

November 18, 2024

TO: Hon. Vedat Gashi, Chair
Hon. Jose Alvarado, Vice Chair
Hon. Tyrae Woodson-Samuels, Majority Leader
Hon. Margaret Cunzio, Minority Leader

FROM: ~~George Latimer~~ *Kenneth Jenkins KP*
Acting Westchester County Executive

RE: Message Requesting Immediate Consideration: **Bond Act – BPL44 –
Public Housing Authority Improvements.**

This will confirm my request that the Board of Legislators allow submission of the referenced communication to be submitted to the Board of Legislators November 18, 2024 Agenda.

Transmitted herewith for your review and approval, is a bond act (the “Bond Act”), which, if adopted by your Honorable Board, would authorize the County of Westchester (the “County”) to issue up to Seven Million (\$7,000,000) Dollars in bonds of the County to finance a component of Capital Project BPL44.

Therefore, since this communication is of the utmost importance, it is respectfully submitted that the County Board of Legislators accepts this submission for November 18, 2024 “blue sheet” calendar.

Thank you for your prompt attention to this matter.



George Latimer
County Executive

November 18, 2024

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

Dear Honorable Members of the Board of Legislators:

Transmitted herewith for your review and approval, is a bond act (the "Bond Act"), which, if adopted by your Honorable Board, would authorize the County of Westchester (the "County") to issue up to Seven Million (\$7,000,000) Dollars in bonds of the County to finance a component of Capital Project BPL44 ("Program"). Also attached is an act (the "Act") which, if adopted, would authorize the County to enter into separate easement agreements with the following Public Housing Authorities: Greenburgh Housing Authority ("GHA"), New Rochelle Municipal Housing Authority ("NRMHA"), White Plains Housing Authority ("WPHA") and the Municipal Housing Authority for the City of Yonkers ("MHACY") and, if any, their RAD affiliates, successors or assigns, (collectively "PHAs") whereby the County will finance capital improvements related to interior, exterior, and building systems and construction management costs (the "Improvements"). In consideration for the financial support by the County to make the Improvements, PHAs will continue to provide affordable housing and continue in the efforts to provide access to affordable housing. The term of each easement agreement will be ten (10) years (commensurate with the period of probable usefulness of any bonds issued). These easement agreements will require the PHAs to be responsible for all costs of operation and maintenance of the Improvements. Additionally, each easement agreement will require, as a condition of the County's financing of the Improvements, the recording of a Declaration of Restrictive Covenant and a Note and Mortgage approved by and enforceable by the County, which will run with the land and bind the property and any successor(s) in interest, and will require that the units be maintained as affordable for a period of not less than fifty (50) years.

The Department of Planning ("Planning") has advised that pursuant to the Program, the PHAs submitted applications, and after careful review, Planning proposes to enter into separate easement agreements with the above named PHAs. The Improvements will encompass approximately 1,016 PHA units and preserve them for households whose incomes is at or below 80% of the Westchester County Area Median Income ("AMI"), for a period of fifty (50) years.

The Improvements will be made at the following properties ("Properties"):

Office of the County Executive

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

Telephone: (914)995-2900

GHA properties:

1,2,3 Oak Street, Town of Greenburgh
1,2,4 Beech Street, Town of Greenburgh
1,3,5,7 Maple Street, Town of Greenburgh

NRMHA properties:

50 Sickles Avenue, City of New Rochelle
111 Lockwood Avenue, City of New Rochelle

WPHA properties:

86 Dekalb Avenue, City of White Plains
120 Lake Street, City of White Plains

MHACY property:

1-8 Schroeder Street, City of Yonkers

I have been advised that GHA is a State funded PHA. Historically, the State has not provided adequate capital and operating funding to state assisted public housing authorities. As a result, the County will provide GHA an amount not to exceed \$582,080, for replacement of roofs at the GHA properties consisting of ten (10) buildings with 131 units. The units are currently accessible to households with incomes at 30% to 80% of the AMI.

