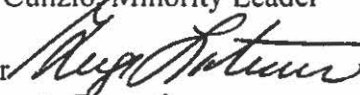


March 19, 2021

TO: Hon. Benjamin Boykin, Chair
Hon. Alfreda Williams, Vice Chair
Hon. MaryJane Shimsky, Majority Leader
Hon. Margaret Cunzio, Minority Leader

FROM: George Latimer 
Westchester County Executive

RE: Message Requesting Immediate Consideration: **CBA & Amended Bond Act – B0104 – Low Rise Building Improvements, White Plains '15-'19.**

This will confirm my request that the Board of Legislators allow submission of the referenced communication to be submitted to the Board of Legislators March 22, 2021 Agenda.

Transmitted herewith for your review and approval is an Act which, if adopted, would authorize the County of Westchester ("County") to amend its current year Capital Budget (the "Capital Budget Amendment"), as well as adopt a related amended Bond Act ("Bond Act") to finance the following capital project: B0104.

Therefore, since this communication is of the utmost importance, it is respectfully submitted that the County Board of Legislators accepts this submission for March 22, 2021 "blue sheet" calendar.

Thank you for your prompt attention to this matter.



George Latimer
County Executive

March 3, 2021

Westchester County Board of Legislators
800 Michaelian Office Building
White Plains, New York 10601

Dear Members of the Board of Legislators:

Transmitted herewith for your review and approval is an Act which, if adopted, would authorize the County of Westchester ("County") to amend its current year Capital Budget ("Capital Budget Amendment"), as well to as adopt a related amended Bond Act ("Bond Act") to finance the following capital project:

B0104 – Low Rise Building Improvements, White Plains (2015 – 2019) ("B0104").

The proposed Capital Budget Amendment will amend the County's capital budget to increase the appropriation for B0104 by \$7,260,000. The Department of Public Works and Transportation ("Department") has advised that additional funding is required based upon the current scope and cost estimate for the project. The work will now also include renovation of lobbies and hallways as well as installation of a fire suppression system on the first and second floors in County's Low Rise Building located at 110 Dr. Martin Luther King Jr. Boulevard in White Plains ("Low Rise Building"). The companion capital project (B0082) provides for installation of a fire suppression system on the third floor. These components were not contemplated in the original scope of work.

The Bond Act, in the total amount of \$10,360,000 which includes \$250,000 in previously authorized bonds of the County, would finance the cost of infrastructure improvements at the Low Rise Building, including upgrades to the building mechanical systems, installation of fire sprinklers (suppression system) throughout the first and second floors, renovations to the lobbies and hallways of the first and second floors and associated work.

The Department has advised that the Low Rise Building mechanical systems have exceeded their useful life and do not meet the current HVAC demands of the building. In addition, due to the extensive scope of the renovations, it is now necessary to add a fire suppression system to the building.

Design is currently being undertaken by a consultant and is expected to be completed by the third quarter of 2021. It is anticipated that construction will take approximately twelve months and will begin after award and execution of the construction contracts.

Office of the County Executive

Michaelian Office Building
118 Martine Avenue
White Plains, New York 10601

Telephone: (914) 995-2900 E-mail: ceo@westchestergov.com

It should be noted that your Honorable Board has authorized the County to issue bonds for prior components of B0104 as follows: Bond Act No. 181-2015 in the amount of \$250,000 to finance design of B0104. These bonds have not been sold. Accordingly, it is now requested that Bond Act No. 181-2015 be amended to increase the initial amount authorized by \$10,110,000, for a total authorized amount, as amended, of \$10,360,000, to revise the scope of Bond Act No. 181-2015 to include work associated with the construction phase of the project, and to increase the period of probable usefulness of said bonds.

The Planning Department has advised that based on its review, the above-referenced capital project has been classified as a "Type II" action pursuant to the State Environmental Quality Review Act ("SEQR") and its implementing regulations, 6 NYCRR Part 617. Therefore, no further environmental review is required. As you know, your Honorable Board may use such expert advice to reach its own conclusion.

The Planning Department has advised that the Planning Board has previously reviewed this project and issued a report, and that since there is no change in the scope of the work and this is simply a change in the financing plan, no further action by the Planning Board is necessary at this time.

Based on the importance of this project to the County, favorable action on the proposed Bond Act and Capital Budget Amendment is respectfully requested.

Sincerely,

A handwritten signature in black ink, appearing to read "George Latimer", written in a cursive style.

George Latimer
County Executive

**HONORABLE BOARD OF LEGISLATORS
THE COUNTY OF WESTCHESTER, NEW YORK**

Your Committee is in receipt of a transmission from the County Executive recommending approval by the County of Westchester (“County”) of an act amending the County’s current-year Capital Budget (“Capital Budget Amendment”), as well as adoption of a related amended bond act (“Bond Act”) which, if adopted, will authorize the County to issue up to \$10,110,000 in additional bonds of the County to finance capital project B0104 – Low Rise Building Improvements, White Plains (2015 – 2019) (“B0104”).

Your Committee is advised that the Capital Budget Amendment will amend the County’s capital budget to increase the appropriation for B0104 by \$7,260,000. The Department of Public Works and Transportation (“Department”) has advised that additional funding is required based upon the current scope and cost estimate for the project. The work will now also include renovation of lobbies and hallways as well as installation of a fire suppression system on the first and second floors in County’s Low Rise Building located at 110 Dr. Martin Luther King Jr. Boulevard in White Plains (“Low Rise Building”). The companion capital project (B0082) provides for installation of a fire suppression system on the third floor. These components were not contemplated in the original scope of work.

