

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

Your Committee is in receipt of a transmittal from the County Executive recommending approval by the County of Westchester (“County”) of an act, which, if adopted, will amend the County’s current-year capital budget (“Capital Budget Amendment”), as well as adoption of a related bond act (“Bond Act”) in the amount of \$350,000, to finance capital project RCC17 – County Center Facility Improvements (“RCC17”).

Your Committee is advised that the Capital Budget Amendment will amend the County’s current-year capital budget to increase the County share for RCC17 by \$350,000 and to add this specific project to the program funded through RCC17.

The Bond Act, in the amount of \$350,000, which was prepared by the law firm of Hawkins Delafield & Wood, LLP, would finance construction management and construction associated with the replacement of the existing theatrical stage lighting system, including new electrical wiring, a new winch system and associated work at the County Center building. The Department of Parks, Recreation & Conservation has advised that as the facility has reopened for public programming, the current aged and antiquated stage lighting system which has fallen into disrepair needs replacement in order to book traditional and new stage and theatrical shows.

Your Committee is advised that design for this project is complete. Your Committee is further advised that following bonding authorization, it is estimated that construction will take four (4) months to complete and will begin after award and execution of construction contracts.

Your Committee notes that this Honorable Board has previously authorized the County to issue bonds which financed an analysis of the County Center to determine the requirements to restore and modify the facility, as set forth in the attached fact sheet.

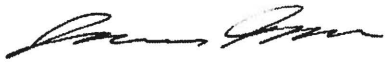
The Planning Department has advised your Committee that based on its review, the above-referenced capital project has been classified as a Type “II” action pursuant to the State Environmental Quality Review Act (“SEQR”) and its implementing regulations, 6 NYCRR Part 617. Therefore, no further environmental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

Dated: July 10, 2023
White Plains, New York

The following members attended the meeting remotely and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

Committee(s) on:

Parks & Recreation

A handwritten signature in black ink, appearing to be "James J. ...", written over the underlined text "Parks & Recreation".

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: RCC17

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 \$ 350,000 PPU 10 Anticipated Interest Rate 2.78%

Anticipated Annual Cost (Principal and Interest): \$ 40,824

Total Debt Service (Annual Cost x Term): \$ 408,240

Finance Department: Interest rates from June 13, 2023 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: 4

SECTION E - EXPECTED DESIGN WORK PROVIDER

County Staff

Consultant

Not Applicable

Prepared by: Robert Lopane

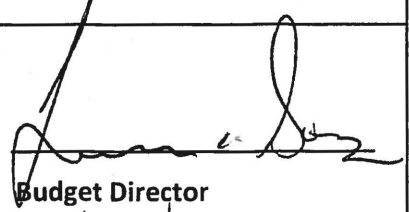
Title: Program Coordinator, Capital Planning

Department: Public Works and Transportation

Date: 6/16/23

Reviewed By:


DV6/14/23


Budget Director

Date:

6/15/23

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

FROM: David S. Kvinge, AICP, RLA, CFM 
Assistant Commissioner

DATE: June 8, 2023

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
RCC17 COUNTY CENTER FACILITY IMPROVEMENTS**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 05-17-2023 (Unique ID: 2223)

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
Lawrence Soule, Budget Director
Tami Altschiller, Assistant Chief Deputy County Attorney
Kathleen O'Connor, Commissioner of Parks, Recreation and Conservation
Peter Tartaglia, First Deputy Commissioner of Parks, Recreation and Conservation
Dianne Vanadia, Associate Budget Director
Robert Lopane, Program Coordinator, Department of Public Works & Transportation
Kelly Sheehan, Assistant Commissioner
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner



Memorandum

Department of Planning

432 Michaelian Office Building
White Plains, NY 10601

To: The Westchester County Planning Board

From: Kelly Sheehan, Assistant Commissioner *KS*

Date: May 31, 2023

RE: **Capital Budget Amendment –
RCC17 County Center Facility Improvements (2023 CBA)**

The County Executive is requesting an amendment to the 2023 Capital Budget to modify the funding of the above project. Capital project **RCC17 County Center Facility Improvements (2023 CBA)** will fund the construction and construction management associated with the replacement of the existing theatrical stage lighting system including new electrical wiring.

