

By Legislators Hughes-Smith and Maffucci

Intro. No. _____

RESOLUTION NO. OF 2025

SUPERSEDING BOND RESOLUTION DATED MAY 13, 2025

RESOLUTION AUTHORIZING THE ISSUANCE OF \$15,270,400 BONDS OF THE COUNTY OF MONROE, NEW YORK, TO FINANCE THE COST OF THE SPACE UTILIZATION AND RENOVATION OF CITYPLACE PROJECT, IN AND FOR SAID COUNTY, AT AN ESTIMATED MAXIMUM COST OF \$15,270,400 AND SUPERSEDING THE BOND RESOLUTION ADOPTED ON JUNE 14, 2022 (RESOLUTION NO. 168 OF 2022)

BE IT RESOLVED BY THE AFFIRMATIVE VOTE OF NOT LESS THAN TWO-THIRDS OF THE TOTAL VOTING STRENGTH OF THE LEGISLATURE OF THE COUNTY OF MONROE, as follows:

Section 1. For the object or purpose of financing the cost of the Space Utilization and Renovation of CityPlace Project, in and for the County of Monroe, New York (the "County"), there are hereby authorized to be issued \$15,270,400 bonds of the County, pursuant to the provisions of the Local Finance Law. The duly adopted current Capital Budget of the County, to the extent inconsistent herewith, is hereby amended to provide for a reduction of \$1,100,000 to pay the cost of the aforesaid specific object or purpose (\$16,370,400 having been heretofore appropriated from one or more Capital Budgets). The period of probable usefulness of the aforesaid specific object or purpose is twenty-five (25) years, pursuant to subdivision 12(a)(1) of paragraph a of Section 11.00 of the Local Finance Law, computed from June 27, 2024, the date of the first obligations issued therefor.

Section 2. The maximum estimated cost thereof is \$15,270,400, and the plan for the financing thereof is by the issuance of \$15,270,400 bonds of said County herein authorized, provided, however, that to the extent any state and/or federal aid and/or grant and/or gift is received for the aforesaid purpose, the County Executive, or his designee, is hereby authorized to accept and shall use such funds to redeem any outstanding indebtedness incurred for such purpose or apply it, dollar for dollar, to reduce the amount of bonds to be issued for such purpose.

Section 3. The faith and credit of the County are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall annually be levied on all the taxable real property of said County a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell the bonds and bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Director of Finance - Chief Financial Officer, the chief fiscal officer of the County under the Local Finance Law. The Director of Finance - Chief Financial Officer may sell such bonds or notes at public or private sale, at a discount or premium, at fixed or variable rates of interest or at no interest whatsoever, or as capital appreciation bonds, and with such amortization of principal as the Director of Finance - Chief Financial Officer shall determine is most favorable to the County, and in compliance with any rules of the State Comptroller applicable thereto. Such bonds or notes shall be of such terms, form and contents, and shall be sold in such manner, as may be

prescribed by said Director of Finance - Chief Financial Officer, consistent with the provisions of the Local Finance Law. The Director of Finance - Chief Financial Officer may, in the event it is determined to issue variable rate bonds or notes, enter into such agreements as said officer finds reasonable to facilitate the issuance, sale, resale and repurchase of such bonds or notes, as authorized under Section 54.90 of the Local Finance Law. The Director of Finance - Chief Financial Officer is also authorized to enter into such agreements and take such other action as may be necessary or appropriate and lawful to assure that, to the extent possible, (i) interest on the bonds and notes authorized hereby will not be includable in the gross income, for federal income tax purposes, of the recipients thereof, and (ii) to enable the purchaser thereof to comply with Securities and Exchange Commission Rule 15c2-12. The Director of Finance - Chief Financial Officer is hereby further delegated all powers of this County Legislature with respect to agreements for credit enhancement, derived from and pursuant to Section 168.00 of the Local Finance Law, for such bonds or notes, including, but not limited to the determination of the provider of such credit enhancement facility or buildings and the terms and contents of any agreement or agreements related thereto.