I have been advised that the remaining PHAs are requesting funding for units that are owned by affiliates of the PHA and managed by the PHA under the Rental Assistance Demonstration program ("RAD"). RAD is an initiative of the U.S. Department of Housing and Urban Development ("HUD") that seeks to preserve and improve affordable public housing subsidized by HUD. RAD was created to give public housing authorities a tool to access capital to preserve and improve the PHA sites and address the large backlog of capital needs. RAD allows public housing authorities to leverage public and private debt and equity in order to reinvest in the public housing stock. In RAD, units move to a Section 8 platform with a long-term contract that, by law, must be renewed in perpetuity. A Use Agreement is also recorded under RAD further enforcing HUD's Long-term interest. This ensures that the units remain permanently affordable to low-income households. When the properties convert to RAD, RAD maintains the ongoing public stewardship of the converted property through clear rules requiring ongoing ownership or control by a public or non-profit entity.

I have been advised that funding to the NRMHA will be in an amount not to exceed \$319,800, in order to make Americans with Disabilities Act ("ADA") related improvements to the NRMHA properties which consist of 203 units for senior citizens aged 62 and over, and individuals with disabilities. Improvements will include installing automatic door openers, handrails, accessible counters, support bars and other rehabilitation improvements. Rents are affordable to households from 30% to 80% of the AMI.

I have been advised that funding to the WPHA will be in an amount not to exceed \$1,450,912, for the WPHA properties consisting of 267 units and will be used for improvements including elevator modernization, kitchen replacement (about 10% of overall kitchens in buildings),

replacement of fire alarm control panels and all related peripherals and hardware, replacement of direct drive roof fans. Households served by the WPHA properties have incomes at or below 30% and up to 80% of the AMI.

I have been advised that funding to MHACY will be in an amount not to exceed \$4,647,208, for the MHACY property consisting of 415 units and will be used for improvements including: upgrades to the electrical systems, conversion of water heater systems from gas to electric, apartment risers and the installation of heat pump domestic water heaters. All 415 units are available to households that have incomes at or below 60% of the AMI.

Planning has advised that the authorization of your Honorable Board is required to accept all necessary property rights required to make the Improvements. The County will have an easement interest in the Improvements through an easement agreement with each named PHA until the expiration of the term of the bonds. The County will not be responsible for any costs related to the operation and maintenance of the Improvements.

As a condition of the County's financing of the Improvements, the County will require a Note and Mortgage with each PHA for each property and a Declaration of Restrictive Covenant for each property which will be enforceable by the County and run with the land and bind the Properties and any successor(s) in interest to adhere to the County requirements. The Note and Mortgage will be subordinate to State and/or HUD, existing lenders and investors and the PHAs will be responsible for obtaining any approvals from those entities prior to execution of agreements. The units will remain affordable for a period of not less than 50 years (the "Period of Affordability").

On November 8, 2023, the Westchester County Planning Board (the "Planning Board") by its Resolution 23-20 recommended that the 2024 Capital Budget include BPL44 Housing Authority Improvements. Thereafter, on October 1, 2024, the Planning Board by its Resolution No. 24-39 recommended the Amendment of the Planning Board Report on the 2024 Capital Projects with BPL44 Public Housing Authority Improvements – Identification of Sites. Both Planning Board Resolutions are annexed hereto.

Based on the importance of preserving affordable housing in the County, your favorable action on the annexed Acts is respectfully requested.

Sincerely,



~~George Latimer~~ Kenneth Jenkins
~~County Executive~~ Acting County Executive

GL/BL/TSA/MB

**HONORABLE BOARD OF LEGISLATORS
THE COUNTY OF WESTCHESTER**

Your Committee is in receipt of a communication from the County Executive recommending the adoption of two Acts in connection with “Capital Project BPL44 – Public Housing Authority Improvements”. The first act is a bond act (the “Bond Act”), prepared by the law firm of Hawkins Delafield & Wood LLP, which, if adopted by your Honorable Board, would authorize the County of Westchester (the “County”) to issue up to Seven Million (\$7,000,000) Dollars in bonds of the County to finance a component of Capital Project BPL44 (“Program”). The second act is an act (the “Act”) which, if adopted, would authorize the County to enter into separate easement agreements with the following Public Housing Authorities: Greenburgh Housing Authority (“GHA”), New Rochelle Municipal Housing Authority (“NRMHA”), White Plains Housing Authority (“WPHA”) and the Municipal Housing Authority for the City of Yonkers (“MHACY”) and, if any, their RAD affiliates, successors or assigns, (collectively “PHAs”) whereby the County will finance capital improvements related to interior, exterior, and building systems and construction management costs (the “Improvements”).

