

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

Your Committee is in receipt of a transmission from the County Executive recommending approval by the County of Westchester ("County") of an act amending the County's current-year Capital Budget ("Capital Budget Amendment"), as well as a related amended bond act ("Bond Act") which, if adopted, will authorize the County to issue up to \$16,645,000 in additional bonds of the County to finance capital project B0082 – Low Rise Building Renovation, White Plains ("B0082").

Your Committee is advised that the Capital Budget Amendment will amend the County's capital budget to increase the appropriation for B0082 by \$9,015,000. The Department of Public Works and Transportation ("Department") has advised your Committee that the additional funds are required based upon the current scope and cost estimate for B0082. B0082 will now also replace the expansion joints on both sides of the building that spans Dr. Martin Luther King, Jr. Boulevard, replace the HVAC distribution system and install a fire suppression system on the third floor. The companion capital project (B0104) will provide for installation of a fire suppression system on the other floors. These components were not contemplated in the original scope of work.

The related Bond Act in the total amount of \$17,345,000 was prepared by the law firm Hawkins, Delafield & Wood and includes \$700,000 in previously authorized bonds of the County. The Bond Act will finance the cost of design, construction and construction management of renovations to the third floor of the County's Low Rise Building including the offices of the County Clerk.

The Department has advised that the third floor of the Low Rise building has not undergone a full renovation since its construction in the early 1970s. Since the County Clerk has switched to keeping digital records, the existing spatial configuration is no longer efficient. B0082 will improve the organization of the third floor to better serve the visiting public and meet the needs of the Office of the County Clerk. In addition, the updates will be made to comply with current building code.

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

It should be noted that your Honorable Board has authorized the County to issue bonds for prior components of B0082 as indicated in the annexed fact sheet and as follows: Bond Act No. 179-2015 in the amount of \$700,000 which financed design in connection with renovations to the third floor of the County's Low Rise Building including the offices of the County Clerk. These bonds have been partially sold. Accordingly, it is now requested that Bond Act No. 179-2015 be amended to (i) increase the initial amount authorized by \$16,645,000, for a total authorized amount, as amended, of \$17,345,000, (ii) revise the scope of Bond Act No. 179-2015 to include work associated with the construction phase of B0082, and (iii) increase the period of probable usefulness of said bonds.

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

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

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

Dated: April 12, 2021.
White Plains, New York

Admin for
Doris J. Tubero
Benjamin Boyland
Doris J. Tubero
Manager

Benjamin Boyland
Doris J. Tubero

Budget & Appropriations
COMMITTEE ON



Public Works & Transportation

Dated: April 12, 2021
White Plains, New York


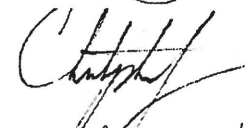
The following members attended the meeting remotely, as per Governor Cuomo's Executive Order 202.1 and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

Committee(s) on:

Budget & Appropriations


Margaret A. Cuneo
Catherine F. Parker
Ruth Walter
Alfred Wilkin
Ty H


Public Works & Transportation


Vedat Galim

Mary Jane Skimish
Catherine F. Parker
Ruth Walter
Ty H

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: B0082

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 \$ 17,345,000 PPU 25 Anticipated Interest Rate 1.50%

Anticipated Annual Cost (Principal and Interest): \$ 830,489

Total Debt Service (Annual Cost x Term): \$ 20,762,225

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

SECTION C - IMPACT ON OPERATING BUDGET (exclusive of debt service)

To Be Completed by Submitting Department and Reviewed by Budget

Potential Related Expenses (Annual): \$ -

Potential Related Revenues (Annual): \$ -

Anticipated savings to County and/or impact of department operations
(describe in detail for current and next four years):

SECTION D - EMPLOYMENT

As per federal guidelines, each \$92,000 of appropriation funds one FTE Job

Number of Full Time Equivalent (FTE) Jobs Funded: 189

SECTION E - EXPECTED DESIGN WORK PROVIDER

County Staff

Consultant

Not Applicable

Prepared by: Robert Abbamont

Title: Prog Coord (Capital Planning)

Department: Public Works/Transportation


Date: 3/11/21

Reviewed By: 

DA Budget Director

Date: 3/16/21

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

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

DATE: February 26, 2021

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
B0082 LOW RISE BUILDING RENOVATION, WHITE PLAINS**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 2/22/2021 (Unique ID: 1576)

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

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

COMMENTS: None.

