

**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 \$2,100,000 to finance a component of capital project WCC82 – Site Upgrade Campus Wide ("WCC82"). The Bond Act, which was prepared by the law firm of Hawkins, Delafield & Wood, LLP, will finance the County's 50% share of a portion of the Site Upgrade - Campus Wide project. This portion includes the north section of the campus, encompassing the Gateway Center, Administration Building, Hartford Hall Building, Parking Lot 1, as well as the Hartford Hall Building entrance and the Administration/Gateway Center Loop.

Your Committee is advised that the site work for this component of WCC82 will include re-paving 140,000 square feet of parking as well as improvements to the storm drainage, site lighting, signage walkways, landscaping and car charging stations. The amount appropriated for this portion of WCC82 is \$4,200,000, of which 50% (\$2,100,000) will be funded by the State of New York and 50% by the County.

The College has advised that this phase is necessary because the facilities have exceeded their useful life and have deteriorated with age and use.

Following receipt by the College of New York State funds and County bonding authorization, design will be scheduled and is anticipated to take twenty-four (24) months to complete. It is anticipated that the design work will be completed by consultants. It is estimated that construction will take twenty-four (24) months to complete and will begin after award and execution of the construction contracts.

It should be noted that your Honorable Board has previously authorized bonding in connection with WCC82 as indicated in the annexed fact sheet.

The Planning Department has advised your Committee that based on its review, the above-referenced capital project 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.

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: January 13th, 2025
White Plains, New York

James J. Zeller John J. Miller
John J. Miller
John J. Miller
Vedat Gashi
John J. Miller

John J. Miller
James J. Zeller John J. Miller
John J. Miller
Vedat Gashi
John J. Miller

c/jpg/8-14-24

Budget & Appropriations

Public Works & Transportation

Dated: January 13, 2025
White Plains, New York

The following members attended the meeting remotely and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below

Committee(s) on:

Budget & Appropriations

A handwritten signature in black ink, appearing to read "Colin J. Smith". The signature is written in a cursive style with a large, stylized initial "C".

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 \$ 2,100,000 PPU 10 Anticipated Interest Rate 2.55%

Anticipated Annual Cost (Principal and Interest): \$ 242,133

Total Debt Service (Annual Cost x Term): \$ 2,421,325

Finance Department: maab 9-10-24

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):

No Operating Impact

SECTION D - EMPLOYMENT

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

Number of Full Time Equivalent (FTE) Jobs Funded: 22

Prepared by: Dawn Gillins

Title: Assistant Vice President/Comptroller

Department: WCC


Date: 9/13/24

Reviewed By: 

Date: 9/13/24

Budget Director

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

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

DATE: August 27, 2024

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 08-14-2024 (Unique ID: 2575)

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;
 - **617.5(c)(3):** retrofit of an existing structure and its appurtenant areas to incorporate green infrastructure;
 - **617.5(c)(9):** construction or expansion of a primary or accessory/appurtenant, nonresidential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls, but not radio communication or microwave transmission facilities.
-

COMMENTS: While the overall scope is rehabilitation and replacement in kind, some new features will be incorporated to lessen impacts on the environment, including the installation of electric vehicle charging stations to reduce the carbon footprint. It is anticipated that only minor infrastructure upgrades would be necessary, none of which that will exceed a threshold that would bump the project into the Unlisted or Type I category. If more work is required than anticipated, further environmental review will be conducted following design and prior to awarding the contract for construction. Incorporation of “green infrastructure,” as defined by 617.2(r), to reduce stormwater impacts from these existing facilities will also be evaluated and incorporated, to the extent practical, during the design process.

DSK/cnm

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive

Lawrence Soule, Budget Director
Tami Altschiller, Assistant Chief Deputy County Attorney
Dawn Gillins, Westchester Community College
Blanca Lopez, Commissioner
Dianne Vanadia, Associate Budget Director
Susan Darling, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Principal Environmental Planner

ACT NO. - 20__

BOND ACT AUTHORIZING THE ISSUANCE OF \$2,100,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE WESTCHESTER COMMUNITY COLLEGE SITE UPGRADE-CAMPUS WIDE PROJECT, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$4,200,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$2,100,000 BONDS HEREIN AUTHORIZED; PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS; AND THE APPLICATION OF \$2,100,000 EXPECTED TO BE RECEIVED FROM THE STATE OF NEW YORK TO BE EXPENDED TOWARDS THE COST OF SAID OBJECT OR PURPOSE OR REDEMPTION OF THE COUNTY'S OBLIGATIONS ISSUED THEREFOR, OR TO BE BUDGETED AS AN OFFSET TO THE TAXES FOR THE PAYMENT OF 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, \$2,100,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the Westchester Community College Site Upgrade-Campus Wide Project, which includes the north section of the campus, encompassing the Gateway Center, Administration Building, Hartford Hall Building, Parking Lot 1 as well as the Hartford Hall Building entrance and the Administration/Gateway Center Loop. The

site work includes re-paving 140,000 sf of parking as well as improvements to the storm drainage, site lighting, signage walkways and landscaping and car charging stations; 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 object or purpose, including preliminary costs and costs incidental thereto and the financing thereof is \$4,200,000. The plan of financing includes the issuance of \$2,100,000 bonds herein authorized and any bond anticipation notes issued in anticipation of the sale of such bonds, the levy of a tax to pay the principal of and interest on said bonds and notes, and the application of \$2,100,000 expected to be received from the State of New York to be expended towards the cost of said object or purpose or redemption of the County's obligations issued therefor, or to be budgeted as an offset to the taxes for the payment of the principal of and interest on said bonds.