In consideration for the financial support by the County to make the Improvements, PHAs will continue to provide affordable housing and continue in the efforts to provide access to affordable housing. The term of each easement agreement will be ten (10) years (commensurate with the period of probable usefulness of any bonds issued). These easement agreements will require the PHAs to be responsible for all costs of operation and maintenance of the Improvements. Additionally, each easement agreement will require, as a condition of the County’s financing of the Improvements, the recording of a Declaration of Restrictive Covenant and a Note and Mortgage approved by and enforceable by the County, which will run with the land and bind the property and any successor(s) in interest, and will require that the units be maintained as affordable for a period of not less than fifty (50) years.

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GHA properties:

1,2,3 Oak Street, Town of Greenburgh
1,2,4 Beech Street, Town of Greenburgh
1,3,5,7 Maple Street, Town of Greenburgh

NRMHA properties:

50 Sickles Avenue, City of New Rochelle
111 Lockwood Avenue, City of New Rochelle

WPHA properties:

86 Dekalb Avenue, City of White Plains
120 Lake Street, City of White Plains

MHACY property:

1-8 Schroeder Street, City of Yonkers

Your Committee has been advised that GHA is a State funded PHA. Historically, the State has not provided adequate capital and operating funding to state assisted public housing authorities. As a result, the County will provide GHA an amount not to exceed \$582,080, for replacement of roofs at the GHA properties consisting of ten (10) buildings with 131 units. The units are currently accessible to households with incomes at 30% to 80% of the AMI.

Your Committee has been advised that the remaining PHAs are requesting funding for units that are owned by affiliates of the PHA and managed by the PHA under the Rental Assistance Demonstration program (“RAD”). RAD is an initiative of the U.S. Department of Housing and Urban Development (“HUD”) that seeks to preserve and improve affordable public housing subsidized by HUD. RAD was created to give public housing authorities a tool to access capital to preserve and improve the PHA sites and address the large backlog of capital needs. RAD allows public housing authorities to leverage public and private debt and equity in order to reinvest in the public housing stock. In RAD, units move to a Section 8 platform with a long-term contract that, by law, must be renewed in perpetuity. A Use Agreement is also recorded under RAD further enforcing HUD’s Long-term interest. This ensures that the units remain permanently affordable to low-income households. When the properties convert to RAD, RAD maintains the ongoing public stewardship of the converted property through clear rules requiring ongoing ownership or control by a public or non-profit entity.

Your Committee has been advised that funding to the NRMHA will be in an amount not to exceed \$319,800, in order to make Americans with Disabilities Act (“ADA”) related improvements to the NRMHA properties which consist of 203 units for senior citizens aged 62 and over, and individuals with disabilities. Improvements will include installing automatic door openers, handrails, accessible counters, support bars and other rehabilitation improvements. Rents are affordable to households from 30% to 80% of the AMI.

Your Committee has been advised that funding to the WPHA will be in an amount not to exceed \$1,450,912, for the WPHA properties consisting of 267 units and will be used for improvements including elevator modernization, kitchen replacement (about 10% of overall kitchens in buildings), replacement of fire alarm control panels and all related peripherals and hardware, replacement of direct drive roof fans. Households served by the WPHA properties have incomes at or below 30% and up to 80% of the AMI.

Your Committee has been advised that funding to MHACY will be in an amount not to exceed \$4,647,208, for the MHACY property consisting of 415 units and will be used for improvements including upgrades to the electrical systems including conversion of water heater systems from gas to electric, apartment risers and the installation of heat pump domestic water heaters. All 415 units are available to households that have incomes at or below 60% of the AMI.

Planning has further advised that the authorization of your Honorable Board is required to accept all necessary property rights required to make the Improvements. The County will have an easement interest in the Improvements through an easement agreement with each named PHA until the expiration of the term of the bonds. The County will not be responsible for any costs related to the operation and maintenance of the Improvements.

As a condition of the County’s financing of the Improvements, the County will require a Note and Mortgage with each PHA for each property and a Declaration of Restrictive Covenant for each property which will be enforceable by the County and run with the land and bind the Properties and any successor(s) in interest to adhere to the County requirements. The Note and Mortgage will be subordinate to State and/or HUD, existing lenders and investors and the PHAs will be responsible for obtaining any approvals from those entities prior to execution of agreements. The units will remain affordable for a period of not less than 50 years (the “Period of Affordability”).