Section 5. All other matters, except as provided herein, relating to such bonds or notes, including prescribing whether manual or facsimile signatures shall appear on said bonds or notes, prescribing the method for the recording of ownership of said bonds or notes, appointing the fiscal agent or agents for said bonds or notes, providing for the printing and delivery of said bonds or notes (and if said bonds or notes are to be executed in the name of the County by only facsimile signatures, providing for the manual countersignature of a fiscal agent or of a designated official of the County), the date, form, denominations, maturities, interest rate or rates, terms of and manner of sale and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Director of Finance - Chief Financial Officer. The Director of Finance - Chief Financial Officer may elect to become the fiscal agent for the bonds or notes, or may contract on behalf of the County for this service pursuant to the Local Finance Law. Such bonds or notes shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals, in addition to those required by Section 52.00 of the Local Finance Law, as the Director of Finance - Chief Financial Officer shall determine.

Section 6. The validity of such bonds and bond anticipation notes, as authorized by this resolution, may be contested only if:

- 1) such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) the provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or
- 3) such obligations are authorized in violation of the provisions of the Constitution.

Section 7. This resolution shall supersede Resolution No. 168 of 2022, being a bond resolution dated June 14, 2022, except to the extent that any indebtedness shall have been contracted or encumbrances made thereunder. The purpose of this superseding bond resolution is to effect the following: to decrease the maximum estimated cost of the purpose to \$15,270,400, and to provide \$15,270,400 bonds therefor, a decrease of \$1,100,000 to the \$16,370,400,000 bonds authorized under Resolution No. 168 of 2022.

Section 8. This resolution shall constitute a statement of official intent for purposes of Section 1.150-2 of the Treasury Regulations. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the objects or purposes described herein.

Section 9. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter and the Clerk of the Legislature is hereby authorized and directed to publish this resolution or a summary hereof to be published, together with a notice attached in substantially the form and in the manner prescribed by Section 81.00 of the Local Finance Law.

Environment and Public Works Committee; April 21, 2025 – CV: 7-0
Ways & Means Committee; April 22, 2025 – CV: 10-0
File No. 25-0139.br

ADOPTION: Date: _____

Vote: _____

ACTION BY THE COUNTY EXECUTIVE

APPROVED: _____ VETOED: _____

SIGNATURE: _____ DATE: _____

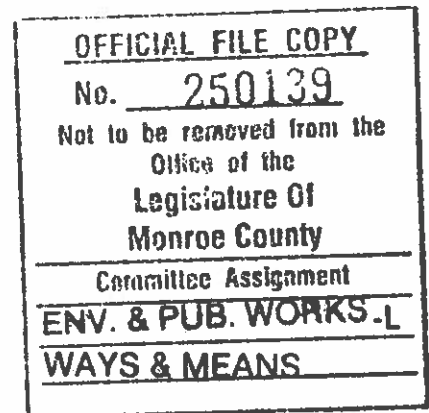
EFFECTIVE DATE OF RESOLUTION: _____



Office of the County Executive
Monroe County, New York

Adam J. Bello
County Executive

April 16, 2025



To The Honorable
Monroe County Legislature
407 County Office Building
Rochester, New York 14614

Subject: Amend the 2025 Capital Budget and Bond Resolution 429 of 2022 to Provide an Increase in Funding for the Project Entitled "CityPlace Electrical & Mechanical Improvements;" Amend Bond Resolution 168 of 2022 to Provide a Decrease in Funding for the Project Entitled "Space Utilization & Renovation of City Place;" and Authorize Contracts with Bell Mechanical Contractor, Inc. and Connors-Haas, Inc. for the CityPlace Electrical & Mechanical Improvements Project

Honorable Legislators:

I recommend that Your Honorable Body amend the 2025 Capital Budget and Bond Resolution 429 of 2022 to increase funding for the project entitled "CityPlace Electrical & Mechanical Improvements;" by \$1,100,000, for a total authorization of \$3,100,000; amend Bond Resolution 168 of 2022 to decrease funding for the project entitled "Space Utilization & Renovation of City Place;" by \$1,100,000, for a total authorization of \$15,270,400 and authorize contracts with Connors-Haas, Inc. in the amount of \$852,971 for electrical construction and Bell Mechanical Contractor, Inc. in the amount of \$1,560,000 for mechanical construction for the CityPlace Electrical & Mechanical Improvements project.

