

ACT NO. -20_____

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

BE IT ENACTED BY THE COUNTY BOARD OF LEGISLATORS OF THE COUNTY OF WESTCHESTER, NEW YORK (by the affirmative vote of not less than two-thirds of the voting strength of said Board), AS FOLLOWS:

Section 1. Pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law"), the Westchester County Administrative Code, being Chapter 852 of the Laws of 1948, as amended, and to the provisions of other laws applicable thereto; \$24,470,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance a portion of the cost of the purchase of replacement buses for the Department of Transportation, all as set forth in the County's Current Year Capital Budget, as amended. To the extent that the details set forth in this act are inconsistent with any details set forth in the Current Year Capital Budget of the County,

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

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

Section 3. Current funds are not required to be provided as a down payment pursuant to Section 107.00 d. 9. of the Law prior to issuance of the bonds authorized herein, or any bond anticipation notes issued in anticipation of the sale of such bonds. The County intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County, pursuant to this Act, in the total amount of \$24,470,000. This Act is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The estimate of \$103,650,000 as the estimated total cost of the aforesaid class of objects or purposes is hereby approved.

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

or the renewals thereof, and of §§50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the County Board of Legislators relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, relative to providing for substantially level or declining annual debt service, relative to prescribing the terms, form and contents and as to the sale and issuance of the respective amounts of bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and relative to executing agreements for credit enhancement, are hereby delegated to the Commissioner of Finance of the County, as the chief fiscal officer of the County.

Section 6. Each of the bonds authorized by this Act and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by §52.00 of said Local Finance Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the County of Westchester, payable as to both principal and interest by general tax upon all the taxable real property within the County. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and provision shall be made annually in the budgets of the County by appropriation for (a) the amortization and redemption of the notes and bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 7. The validity of the bonds authorized by this Act and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of this Act or a summary hereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This Act shall take effect not earlier than January 1, 2022 and in accordance with Section 107.71 of the Westchester Charter.

* * *

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

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

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

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

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

ACT NO. _____-20_____

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

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

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

Dated: _____, 20____
White Plains, New York

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

CAPITAL PROJECT FACT SHEET

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

Overall Project Description

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

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

FIVE-YEAR CAPITAL PROGRAM (in thousands)

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

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

Current Bond Description: For the purchase of 95 replacement 40-foot buses.

Financing Plan for Current Request:

Non-County Shares:	\$ 79,180,000
Bonds/Notes:	24,470,000
Cash:	0
Total:	\$ 103,650,000

SEQR Classification:

TYPE II

Amount Requested:

24,470,000

Expected Design Work Provider:

- County Staff Consultant Not Applicable

Comments:

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

Energy Efficiencies:

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

Appropriation History:

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

Total Appropriation History:

95,375,000

Financing History:

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

Total Financing History:

350,000

Recommended By:

Department of Planning

MLLL

Date

01-22-2024

Department of Public Works

RJB4

Date

01-22-2024

Budget Department

DEV9

Date

01-23-2024

Requesting Department

MAS9

Date

01-24-2024

REPLACE 95 NABI 40-FOOT HYBRID BUSES (T001Z)

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

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

FIVE YEAR CAPITAL PROGRAM (in thousands)

	Est Ult Cost	Appropriated	Exp / Obl	2024	2025	2026	2027	2028	Under Review
Gross	95,375	95,375	200						
Non County Share	(70,555)	(70,555)							
Total	24,820	24,820	200						

Project Description

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

Current Year Description

There is no current year request.

Impact on Operating Budget

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

Appropriation History

Year	Amount	Description	Status
2022	350,000	Funds preparation of specifications and related services	DESIGN
2023	95,025,000	Purchase of buses	\$70,555,000 NCS; \$24,470,000 awaiting bond authorization
Total	95,375,000		

Prior Appropriations

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

Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
221 21	350,000			350,000
Total	350,000			350,000