A Capital Budget Amendment (CBA) in the amount of \$350,000 is being requested to provide funding for the stage lighting system which has fallen into disrepair needs replacement in order to book traditional and new stage and theatrical shows. This project was classified as a PL2HP, a project with physical planning and historical aspects by the Planning Board in the 2022 Report on the Capital Project Requests adopted September 14, 2021.

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: Blanca P. Lopez, Acting Commissioner
David S. Kvinge, Assistant Commissioner
Michael Lipkin, Associate Planner

ACT No. 127 - 2023

An Act amending the 2023 County
Capital Budget Appropriations for
Capital Project RCC17 County
Center Facility Improvements

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

Section 1. The Capital section of the 2023 County Budget is hereby amended as follows:

	Previous 2023 Appropriation	Change	Revised 2023 Appropriation
I. Appropriation	\$4,000,000	\$350,000	\$4,350,000

Section 2. The estimated method of financing in the Capital Section of the 2023 Westchester County Capital Budget is amended as follows:

II. METHOD OF
FINANCING

Bonds and/or Notes	\$4,000,000	\$350,000	\$4,350,000
Non County Shares	\$0		\$0
Cash	\$0		\$0
Total	<u>\$4,000,000</u>	<u>\$350,000</u>	<u>\$4,350,000</u>

Section 3. The ACT shall take effect immediately.

ACT NO. 128 - 2023

BOND ACT AUTHORIZING THE ISSUANCE OF \$350,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE REPLACEMENT OF THE EXISTING THEATRICAL STAGE LIGHTING SYSTEM AT THE COUNTY CENTER AND RELATED IMPROVEMENTS; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$350,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$350,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted 07/10 , 2023)

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, to the provisions of other laws applicable thereto, \$350,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of the construction and construction management of the replacement of the existing theatrical stage lighting system at the County Center, including new electrical wiring, a new winch system and associated work at the County Center building; 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 object or purpose, including preliminary costs and costs incidental thereto and the financing thereof is \$350,000. The plan of financing includes the issuance of \$350,000 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.

Section 2. The period of probable usefulness of the object or purpose for which said \$350,000 bonds authorized by this Act are to be issued, within the limitations of Section 11.00 a. 13 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 maximum amount of \$350,000. 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 \$350,000 as the estimated total cost of the aforesaid 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.

* * *

CAPITAL PROJECT FACT SHEET

Project ID:* RCC17	<input checked="" type="checkbox"/> CBA	Fact Sheet Date:* 05-03-2023
Fact Sheet Year:* 2023	Project Title:* COUNTY CENTER FACILITY IMPROVEMENTS	Legislative District ID: 5,
Category* RECREATION FACILITIES	Department:* PARKS, RECREATION & CONSERVATION	CP Unique ID: 2223

Overall Project Description

This project will reimagine the entire County Center facility and its adjacent property. The current condition of County Center will be analyzed to determine the requirements to restore the facility and the necessary modifications to move it into the future.

- | | | |
|---|---|--|
| <input checked="" type="checkbox"/> Best Management Practices | <input checked="" type="checkbox"/> Energy Efficiencies | <input checked="" 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	2023	2024	2025	2026	2027	Under Review
Gross	54,350	4,000	0	0	25,000	25,000	0	350
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	54,350	4,000	0	0	25,000	25,000	0	350

Expended/Obligated Amount (in thousands) as of : 683

Current Bond Description: Funding is requested for construction management and construction associated with the replacement of the existing theatrical stage lighting system including new electrical wiring, a new winch system and associated work at the County Center building.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	350,000
Cash:	0
Total:	\$ 350,000

SEQR Classification:

TYPE II

Amount Requested:

350,000

Comments:

A Capital Budget Amendment in the amount of \$350,000 (shown under review) is requested to add this specific project to the program funded through RCC17. As the facility has reopened for public programming, the current aged and antiquated stage lighting system which has fallen into disrepair needs replacement in order to book traditional and new stage and theatrical shows.

