

**TROY CITY COUNCIL
SPECIAL MEETING AGENDA
June 25, 2020
6:00 P.M.**

Pledge of Allegiance
Roll Call
Presentation of Agenda
Public Forum*

LOCAL LAWS

ORDINANCES

RESOLUTIONS

64. Resolution Determining That Proposed Action Is A Type Ii Action For Purposes Of The New York State Environmental Quality Review Act (Council President Mantello) (At The Request Of The Administration)
65. Bond Resolution Authorizing The Issuance Of \$945,000 Serial Bonds To Finance The Cost Of Sidewalk Improvements (Council President Mantello) (At The Request Of The Administration)
69. Resolution of Troy City Council Recognizing Juneteenth (Council President Mantello, Council Member Steele, Council Member Zalewski, Council Member McDermott, Council Member Cummings)
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* Due to the current COVID-19 crisis, this meeting shall be held remotely via videoconferencing. If you would like a statement added to the record as part of the public forum at the beginning of the meeting, please email your statement to the City Clerk at mara.drogan@troyny.gov at least 1 hour before the start of the meeting.

**RESOLUTION DETERMINING THAT PROPOSED ACTION
IS A TYPE II ACTION FOR PURPOSES OF
THE NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT**

WHEREAS, the City Council of the City of Troy, New York (the "City") is considering financing the cost of the construction or reconstruction of curbs, sidewalks or gutters of brick, stone or concrete and handicap access curbing (the "Project"); and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, 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"), the City desires to comply with the SEQR Act and the Regulations with respect to the Project;

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE CITY COUNCIL OF THE CITY OF TROY, NEW YORK AS FOLLOWS:

1. The City Council has determined that the Project constitutes a "Type II Action" under 6 NYCRR § 617.5(c)(2) and no further action under the SEQR Act and the Regulations is required.
2. This resolution shall take effect immediately.
3. The foregoing resolution was thereupon declared duly adopted.

Approved as to form June _____, 2020

Richard T. Morrissey, Corporation Counsel

Memo In Support

This resolution is the SEQRA for the subsequent bond resolution. This has been declared a Type II with no action required.

BOND RESOLUTION AUTHORIZING THE ISSUANCE OF \$945,000
SERIAL BONDS TO FINANCE THE COST OF SIDEWALK
IMPROVEMENTS

BE IT RESOLVED by the City Council of the City of Troy, New York (the "City") as follows:

Section 1. The City is hereby authorized to undertake the construction or reconstruction of curbs, sidewalks or gutters of brick, stone or concrete and handicap access curbing, at an estimated maximum cost of \$945,000.

Section 2. The plan for financing such estimated maximum cost shall be by the issuance of \$945,000 in serial bonds (the "Bonds") of the City, which are hereby authorized to be issued pursuant to this resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is ten (10) years pursuant to paragraph 24 of Section 11.00(a) of the Local Finance Law.

Section 4. Pursuant to Section 107.00(d)(9) of the Local Finance Law, current funds are not required to be provided prior to issuance of the Bonds or any bond anticipation notes issued in anticipation of issuance of the Bonds.

Section 5. The temporary use of available funds of the City, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law, for the capital purposes described in Section 1 of this resolution.

Section 6. The Bonds and any bond anticipation notes issued in anticipation of the Bonds, shall contain the recital of validity prescribed by Section 52.00 of the Local Finance Law and the Bonds, and any bond anticipation notes issued in anticipation of the Bonds, shall be general obligations of the City, payable as to both principal and interest by a general tax upon all the real property within the City without legal or constitutional limitation as to rate or amount. The faith and credit of the City are hereby irrevocably pledged to the punctual payment of the principal of and interest on the Bonds, and any bond anticipation notes issued in anticipation of the Bonds, and provision shall be made annually in the budget of the City by appropriation for (a) the amortization and redemption of the Bonds and bond anticipation notes to mature in such year, and (b) the payment of interest to be due and payable in such year.

Section 7. Subject to the provisions of this resolution and of the Local Finance Law, and pursuant to the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 63.00, inclusive, of the Local Finance Law, the power to authorize the issuance of and to sell

bond anticipation notes in anticipation of the issuance and sale of the Bonds herein authorized, including renewals of such notes, and the power to prescribe the terms, form and contents of the Bonds, and any bond anticipation notes, and the power to sell and deliver the Bonds and any bond anticipation notes issued in anticipation of the issuance of the Bonds, and the power to issue bonds providing for level or substantially level or declining annual debt service, is hereby delegated to the City Comptroller, the Chief Fiscal Officer of the City.

