

RESOLUTION NO. 68

ESTABLISHING THE ALBANY COUNTY PROPERTY DEVELOPMENT CORPORATION, A NEW YORK STATE LAND BANK

Introduced: 2/10/14

By Messrs. Comisso, Higgins, Beston, Bullock, Ms. Chapman, Messrs. Clay, Clenahan, Ms. Connolly, Messrs. Corcoran, Cotrofeld, Dawson, Domalewicz, Ethier, Feeney, Jacobson, Joyce, Mackey, Ms. Maffia-Tobler, Mr. Mayo, Mss. McKnight, McLean Lane, Messrs. Morse, Nichols, O'Brien, Rahm, Reilly, Simpson and Ward:

WHEREAS, New York State has enacted the "Land Bank Act" which authorizes municipalities to establish individual or cooperative land banks, and

WHEREAS, It has been determined that vacant and abandoned properties are costly and present a danger to the health and safety of local residents and further, they reduce surrounding property values, spread blight and create havens for crime resulting in costs and loss of revenues to local government and discourage further investment, and

WHEREAS, The purpose of this legislation is to establish a land bank in Albany County by creating a not-for-profit corporation whereby funds can be directed to positive purposes that have the effect of decreasing the numbers of tax-delinquent properties, revitalizing communities and increasing the tax rolls to the benefit of all its citizens and to provide pro-active tools to mitigate costs, spur investment and improve property values, and

WHEREAS, It is the intent of this Honorable Body that the directors of the corporation established herein move forward in a community centric, collaborative manner utilizing charrette style information gathering techniques as it acquires input from residents and subject matter experts, and

WHEREAS, Plans for redevelopment generated by this approach needs to include diverse, affordable housing options available to a broad mix of income levels, sufficient commercial opportunities, ample green space and recreational options, as well as, public safety, transportation, parking and infrastructure considerations, now, therefore be it

RESOLVED, There is hereby created a land bank on behalf of the County of Albany, to be known as the "Albany County Land Bank Development Corporation" a New York State Land Bank, and, be it further

RESOLVED, The directors of the corporation are requested to work with and recommend capital generating and revenue sharing programs designed to provide the assets necessary for a successful start-up, demolition and remediation, and the continuing operations of the corporation and to recommend policies that will facilitate the removal of obstacles to redevelopment, and, be it further

RESOLVED, That the by-laws of the Albany County Land Bank Development Corporation shall require the Board of Directors to create a Resident Advisory Committee composed of representatives of the geographic areas in which the land bank works, the purpose of the advisory committee is to provide input to the Board and to be advised and informed regarding the actions of the Board and to act as ambassadors in the communities in which they live regarding the purpose and objectives of the land bank, and, be it further

RESOLVED, That the Board of Directors shall consist of seven (7) members to be appointed by the Albany County Legislature and said members shall represent areas of interest or expertise including, but not limited to: the building industry; architectural/planning and/or design industry; financial services; law enforcement; property management; municipal affairs; buildings and codes; real estate; building demolition industry; and historical renovation services, and, be it further

RESOLVED, That the following are hereby appointed as Board of Directors to the Albany County Property Development Corporation: Michael Jacobson (Chair), Police Chief Steven Krokoff, Duncan Barrett, Charles Touhey, Pamela Harper, Michael Keegan and Philip Calderone, and, be it further

RESOLVED, That all members of the board shall be residents or have their primary place of business in the County of Albany and said directors shall serve at the pleasure of the Legislature, and, be it further

RESOLVED, That the County Attorney is requested to assist with the development of the applicable and necessary documents to accomplish the goal of this resolution, and, be it further

RESOLVED, That the County Executive is authorized to execute any and all documentation necessary for filing and incorporation with the State of New York to form the Albany County Property Development Corporation, a New York State Land Bank, in substantially the form on file with the Clerk of this Legislature, and to execute and file such other documents to establish said New York State Land Bank with any other management, operating, administrative contracts or agreements subject to separate approval of the Legislature, and, be it further

RESOLVED, That the Clerk of the Legislature is directed to file this resolution and all applicable and necessary documents pursuant to the provisions of the Land Bank Act, Chapter 257 of the Laws of 2011.

Ms. Kinsch proposed the following amendment:

1) *Replace the third Resolved Clause of Resolution #68 with the following:*

RESOLVED: Each participating municipality shall have its own Property Acquisition and Disposition Committee or Committees (hereafter Committees) for each of its designated neighborhood revitalization areas. The purpose of these committees shall be to advise the land bank staff and board on land bank activities in their respective areas, as well as to keep residents of those areas

apprised of land bank activities and provide them the opportunity to comment. The Committees will work with the board to develop a set of acquisition and disposition priorities and policies. The land bank may employ a not-for-profit corporation that serves the specific neighborhood to assist the Committees in this process.

The Committees will keep the board informed about developing conditions and opportunities related to vacant or delinquent property in their coverage areas. The Committees will develop ways to keep stakeholders in their areas apprised of land bank activities and opportunities, will solicit input from stakeholders and convey it to the Board. At a minimum, each committee shall, in conjunction with land bank staff, hold a well-advertised annual public hearing to take input on their priorities and goals and to present a report on their recommendations throughout the year as compared to the final decisions made for the same properties. In addition, the committee may, by majority vote, call for a public meeting of the land bank board for the same purpose.

The Board will keep the Committees informed of potential acquisitions and development opportunities in their areas and will afford the Committees adequate time to review and make recommendations on all purchases or sales that don't fall within a predetermined set of routine transfers (e.g. side lot sales). All decisions shall be made collaboratively with the municipality's planning staff and the relevant Committee.

2) *Edit the 4th Whereas Clause as follows:*

WHEREAS, It is the intent of this Honorable Body that the directors of the corporation established herein move forward in a community centric, collaborative manner. ~~utilizing charrette style information gathering techniques as it acquires input from residents and subject matter experts, and~~

3) *Add the following Whereas Clause to Resolution #68*

WHEREAS, the citizens who live in neighborhoods impacted by vacant buildings will be afforded the opportunity to learn construction and building rehabilitation skills and that every effort will be made to provide employment on projects occurring in their neighborhoods.

On roll call vote on the amendment the following voted as follows: Mr. Bullock, Ms. Chapman, Messrs. Clenahan, Crouse, Dawson, Ethier, Joyce, Mss. Kinsch, Maffia-Tobler, Messrs. Mendick, O'Brien and Simpson – 12.

Those opposed: Mss. Benedict, Busch, Messrs. Carman, Clay, Clouse, Commisso, Ms. Connolly, Messrs. Corcoran, Cotrofeld, Domalewicz, Feeney, Higgins, Hogan, Jacobson, Ms. Lockart, Messrs. Mackey, Mayo, Mss. McKnight, McLean Lane, Messrs. Morse, Nichols, Rahm, Stevens, Tunny and Ward – 25.

Amendment was defeated.

Resolution was adopted by voice vote. 2/10/14