Energy Efficiencies:

THE EXISTING LIGHTING SYSTEM WILL BE REPLACED WITH ENERGY EFFICIENT LED LIGHTING.

Appropriation History:

Year	Amount	Description
2022	4,000,000	STUDY AND DESIGN

Total Appropriation History:

4,000,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
21	219	4,000,000		0 COUNTY CENTER FACILITY IMPROVEMENTS

Total Financing History:

4,000,000

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

COUNTY CENTER FACILITY IMPROVEMENTS (RCC17)

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	54,000	4,000	683			25,000	25,000		
Non County Share									
Total	54,000	4,000	683			25,000	25,000		

Project Description

This project will reimagine the entire County Center facility and its adjacent property. The current condition of County Center will be analyzed to determine the requirements to restore the facility and the necessary modifications to move it into the future.

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	4,000,000	Study and design	IN PROGRESS
Total	4,000,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	4,000,000		4,000,000
Total	4,000,000		4,000,000

Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
219 21	4,000,000			4,000,000
Total	4,000,000			4,000,000

STATE OF NEW YORK)
)
COUNTY OF WESTCHESTER)

I, the undersigned Clerk of the Board of Legislators of the County of Westchester, New York, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Board of Legislators of said County, including the Bond Act contained therein, held on July 10, 2023 with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting.

I FURTHER CERTIFY that, pursuant to Section 103 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public.

I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused a public notice of the time and place of said meeting to be to be given to the following newspapers and/or other news media as follows:

Newspaper and/or other news media

Date Given
July 6, 2023

WVOX
FIOS1
News Channel 12
The Journal News

Hometown Media

I FURTHER CERTIFY that PRIOR to the time of said meeting, I duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public location(s) on the following dates:


Designated Location(s)
of posted notice

Date of Posting
July 6, 2023

www.westchesterlegislators.com

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County Board of Legislators on July 14, 2023.





Malika Vanderberg, Clerk
Westchester County Board of Legislators

The foregoing Bond Act was duly put to a vote which resulted as follows:

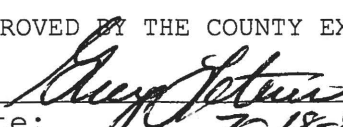
AYES: Legislator Jose Alvarado
 Legislator Nancy Barr
 Legislator Catherine Borgia
 Legislator Benjamin Boykin
 Legislator Terry Clements
 Legislator Margaret Cunzio
 Legislator Vedat Gashi
 Legislator David Imamura
 Legislator Christopher Johnson
 Legislator Damon Maher
 Legislator James Nolan
 Legislator Catherine Parker
 Legislator Erika Pierce
 Legislator Colin Smith
 Legislator David Tubiolo
 Legislator Jewel Williams-Johnson
 Legislator Tyrae Woodson-Samuels

NOES:

ABSENT:

The Bond Act was thereupon declared duly adopted.

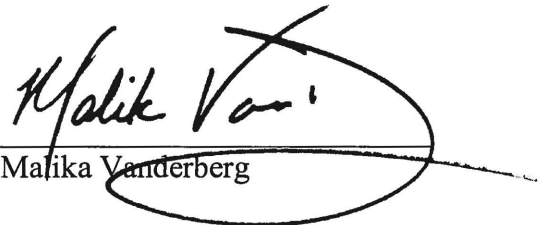
* * * * * * *
APPROVED BY THE COUNTY EXECUTIVE


Date: 7-18-23

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

I HEREBY CERTIFY that I have compared the foregoing Act No. 127 - 2023, and (Bond) Act No. 128 - 2023, with the originals on file in my office, and that the same are correct transcripts therefrom, and of the whole, of said original Act, and (Bond) Act, which were duly adopted by the Westchester County Board of Legislators, of the County of Westchester on July 10, 2023, and approved by the County Executive on July 18, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said County Board of Legislators on this 18th day of July, 2023.



Malika Vanderberg

The Clerk of the Westchester County
Board of Legislators

County of Westchester, New York

