

ACT NO. -20_____

BOND ACT OF THE COUNTY OF WESTCHESTER, NEW YORK, AMENDING THE BOND ACT ADOPTED APRIL 30, 2012, AND AMENDED ON OCTOBER 5, 2020, IN RELATION TO THE CONSTRUCTION OF RECREATIONAL AREA IMPROVEMENTS TO MOHANSIC GOLF COURSE LOCATED IN YORKTOWN HEIGHTS, AT THE MAXIMUM ESTIMATED COST OF \$3,600,000. (Adopted _____, 20_____).

WHEREAS, this Board has heretofore duly authorized the issuance of \$300,000 bonds to finance the cost of preparation of surveys, preliminary and detailed plans, specifications and estimates necessary for the construction of recreational area improvements to Mohansic Golf Course located in Yorktown Heights, pursuant to Act No. 40-2012 duly adopted on April 30, 2012; and

WHEREAS, this Board has heretofore duly authorized the issuance of an additional \$3,300,000 bonds to finance the cost of the construction of recreational area improvements to Mohansic Golf Course located in Yorktown Heights (the "Project"), pursuant to Act No. 176-2020 duly adopted on October 5, 2020; and

WHEREAS, it has now been determined that additional modifications to certain portions of the Project are necessary resulting in increased costs of the Project and it is now appropriate to authorize such additional modifications, and it is further necessary to increase the amount of bonds to be issued and the appropriation for such project for estimated cost of the Project;

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 (A). The bond act duly adopted by this Board on April 30, 2012 and amended October 5, 2020, entitled:

“ACT NO. 176-2020

BOND ACT AUTHORIZING THE ISSUANCE OF \$3,600,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE CONSTRUCTION OF RECREATIONAL AREA IMPROVEMENTS TO MOHANSIC GOLF COURSE LOCATED IN YORKTOWN HEIGHTS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$3,600,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$3,600,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS.”

is hereby amended to read as follows:

BOND ACT AUTHORIZING THE ISSUANCE OF \$4,000,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE CONSTRUCTION OF RECREATIONAL AREA IMPROVEMENTS TO MOHANSIC GOLF COURSE LOCATED IN YORKTOWN HEIGHTS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$4,000,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$4,000,000 BONDS HEREIN

AUTHORIZED; 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; \$4,000,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the design, construction and construction management of recreational area improvements to Mohansic Golf Course in Yorktown Heights, including the construction of a new cart storage facility, including modifications to the concrete footings, roof replacement and site elevation changes to such cart storage facility, as well as new restrooms in the main Clubhouse, 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 maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof is \$4,000,000. The plan of financing includes the issuance of \$4,000,000 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 specific object or purpose for which said \$4,000,000 bonds authorized by this Act are to be issued, within the limitations of Section 11.00 a. 19(c) of the Law, is fifteen (15) 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 maximum amount of \$4,000,000. 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 \$4,000,000 as the estimated maximum cost of the aforesaid specific object or purpose 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 in accordance with Section 107.71 of the Westchester County Charter.

Section (B). The amendment of the bond act set forth in Section (A) of this act shall in no way affect the validity of the liabilities incurred, obligations issued, or action taken pursuant to said bond act, and all such liabilities incurred, obligations issued, or action taken shall be deemed to have been incurred, issued or taken pursuant to said bond act, as so amended.

Section (C). This Act shall take effect in accordance with Section 107.71 of the Westchester County 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____.

(SEAL)

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

LEGAL NOTICE

A Bond Act, a summary of which is published herewith, has been adopted by the Board of Legislators on April 30, 2012 and amended on October 5, 2020 and further amended on _____, 20____ and approved, as amended, 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 amended 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 \$4,000,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE CONSTRUCTION OF RECREATIONAL AREA IMPROVEMENTS TO MOHANSIC GOLF COURSE LOCATED IN YORKTOWN HEIGHTS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$4,000,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$4,000,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (adopted on April 30, 2012 and amended on October 5, 2020 and further amended on _____, 20____)

object or purpose: to finance the design, construction and construction management of recreational area improvements to Mohansic Golf Course in Yorktown Heights, including the construction of a new cart storage facility, including modifications to the concrete footings, roof replacement and site elevation changes to such cart storage facility, as well as new restrooms in the main Clubhouse, all as set forth in the County's Current Year Capital Budget, as amended.

amount of obligations to be issued: \$4,000,000; fifteen (15) years
and period of probable usefulness:

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

Project ID:* RGC05	<input checked="" type="checkbox"/> CBA	Fact Sheet Date:* 03-07-2023
Fact Sheet Year:* 2023	Project Title:* MOHANSIC GOLF COURSE REHABILITATION	Legislative District ID: 4,
Category* RECREATION FACILITIES	Department:* PARKS, RECREATION & CONSERVATION	CP Unique ID: 2186

Overall Project Description

This project will rehabilitate the existing course and facilities. This rehabilitation work has been divided into three main areas: site work, irrigation work and building renovations.

- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> Best Management Practices | <input type="checkbox"/> Energy Efficiencies | <input checked="" type="checkbox"/> Infrastructure |
| <input checked="" 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	2023	2024	2025	2026	2027	Under Review
Gross	10,200	9,800	0	0	0	0	0	400
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	10,200	9,800	0	0	0	0	0	400

Expended/Obligated Amount (in thousands) as of : 9,693

Current Bond Description: Funding is requested for additional costs associated with modifications to the concrete footings, roof replacement and site elevation changes for the new golf cart storage facility.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	400,000
Cash:	0
Total:	\$ 400,000

SEQR Classification:

TYPE II

Amount Requested:

400,000

Comments:

A Capital Budget Amendment in the amount of \$400,000 is requested and shown under review to fund the increase in costs associated with the modifications to the concrete footings, roof replacement and site elevation changes for the new golf cart storage facility. Concrete footings were substantially increased in size to address soil bearing capacity deficiencies not identified in the initial test borings. While the original design intent was to preserve a portion of the existing roof structure of the original cart storage building, the extent of roof deterioration discovered during construction necessitated a complete replacement of the roof and associated structural elements supporting the roof. Additional embankment fill was required to elevate a retaining wall and asphalt driveway.

