

(BOND) ACT 13 - 2023

Reference BIT50

**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 \$750,000 to finance capital project BIT50 - American Management Systems (“AMS”)/Conseillers en Gestion et Informatique (“CGI”) Applications and Linux Real Application Cluster (“RAC”) Upgrade (“BIT50”). The Bond Act, which was prepared by the law firm Harris Beach, will finance the additional cost of the acquisition and installation of servers and related equipment, software and implementation services for the Department of Information Technology (“Department”).

The Department has advised that AMS/ CGI, the vendor for the County’s Financial, HR and Budget Systems informed the County that they are instituting a major renovation of these systems and will no longer support the existing systems. This project will fund the cost of the implementation services and related expenses for CGI/AMS to upgrade the County’s Financial, HR and Budget systems to the new version and the purchase of data processing equipment and database software.

The Department anticipates that the work will be completed by both in-house staff and consultants and will be completed by the end of 2023.

It should be noted that your Honorable Board has previously authorized the County to issue bonds in connection with a prior component of BIT50 as indicated in the annexed fact sheet.

The Planning Department has advised your Committee that based on its review, BIT50 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 17th, 2023
White Plains, New York

Jedat Padi
htg
Nancy Pan
Nancy Bell
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Ed M
Colin Parker

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Nancy Pan
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Colin Parker

Budget & Appropriations

Public Works & Transportation

COMMITTEE ON

Dated: January 17, 2023
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.

Catherine Boyi


Catherine Boyi

COMMITTEES ON

Budget & Appropriations

Public Works & Transportation

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

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

DATE: October 5, 2022

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
BIT50 AMS/CGI APPLICATIONS AND LINUX RAC UPGRADE**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 09-22-2022 (Unique ID: 2051)

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
Kelly Sheehan, Assistant Commissioner
William Brady, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

ACT NO.13-2023

BOND ACT AUTHORIZING THE ISSUANCE OF \$750,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE ADDITIONAL COST OF THE ACQUISITION AND INSTALLATION OF HARDWARE AND SOFTWARE FOR THE DEPARTMENT OF INFORMATION TECHNOLOGY; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$750,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$750,000 BONDS HEREIN AUTHORIZED TO FINANCE SUCH COST; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted 01/23 , 2023)

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, to the provisions of other laws applicable thereto, \$750,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the additional cost of the acquisition and installation of servers and related equipment, software and implementation services for the Department of Information Technology; 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 \$750,000. The plan of financing includes the issuance of \$750,000 bonds herein authorized, and any bond anticipation notes issued in anticipation of the sale of such bonds, and the levy of a tax to pay the principal of and interest on said bonds.

Section 2. The period of probable usefulness applicable to the objects or purposes for which the bonds authorized by this Act are to be issued, within the limitations of Section 11.00 a. 81(a) 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 \$750,000. This Act is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. 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 5. 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 6. 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

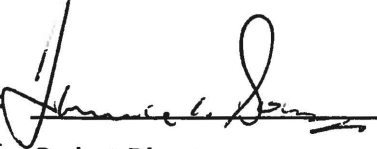
(c) such obligations are authorized in violation of the provisions of the Constitution.

Section 7. This Act shall take effect in accordance with Section 107.71 of the Westchester County Charter.

* * *

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: <u>BIT50</u>		<input checked="" type="checkbox"/> NO FISCAL IMPACT PROJECTED	
SECTION A - CAPITAL BUDGET IMPACT To Be Completed by Budget			
<input checked="" type="checkbox"/> GENERAL FUND	<input type="checkbox"/> AIRPORT FUND	<input type="checkbox"/> SPECIAL DISTRICTS FUND	
Source of County Funds (check one):		<input checked="" type="checkbox"/> Current Appropriations	<input type="checkbox"/> Capital Budget Amendment
SECTION B - BONDING AUTHORIZATIONS To Be Completed by Finance			
Total Principal	\$ 750,000	PPU	10
		Anticipated Interest Rate	3.56%
Anticipated Annual Cost (Principal and Interest):			\$ 89,136
Total Debt Service (Annual Cost x Term):			\$ 891,360
Finance Department:	Interest rates from November 3, 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):			

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			
<input type="checkbox"/> County Staff	<input checked="" type="checkbox"/> Consultant	<input type="checkbox"/> Not Applicable	
Prepared by:	<u>Donna Montera</u>	Reviewed By:	
Title:	<u>Director of Admin Services</u>	Budget Director	
Department:	<u>Information Technology</u>	Date:	<u>1/12/2023</u>
Date:	<u>11/4/22</u>		

CAPITAL PROJECT FACT SHEET

Project ID:* BIT50	<input type="checkbox"/> CBA	Fact Sheet Date:* 01-03-2023
Fact Sheet Year:* 2023	Project Title:* AMS/CGI APPLICATIONS AND LINUX RAC UPGRADE	Legislative District ID:
Category* BUILDINGS, LAND & MISCELLANEOUS	Department:* INFORMATION TECHNOLOGY	CP Unique ID: 2051

Overall Project Description

This project will fund the cost of the implementation services and related expenses to upgrade the County's Financial, HR and Budget systems to the new version. Also included is the purchase of data processing equipment and database software.

