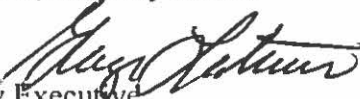


July 12, 2021

TO: Hon. Benjamin Boykin, Chair
Hon. Alfreda Williams, Vice Chair
Hon. MaryJane Shimsky, Majority Leader
Hon. Margaret Cunzio, Minority Leader

FROM: George Latimer 
Westchester County Executive

RE: Message Requesting Immediate Consideration: **Bond Act – WCC82 –
Site Upgrade Campus Wide.**

This will confirm my request that the Board of Legislators allow submission of the referenced communication to be submitted to the Board of Legislators July 12, 2021 Agenda.

Transmitted herewith for your review and approval is a bond act (“Bond Act”) which, if adopted, would authorize the County of Westchester (“County”) to issue bonds in the amount of \$431,000 to finance the following capital project: WCC82.

Therefore, since this communication is of the utmost importance, it is respectfully submitted that the County Board of Legislators accepts this submission for July 12, 2021 “blue sheet” calendar.

Thank you for your prompt attention to this matter.

George Latimer
County Executive

July 12, 2021

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

Dear Members of the Board of Legislators:

Transmitted herewith for your review and approval is a bond act ("Bond Act") which, if adopted, would authorize the County of Westchester ("County") to issue bonds in the amount of \$431,000 to finance the following capital project:

WCC82 – Site Upgrade Campus Wide ("WCC82").

The Bond Act, in the amount of \$431,000 would finance the County's approximately 50% share of the cost of construction of Area Three Phase parking lot facilities and related site improvements at the Westchester Community College ("College") campus, comprising Student Center & Physical Education surrounding areas, parking lots 9 and 10, and a portion of the campus loop, including repaving the parking lots, improvements to the storm drainage system, site lighting, campus signage, walkway replacement, site accessories and landscaping.

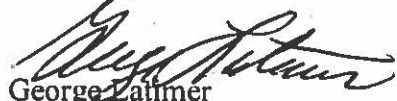
The College has advised that the work is required because the facilities have exceeded their useful lives and have deteriorated with age and use.

Following bonding authorization, design will be scheduled and is anticipated to take twelve months to complete. It is estimated that construction will take twelve months to complete and will begin after award and execution of the construction contracts. It is anticipated that the design work will be completed by consultants.

The Planning Department has advised 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. As you know, your Honorable Board may use such expert advice to reach its own conclusion.

Based on the importance of this project to the County, favorable action on the proposed Bond Act is respectfully requested.

Sincerely,

A handwritten signature in cursive script, appearing to read "George Zallmer".

George Zallmer
County Executive

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

Your Committee is in receipt of a transmittal from the County Executive recommending approval by the County of Westchester (“County”) of a bond act (“Bond Act”) in the amount of \$431,000 to finance capital project WCC82 – Site Upgrade Campus Wide (“WCC82”). The Bond Act, which was prepared by the law firm Harris Beach, PLLC, will finance the County’s approximately 50% share of the cost of construction of Area Three Phase parking lot facilities and related site improvements at the Westchester Community College (“College”) campus, comprising Student Center & Physical Education surrounding areas, parking lots 9 and 10, and a portion of the campus loop, including repaving the parking lots, improvements to the storm drainage system, site lighting, campus signage, walkway replacement, site accessories and landscaping.

The College has advised that the work is required because the facilities have exceed their useful lives and have deteriorated with age and use.

Following bonding authorization, design will be scheduled and is anticipated to take twelve months to complete. It is estimated that construction will take twelve months to complete and will begin after award and execution of the construction contracts. It is anticipated that the design work will be completed by consultants.

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.

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 Bond Act. Your Committee recommends the adoption of the proposed Bond Act.

Dated: _____, 20____
White Plains, New York

COMMITTEE ON

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: WCC82

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 \$ 431,000 PPU 15 Anticipated Interest Rate 1.03%

Anticipated Annual Cost (Principal and Interest): \$ 31,098

Total Debt Service (Annual Cost x Term): \$ 466,475

Finance Department: Interest Rates from July 7, 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: 4

SECTION E - EXPECTED DESIGN WORK PROVIDER

County Staff

Consultant

Not Applicable

Prepared by: Dawn Gillins

Title: Controller

Department: Westchester Community College


Date: 7/9/21

Reviewed By: 

Deputy Budget Director

Date: 7/9/21

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

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

DATE: March 31, 2021

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
WCC82 SITE UPGRADE – CAMPUS WIDE**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 11/18/2020 (Unique ID: 1545)

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

ACT NO. -20__

BOND ACT AUTHORIZING THE ISSUANCE OF \$431,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF CONSTRUCTION OF AREA THREE PHASE PARKING LOT FACILITIES AND RELATED SITE IMPROVEMENTS AT THE WESTCHESTER COMMUNITY COLLEGE CAMPUS, STATING THE TOTAL ESTIMATED MAXIMUM COST THEREOF IS \$862,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$431,000 BONDS HEREIN AUTHORIZED TO FINANCE THE COUNTY'S SHARE OF SUCH COST AND APPLICATION OF \$431,000 EXPECTED TO BE RECEIVED FROM THE STATE OF NEW YORK TOWARDS THE COST OF SAID OBJECTS OR PURPOSES; 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 Third-thirds of the voting strength of said Board), AS FOLLOWS:

Section 1. Pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law"), the Westchester County Administrative Code, being Chapter 852 of the Laws of 1948, as amended, to the provisions of other laws applicable thereto, \$431,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of construction of Area Three Phase parking lot facilities and related site improvements at the Westchester Community

College campus, comprising Student Center & Physical Education surrounding areas. parking lots 9 and 10, and a portion of the campus loop, including repaving the parking lots, improvements to the storm drainage system, site lighting, campus signage, walkway replacement, site accessories and landscaping; 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 objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof is \$862,000. The plan of financing includes the issuance of \$431,000 bonds herein authorized and any bond anticipation notes issued in anticipation of the sale of such bonds, application of \$431,000 expected to be received from the State of New York to be expended towards the cost of said objects or purposes, 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 applicable to the objects or purposes for which the bonds authorized by this resolution is to be issued, within the limitations of Section 11.00 a. 91, is fifteen (15) 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 \$431,000. This Act is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. 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 5. 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 6. 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 7. This Act shall take effect in accordance with Section 107.71 of the Westchester County Charter.

* * *

STATE OF NEW YORK)

: ss.:

COUNTY OF WESTCHESTER)

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 Officer 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 \$431,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF CONSTRUCTION OF AREA THREE PHASE PARKING LOT FACILITIES AND RELATED SITE IMPROVEMENTS AT THE WESTCHESTER COMMUNITY COLLEGE CAMPUS; STATING THE TOTAL ESTIMATED MAXIMUM COST THEREOF IS \$862,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$431,000 BONDS HEREIN AUTHORIZED TO FINANCE THE COUNTY'S SHARE OF SUCH COST AND APPLICATION OF \$431,000 EXPECTED TO BE RECEIVED FROM THE STATE OF NEW YORK TOWARDS THE COST OF SAID OBJECTS OR PURPOSES; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted _____, 20__)

object or purpose: to finance the cost of construction of Area Three Phase parking lot facilities and related site improvements at the Westchester Community College campus, comprising Student Center & Physical Education surrounding areas. parking lots 9 and 10, and a portion of the campus loop, including repaving the parking lots, improvements to the storm drainage system, site lighting, campus signage, walkway replacement, site accessories and landscaping, at the estimated maximum cost of \$862,000; 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: \$431,000; fifteen (15) 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:* WCC82	<input type="checkbox"/> CBA	Fact Sheet Date:* 09-11-2020
Fact Sheet Year:* 2020	Project Title:* SITE UPGRADE - CAMPUS WIDE	Legislative District ID: 3,
Category* WCC - BUILDINGS	Department:* COMMUNITY COLLEGE	CP Unique ID: 1545

Overall Project Description

This campus wide project will address parking lot issues and site improvements throughout the campus. The campus experiences parking shortages at peak use periods. This project will focus on parking and general site improvements throughout the surrounding buildings on the campus.

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

FIVE-YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Appropriated	2020-21	2021-22	2022-23	2023-24	2024-25	Under Review
Gross	9,657	3,239	0	378	2,420	0	0	3,620
Less Non-County Shares	4,828	1,619	0	189	1,210	0	0	1,810
Net	4,829	1,620	0	189	1,210	0	0	1,810

Expended/Obligated Amount (in thousands) as of : 1,526

Current Bond Description: Current bonding approval is necessary to fund the County's 50% share of the third phase of the Site Upgrade – Campus Wide project. The Area Three phase is the Student Center & Physical Education Surrounding Areas. Area Three covers the area between the Student Center and the Physical Education Building, Parking Lots 9 and 10 (aka Parking Lots D and C as per the 2012 Master Plan) as well as a portion of the campus loop. The site work upgrades include repaving the parking lots as well as improvements to the storm drainage system, site lighting, campus signage, walkway replacement, site accessories and landscaping.	
Financing Plan for Current Request:	
Non-County Shares:	\$ 431,000
Bonds/Notes:	431,000
Cash:	0
Total:	\$ 862,000

SEQR Classification:

TYPE II

Amount Requested:

431,000

Comments:

The amount appropriated for the Area Three Phase of this project is \$862,000. This bonding request in the amount of \$431,000 represents the County's 50% share of approved Capital Project WCC82 – Site Upgrade – Campus Wide (Area Three Phase). New York State has approved funding on the remaining 50%.

Energy Efficiencies:

LIGHTING WILL BE ENERGY EFFICIENT.

WESTCHESTER COMMUNITY COLLEGE
Site Upgrades - Campus Wide (WCC82)

FIVE-YEAR CAPITAL PROGRAM (in thousands)

	Estimated							
	Ultimate							Under
	Total Cost	Approp.	2019/20	2020/21	2021/22	2022/23	2023/24	Review
Gross	9,353	2,377	862		360	2,306		3,448
Less Non-County Shares	4,676	1,188	431		180	1,153		1,724
Net	4,677	1,189	431	-	180	1,153	-	1,724

Project Description:

A campus wide phasing plan has been created to address parking lot issues and site improvements throughout the campus. The campus experiences parking shortages at peak use periods. This project will focus on parking improvements and general site improvements throughout the surrounding buildings on the campus.

Financing Plan:

	2019/20
	Appropriation
Non-County	\$ 431
Bonds and/ or Notes	\$ 431
Cash	
Gross Appropriation	\$ 862