

**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 \$600,000 to finance capital project WCC91 – Technology Upgrade On-Campus 2017/18-2021/22 (“WCC91”). The Bond Act, in the amount of \$600,000 was prepared by the law firm Hawkins, Delafield & Wood, and will finance the County’s approximately 50% share of the cost of Phase III WCC91, including Academic Technology Initiatives, Desktop Virtual Growth, Fiber Cable Enhancements and digital signage replacement laptops, PC, phone, printer, scanner, server, switch, tape drive, ups, wireless which are mostly on a 5-year replacement cycle at Westchester Community College (the “College”).

The College has advised that the amount appropriated for Phase III of WCC91 is \$1,200,000. This bond request in the amount \$600,000, represents the County’s 50% share; New York State has approved funding for the remaining 50%.

Following receipt by the College of State funds and bonding authorization from the County, the College anticipates that the work will be completed within approximately 24 months. It is anticipated that installation will be accomplished by in-house staff.

It should be noted that your Honorable Board has previously authorized the County to issue bonds in connection with prior phases of WCC91 as indicated in the annexed fact sheet.

The Planning Department has advised your Committee that based on its review, WCC91 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: January 30th, 2023
White Plains, New York

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COMMITTEE ON

c/mg/11-1-22

Budget & Appropriations

Public Works & Transportation

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: WCC91

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 \$ 600,000 PPU 5 Anticipated Interest Rate 3.37%

Anticipated Annual Cost (Principal and Interest): \$ 131,050

Total Debt Service (Annual Cost x Term): \$ 655,250

Finance Department: Interest rates from November 16, 2022 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):

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:

SECTION E - EXPECTED DESIGN WORK PROVIDER

County Staff

Consultant

Not Applicable

Prepared by: Dawn Gillins

Title: Controller

Department: Westchester Community College

Date: 11/17/22

Reviewed By:


dv 11/29/22


Budget Director

Date:

11/29/22

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

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

DATE: November 4, 2022

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
WCC91 TECHNOLOGY UPGRADE ON-CAMPUS 2017/18-2021/22**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 10-26-2022 (Unique ID: 2011)

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)(31):** purchase or sale of furnishings, equipment or supplies, including surplus government property, other than the following: land, radioactive material, pesticides, herbicides, or other hazardous materials.
-

COMMENTS: None.

DSK/dvw

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Lawrence Soule, Budget Director
Tami Altschiller, Assistant Chief Deputy County Attorney
Lorraine Marzola, Associate Budget Director
Robert Cirillo, Director of Physical Plant, Westchester Community College
Kelly Sheehan, Assistant Commissioner
William Brady, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

ACT NO. - 20__

BOND ACT AUTHORIZING THE ISSUANCE OF \$600,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE PHASE III OF THE WESTCHESTER COMMUNITY COLLEGE TECHNOLOGY UPGRADE-ON CAMPUS PROGRAM, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,200,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$600,000 BONDS HEREIN AUTHORIZED; PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS; AND THE APPLICATION OF \$600,000 EXPECTED TO BE RECEIVED FROM THE STATE OF NEW YORK TO BE EXPENDED TOWARDS THE COST OF SAID CLASS OF OBJECTS OR PURPOSES 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, \$600,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance Phase III of the Westchester Community College technology upgrade-on campus program, including Academic Technology Initiatives, Desktop

Virtual Growth; Fiber Cable Enhancements and digital signage replacement laptops, pc, phone, printer, scanner, server, switch, tape drive, ups, wireless which are mostly on a 5 year replacement cycle, 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 \$1,200,000. The plan of financing includes the issuance of \$600,000 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 \$600,000 expected to be received from the State of New York to be expended towards the cost of said objects or purposes 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 class of objects or purposes for which said \$600,000 bonds authorized by this Act are to be issued, within the limitations of Section 11.00 a. 35 of the Law, is five (5) 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 \$600,000. 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 \$1,200,000 as the estimated total cost of the aforesaid class of objects or purposes 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__