- | | | |
|--|--|---|
| <input 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	2023	2024	2025	2026	2027	Under Review
Gross	5,500	5,000	500	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	5,500	5,000	500	0	0	0	0	0

Expended/Obligated Amount (in thousands) as of : 4,162

Current Bond Description: The bonding is being requested to fund the purchase of servers and related equipment, software and implementation services needed to upgrade the Finance, HR and Budget Systems

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	750,000
Cash:	0
Total:	\$ 750,000

SEQR Classification:

TYPE II

Amount Requested:

750,000

Comments:

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2020	4,750,000	FUNDS THIS PROJECT
2022	250,000	ADDITIONAL FUNDING

Total Appropriation History:

5,000,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
20	40	4,750,000	254,000	COST OF ACQUISITION & INSTALLATION OF SERVERS, EQUIPMENT, SOFTWARE & IMPLEMENTATION FOR DOIT

Total Financing History:

4,750,000

Recommended By:

Department of Planning
WBB4

Date
09-22-2022

Department of Public Works
RJB4

Date
09-23-2022

Budget Department
LMY1

Date
09-23-2022

Requesting Department
DDMK

Date
09-23-2022

AMS/CGI APPLICATIONS AND LINUX RAC UPGRADE (BIT50)

User Department : Information Technology

Managing Department(s) : Information Technology ;

Estimated Completion Date: TBD

Planning Board Recommendation: Project without physical planning aspects of concern to the Westchester County Planning Board.

FIVE YEAR CAPITAL PROGRAM (in thousands)

	Est Ult Cost	Appropriated	Exp / Obl	2023	2024	2025	2026	2027	Under Review
Gross Non County Share	5,500	5,000	4,162	500					
Total	5,500	5,000	4,162	500					

Project Description

This project will fund the cost of the implementation services and related expenses to upgrade the County's Financial, HR and Budget systems to the new version. Also included is the purchase of data processing equipment and database software.

Current Year Description

The current year request funds an escalation.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2023	500,000			500,000

Impact on Operating Budget

The impact on the Operating Budget is the debt service associated with the issuance of bonds.

Appropriation History

Year	Amount	Description	Status
2020	4,750,000	Funds this project	IN PROGRESS
2022	250,000	Additional funding	AWAITING BOND AUTHORIZATION
Total	5,000,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	5,000,000	254,000	4,746,000
Total	5,000,000	254,000	4,746,000

Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
40 20	4,750,000	12/01/21	254,000	4,496,000
Total	4,750,000		254,000	4,496,000

STATE OF NEW YORK)
)
COUNTY OF WESTCHESTER)

I, the undersigned Clerk of the Board of Legislators of the County of Westchester, New York, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Board of Legislators of said County, including the Bond Act contained therein, held on January 23, 2023 with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting.

I FURTHER CERTIFY that, pursuant to Section 103 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public.

I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused a public notice of the time and place of said meeting to be to be given to the following newspapers and/or other news media as follows:

Newspaper and/or other news media

Date Given
January 19, 2023

WVOX
FIOS1
News Channel 12
The Journal News

Hometown Media

I FURTHER CERTIFY that PRIOR to the time of said meeting, I duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public location(s) on the following dates:

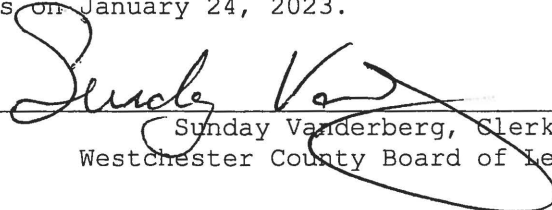
Designated Location(s)
of posted notice

Date of Posting
January 19, 2023

www.westchesterlegislators.com

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County Board of Legislators on January 24, 2023.





Sunday Vanderberg, Clerk
Westchester County Board of Legislators

The foregoing Bond Act was duly put to a vote which resulted as follows:

AYES:

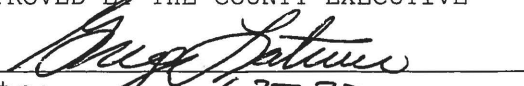
Legislator Jose Alvarado
Legislator Nancy Barr
Legislator Catherine Borgia
Legislator Benjamin Boykin
Legislator Terry Clements
Legislator Margaret Cunzio
Legislator Vedat Gashi
Legislator Christopher Johnson
Legislator Damon Maher
Legislator James Nolan
Legislator Catherine Parker
Legislator Erika Pierce
Legislator Colin Smith
Legislator David Tubiolo
Legislator Jewel Williams-Johnson
Legislator Tyrae Woodson-Samuels

NOES:

ABSENT:

The Bond Act was thereupon declared duly adopted.

* * * * *
APPROVED BY THE COUNTY EXECUTIVE


Date: 1-27-23

STATE OF NEW YORK)
)
WESTCHESTER COUNTY) ss.

I HEREBY CERTIFY that I have compared the foregoing (Bond) Act, (Bond) Act No. 13 - 2023, 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 January 23, 2023, and approved by the County Executive on January 27, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said County Board of Legislators on this 30th day of January, 2023.



Malika Vanderberg

The Clerk of the Westchester County
Board of Legislators

County of Westchester, New York