The related Bond Act in the total amount of \$10,360,000 was prepared by the law firm Harris Beach, PLLC, and includes \$250,000 in previously authorized bonds of the County. The Bond Act would finance the cost of infrastructure improvements at the Low Rise Building, including upgrades to the building mechanical systems, installation of fire sprinklers (suppression system) throughout the first and second floors, renovations to the lobbies and hallways of the first and second floors and associated work.

The Department has advised that the Low Rise Building mechanical systems have exceeded their useful life and do not meet the current HVAC demands of the building. In addition, due to the extensive scope of the renovations, it is now necessary to add a fire suppression system to the building.

Design is currently being undertaken by a consultant and is expected to be completed by the third quarter of 2021. It is anticipated that construction will take approximately twelve months and will begin after award and execution of the construction contracts.

It should be noted that your Honorable Board has authorized the County to issue bonds for prior components of B0104 as follows: Bond Act No. 181-2015 in the amount of \$250,000 to finance design of B0104. These bonds have not been sold. Accordingly, it is now requested that Bond Act No. 181-2015 be amended to increase the initial amount authorized by \$10,110,000, for a total authorized amount, as amended, of \$10,360,000, to revise the scope of Bond Act No. 181-2015 to include work associated with the construction phase of the project, and to increase the period of probable usefulness of said bonds.

The Planning Department has advised your Committee that based on its review, the above-referenced capital project has been classified as a Type "II" action pursuant to the State Environmental Quality Review Act ("SEQR") and its implementing regulations, 6 NYCRR Part 617. Therefore, no further environmental review is required. Your Committee has reviewed the annexed SEQR documentation and concurs with this conclusion.

The Planning Department has advised your Committee that the Planning Board has previously reviewed this project and issued a report, and that since there is no change in the scope of the work and this is simply a change in the financing plan, no further action by the Planning Board is necessary at this time.

Your Committee has carefully considered the proposed Capital Budget Amendment, as well as the related Bond Act, and recommends approval of both of the proposed Acts, noting that the Bond Act can only be enacted following adoption of the Capital Budget Amendment. It should be noted that an affirmative vote of two-thirds of the members of your Honorable Board is required in order to amend the County's Capital Budget and to adopt the Bond Act.

Dated: _____, 20____.
White Plains, New York

COMMITTEE ON

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: B0104

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

SECTION B - BONDING AUTHORIZATIONS

To Be Completed by Finance

Total Principal \$ 10,360,000 PPU 15 Anticipated Interest Rate 1.14%

Anticipated Annual Cost (Principal and Interest): \$ 753,811

Total Debt Service (Annual Cost x Term): \$ 11,307,165

Finance Department: Interest rates from February 25, 2021 Bond Buyer - ASBA

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: 113

SECTION E - EXPECTED DESIGN WORK PROVIDER

County Staff

Consultant

Not Applicable

Prepared by: Robert Abbamont

Title: Prog Coord (Capital Planning)

Department: Public Works/Transportation


Date: 3/11/21

Reviewed By: 

Dep. Budget Director

Date: 3/16/21

TO: Michelle Greenbaum, Assistant County Attorney
Jeffrey Goldman, Senior Assistant County Attorney

FROM: David S. Kvinge, AICP, RLA, CFM 
Director of Environmental Planning

DATE: February 26, 2021

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
B0104 Low Rise Building Improvements, White Plains (2015-2019)**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 2/22/2021 (Unique ID: 1577)

With respect to the State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617, the Planning Department recommends that no further environmental review is required for the proposed action, because the project or component of the project for which funding is requested may be classified as a **TYPE II action** pursuant to section(s):

- **617.5(c)(2):** replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building, energy, or fire codes unless such action meets or exceeds any of the thresholds in section 617.4 of this Part.
-

COMMENTS: None.

DSK/dvw

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Tami Altschiller, Assistant Chief Deputy County Attorney
Gideon Grande, Deputy Budget Director
Lorraine Yazzetta, Associate Budget Director
Anthony Zaino, Assistant Commissioner
William Brady, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

Department of Planning

432 Michaelian Office Building
White Plains, NY 10601

To: The Westchester County Planning Board

From: Anthony Zaino, Assistant Commissioner



Date: February 23, 2021

RE: **Capital Budget Amendment –
B0104 Low Rise Building Improvements, White Plains (2015-2019)**

The County Executive is requesting an amendment to the 2021 Capital Budget to modify the funding of the above project. This project provides funding for construction and construction management associated with the HVAC infrastructure improvements at the Low Rise Building in White Plains.

A Capital Budget Amendment is requested to add a 2021 appropriation of \$7,260,000.

The Planning Board adopted a report on this project (rated PL1) at its meeting on July 2, 2019.

There are no changes to the physical planning aspects of this project as reviewed by the Board; therefore, no further action by your Board is necessary.

cc: Norma V. Drummond, Commissioner
David Kvinge, Director, Environmental Planning
William Brady, Chief Planner
Michael Lipkin, Associate Planner

An Act amending the 2021 County
 Capital Budget Appropriations for
 Capital Project - B0104 - Low Rise
 Building Improvements, White Plains
 (2015-2019)

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

Section 1. The Capital section of the 2021 County Budget is hereby amended as follows:

	Previous 2021 Appropriation	Change	Revised 2021 Appropriation
I. Appropriation	\$3,100,000	\$7,260,000	\$10,360,000

Section 2. The estimated method of financing in the Capital Section of the 2021 Westchester County Capital Budget is amended as follows:

II. METHOD OF FINANCING

Bonds and/or Notes	\$3,100,000	\$7,260,000	\$10,360,000
Non County Shares	\$0		\$0
Cash	\$0		\$0
Total	\$3,100,000	\$7,260,000	\$10,360,000

Section 3. The ACT shall take effect immediately.