On November 8, 2023, the Westchester County Planning Board (the “Planning Board”) by its Resolution 23-20 recommended that the 2024 Capital Budget include BPL44 Housing Authority Improvements. Thereafter, on October 1, 2024, the Planning Board by its Resolution No. 24-39 recommended the Amendment of the Planning Board Report on the 2024 Capital Projects with BPL44 Public Housing Authority Improvements – Identification of Sites. Both Planning Board Resolutions are annexed hereto.

Planning has advised your Committee that based on its review, the proposed action constitutes a “Type II action” pursuant to the State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617 (“SEQR”). Therefore, no environmental review is required. Your Committee has reviewed the annexed SEQR documentation and concurs with this recommendation.

Based on the foregoing, your Committee believes that both Acts are in the best interest of the County and therefore recommends their adoption, noting that the Bond Act requires an affirmative vote of two-thirds of your Honorable Board, while the second Act requires the affirmative vote of the majority of your Honorable Board.

Dated: _____, 2024
White Plains, New York

COMMITTEE ON:

c/tsa/ 11.14.24

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: BPL44

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 \$ 7,000,000 PPU 10 Anticipated Interest Rate 2.85%

Anticipated Annual Cost (Principal and Interest): \$ 819,807

Total Debt Service (Annual Cost x Term): \$ 8,198,070

Finance Department: maab 11-15-24

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: 76

Prepared by: Dianne Vanadia

Title: Associate Budget Director

Department: Budget


Date: 11/15/24

Reviewed By: 

Budget Director

Date: 11/15/25

TO: Theresa Fleischman
Program Director

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

DATE: October 11, 2024

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
BPL44 PUBLIC HOUSING AUTHORITY IMPROVEMENTS**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 09-09-2024 (Unique ID: 2495)

With respect to the State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617, the Planning Department recommends that no 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: The current request will fund the rehabilitation of several existing municipal public housing buildings located in Greenburgh, Yonkers, White Plains and New Rochelle. Scope of work will include: roof and elevator replacements; HVAC, utility and fire safety improvements; kitchen renovations; and renovations for ADA compliance.

DSK/cnm

cc: Blanca P. Lopez, Commissioner of Planning
Lynne Colavita, Senior Assistant County Attorney
Susan Darling, Chief Planner
Leonard Gruenfeld, Program Director
Michael Lipkin, Associate Planner
Claudia Maxwell, Principal Environmental Planner

RESOLUTION 23-20
WESTCHESTER COUNTY PLANNING BOARD

**2024 Capital Project Requests
Amendment of Planning Board Report**

WHEREAS, pursuant to Section 167.31 of the County Charter, the Planning Board must submit its recommendations with regard to the physical planning aspects of the proposed 2024 Capital Projects to the County Executive, Budget Director and Capital Projects Committee; and

WHEREAS, the Planning Board by its Resolution 23-08, adopted the Planning Board Report of the 2024 Capital Projects dated July 11, 2023; and

WHEREAS, on October 16, the County Executive has recommended the 2024 Capital Budget with three additional capital projects:

1. B0127 Interior Renovations, 143 Grand Street, White Plains
2. BEL04 Purchase of Voting Equipment
3. BPL44 Housing Authority Improvements

WHEREAS, the Planning Board has reviewed the Planning Department staff reports prepared for these three additional projects; and

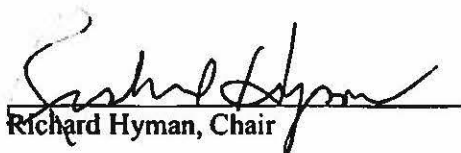
WHEREAS, the recommendations, comments and changes suggested by the Planning Board have been incorporated into the three Planning Board Reports; and

WHEREAS, the Planning Board finds that the proposed three additional recommended projects in the 2024 Capital Budget have been reviewed with respect to *Westchester 2025 Context for County and Municipal Planning in Westchester County and Policies to Guide County Planning*; and

WHEREAS, the Planning Board amends its Resolution 23-08 to include in its Planning Board Report of the 2024 Capital Projects the above-listed additional capital projects recommended by the Capital Projects Committee; now therefore, be it

RESOLVED, that the County Planning Board, pursuant to Section 167.13 of the County Charter, amends its Planning Board Report adopted on July 11, 2023 to include the above listed projects.

Adopted this 8th day of November 2023.