DSK/dvw

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

Department of Planning

432 Michaelian Office Building
White Plains, NY 10601

To: The Westchester County Planning Board

From: Anthony Zaino, Assistant Commissioner

Date: February 23, 2021



RE: **Capital Budget Amendment –
B0082 Low Rise Building Renovations, White Plains**

The County Executive is requesting an amendment to the 2021 Capital Budget to modify the funding of the above project. This project provides funding for construction and construction management associated with the renovations of the third floor in the Low Rise Building including the offices of the County Clerk.

A Capital Budget Amendment is requested to add a 2021 appropriation of \$9,015,000.

The Planning Board adopted a report on this project (rated PL1) at its meeting on July 11, 2006.

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

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

An Act amending the 2021 County
 Capital Budget Appropriations for
 Capital Project - B0082 - Low Rise
 Building Renovation, White Plains

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

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

	Previous 2021 Appropriation	Change	Revised 2021 Appropriation
I. Appropriation	\$12,450,000	\$9,015,000	\$21,465,000

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

II. METHOD OF FINANCING

Bonds and/or Notes	\$12,450,000	\$9,015,000	\$21,465,000
Non County Shares	\$0		\$0
Cash	\$0		\$0
Total	\$12,450,000	\$9,015,000	\$21,465,000

Section 3. The ACT shall take effect immediately.

ACT NO.49-2021

BOND ACT OF THE COUNTY OF WESTCHESTER, NEW YORK, AMENDING THE BOND ACT ADOPTED OCTOBER 5, 2015 IN RELATION TO THE CONSTRUCTION OF RENOVATIONS OF THE THIRD FLOOR OF THE LOW RISE BUILDING, AT THE MAXIMUM ESTIMATED COST OF \$17,345,000. (Adopted 04/12, 2021).

WHEREAS, this Board has heretofore duly authorized the issuance of \$700,000 bonds to finance the cost of preparation of surveys, preliminary and detailed plans, specifications and estimates necessary for the construction of renovations to the third floor of the Low Rise Building, pursuant to Act No. 179-2015 duly adopted on October 5, 2015; and

WHEREAS, it is now appropriate to authorize such improvements, and it is necessary to increase the amount of bonds to be issued and the appropriation for such project for estimated cost of such improvement;

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 October 5, 2015, entitled:

“ACT NO. 179-2015

BOND ACT AUTHORIZING THE ISSUANCE OF \$700,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE

COST OF PREPARATION OF SURVEYS, PRELIMINARY AND DETAILED PLANS, SPECIFICATIONS AND ESTIMATES NECESSARY FOR PLANNING THE RENOVATIONS OF THE THIRD FLOOR OF THE LOW RISE BUILDING; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$700,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$700,000 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 \$17,345,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE CONSTRUCTION OF RENOVATIONS TO THE THIRD FLOOR OF THE LOW RISE BUILDING INCLUDING THE OFFICES OF THE COUNTY CLERK, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$17,345,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$17,345,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted 04/12 , 2021)

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; \$17,345,000 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 renovations to the third floor of the Low Rise Building including the offices of the County Clerk, 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 \$17,345,000. The plan of financing includes the issuance of \$17,345,000 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 \$17,345,000 bonds authorized by this Act are to be issued, within the limitations of Section 11.00 a. 12(a)(1) of the Law, is twenty-five (25) 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 \$17,345,000. 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 \$17,345,000 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.

* * *

Project ID:*
B0082

CBA

Fact Sheet Date:*
01-04-2021

Fact Sheet Year:*
2021

Project Title:*
LOW RISE BUILDING RENOVATION, 8,
WHITE PLAINS

Legislative District ID:

Category*
BUILDINGS, LAND &
MISCELLANEOUS

Department:*
PUBLIC WORKS

CP Unique ID:
1576

Overall Project Description

This project involves the renovation of the Low Rise Building in White Plains.

Best Management Practices

Energy Efficiencies

Infrastructure

Life Safety

Project Labor Agreement

Revenue

Security

Other

FIVE-YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Appropriated	2021	2022	2023	2024	2025	Under Review
Gross	21,465	9,700	2,750	0	0	0	0	9,015
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	21,465	9,700	2,750	0	0	0	0	9,015

Expended/Obligated Amount (in thousands) as of : 1,475

Current Bond Description: Funding is requested for construction management and construction associated with the renovations of the third floor in the Low Rise Building including the offices of the County Clerk.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	16,645,000
Cash:	0
Total:	\$ 16,645,000

SEQR Classification:

TYPE II

Amount Requested:

16,645,000

Comments:

A Capital Budget Amendment in the amount of \$9,015,000 (shown under review) is being requested to provide additional funding based upon the current cost estimates. (Amend BA #179-2015)

Energy Efficiencies:

THE RENOVATIONS WILL INCLUDE LED LIGHTING AND WATER-EFFICIENT FIXTURES IN THE RESTROOMS.

