be acquired to facilitate the construction of the Affordable Housing Development and, in connection therewith, the Co-Developers have requested land acquisition funding from the County in the amount of up to One Million Three Hundred Thousand (\$1,300,000) Dollars; and

WHEREAS, Resolution No. 761-2016 authorized Planning Steps in connection with the Subject Premises and the development of Speonk Commons; and

WHEREAS, the Environmental Trust Review Board reviewed the County ordered appraisals, reviewed the report of the Internal Appraisal Review Board and approved an appraised amount of the Subject Premises or portion thereof [and the purchase price] on June 16, 2017; and

WHEREAS, the Co-Developers and the County are negotiating the terms of a Development Agreement which will incorporate the provisions of the Development Plan and which shall set forth the funding requirements for the Subject Premises and the development of Speonk Commons consistent with Article XXXVI of the Suffolk County Administrative Code, which shall be executed; and

WHEREAS, pursuant to Resolution No. 2017-310 the Town Board of the Town of Southampton, as lead agency, on March 28, 2017, issued a negative SEQRA declaration which completed the environmental review; and further the negative declaration issued by the Planning Board of the Town of Southampton is binding on the County, as an involved agency,

pursuant to Title 6 of the New York Codes, Rules and Regulations (NYCRR) § 617.6 (B) (3) (III) and, therefore, SEQRA is complete; and

WHEREAS, Resolution No. 952-2014 appropriated the proceeds of \$2,500,000 and Resolution No. 953-2014 authorized the issuance of \$2,500,000 in Suffolk County Serial Bonds to fund the land acquisition in connection with the properties acquired, funded, constructed, reconstructed or rehabilitated in connection with the Affordable Housing Opportunities Program subject to further Legislative approval of a resolution authorizing the funding of specific land acquisition to be made in connection with such affordable housing developments; now, therefore be it

1st **RESOLVED**, that the Suffolk County Legislature, on behalf of the County, hereby finds and determines that the development of Speonk Commons meets the requirements of the Suffolk County Affordable Housing Opportunities Program and the need to fill the critical shortage of affordable housing in the County and, accordingly, authorizes the acquisition and the development of Speonk Commons and the requested funding thereof in the amount of up to One Million Three Hundred Thousand (\$1,300,000) Dollars to fund a portion of the land acquisition costs for the Subject Premises in accordance with the Development plan; and be it further

2nd **RESOLVED**, that the County Executive, the Department of Economic Development and Planning, its Commissioner, its Director of Real Estate and the County Attorney are authorized, empowered and directed to negotiate, execute and deliver the Development Agreement, which shall incorporate the provisions of the Development Plan substantially in the form presented herewith, consistent with Article XXXVI of the Suffolk County Administrative Code, and each other document contemplated to be executed and/or delivered in connection therewith, with such changes thereto as may be necessary or desirable, consistent herewith, in order to effectuate this overall affordable housing project and transactions contemplated hereby; and be it further

3rd **RESOLVED**, that the County Executive, the Department of Economic Development and Planning, its Commissioner, its Director of Real Estate and the County Attorney are authorized, empowered and directed to take such further actions and execute such additional documents as may be necessary or desirable, consistent with the Development Plan and Article XXXVI of the Suffolk County Administrative Code, in order to effectuate the purposes and intent of the foregoing resolution, including, but not limited to, payment of expenses such as costs associated with surveys, appraisals, environmental audits, title reports and insurance; and be it further

4th **RESOLVED**, that, subject to the terms of the fully executed Development Agreement, the County Comptroller is hereby authorized to reserve and pay up to One Million Three Hundred Thousand (\$1,300,000) Dollars in connection with land acquisition costs associated with the development of Speonk Commons from previously appropriated funds in Capital Project No. 525-CAP-8704.213; and be it further

5th **RESOLVED**, pursuant to Resolution No. 2017-310 the Town Board of the Town of Southampton, as lead agency, on March 28, 2017, issued a negative SEQRA declaration which completed the environmental review; and further the negative declaration issued by the Planning Board of the Town of Southampton is binding on the County, as an involved agency, pursuant to Title 6 of the New York Codes, Rules and Regulations (NYCRR) § 617.6 (B) (3) (III) and, therefore, SEQRA is complete.

[] Brackets denote deletion of language.
__ Underlining denotes addition of new language.

DATED: July 25, 2017

APPROVED BY:

/s/ Steven Bellone
County Executive of Suffolk County

Date: August 4, 2017