



DANIEL P. MCCOY
COUNTY EXECUTIVE

COUNTY OF ALBANY
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DANIEL C. LYNCH, ESQ.
DEPUTY COUNTY EXECUTIVE

January 2, 2023

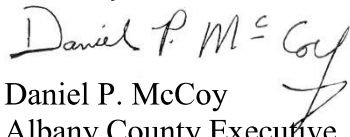
Honorable Andrew Joyce, Chairman
Albany County Legislature
112 State Street, Room 710
Albany, New York 12207

Dear Chairman Joyce:

The Department of General Services, in partnership with the Office of the County Executive, requests approval of a bond resolution authorizing \$1,000,000 for Green Capital Projects in the County. The purpose of this project is to accelerate the decarbonization of County operations through capital investment including, but not limited to, zero and low emissions vehicles and infrastructure, renewable energy technology, clean heating and cooling, energy efficiency improvements, and green infrastructure projects. The project has been included in the 2023 Capital Plan.

If you should have any questions, please do not hesitate to contact me.

Sincerely


Daniel P. McCoy
Albany County Executive

cc: Hon. Dennis Feeney, Majority Leader
Hon. Frank Mauriello, Minority Leader
Rebekah Kennedy, Majority Counsel
Arnis Zilgme, Minority Counsel



County of Albany

Harold L. Joyce
Albany County Office
Building
112 State Street - Albany,
NY 12207

Legislation Text

File #: TMP-3961, **Version:** 1

REQUEST FOR LEGISLATIVE ACTION

Description (e.g., Contract Authorization for Information Services):
Bond Resolution for Green Capital Projects

Date: 1/2/2022
Submitted By: Lucas Rogers
Department: CEO
Title: Economic Development and Sustainability coordinator
Phone: 518-447-5566
Department Rep.
Attending Meeting: Lucas Rogers

Purpose of Request:

- ☐ Adopting of Local Law
- ☐ Amendment of Prior Legislation
- ☐ Approval/Adoption of Plan/Procedure
- ☒ Bond Approval
- ☐ Budget Amendment
- ☐ Contract Authorization
- ☐ Countywide Services
- ☐ Environmental Impact/SEQR
- ☐ Home Rule Request
- ☐ Property Conveyance
- ☐ Other: (state if not listed) Click or tap here to enter text.

CONCERNING BUDGET AMENDMENTS

Increase/decrease category (choose all that apply):

- ☐ Contractual
- ☐ Equipment
- ☐ Fringe
- ☐ Personnel
- ☐ Personnel Non-Individual

☐ Revenue

Increase Account/Line No.: Click or tap here to enter text.

Source of Funds: Click or tap here to enter text.

Title Change: Click or tap here to enter text.

CONCERNING CONTRACT AUTHORIZATIONS

Type of Contract:

☐ Change Order/Contract Amendment

☐ Purchase (Equipment/Supplies)

☐ Lease (Equipment/Supplies)

☐ Requirements

☐ Professional Services

☐ Education/Training

☐ Grant

Choose an item.

Submission Date Deadline Click or tap to enter a date.

☐ Settlement of a Claim

☐ Release of Liability

☐ Other: (state if not listed) Click or tap here to enter text.

Contract Terms/Conditions:

Party (Name/address):

Click or tap here to enter text.

Additional Parties (Names/addresses):

Click or tap here to enter text.

Amount/Raise Schedule/Fee: Click or tap here to enter text.

Scope of Services: Click or tap here to enter text.

Bond Res. No.: Click or tap here to enter text.

Date of Adoption: Click or tap here to enter text.

CONCERNING ALL REQUESTS

Mandated Program/Service: Yes ☐ No ☐

If Mandated Cite Authority: Click or tap here to enter text.

Is there a Fiscal Impact: Yes ☒ No ☐

Anticipated in Current Budget: Yes ☒ No ☐

County Budget Accounts:

Revenue Account and Line: Click or tap here to enter text.
Revenue Amount: Click or tap here to enter text.

Appropriation Account and Line: Click or tap here to enter text.
Appropriation Amount: \$1,000,000

Source of Funding - (Percentages)

Federal: Click or tap here to enter text.
State: Click or tap here to enter text.
County: 100%
Local: Click or tap here to enter text.

Term

Term: (Start and end date) 1/1/2023 - 12/31/2023
Length of Contract: 1 Year

Impact on Pending Litigation

If yes, explain: Yes ☐ No ☒
Click or tap here to enter text.

Previous requests for Identical or Similar Action:

Resolution/Law Number: Resolution 100 for 2022
Date of Adoption: 3/14/2022

Justification: (state briefly why legislative action is requested)

The Department of General Services, in partnership with the Office of the County Executive, requests approval of a bond resolution authorizing \$1,000,000 for Green Capital Projects in the County. The purpose of this project is to accelerate the decarbonization of County operations through capital investment including, but not limited to, zero and low emissions vehicles and infrastructure, renewable energy technology, clean heating and cooling, energy efficiency improvements, and green infrastructure projects.

The project has been included in the 2023 Capital Plan.