Appropriation History:

Year	Amount	Description
2006	1,370,000	DESIGN - COUNTY CLERK; DESIGN AND CONSTRUCTION - DISTRICT ATTORNEY'S OFFICES
2007	8,330,000	RENOVATION OF 35,000 SQ FT OF OFFICE SPACE AT THE COUNTY CLERKS' OFFICE

Total Appropriation History:

9,700,000

Year	Bond Act #	Amount	Issued	Description
06	212	620,000	286,497	PRELIMS: LOW RISE BUILDING REHAB.- COUNTY CLERK'S OFFICE
06	E-212	-285,593	-285,593	
06	213	750,000	750,000	PARTIAL RECON. OF DISTRICT ATTORNEY'S OFFICE
15	179	700,000	401,438	LOW RISE BUILDING RENOVATION, WHITE PLAINS

Total Financing History:

1,784,407

Recommended By:

Department of Planning
WBB4

Date
02-22-2021

Department of Public Works
RJB4

Date
02-22-2021

Budget Department
LMY1

Date
02-24-2021

Requesting Department
RJB4

Date
02-24-2021

LOW RISE BUILDING RENOVATION, WHITE PLAINS (B0082)

User Department : Public Works

Managing Department(s) : 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	2021	2022	2023	2024	2025 Under Review
Gross	12,450	9,700	1,600	2,750				
Non County Share								
Total	12,450	9,700	1,600	2,750				

Project Description

This project involves the renovation of the Low Rise Building in White Plains.

Current Year Description

The current year request funds improvements to the first and second floors of the building, in addition to supplemental HVAC upgrades.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2021	2,750,000			2,750,000

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
2006	1,370,000	Design - County Clerk; Design and construction - District Attorney's offices	COMPLETE
2007	8,330,000	Renovation of 35,000 sq ft of office space at the County Clerks' office	\$700,000 - DESIGN ; \$7,630,000 - AWAITING BOND AUTHORIZATION
Total	9,700,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	9,700,000	1,437,935	8,262,065
Total	9,700,000	1,437,935	8,262,065

**LOW RISE BUILDING RENOVATION, WHITE PLAINS
(B0082)**

Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
212 06	620,000	10/24/12	147,917	333,503
		10/24/12	15,083	
		10/24/12	1,247	
		11/19/15	1,675	
		11/19/15	325	
		11/19/15	3	
213 06	750,000	04/30/20	120,247	
		12/02/10	750,000	
		12/02/10	(750,000)	
		11/30/11	655,442	
179 15	700,000	11/30/11	94,558	298,562
		12/10/19	57,017	
		12/10/19	11,260	
E-212 06	(285,593)	04/30/20	333,161	(285,593)
Total	1,784,407		1,437,935	346,472

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 April 12, 2021 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 given to the following newspapers and/or other news media as follows:

Newspaper and/or other news media

Date Given
April 7, 2021

WVOX
FIOS1
News Channel 12
The Journal News
Pluma Libre
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
April 7, 2021

www.westchesterlegislators.com

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County Board of Legislators on April 13, 2021.



Sunday Vanderberg

Sunday 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 Kitley Covill
Legislator Margaret Cunzio
Legislator Vedat Gashi
Legislator Christopher Johnson
Legislator Damon Maher
Legislator Catherine Parker
Legislator MaryJane Shimsky
Legislator Colin Smith
Legislator David Tubiolo
Legislator Ruth Walter
Legislator Alfreda Williams
Legislator Tyrae Woodson-Samuels

NOES:

ABSENT:

The Bond Act was thereupon declared duly adopted.

* * * * *
APPROVED BY THE COUNTY EXECUTIVE


Date: 7-13-24

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

I HEREBY CERTIFY that I have compared the foregoing Act No. 48 - 2021, and (Bond) Act No. 49 - 2021, 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 April 12, 2021, and approved by the County Executive on April 13, 2021.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said County Board of Legislators on this 15th day of April, 2021.



Malika Vanderberg

The Clerk of the Westchester County
Board of Legislators

County of Westchester, New York