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
1990	525,000	DESIGN, ENVIRONMENTAL REVIEWS & SITE PREPARATION
1994	675,000	DESIGN AND SOFT COSTS, DESIGN OF TEES AND GREENS
1995	6,800,000	CONSTRUCTION TO REHABILITATE EXISTING COURSE; DESIGN & CONSTRUCTION OF WATER MAIN; CONSTRUCTION OF ASPHALT RESURFACING
2000	-3,000,000	REDUCED SCOPE
2001	200,000	COST INCREASES IRRIGATION
2002	1,000,000	CONSTRUCTION OF BUILDING RENOVATIONS; IRRIGATION SYSTEM; PUMP HOUSE REHABILITATION
2009	300,000	DESIGN OF THE CART STORAGE BUILDING, REST ROOMS AND LOCKER ROOMS IN THE CLUBHOUSE
2013	3,300,000	CONSTRUCTION OF CART STORAGE, RESTROOMS, AND LOCKER ROOMS

Total Appropriation History:
9,800,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
01	111	1,800,000	1,800,000	MOHANSIC GOLF COURSE REC. AREA IMPRVEMTS.
05	06	0	0	PRELIMS.: IMPROVEMTS-MOHANSIC GOLF CRSE.
07	66	2,650,000	2,557,036	IMPROVEMENTS TO MOHANSIC GOLF COURSE
07	E-66	-93,007	-93,007	
12	40	223,989	223,989	MOHANSIC GOLF COURSE REHABILITATION - DESIGN OF BATHROOM FACILITY AND NEW CART STORAGE BUILDING
20	176	3,376,011	1,600,580	MOHANSIC GOLF COURSE REHABILITATION YORKTOWN - NEW GOLF CART STORAGE BUILDING & RESTROOMS
92	190	515,000	515,000	MOHANSIC GOLF COURSE ADDITION
99	204	1,100,000	1,100,000	MOHANSIC GOLF IMPROVEMENTS
99	110	125,000	125,000	PRELIM.: REHAB MOHANSIC GOLF COURSE

Total Financing History:
9,696,992

Recommended By:

Department of Planning MLLL	Date 05-17-2023
Department of Public Works RJB4	Date 05-17-2023
Budget Department DEV9	Date 05-22-2023
Requesting Department RCL3	Date 06-01-2023

MOHANSIC GOLF COURSE REHABILITATION (RGC05)

User Department : Parks, Recreation & Conservation
Managing Department(s) : Parks, Recreation & Conservation ; Public Works ;
Estimated Completion Date: TBD

Planning Board Recommendation: Project has historical implications. Project approved in concept but subject to subsequent staff review.

FIVE YEAR CAPITAL PROGRAM (in thousands)

	Est Ult Cost	Appropriated	Exp / Obl	2023	2024	2025	2026	2027	Under Review
Gross	9,800	9,800	9,693						
Non County Share									
Total	9,800	9,800	9,693						

Project Description

This project will rehabilitate the existing course and facilities. This rehabilitation work has been divided into three main areas: site work, irrigation work and building renovations.

Current Year Description

There is no current year request.

Impact on Operating Budget

The impact on the Operating budget is debt service associated with the issuance of bonds.

Appropriation History

Year	Amount	Description	Status
1990	525,000	Design, environmental reviews & site preparation	COMPLETE
1994	675,000	Design and soft costs, Design of tees and greens	COMPLETE
1995	6,800,000	Construction to rehabilitate existing course; design & construction of water main; construction of asphalt resurfacing	COMPLETE
2000	(3,000,000)	Reduced scope	Reduced scope
2001	200,000	Cost increases irrigation	COMPLETE
2002	1,000,000	Construction of building renovations; irrigation system; pump house rehabilitation	COMPLETE
2009	300,000	Design of the cart storage building, rest rooms and locker rooms in the clubhouse	COMPLETE
2013	3,300,000	Construction of cart storage, restrooms, and locker rooms	CONSTRUCTION
Total	9,800,000		

MOHANSIC GOLF COURSE REHABILITATION (RGC05)

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	9,790,000	7,924,605	1,865,395
Funds Revenue	10,000	10,000	
Total	9,800,000	7,934,605	1,865,395

Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
190 92	515,000	10/15/93	515,000	
110 99	125,000	11/01/00	125,000	
204 99	1,100,000	11/01/00	500,000	
		11/19/01	50,000	
		12/23/03	500,000	
		11/01/04	50,000	
111 01	1,800,000	12/18/02	1,430,000	
		11/15/05	75,000	
		11/15/07	295,000	
06 05				
66 07	2,650,000	02/17/10	2,100,000	92,964
		12/02/10	11,000	
		12/02/10	(11,000)	
		11/30/11	9,613	
		11/30/11	1,387	
		12/10/13	124,784	
		12/10/13	15,216	
		12/10/13	428	
		12/04/14	165,718	
		11/19/15	(165,718)	
		11/19/15	142,621	
		11/19/15	23,097	
		11/19/15	284	
		12/15/16	127,563	
		12/15/17	12,000	
		12/15/17	43	
40 12	223,989	04/30/20	223,989	
E-66 07	(93,007)			(93,007)
176 20	3,376,011	12/01/22	1,455,891	1,775,431
		12/01/22	144,688	
Total	9,696,993		7,921,605	1,775,388