Youth Facility Renovation & Upgrade

Project Number: DGS-19-02

Project Status: New Existing 1 Amended

Amendment(s):

2023-20207 Extended reimbursement time line.

The State of New York has stipulated that Albany County modify / renovate their youth facilities to be more conducive to both the age & sex of the child. Therefore, we must address revamping our facilities at DCYF as well as Family Court to comply. Initial cost estimates of this NYS reimbursable project are \$6.2 million. The scope of the makeover project shall include, but are not limited to, design fees, HVAC modification, renovation and fitup of viewing rooms & common areas, electrical, plumbing & bathroom facilities, painting & carpeting as well as furniture & fixtures. Reimbursement from NYS will be long term, most likely over a 20 year period.

Year	Pre 2022	2022	2023	2024	2025	2026	2027	Total
County Debt (Bonds & BANS)	6.200							6.200
NYS Reimbursement	(0.310)	(0.310)	(0.310)	(0.310)	(0.310)	(0.310)	(0.310)	(2.170)
Total County Cost	5.890	(0.310)	(0.310)	(0.310)	(0.310)	(0.310)	(0.310)	4.030

Building Renovations at 175 Green St. & 240,250 & 260 S Pearl St

Project Number: DGS-20-01

Project Status: New Existing 1 Amended

Amendment(s):

2022-2026 increase total cost

As part of our continuing program to maintain existing facilities, this project addresses the building renovations at our structures located at 175 Green St., 240, 250 & 260 S. Pearl St. Improvements will primarily focus on HVAC, mechanicals, generators & energy management systems, construction fit-up costs (retro fit /office build out), design fees, office moving & relocation fees, painting & carpeting, the parking lot (paving & striping), and fencing. We anticipate this project to be completed in three to four

Year	Pre 2022	2022	2023	2024	2025	2026	2027	Total
County Debt (Bonds & BANS)	3.000	2.000	-	-	-	-	-	5.000
NYS Reimbursement								
Total County Cost	3.000	2.000	-	-	-	-	-	5.000

Parking Facility Renovations

Project Number: DGS-20-02

Project Status: New Existing 1 Amended

Amendment(s):

2022-2026 extend timeline

The purpose of this project is to address the ongoing needed parking facility renovation, preservation /upkeep to County owned garages & facilities. We are proposing this plan to address the overall concern over the needed maintenance. The project has a projected completion date of 2024.

Year	Pre 2022	2022	2023	2024	2025	2026	2027	Total
County Debt (Bonds & BANS)	1.500	0.500						2.000
NYS Reimbursement								
Total County Cost	1.500	0.500	-	-	-	-	-	2.000

Albany County Green Capital Projects

Project Number: DGS-22-01

Project Status: New 1 Existing Amended

Amendment(s):

This project will include the purchase some electric vehicles and zero emission vehicles. It will also include some infrastructure improvements with renewable energy technology and energy efficient improvements.

Year	Pre 2022	2022	2023	2024	2025	2026	2027	Total
County Debt (Bonds & BANS)		1.000	1.000	1.000	1.000	1.000		5.000
NYS Reimbursement								
Total County Cost	-	1.000	1.000	1.000	1.000	1.000	-	5.000

7

RESOLUTION NO. 100

BOND RESOLUTION OF THE COUNTY OF ALBANY, NEW YORK, AUTHORIZING THE UNDERTAKING OF GREEN CAPITAL PROJECTS FOR THE DEPARTMENT OF GENERAL SERVICES, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,000,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$1,000,000 OF SERIAL BONDS OF SAID COUNTY TO FINANCE SAID APPROPRIATION

Introduced: 3/14/22

By Audit and Finance Committee:

THE COUNTY LEGISLATURE OF THE COUNTY OF ALBANY, NEW YORK, HEREBY RESOLVES AS FOLLOWS:

Section 1. The County of Albany, New York (the "County") is hereby authorized to undertake green capital projects consisting of the decarbonization of County operations through capital investment including, but not limited to, zero and low emissions vehicles and infrastructure, renewable energy technology, clean heating and cooling, energy efficiency improvements, and green infrastructure projects, together with any necessary site work and the acquisition and installation of furnishings, equipment, machinery and apparatus for the foregoing purposes, together with the preparation of planning, engineering and feasibility studies and review, as further described in the 2022 Capital Plan in the County's 2022-2026 Capital Program, as amended and supplemented (hereinafter referred to as the "Capital Program"). The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof (including costs relating to the issuance of the obligations authorized by this resolution), is an amount not to exceed \$1,000,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$1,000,000 of serial bonds (and bond anticipation notes in anticipation of the issuance of such serial bonds) in such series and amounts as may be necessary to pay the cost thereof, but in no event in excess of \$1,000,000.

(A) The period of probable usefulness of the portion of the class of objects or purposes herein authorized consisting of zero and low emissions vehicles and for which an amount not to exceed \$1,000,000 of said serial bonds are herein authorized to be issued, within the limitations of Section 11.00(a)(77) of the New York Local Finance Law (the "Law"), is three (3) years.

