

ACT NO. -20\_\_\_\_\_

BOND ACT AUTHORIZING THE ISSUANCE OF \$24,470,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE A PORTION OF THE COST OF THE ACQUISITION OF BUSES FOR THE DEPARTMENT OF TRANSPORTATION; STATING THE ESTIMATED TOTAL COST THEREOF IS \$103,650,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE EXPENDITURE OF \$79,180,000 OF GRANT FUNDS EXPECTED TO BE RECEIVED FROM THE UNITED STATES OF AMERICA AND THE ISSUANCE OF \$24,470,000 BONDS HEREIN AUTHORIZED TO FINANCE SUCH COST; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted \_\_\_\_\_, 20\_\_\_\_\_) )

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 to the provisions of other laws applicable thereto; \$24,470,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance a portion of the cost of the purchase of replacement buses for the Department of Transportation, all as 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,

such Budget shall be deemed and is hereby amended. The estimated total cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof is \$103,650,000. The plan of financing includes the expenditure of \$79,180,000 in grant funds expected to be received from the United States of America and the issuance of \$24,470,000 bonds herein authorized; and any bond anticipation notes issued in anticipation of the sale of such bonds and the levy of a tax to pay the principal of and interest on said bonds and notes.

Section 2. The period of probable usefulness of the class of objects or purposes for which said \$24,470,000 bonds authorized by this Act are to be issued, within the limitations of Section 11.00 a.29-a of the Law, is ten (10) years;

Section 3. Current funds are not required to be provided as a down payment pursuant to Section 107.00 d. 9. of the Law prior to issuance of the bonds authorized herein, or any bond anticipation notes issued in anticipation of the sale of such bonds. The County intends to finance, on an interim basis, the costs or a portion of the costs of said improvements 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 Act, in the total amount of \$24,470,000. 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 \$103,650,000 as the estimated total cost of the aforesaid class of objects or purposes is hereby approved.

Section 5. Subject to the provisions of this Act and of the Law, and pursuant to the provisions of §30.00 relative to the authorization of the issuance of bond anticipation notes

or the renewals thereof, and of §§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, or 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 respective amounts of bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or 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 §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 or 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 not earlier than January 1, 2022 and in accordance with Section 107.71 of the Westchester Charter.

\* \* \*

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

I HEREBY CERTIFY that I have compared the foregoing Act No. -20\_\_\_\_  
with the original on file in my office, and that the same is a correct transcript therefrom and of  
the whole of the said original Act, which was duly adopted by the County Board of Legislators of  
the County of Westchester on                   , 20\_\_\_\_ and approved by the County Executive  
on           , 20\_\_\_\_.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the  
corporate seal of said County Board of Legislators  
this    day of           , 20\_\_\_\_.

The Clerk and Chief Administrative Office of the  
County    Board of Legislators County of  
Westchester, New York

(SEAL)

LEGAL NOTICE

A Bond Act, a summary of which is published herewith, has been adopted by the Board of Legislators on \_\_\_\_\_, 20\_\_\_\_ and approved by the County Executive on \_\_\_\_\_, 20\_\_\_\_ and the validity of the obligations authorized by such Bond Act may be hereafter contested only if such obligations were authorized for an object or purpose for which the County of Westchester, in the State of New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this Notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the publication of this Notice, or such obligations were authorized in violation of the provisions of the Constitution.

Complete copies of the Bond Act summarized herewith shall be available for public inspection during normal business hours at the Office of the Clerk of the Board of Legislators of the County of Westchester, New York, for a period of twenty days from the date of publication of this Notice.

ACT NO. \_\_\_\_\_-20\_\_\_\_\_

BOND ACT AUTHORIZING THE ISSUANCE OF \$24,470,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE A PORTION OF THE COST OF THE ACQUISITION OF BUSES FOR THE DEPARTMENT OF TRANSPORTATION; STATING THE ESTIMATED TOTAL COST THEREOF IS \$103,650,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE EXPENDITURE OF \$79,180,000 OF GRANT FUNDS EXPECTED TO BE RECEIVED FROM THE UNITED STATES OF AMERICA AND THE ISSUANCE OF \$24,470,000 BONDS HEREIN AUTHORIZED TO FINANCE SUCH COST; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (adopted on \_\_\_\_\_, 20\_\_\_\_)

object or purpose: to finance the purchase of replacement buses for the Department of Transportation, all as set forth in the County's Current Year Capital Budget, as amended.

amount of obligations to be issued:  
and period of probable usefulness: \$24,470,000; ten (10) years

Dated: \_\_\_\_\_, 20\_\_\_\_  
White Plains, New York

\_\_\_\_\_  
Clerk and Chief Administrative Officer of the County Board  
of Legislators of the County of Westchester, New York



## CAPITAL PROJECT FACT SHEET

<b>Project ID:*</b> T001Z	<input checked="" type="checkbox"/> CBA	<b>Fact Sheet Date:*</b> 01-02-2024
<b>Fact Sheet Year:*</b> 2024	<b>Project Title:*</b> REPLACE 95 NABI 40-FOOT HYBRID BUSES	<b>Legislative District ID:</b> ALL
<b>Category*</b> TRANSPORTATION	<b>Department:*</b> AIRPORT/DOT	<b>CP Unique ID:</b> 2414

**Overall Project Description**

This project will fund the procurement of replacement of 95 forty-foot buses. The project also includes appropriation for procurement related services, associated equipment and parts.

