



**COMMON COUNCIL MEETING
FINANCE, ASSESSMENT AND TAXATION COMMITTEE
Ginnie Farrell, Chair**

DATE: Monday, August 23, 2021

TIME: 5:30 p.m.

LOCATION: Common Council Chambers, 2nd Floor, City Hall

TOPIC(S) OF DISCUSSION/CONSIDERATION:

Update on the City's Current Financial Position and Federal COVID Relief Money

Resolution 66.81.21R

RESOLUTION OF THE COMMON COUNCIL AUTHORIZING THE MAYOR TO ENTER INTO AND EXECUTE A LICENSE AGREEMENT WITH NEW YORK STATE DEPARTMENT OF TRANSPORTATION IN CONNECTION WITH THE SOUTH END CONNECTOR PROJECT

Resolution 67.81.21R

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF ALBANY AUTHORIZING THE EXECUTION OF AN AMENDED PAYMENT IN LIEU OF TAXES ("PILOT") AGREEMENT BY AND BETWEEN THE CITY OF ALBANY, AND STEAMBOAT SQUARE HOUSING DEVELOPMENT FUND CORP. AND STEAMBOAT 20 LLC

PUBLIC COMMENT PERIOD: YES

Council Member Johnson introduced the following:

RESOLUTION NUMBER 66.81.21R

RESOLUTION OF THE COMMON COUNCIL AUTHORIZING THE MAYOR TO ENTER INTO AND EXECUTE A LICENSE AGREEMENT WITH NEW YORK STATE DEPARTMENT OF TRANSPORTATION IN CONNECTION WITH THE SOUTH END CONNECTOR PROJECT

WHEREAS, the City is planning to start construction on updates on the much used link between the Helderberg-Hudson Rail Trail and the Mohawk-Hudson Bike-Hike Trail; and

WHEREAS, the South End Connector is a key piece of the region's growing network of alternative transportation paths that when finished, will offer amenities on the protected path for cyclists and pedestrians along the two miles from the rail trail's South End trailhead and the Mohawk-Hudson trail on the Hudson River; and

WHEREAS, this project will to offer people within the South End a safer and more dynamic way to the riverfront.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor be and is authorized and empowered to enter into and execute a license agreement with the New York State Department of Transportation for the use and occupancy of State-owned lands in connection with the South End Connector Project to connect and enhance the existing Albany County Rail and Mohawk-Hudson Bike-Hike Trails.

TO: Danielle Gillespie, City Clerk
FROM: Brett Williams, Senior Assistant Corporation Counsel
RE: Request for Common Council Legislation
Supporting Memorandum

DATE: July 22, 2021

SPONSOR: Council Member Johnson

RESOLUTION NUMBER 66.81.21R

TITLE

RESOLUTION OF THE COMMON COUNCIL AUTHORIZING THE MAYOR TO ENTER INTO AND EXECUTE A LICENSE AGREEMENT WITH NEW YORK STATE DEPARTMENT OF TRANSPORTATION IN CONNECTION WITH THE SOUTH END CONNECTOR PROJECT

GENERAL PURPOSE OF LEGISLATION

To authorize the Mayor to execute a license agreement with NYS DOT in order to facilitate the South End Connector Project.

NECESSITY FOR LEGISLATION AND ANY CHANGE TO EXISTING LAW

Adoption is required by the New York State Department of Transportation.

FISCAL IMPACT(S)

None.

Council Member Farrell on behalf of Finance, Assessment, and Taxation Committee introduced the following:

RESOLUTION NUMBER 67.81.21R

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF ALBANY AUTHORIZING THE EXECUTION OF AN AMENDED PAYMENT IN LIEU OF TAXES (“PILOT”) AGREEMENT BY AND BETWEEN THE CITY OF ALBANY, AND STEAMBOAT SQUARE HOUSING DEVELOPMENT FUND CORP. AND STEAMBOAT 20 LLC

WHEREAS, Steamboat Square Housing Development Fund Corp. (the “HDFC”) is a not-for-profit corporation established under 402 of the Not-For-Profit Corporation Law and Article XI of the Private Housing Finance Law (“PHFL”), and is controlled by or under the common control with the Albany Housing Authority (the “AHA”); and