(B) The period of probable usefulness of the portion of the class of objects or purposes herein authorized consisting of zero and low emissions infrastructure, renewable energy technology, clean heating and cooling, energy efficiency improvements, and green infrastructure projects and for which an amount not to exceed the balance of the \$1,000,000 of said serial bonds are herein authorized to be issued, within the limitations of Section 11.00(a)(35) of the New York Local Finance Law (the "Law"), is five (5) years.

Section 2. Serial bonds (and bond anticipation notes in anticipation of the issuance of such serial bonds) in the aggregate principal amount not to exceed \$1,000,000 to finance said appropriation are hereby authorized to be issued pursuant to the provisions of the Law.

Section 3. The following additional matters are hereby determined and stated:

(a) Current funds are not required by the Law to be provided as a down payment prior to the issuance of the serial bonds authorized by this resolution or any bond anticipation notes issued in anticipation thereof in accordance with Section 107.00 of the Law.

(b) The proposed maturity of the bonds authorized by this resolution will not exceed five (5) years.

Section 4. The serial bonds authorized by this resolution and any notes issued in anticipation of the sale of such bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said serial bonds and any notes issued in anticipation of said bonds shall be general obligations of the County, payable as to both principal and interest by a general tax upon all the taxable real property within the County without limitation of rate or amount. 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 provision shall be made annually in the budget of the County by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals of said notes and of Section 21.00, Section 23.00, Section 50.00, Sections 56.00 to 60.00, Section 62.00, Section 63.00 and Section 164.00 of the Law, the powers and duties of the County Legislature pertaining or incidental to the sale and issuance of the obligations herein authorized, including but not limited to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the County Comptroller, the chief fiscal officer of the County.

Section 6. The County Comptroller is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution and any notes issued in anticipation thereof, if applicable, as "qualified tax-exempt bonds" in accordance with Section 265(b)(3)(B)(i) of the Code.

9

Section 7. The County Comptroller is further authorized to enter into a continuing disclosure undertaking with the initial purchaser of the bonds or notes authorized by this resolution, containing provisions which are satisfactory to such purchaser in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

Section 8. Pursuant to Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended (the "SEQR Act") and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State of New York, being 6 NYCRR Part 617, as amended (the "Regulations" and collectively with the SEQR Act, "SEQRA"), the County must satisfy the requirements contained in SEQRA prior to making a final determination whether to proceed with the above referenced project. Based upon an examination of the project and a memorandum from the Albany County Department of Economic Development, Conservation and Planning, the County hereby makes the following determination: The project authorized by this resolution constitutes a "Type II action" pursuant to 6 NYCRR 617.5(c)(1), (2), (3), (8), (14), (15) and (31) and therefore, pursuant to 6 NYCRR 617.6(a)(1)(i), the County has no further responsibilities under SEQRA with respect to the project.

Section 9. The County may initially use funds from the General Fund or such other funds that may be available to pay the cost of the specific objects or purposes authorized by this resolution, pursuant to Section 165.10 of the Law. The County then reasonably expects to reimburse such expenditure with the proceeds of the bonds or bond anticipation notes authorized by Section 2 of this resolution. This resolution shall constitute the declaration of the County's "official intent" to reimburse the expenditures authorized by Section 1 hereof with the proceeds of the bonds and notes authorized herein, as required by United States Treasury Regulation Section 1.150-2.

Section 10. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(1) (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 such resolution 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

(2) such obligations are authorized in violation of the provisions of the constitution.

Section 11. This bond resolution shall take effect immediately and the Clerk of the County Legislature is hereby authorized and directed to publish the foregoing resolution in full (or a summary as permitted by the Law), together with a notice

attached in substantially the form as prescribed in Section 81.00 of the Law, in the Evangelist and the Times Union, newspapers designated as the official newspapers of the County for such publication.

On long roll call vote the following members voted in favor: Messrs. Beston, Bruschi, Burgdorf, Ms. Chapman, Messrs. Clay, Collins, Cleary, Commisso, Ms. Cunningham, Messrs. Domalewicz, Drake, Efekoro, Feeney, Fein, Grimm, A. Joyce, R. Joyce, Kuhn, Mss. Lekakis, Lockart, Messrs. Mauriello, Mayo, Mss. McLaughlin, McLean Lane, Messrs. Miller, O'Brien, Perlee, Peter, Ms. Plotsky, Messrs. Reidy, Reinhardt, Ricard, Simpson, Smith, Tunny, Ward, Mss. Whalen and Willingham –

38

Those opposed – 0

Resolution was adopted – 3/14/22

State of New York
County of Albany

This is to certify that I, the undersigned, Clerk of the Albany County Legislature, have compared the foregoing copy of the resolution and/or local law with the original resolution and/or local law now on file in the office, and which was passed by the Legislature of said County on the 14th day of March, 2022, a majority of all members elected to the Legislature voting in favor thereof, and that the same is a correct and true transcript of such original resolution and/or local law and the whole thereof.



IN WITNESS THEREOF, I have hereunto set my hand and the official seal of the County Legislature this 15th day of March, 2022.


Clerk, Albany County Legislature