Section 2. The period of probable usefulness of the object or purpose for which said \$2,100,000 bonds authorized by this Act are to be issued, within the limitations of Section 11.00 a. 20(f) 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 \$2,100,000. 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 \$4,200,000 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 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 \$2,100,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE WESTCHESTER COMMUNITY COLLEGE SITE UPGRADE-CAMPUS WIDE PROJECT, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$4,200,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$2,100,000 BONDS HEREIN AUTHORIZED; PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS; AND THE APPLICATION OF \$2,100,000 EXPECTED TO BE RECEIVED FROM THE STATE OF NEW YORK TO BE EXPENDED TOWARDS THE COST OF SAID OBJECT OR PURPOSE OR REDEMPTION OF THE COUNTY'S OBLIGATIONS ISSUED THEREFOR, OR TO BE BUDGETED AS AN OFFSET TO THE TAXES FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted _____, 20__)

object or purpose: to finance the Westchester Community College Site Upgrade-Campus Wide Project, which includes the north section of the campus, encompassing the Gateway Center, Administration Building, Hartford Hall Building, Parking Lot 1 as well as the Hartford Hall Building entrance and the Administration/Gateway Center Loop. The site work includes repaving 140,000 sf of parking as well as improvements to the storm drainage, site lighting, signage walkways and landscaping and car charging stations; 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: \$2,100,000; 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:* WCC82 | <input type="checkbox"/> CBA | Fact Sheet Date:* 07-05-2024 |
| Fact Sheet Year:* 2024 | Project Title:* SITE UPGRADE - CAMPUS WIDE | Legislative District ID: 3, |
| Category* WCC - BUILDINGS | Department:* COMMUNITY COLLEGE | CP Unique ID: 2575 |

Overall Project Description

This campus wide project will address parking lot issues and site improvements throughout the campus. This project will focus on parking and general site improvements throughout the surrounding buildings on 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 | 2024-25 | 2025-26 | 2026-27 | 2027-28 | 2028-29 | Under Review |
|-------------------------------|-------------------------------|--------------|---------|---------|---------|---------|---------|--------------|
| Gross | 17,049 | 8,131 | 0 | 4,200 | 4,718 | 0 | 0 | 0 |
| Less Non-County Shares | 8,524 | 4,065 | 0 | 2,100 | 2,359 | 0 | 0 | 0 |
| Net | 8,525 | 4,066 | 0 | 2,100 | 2,359 | 0 | 0 | 0 |

Expended/Obligated Amount (in thousands) as of: 2,331

Current Bond Description: Current bonding approval is necessary to fund the County's 50% share of this portion of the Site Upgrade - Campus Wide project. This includes the north section of the campus, encompassing the Gateway Center, Administration Building, Hartford Hall Building, Parking Lot 1 as well as the Hartford Hall Building entrance and the Administration/Gateway Center Loop. The site work includes re-paving 140,000 sf of parking as well as improvements to the storm drainage, site lighting, signage walkways and landscaping and car charging stations.

Financing Plan for Current Request:

| | |
|--------------------|---------------------|
| Non-County Shares: | \$ 2,100,000 |
| Bonds/Notes: | 2,100,000 |
| Cash: | 0 |
| Total: | \$ 4,200,000 |

SEQR Classification:

TYPE II

Amount Requested:

2,100,000

Expected Design Work Provider:

- County Staff Consultant Not Applicable

Comments:

The amount appropriated for this portion is \$4,200,000. The bonding request in the amount of \$2,100,000 represents the County's 50% share of approved Capital Project WCC82 - Site Upgrade Campus Wide. New York State has approved funding on the remaining 50%.

Energy Efficiencies:

LIGHTING WILL BE ENERGY EFFICIENT.

Appropriation History:

| Year | Amount | Description |
|------|-----------|---|
| 2015 | 1,626,000 | AREAS ONE PARKING LOT IMPROVEMENTS |
| 2017 | 751,000 | AREA TWO PARKING LOT IMPROVEMENTS |
| 2019 | 862,000 | AREA THREE PARKING LOT IMPROVEMENTS |
| 2021 | 392,000 | AREA FOUR PARKING LOT IMPROVEMENTS |
| 2023 | 300,000 | AREA FOUR PARKING LOT IMPROVEMENTS ADDITIONAL |
| 2024 | 4,200,000 | AREA FOUR PARKING LOT IMPROVEMENTS ADDITIONAL |

Total Appropriation History:

8,131,000

Financing History:

| Year | Bond Act # | Amount | Issued | Description |
|------|------------|---------|---------|--|
| 16 | 345 | 813,000 | 813,000 | PARKING LOT AND RELATED SITE IMPROVEMENTS |
| 19 | 232 | 376,000 | 242,945 | WCC CONSTRUCTION OF PARKING LOT FACILITIES AND RELATED SITE IMPROVEMENTS |
| 21 | 140 | 431,000 | 0 | STUDENT CENTER & PE , LOTS 9 & 10, CAMPUS LOOP ETC |
| 23 | 34 | 196,000 | 0 | SITE UPGRADE CAMPUS WIDE |
| 23 | 189 | 150,000 | 0 | SITE UPGRADE CAMPUS WIDE |

Total Financing History:

1,966,000

Recommended By:

Department of Planning
MLLL

Date
08-14-2024

Department of Public Works
RJB4

Date
08-14-2024

Budget Department
DEV9

Date
08-14-2024

Requesting Department
DAGX

Date
08-14-2024