Richard Hyman, Chair

RESOLUTION 2024-³⁹
WESTCHESTER COUNTY PLANNING BOARD

2024 Capital Budget Amendment
Amendment of Planning Board Report on the 2024 Capital Projects
BPL44 Public Housing Authority Improvements – Identification of Sites

WHEREAS, pursuant to Section 167.131 of the County Charter, the Planning Board must submit its recommendations with regard to the physical planning aspects of proposed capital projects not included in the county budget or change in the location of a capital project; and

WHEREAS, on October 16, 2023, the County Executive recommended the 2024 Capital Budget with Capital Project BPL44 Public Housing Authority Improvements; and

WHEREAS, the Planning Department reviewed applications from municipal housing authorities and their affiliates for funding to this non-site specific capital funding project; and

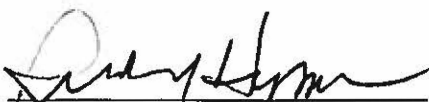
WHEREAS, various sites (see table below) within four municipal housing authorities have been determined to meet the application criteria. Improvements will include interior and exterior repair and improvements of buildings owned or operated by the following public housing authorities or their affiliated entities: Municipal Housing Authority for the City of Yonkers; New Rochelle Municipal Housing Authority; White Plains Housing Authority; and the Greenburgh Housing Authority. Applications were received from these municipal housing authorities and their affiliated entities detailing project scope, budget, justification; and

Housing Authority/Location	Project Costs	# of Units
Greenburgh Housing Authority (1,2,3 Oak St.; 1,2,4 Beech St.; 1,3,5,7 Maple St.)	\$582,080	131
New Rochelle Municipal Housing Authority (50 Sickles Ave & 111 Lockwood Ave.)	\$319,800	203
White Plains Housing Authority (88 DeKalb Ave & 120 Lake St.)	\$1,450,912	267
Municipal Housing Authority for the City of Yonkers (1-8 Schroeder St; 10-80 Western Ave; 10 Brook St; 55 & 80 School St)	\$4,647,208	753
Total	\$7,000,000	1,354

WHEREAS, the Planning Board finds that the above sites and projects have been reviewed with respect to *Westchester 2025 Context for County and Municipal Planning in Westchester County and Policies to Guide County Planning* adopted by the Board on May 6, 2008, amended January 5, 2010, and its recommended strategies set forth in *Patterns for Westchester: The Land and the People*, adopted December 5, 1995; now therefore, be it

RESOLVED, that the County Planning Board, pursuant to Section 167.131 of the County Charter, recommends the inclusion of the above listed sites to be funded using 2024 Capital Budget appropriations from Capital Project **BPL44 Public Housing Authority Improvements**.

Adopted this 1st day of October 2024.


Richard Hyman, Chair

ACT NO. -20__

BOND ACT AUTHORIZING THE ISSUANCE OF \$7,000,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF IMPROVEMENTS TO BUILDINGS OWNED OR OPERATED BY PUBLIC HOUSING AUTHORITIES IN THE COUNTY; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$7,000,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$7,000,000 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, \$7,000,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of improvements to buildings owned or operated by Public Housing Authorities ("PHAs") in the County, as set forth in the County's Current Year Capital Budget, as amended, consisting of the Greenburgh Housing Authority ("GHA") in the maximum amount of \$582,080, the New Rochelle Municipal Housing Authority ("NRMHA") in the maximum amount of \$319,800, the White Plains Housing Authority

("WPHA") in the maximum amount of \$1,450,912 and the Municipal Housing Authority for the City of Yonkers ("MHACY") in the maximum amount of 4,647,208. The \$7,000,000 of funding will assist approximately 1,016 PHA units and preserve them for households whose income is at or below 80% of the Westchester County Area Median Income ("AMI") for a period of not less than fifty (50) years. The funds will be used for capital improvements related to interior, exterior, building systems and construction management costs (the "Improvements") at the following locations: 1,2,3 Oak Street, Town of Greenburgh; 1,2,4 Beech Street, Town of Greenburgh; 1,3,5,7 Maple Street, Town of Greenburgh; 50 Sickles Avenue, City of New Rochelle; 111 Lockwood Avenue, City of New Rochelle; 86 Dekalb Avenue, City of White Plains; 120 Lake Street, City of White Plains; and 1-8 Schroeder Street, City of Yonkers (the "Properties").