Section 8. The reasonably expected source of funds to be used to initially pay for the expenditures authorized by Section 1 of this resolution shall be from the City's General Fund. It is intended that the City shall then reimburse such expenditures with the proceeds of the Bonds and bond anticipation notes authorized by this resolution and that the interest payable on the Bonds and any bond anticipation notes issued in anticipation of the Bonds shall be excludable from gross income for federal income tax purposes. This resolution is intended to constitute the declaration of the City's "official intent" to reimburse the expenditures authorized by this resolution with the proceeds of the Bonds and bond anticipation notes authorized herein, as required by Regulation Section 1.150-2. Other than as specified in this resolution, no moneys are reasonably expected to be, received, 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. The serial bonds and bond anticipation notes authorized to be issued by this resolution are hereby authorized to be consolidated, at the option of the City's Comptroller, the Chief Fiscal Officer, with the serial bonds and bond anticipation notes authorized by other bond resolutions previously or heretofore adopted by the City Council for purposes of sale in to one or more bond or note issues aggregating an amount not to exceed the amount authorized in such resolutions. All matters regarding the sale of the bonds, including the dated date of the bonds, the use of electronic bidding, the consolidation of the serial bonds and the bond anticipation notes with other issues of the City and the serial maturities of the bonds are hereby delegated to the City Comptroller, the Chief Fiscal Officer of the City.

Section 10. The City may receive certain federal and New York State grant funds for the capital purposes described in Section 1 of this resolution. Any such grant funds shall be applied to pay the principal or interest on the Bonds or any bond anticipation notes issued in anticipation of the Bonds or to the extent obligations shall not have been issued under this resolution, to reduce the maximum amount to be borrowed for such capital purposes.

Section 11. The validity of the Bonds authorized by this resolution and of any bond anticipation notes issued in anticipation of the Bonds may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the City 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 resolution or a summary hereof 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

(c) such obligations are authorized in violation of the provisions of the Constitution.

Section 12. The City Comptroller, as Chief Fiscal Officer of the City, is hereby authorized to enter into an undertaking for the benefit of the holders of the Bonds from time to time, and any bond anticipation notes issued in anticipation of the sale of the Bonds, requiring the City to provide secondary market disclosure as required by Securities and Exchange Commission Rule 15c2-12, as amended.

Section 13. This resolution, or a summary of this resolution, shall be published in the official newspapers of the City for such purpose, together with a notice of the Clerk of the City in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 14. This resolution is not subject to a mandatory or permissive referendum.

Section 15. The Council hereby determines that the provisions of the State Environmental Quality Review Act and the regulations thereunder have previously been satisfied with respect to the expenditures authorized by this resolution.

Section 16. No Bonds, or bond anticipation notes to be issued in anticipation of the Bonds, shall be issued until the Supervisory Board created by Chapter 721 of the Laws of 1994, as amended (the "Act"), shall have first reviewed and commented on the issuance of the Bonds and any bond anticipation notes to be issued in anticipation of the Bonds in accordance with the requirements of the Act.

Section 17. This resolution shall take effect immediately upon its adoption.

Approved as to form June _____, 2020

Richard T. Morrissey, Corporation Counsel

Memo In Support

As mentioned at the Finance Meeting on 06/09/2020 the City would be bringing another bond resolution(s) forward in relation to the financial situation created by the Covid-19 pandemic. This resolution falls within that category in where it authorizes the issuance of \$945,000 in debt instruments for the repair of City sidewalks.

This project has been ongoing since 2019 where the City is having sidewalks repaired and making them ADA compliant. All costs related to this project are reimbursable under New York State's CHIPS program.

By approving this resolution it will benefit the City's General Fund the City's cash flow as the City needs to pay the invoices in order to be reimbursed. All reimbursements received will be used to pay back the debt costs.

RESOLUTION OF TROY CITY COUNCIL RECOGNIZING JUNETEENTH

WHEREAS, the residents, businesses, and governmental institutions of the City of Troy, New York are firmly committed to celebrating and promoting diversity, inclusion, and the cultural traditions of our City's communities; and

WHEREAS, Juneteenth is a worldwide celebration which commemorates the end of slavery in the United States of America; and

WHEREAS, on June 19th, 1865, Union soldiers led by Major General Gordon Granger, arrived in Galveston, Texas to enforce the Emancipation Proclamation – signed by President Lincoln over two and a half years prior on September 22, 1862 – and freed all remaining enslaved people in the state of Texas; and

WHEREAS, initially a regional celebration popular in Texas and neighboring states which brought remaining family members together who had resettled after June 19th, 1865, Juneteenth grew to become a national event during which African American communities gathered to share in the spirit of the day, featuring outdoor activities, food, prayer services; and

WHEREAS, Juneteenth celebrations declined in the early 20th century, the result of educational focus which emphasized the Emancipation Proclamation, shifts in the workforce due to the Great Depression, and popularity of the July 4th holiday; and

WHEREAS, the Civil Rights Movement spurred a resurgence of Juneteenth, leading to the state of Texas declaring it an official state holiday in 1980, and it continued to grow as an important national and local celebration of African American freedom, culture, and achievement; and

WHEREAS, on Friday, June 19th, the Troy, New York Chapter of the NAACP will host the 1st Annual Juneteenth Festival in Troy's Riverfront Park to mark this important historical event and bring together families, residents, and local officials to celebrate this important event that promotes equality, respect and understanding between people of all backgrounds and cultures.

NOW, THEREFORE, BE IT RESOLVED THAT the members of the Troy City Council do hereby recognize and commemorate June 19th as Juneteenth in the City of Troy and encourage all Trojans to explore this important celebration of African American culture, history, and pride.

Approved as to form June _____, 2020

Richard T. Morrissey, Corporation Counsel