WHEREAS, the HDFC is a “housing development fund company” as that term is defined in Section 572 of the PHFL and shall remain so during the entire term of this agreement; and

WHEREAS, Steamboat 20 LLC (the “Company”) is a limited liability company controlled by or under common control with the AHA; and

WHEREAS, the Company’s and the HDFC’s revised plans for the use of the Property consists of the redevelopment of eighty-eight (88) mixed-income affordable residential rental units, constitutes a “housing project” as that term is defined in Section 572 of the PHFL (the “Project”), which Project is located at 20 Rensselaer Street (the “Property”);

WHEREAS, the HDFC is the sole managing member of the Company and is expected to be the leasehold owner of the Property as nominee of the Company; and

WHEREAS, pursuant to Section 577(1) of the PHFL, the local legislative body of a municipality may exempt a project of a housing development fund company from local and municipal taxes, including school taxes, other than assessments for local improvements, to the extent of all or a part of the value of the property included in the completed project for a period of up to forty (40) years;

WHEREAS, pursuant to authorization of the City Council under Resolution Number 93.121.18R, the City, the HDFC, and the Company entered into an Agreement for Payment In Lieu of Taxes for the Project in 2018 when the Project involved the rehabilitation of 51 apartment units (the “Original PILOT”) and now desire to amend the Original PILOT so that it applies to the revised Project which will now rehabilitate a total of 88 residential apartment units;

NOW THEREFORE, BE IT RESOLVED, that the Property and the Project shall be exempt from real property taxes to the extent described in Section 577(1) of the PFHL for a period of thirty (30) years, including city, county and school taxes, other than assessments for local improvements, and that the Mayor of the City of Albany is hereby authorized and empowered to execute and enter into an Amended PILOT agreement with the HDFC and the Company in a form approved by the Corporation Counsel, together with such other and further forms, documents and agreements necessary to amend, supplement or effectuate the same; and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

To: Danielle Gillespie, City Clerk
From: Brett Williams, Senior Assistant Corporation Counsel
Re: Supporting Memorandum
Date: July 22, 2021
Sponsor: To be determined

Resolution Number 67.81.21R

TITLE

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF ALBANY AUTHORIZING THE EXECUTION OF AN AMENDED PAYMENT IN LIEU OF TAXES (“PILOT”) AGREEMENT BY AND BETWEEN THE CITY OF ALBANY, AND STEAMBOAT SQUARE HOUSING DEVELOPMENT FUND CORP. AND STEAMBOAT 20 LLC

GENERAL PURPOSE OF LEGISLATION

In 2018, the Council authorized, by Resolution 93.121.18R, the execution of a PILOT Agreement with Steamboat Square Housing Development Fund Corp. and Steamboat 20 LLC (the “Original PILOT”) to rehabilitate 51 units of low-income housing located at 20 Rensselaer Street (the “Property”). That project did not receive State funding.

In order to put the Project in the best position to obtain funding from the New York State Division of Housing and Community Renewal, the Albany Housing Authority increased the number of units to be rehabilitated and the Project has been expanded to include the addition of 37 previously decommissioned apartment units so that the Project will now rehabilitate a total of 88 apartment units on the Property (the “Project”).

NECESSITY FOR LEGISLATION AND ANY CHANGE TO EXISTING LAW

The Common Council must approve PILOTs pursuant to 577 of the Private Housing Finance Law. Since the resolution approving the previous iteration of the project included the number of units in the resolution, the Council must approve the amended PILOT agreement (the “New PILOT Agreement”), so that the Company and the HDFC may add the 37 additional units to the project and maintain its PILOT authorization.

FISCAL IMPACT

The City will receive the same portion of rent from the Project under the New PILOT as was required in the Original PILOT. The additional 37 units will result in an increase in payments due under the New PILOT and a significant increase in payments from what the AHA is currently required to pay to the City. The AHA indicates that for 2020 it paid approximately \$15,000 in taxes. The AHA projects that for the first year under the New PILOT, it will pay the City approximately \$50,000.