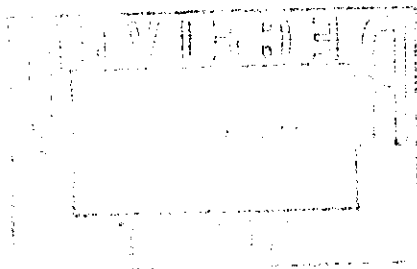
BOND ACT AUTHORIZING THE ISSUANCE OF \$600,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE PHASE III OF THE WESTCHESTER COMMUNITY COLLEGE TECHNOLOGY UPGRADE-ON CAMPUS PROGRAM, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,200,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$600,000 BONDS HEREIN AUTHORIZED; PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS; AND THE APPLICATION OF \$600,000 EXPECTED TO BE RECEIVED FROM THE STATE OF NEW YORK TO BE EXPENDED TOWARDS THE COST OF SAID CLASS OF OBJECTS OR PURPOSES 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 Phase III of the Westchester Community College technology upgrade-on campus program, including Academic Technology Initiatives, Desktop Virtual Growth; Fiber Cable Enhancements and digital signage replacement laptops, pc, phone, printer, scanner, server, switch, tape drive, ups, wireless which are mostly on a 5 year replacement cycle, 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: \$600,000; five (5) 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:* WCC91	<input type="checkbox"/> CBA	Fact Sheet Date:* 08-16-2022
Fact Sheet Year:* 2022	Project Title:* TECHNOLOGY UPGRADE ON-CAMPUS 2017/18-2021/22	Legislative District ID: 3,
Category* WCC - BUILDINGS	Department:* COMMUNITY COLLEGE	CP Unique ID: 2011

Overall Project Description

Westchester Community College provides educational instruction to approximately 22,000 students each year. Such services must be supported in one way or another by technology. This project provides funding for the equipment and installation of state of the art technology at the Valhalla Campus. The purpose is to give long term consideration to assuring the College can keep up with the rapid and on-going changes which occur with information and educational technologies. It will enable the college to maintain its commitment to providing the high level of instruction expected by the residents of Westchester County and all those who attend.

- | | | |
|---|--|---|
| <input checked="" type="checkbox"/> Best Management Practices | <input type="checkbox"/> Energy Efficiencies | <input 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	2022/23	2023/24	2024/25	2025/26	2026/27	Under Review
Gross	6,236	6,236	0	0	0	0	0	0
Less Non-County Shares	2,418	1,818	600	0	0	0	0	0
Net	3,818	4,418	-600	0	0	0	0	0

Expended/Obligated Amount (in thousands) as of : 0

Current Bond Description: Current bonding approval is necessary to fund the County's 50% share of Phase III of the Technology Upgrade - On Campus. The project costs for this phase totals \$1,200,000 which supports the comprehensive and long range plan for the preservation and enhancement of technology at the main campus in Valhalla. This phase will include Academic Technology Initiatives, Desktop Virtual Growth; Fiber Cable Enhancements and digital signage replacement. It also includes laptops, pc, phone, printer, scanner, server, switch, tape drive, ups, wireless which are mostly on a 5 year replacement cycle.	
Financing Plan for Current Request:	
Non-County Shares:	\$ 600,000
Bonds/Notes:	600,000
Cash:	0
Total:	\$ 1,200,000

SEQR Classification:

TYPE II

Amount Requested:

600,000

Comments:

The amount appropriated for Phase III is \$1,200,000. This bonding request in the amount of \$600,000 represents the County's 50% share of approved Capital Project WCC91 Technology Upgrade On Campus. The state has approved funding on the remaining 50%.

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2017	1,236,000	TECHNOLOGY UPGRADE ON CAMPUS PH I
2018	1,200,000	TECHNOLOGY UPGRADE OFF CAMPUS PH II
2019	1,200,000	TECHNOLOGY UPGRADE OFF CAMPUS PH III
2020	1,200,000	TECHNOLOGY UPGRADE OFF CAMPUS PH IV
2021	1,400,000	TECHNOLOGY UPGRADE OFF CAMPUS PH V

Total Appropriation History:

6,236,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
21	99	618,000	0	TECHNOLOGY UPGRADE OFF CAMPUS 2017/18-2021/22
22	19	600,000	0	TECHNOLOGY UPGRADE OFF CAMPUS 2017/18-2021/22

Total Financing History:

1,218,000

Recommended By:

Department of Planning	Date
WBB4	10-26-2022
Department of Public Works	Date
RJB4	10-27-2022
Budget Department	Date
LMY1	11-01-2022
Requesting Department	Date
DAGX	11-01-2022