- |   |   |   |
|---|---|---|
| <input checked="" type="checkbox"/> Best Management Practices | <input checked="" type="checkbox"/> Energy Efficiencies | <input type="checkbox"/> Infrastructure |
| <input type="checkbox"/> Life Safety                          | <input type="checkbox"/> Project Labor Agreement        | <input type="checkbox"/> Revenue        |
| <input type="checkbox"/> Security                             | <input type="checkbox"/> Other                          |   |

**FIVE-YEAR CAPITAL PROGRAM (in thousands)**

	Estimated Ultimate Total Cost	Appropriated	2024	2025	2026	2027	2028	Under Review
<b>Gross</b>	104,000	95,375	0	0	0	0	0	8,625
<b>Less Non-County Shares</b>	79,180	70,555	0	0	0	0	0	8,625
<b>Net</b>	24,820	24,820	0	0	0	0	0	0

**Expended/Obligated Amount (in thousands) as of :** 200

<b>Current Bond Description:</b> For the purchase of 95 replacement 40-foot buses.	
<b>Financing Plan for Current Request:</b>	
Non-County Shares:	\$ 79,180,000
Bonds/Notes:	24,470,000
Cash:	0
<b>Total:</b>	<b>\$ 103,650,000</b>

**SEQR Classification:**  
TYPE II

**Amount Requested:**  
24,470,000

**Expected Design Work Provider:**

County Staff                       Consultant                       Not Applicable

**Comments:**  
A capital budget amendment is required to add more non-county funds to the project. The total cost of the project has increased due to updated cost estimates for buses.

**Energy Efficiencies:**  
THE EXISTING MODEL YEAR 2009 HYBRID BUSES WILL BE REPLACED WITH A COMBINATION OF NEW HYBRID AND ALL-ELECTRIC BUSES.

**Appropriation History:**

Year	Amount	Description
2022	350,000	FUNDS PREPARATION OF SPECIFICATIONS AND RELATED SERVICES
2023	95,025,000	PURCHASE OF BUSES

**Total Appropriation History:**  
95,375,000

**Financing History:**

<b>Year</b>	<b>Bond Act #</b>	<b>Amount</b>	<b>Issued</b>	<b>Description</b>
21	221	350,000	0	REPLACE 95 NABI 40-FOOT HYBRID BUSES

**Total Financing History:**

350,000

**Recommended By:**

**Department of Planning**

MLLL

**Date**

01-22-2024

**Department of Public Works**

RJB4

**Date**

01-22-2024

**Budget Department**

DEV9

**Date**

01-23-2024

**Requesting Department**

MAS9

**Date**

01-24-2024



## REPLACE 95 NABI 40-FOOT HYBRID BUSES ( T001Z )

**User Department :** Airport/DOT  
**Managing Department(s) :** Airport/DOT ; Public Works ;  
**Estimated Completion Date:** TBD

**Planning Board Recommendation:** Project without physical planning aspects of concern to the Westchester County Planning Board.

<b>FIVE YEAR CAPITAL PROGRAM (in thousands)</b>									
	Est Ult Cost	Appropriated	Exp / Obl	2024	2025	2026	2027	2028	Under Review
<b>Gross</b>	<b>95,375</b>	<b>95,375</b>	<b>200</b>						
<b>Non County Share</b>	<b>(70,555)</b>	<b>(70,555)</b>							
<b>Total</b>	<b>24,820</b>	<b>24,820</b>	<b>200</b>						

**Project Description**

This project will fund the procurement of forty-foot buses. The project also includes appropriation for procurement related services, associated equipment and parts.

**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
2022	350,000	Funds preparation of specifications and related services	DESIGN
2023	95,025,000	Purchase of buses	\$70,555,000 NCS; \$24,470,000 awaiting bond authorization
<b>Total</b>	<b>95,375,000</b>		

**Prior Appropriations**

	Appropriated	Collected	Uncollected
Bond Proceeds	24,820,000		24,820,000
Federal Funds	66,795,000		66,795,000
State Funds	3,760,000		3,760,000
<b>Total</b>	<b>95,375,000</b>		<b>95,375,000</b>

**Bonds Authorized**

Bond Act	Amount	Date Sold	Amount Sold	Balance
221 21	350,000			350,000
<b>Total</b>	<b>350,000</b>			<b>350,000</b>