Kenneth W. Jenkins
County Executive

Date: July 20, 2026

To: The Honorable Members of the Board of Legislators

From: Kenneth W. Jenkins, County Executive

RE: Bond act for capital project BPL26 – Flood Mitigation (Funding Watershed Plan)

Transmitted herewith for your review and approval is an amended bond act (the "Amended Bond Act"), which, if adopted by your Honorable Board, would authorize the County of Westchester (the "County") to issue additional bonds to finance the following capital project:

BPL26 – Flood Mitigation (Funding Watershed Plan) ("BPL26").

The Amended Bond Act, in the total amount of $3,500,000.00, which includes $2,000,000.00 in previously issued bonds of the County, would finance the County's share of the cost of preparation of surveys, preliminary and detailed plans, specifications and estimates necessary for planning watershed-based flood mitigation measures and grant application materials, to identify potential projects to reduce flooding and flood damage, as well as a list of prioritized projects and to prepare designs, cost estimates and supporting analyses and other documentation required for common grant applications from state and federal agencies, resulting in a portfolio of draft applications when grant funding becomes available.

The Department of Planning (the "Department") has advised that flooding throughout the County continues to impact residents, businesses and infrastructure more frequently and intensely and requires a watershed-wide understanding and approach. While the New York State Department of Environmental Conservation has prepared watershed-based flood mitigation plans for portions of the County under its Resilient NY program, other County areas continue to be impacted by flooding. This funding will allow the County to prepare plans that work with local municipalities and other stakeholders to identify projects and strategies to reduce flooding and increase resiliency for Westchester communities.

Following bonding authorization, a request for proposals will be published and consultants will be selected. Preparation of the plans, studies and designs are estimated to take two years to complete.

It should be noted that your Honorable Board has authorized the County to issue bonds for BPL26 as follows: Bond Act No. 2024-81 in the amount of $2,000,000.00 to finance the County's share of costs for the administration and execution of surveys, plans and grant application materials to identify, prioritize and develop draft applications for watershed-based flood mitigation projects. These bonds have not been sold. Accordingly, it is now requested that

Bond Act No. 2024-81 be amended to increase the amount authorized by $1,500,000.00, for a total authorized amount, as amended, of $3,500,000.00.

As the mitigation of flood waters benefits the health, safety and welfare of County residents, and due to the importance of this project to the County, favorable action on the proposed Amended Bond Act is respectfully requested.

KWJ/BPL/MR/DK/mcz
Attachment

Reference BPL26 (Unique ID# 3130)

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 (the "County") of an amended bond act (the "Amended Bond Act"), which, if adopted by your Honorable Board, would authorize the County to issue up to $1,500,000.00 in additional bonds of the County to finance capital project BPL26 – Flood Mitigation (Funding Watershed Plan) ("BPL26").

The Amended Bond Act, in the total amount of $3,500,000.00, was prepared by the law firm Hawkins, Delafield and Wood LLP and includes $2,000,000.00 in previously authorized bonds of the County. The Amended Bond Act would finance the County's share of the cost of preparation of surveys, preliminary and detailed plans, specifications and estimates necessary for planning watershed-based flood mitigation measures and grant application materials, to identify potential projects to reduce flooding and flood damage, as well as a list of prioritized projects and to prepare designs, cost estimates and supporting analyses and other documentation required for common grant applications from state and federal agencies, resulting in a portfolio of draft applications when grant funding becomes available.

The Department of Planning (the "Department") has advised that flooding throughout the County continues to impact residents, businesses and infrastructure more frequently and intensely and requires a watershed-wide understanding and approach. While the New York State Department of Environmental Conservation has prepared watershed-based flood mitigation plans for portions of the County under its Resilient NY program, other County areas continue to be impacted by flooding. This funding will allow the County to prepare plans that work with local municipalities and other stakeholders to identify projects and strategies to reduce flooding and increase resiliency for Westchester communities.

Your Committee is advised that following bonding authorization, a request for proposals will be published and consultants will be selected. Preparation of the plans, studies and designs are estimated to take two years to complete.

It should be noted that your Honorable Board has authorized the County to issue bonds for BPL26 as follows: Bond Act No. 2024-81 in the amount of $2,000,000.00 to finance the County's share of costs for the administration and execution of surveys, plans and grant application materials to identify, prioritize and develop draft applications for watershed-based flood mitigation projects. These bonds have not been sold. Accordingly, it is now requested that Bond Act No. 2024-81 be amended to increase the amount authorized by $1,500,000.00, for a total authorized amount, as amended, of $3,500,000.00.

The Planning Department has advised your Committee that based on its review, BPL26 may be 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 environmental review is required. Your Committee has reviewed the annexed SEQR documentation and concurs with this recommendation.

Your Committee has carefully considered the Amended Bond Act, and recommends its approval. It should be noted that an affirmative vote of two-thirds of the members of your Honorable Board is required in order to adopt the Amended Bond Act.

Dated: _______________________, 2026.
White Plains, New York

COMMITTEE ON

c/mcz/7.20.26

Memorandum
Department of Planning

TO: Carla Chaves, Senior Assistant County Attorney
Maximilian Zorn, Assistant County Attorney
Maria Baratta, Assistant County Attorney

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

DATE: July 7, 2026

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT BPL26 FLOOD MITIGATION - WATERSHED PLANS**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 06/23/2026 (Unique ID: 3130**)**

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)(24):** information collection including basic data collection and research, water quality and pollution studies, traffic counts, engineering studies, surveys, subsurface investigations and soils studies that do not commit the agency to undertake, fund or approve any Type I or Unlisted action;
- **617.5(c)(27):** conducting concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, provided those activities do not commit the agency to commence, engage in or approve such action.