Said Improvements shall be constructed pursuant to separate easement agreements between the County and each of the PHAs. Each easement agreement will require, as a condition of the County's financing of the Improvements, a recorded Declaration of Restrictive Covenants and a Note and Mortgage approved by and enforceable by the County which will run with the land and bind the Properties and any successor(s) in interest and will require that the units be maintained as affordable for a period of not less than fifty (50) years. The County will have an ownership interest in the PHA building Improvements through an easement until the expiration of the term of the bonds. The estimated maximum cost of said object or purpose, including preliminary costs and costs incidental thereto and the financing thereof is \$7,000,000. The plan of financing includes the issuance of \$7,000,000 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.

Section 2. The period of probable usefulness of the object or purpose for which said \$7,000,000 bonds authorized by this Act are to be issued, within the limitations of Section 11.00 a. 12 and 90 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 \$7,000,000. 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 \$7,000,000 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.

* * *

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 \$7,000,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF IMPROVEMENTS TO BUILDINGS OWNED OR OPERATED BY PUBLIC HOUSING AUTHORITIES IN THE COUNTY; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$7,000,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$7,000,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (adopted on _____, 20__)

object or purpose: to finance the cost of improvements to buildings owned or operated by Public Housing Authorities (“PHAs”) in the County, as set forth in the County’s Current Year Capital Budget, as amended, consisting of the Greenburgh Housing Authority (“GHA”) in the maximum amount of \$582,080, the New Rochelle Municipal Housing Authority (“NRMHA”) in the maximum amount of \$319,800, the White Plains Housing Authority (“WPHA”) in the maximum amount of \$1,450,912 and the Municipal Housing Authority for the City of Yonkers (“MHACY”) in the maximum amount of 4,647,208. The \$7,000,000 of funding will assist approximately 1,016 PHA units and preserve them for households whose income is at or below 80% of the Westchester County Area Median Income (“AMI”) for a period of not less than fifty (50) years. The funds will be used for capital improvements related to interior, exterior, building systems and construction management costs (the “Improvements”) at the following locations: 1,2,3 Oak Street, Town of Greenburgh; 1,2,4 Beech Street, Town of Greenburgh; 1,3,5,7 Maple Street, Town of Greenburgh; 50 Sickles Avenue, City of New Rochelle; 111 Lockwood Avenue, City of New Rochelle; 86 Dekalb Avenue, City of White Plains; 120 Lake Street, City of White Plains; and 1-8 Schroeder Street, City of Yonkers (the “Properties”). Said Improvements shall be constructed pursuant to separate easement agreements between the County and each of the aforementioned PHAs. The easement agreement will require, as a condition of the County’s financing of the Improvements, a recorded Declaration of Restrictive Covenants and a Note and Mortgage approved by and enforceable by the

County which will run with the land and bind the Properties and any successor(s) in interest and will require that the units be maintained as affordable for a period of not less than fifty (50) years.

amount of obligations to be issued:
and period of probable usefulness: \$7,000,000; 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

ACT NO. 2024 _____

AN ACT authorizing the County of Westchester to enter into easement agreements with the following Public Housing Authorities: Greenburgh Housing Authority, New Rochelle Municipal Housing Authority, White Plains Housing Authority and the Municipal Housing Authority for the City of Yonkers and if any, its Rental Assistance Demonstration program affiliates, their successors or assigns, to fund capital improvements, and authorize the County to accept necessary property rights that will remain affordable for a period of not less than fifty (50) years.

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

SECTION 1. The County of Westchester (the "County") is hereby authorized to enter into an easement agreement with each of the following Public Housing Authorities ("PHA"): Greenburgh Housing Authority ("GHA"), New Rochelle Municipal Housing Authority ("NRMHA"), White Plains Housing Authority ("WPHA") and the Municipal Housing Authority for the City of Yonkers ("MHACY") and if any, its Rental Assistance Demonstration program ("RAD") affiliates, its successors or assigns, whereby the County will finance capital improvements related to interior, exterior, and building systems and construction management costs (the "Improvements") in support of the preservation of approximately 1,016 units of the available housing stock for affordable housing tenancy located at the following properties:

GHA properties:

1,2,3 Oak Street, Town of Greenburgh
1,2,4 Beech Street, Town of Greenburgh
1,3,5,7 Maple Street, Town of Greenburgh

NRMHA properties:

50 Sickles Avenue, City of New Rochelle
111 Lockwood Avenue, City of New Rochelle

WPHA properties:

86 Dekalb Avenue, City of White Plains
120 Lake Street, City of White Plains

MHACY property:

1-8 Schroeder Street, City of Yonkers

§2. The County will fund an amount not to exceed Seven Million (\$7,000,000) Dollars as follows: GHA in an amount not to exceed \$582,080; NRMHA in an amount not to exceed \$319,800; WPHA in an amount not to exceed \$1,450,912, and MHACY in an amount not to exceed \$4,647,208. The term of each easement agreement will be ten years. The easement will require that each PHA and/or RAD affiliates, its successors or assigns, will be responsible for all costs of operation and maintenance of the Improvements.