Monroe County's CityPlace building is located at 50 W. Main Street in the City of Rochester. The eight (8) story building was constructed in 1907, is approximately 273,000 square feet, and houses various Monroe County Departments. The CityPlace Electrical & Mechanical Improvement Project will focus on improvements to the fifth floor computer server room's cooling system and standby power capabilities for critical areas to County Information Services network and Public Safety communications infrastructure.

Your Honorable Body, through Bond Resolution 429 of 2022, authorized financing for improvements for the project in the amount of \$2,000,000. Bids have been received, and the contemporary bidding atmosphere and construction escalation results in the need to increase the total bonding authorization for the project in the amount of \$1,100,000, from \$2,000,000 to \$3,100,000. Capital fund 2011, originally authorized by Your Honorable Body through Resolution 246 of 2021 and subsequently increased with bond financing through Resolution 168 of 2022, has been used to fund various improvements in CityPlace that have been substantially completed, and has a balance of funding. The Department of Environmental Services requests a portion of the balance of capital fund 2011 be reallocated to capital fund 2030 for the CityPlace Electrical & Mechanical Improvements Project.

The following bids were received:

<u>Electrical Construction</u>	<u>Bid Amount</u>
Connors-Haas, Inc.	\$852,971
Invictus Electric	\$923,351
 <u>Mechanical Construction</u>	 <u>Bid Amount</u>
Bell Mechanical Contractor, Inc.	\$1,560,000
Crosby-Brownlie	\$1,690,800

The bids have been reviewed and Connors-Haas, Inc. and Bell Mechanical Contractor, Inc. have been determined to be the lowest responsible bidders pursuant to General Municipal Law §103. The total value of bids received is \$2,412,971.

The specific legislative actions required are:

1. Amend the 2025 Capital Budget to increase funding for the project entitled “CityPlace Electrical & Mechanical Improvements” by \$1,100,000, for a total authorization of \$3,100,000.
2. Amend Bond Resolution 429 of 2022 to increase financing for the project entitled “CityPlace Electrical & Mechanical Improvements” by \$1,100,000, from \$2,000,000 to \$3,100,000, for a total authorization of \$3,100,000.
3. Amend Bond Resolution 168 of 2022 to decrease funding for the project entitled “Space Utilization & Renovation of City Place;” by \$1,100,000, from \$16,000,000 to \$14,900,000, for a total authorization of \$15,270,400.
4. Authorize the County Executive, or his designee, to execute a contract with Connors-Haas, Inc., 6337 Dean Parkway, Ontario, New York 14519, in the amount of \$852,971 for electrical construction for the CityPlace Electrical & Mechanical Improvements Project, and any amendments necessary to complete the project within the total capital fund(s) appropriation.
5. Authorize the County Executive, or his designee, to execute a contract with Bell Mechanical Contractor, Inc., 105 Lincoln Parkway, East Rochester, New York 14445, in the amount of \$1,560,000 for mechanical construction for the CityPlace Electrical & Mechanical Improvements Project, and any amendments necessary to complete the project within the total capital fund(s) appropriation.

This action is a Type II Action pursuant to 6 NYCRR § 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 or fire codes, unless such action meets or exceeds any of the thresholds in section 617.4 of this Part”) and is not subject to further review under the State Environmental Quality Review Act.

Funding for this project, consistent with authorized uses, will be included in capital fund 2030, once the additional financing is authorized and any capital fund(s) created for the same intended purpose. No additional net County support is required in the current Monroe County budget.

The records in the Office of the Monroe County Treasury have indicated that neither Connors-Haas, Inc., Bell Mechanical Contractor, Inc., nor any of their principal officers, owe any delinquent Monroe County property taxes. The principal officers of the firms are:

Connors-Haas, Inc.

Linda Ayer, President

Chris Hoot, Secretary

David Ayer, Treasurer

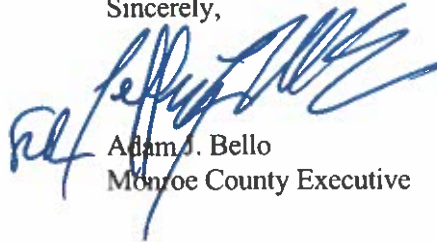
Bell Mechanical Contractor, Inc.

Lawrence Bell, Jr., President

Dennis Bell, Vice President

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Adam J. Bello', is written over the printed name and title.

Adam J. Bello
Monroe County Executive