COMMENTS: None.

DSK/oav
cc: Emily Saltzman, Director of Operations
Paula Friedman, Assistant to the County Executive
Tami Altschiller, Assistant Chief Deputy County Attorney
Blanca P. Lopez, Commissioner of Planning
Dianne Vanadia, Associate Budget Director
Matthew Castro, Chief Planner
Claudia Maxwell, Principal Environmental Planner

REFERENCE: BPL26

ACT NO. -20_____

BOND ACT OF THE COUNTY OF WESTCHESTER, NEW YORK, AMENDING THE BOND ACT ADOPTED MAY 6, 2024, IN RELATION TO THE PREPARATION OF SURVEYS, PRELIMINARY AND DETAILED PLANS, SPECIFICATIONS AND ESTIMATES NECESSARY FOR PLANNING WATERSHED-BASED FLOOD MITIGATION MEASURES AND GRANT APPLICATION MATERIALS (Adopted , 20_____).

WHEREAS, this Board has heretofore duly authorized the issuance of $2,000,000 bonds to finance the County's share of the cost of preparation of surveys, preliminary and detailed plans, specifications and estimates necessary for planning watershed-based flood mitigation measures and grant application materials, to identify potential projects to reduce flooding and flood damage, as well as a list of prioritized projects and to prepare designs, cost estimates and supporting analyses and other documentation required for common grant applications from state and federal agencies, resulting in a portfolio of draft applications when grant funding becomes available, pursuant to Act No. 81-2024 duly adopted on May 6, 2024; and

WHEREAS, said Board has now determined that it is necessary to increase the appropriation and the amount of bonds authorized for such project;

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

Section (A). The bond act duly adopted by this Board on May 6, 2024, entitled:

“ACT NO. 81-2024

BOND ACT AUTHORIZING THE ISSUANCE OF $2,000,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COUNTY’S SHARE OF THE COST OF PREPARATION OF SURVEYS, PRELIMINARY AND DETAILED PLANS, SPECIFICATIONS AND ESTIMATES NECESSARY FOR PLANNING WATERSHED-BASED FLOOD MITIGATION MEASURES AND GRANT APPLICATION MATERIALS; STATING THE ESTIMATED TOTAL COST THEREOF IS $2,000,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF $2,000,000 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 $3,500,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COUNTY’S SHARE OF THE COST OF PREPARATION OF SURVEYS, PRELIMINARY AND DETAILED PLANS, SPECIFICATIONS AND ESTIMATES NECESSARY FOR PLANNING WATERSHED-BASED FLOOD MITIGATION MEASURES AND GRANT APPLICATION MATERIALS; STATING THE ESTIMATED TOTAL COST THEREOF IS $3,500,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF $3,500,000 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; $3,500,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the County's share of the cost of preparation of surveys, preliminary and detailed plans, specifications and estimates necessary for planning watershed-based flood mitigation measures and grant application materials, to identify potential projects to reduce flooding and flood damage, as well as a list of prioritized projects and to prepare designs, cost estimates and supporting analyses and other documentation required for common grant applications from state and federal agencies, resulting in a portfolio of draft applications when grant funding becomes available, 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 $3,500,000. The plan of financing includes the issuance of $3,500,000 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 said specific object or purpose, within the limitations of Section 11.00 a. 62 (2nd) of the Law, is five (5) 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 $3,500,000. 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 $3,500,000 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.

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LEGAL NOTICE

A Bond Act, a summary of which is published herewith, has been adopted by the Board of Legislators on May 6, 2024 and amended on ______________, 20_____ and approved, as amended, by the County Executive on _____________, 20_____ and the validity of the obligations authorized by such Bond Act may be hereafter contested only if such obligations were authorized for an object or purpose for which the County of Westchester, in the State of New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this Notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the publication of this Notice, or such obligations were authorized in violation of the provisions of the Constitution.

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

ACT NO. ________-20_____

BOND ACT AUTHORIZING THE ISSUANCE OF $3,500,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COUNTY'S SHARE OF THE COST OF PREPARATION OF SURVEYS, PRELIMINARY AND DETAILED PLANS, SPECIFICATIONS AND ESTIMATES NECESSARY FOR PLANNING WATERSHED-BASED FLOOD MITIGATION MEASURES AND GRANT APPLICATION MATERIALS; STATING THE ESTIMATED TOTAL COST THEREOF IS $3,500,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF $3,500,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (adopted on May 6, 2024 and amended on ______________, 20_____)

object or purpose: the finance the County's share of the cost of preparation of surveys, preliminary and detailed plans, specifications and estimates necessary for planning watershed-based flood mitigation measures and grant application materials, to identify potential projects to reduce flooding and flood damage, as well as a list of prioritized projects and to prepare designs, cost estimates and supporting analyses and other documentation required for common grant applications from state and federal agencies, resulting in a portfolio of draft applications when grant funding becomes available, 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: $3,500,000; five (5) years

Dated: _____________, 20_____
White Plains, New York

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