§3. The Easement Agreement will require each PHA and its RAD affiliates, its successors or assigns, as a condition of the County's financing of the Improvements, to execute a Mortgage and Note approved by, and enforceable by the County and to record a Declaration of Restrictive Covenant which will run with the land and bind the Properties and any successor(s) in interest and will require that the units be maintained as affordable for a period of not less than fifty (50) years. The County requirements will be subordinate to State and/or HUD, existing lenders and investors and the PHAs will be responsible for obtaining any approvals from those entities prior to execution of agreements. The Improvements will encompass approximately 1,016 PHA units and preserve them for households whose incomes is at or below 80% of the Westchester County Area Median Income ("AMI").

§4. The period of affordability of the Properties shall be a minimum of fifty (50) years.

§5. The County Executive or his duly authorized designee is hereby authorized and empowered to execute all instruments and to take all action necessary and appropriate to effectuate the purposes hereof.

§6. This Act shall take effect immediately.

CAPITAL PROJECT FACT SHEET

Project ID:* BPL44	<input checked="" type="checkbox"/> CBA	Fact Sheet Date:* 08-21-2024
Fact Sheet Year:* 2024	Project Title:* PUBLIC HOUSING AUTHORITY IMPROVEMENTS	Legislative District ID: 8,10,11,14,15,16,17
Category* BUILDINGS, LAND & MISCELLANEOUS	Department:* PLANNING	CP Unique ID: 2495

Overall Project Description

This project will fund critical improvements within the ten public housing authorities located in Westchester County. The improvements will prioritize units that have been taken off-line due to sub-standard conditions. Other improvements may include, but not limited to building exteriors common areas, and site work.

- | | | |
|----------------------------------------------------|---------------------------------------------------------------|-----------------------------------------|
| <input 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 checked="" type="checkbox"/> Other(AFFORDABLE HOUSING) | |

FIVE-YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Appropriated	2024	2025	2026	2027	2028	Under Review
Gross	7,000	0	7,000	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	7,000	0	7,000	0	0	0	0	0

Expended/Obligated Amount (in thousands) as of : 0

Current Bond Description: This bond request will fund the interior and exterior repair and improvements of buildings owned or operated by the following public housing authorities or their affiliated entities: Municipal Housing Authority for the City of Yonkers; New Rochelle Municipal Housing Authority; White Plains Housing Authority; and the Greenburgh Housing Authority.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	7,000,000
Cash:	0
Total:	\$ 7,000,000

SEQR Classification:

TYPE II

Amount Requested:

7,000,000

Expected Design Work Provider:

- | | | |
|---------------------------------------|-------------------------------------|----------------------------------------------------|
| <input type="checkbox"/> County Staff | <input type="checkbox"/> Consultant | <input checked="" type="checkbox"/> Not Applicable |
|---------------------------------------|-------------------------------------|----------------------------------------------------|

PUBLIC HOUSING AUTHORITY IMPROVEMENTS (BPL44)

User Department : Planning
Managing Department(s) : Planning ;
Estimated Completion Date: TBD
Planning Board Recommendation:

FIVE YEAR CAPITAL PROGRAM (in thousands)									
	Est Ult Cost	Appropriated	Exp / Obl	2024	2025	2026	2027	2028	Under Review
Gross	7,000			7,000					
Non County Share									
Total	7,000			7,000					

Project Description

This project will fund critical improvements within the ten housing authorities in Westchester County. The improvements will prioritize units that have been taken off-line due to sub-standard conditions. Other improvements may include improvements to building exteriors, common areas, and site work.

Current Year Description

The current year request funds this project.

Current Year Financing Plan				
Year	Bonds	Cash	Non County Shares	Total
2024	7,000,000			7,000,000

Impact on Operating Budget

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