

**HONORABLE BOARD OF LEGISLATORS
THE COUNTY OF WESTCHESTER, NEW YORK**

Your Committee is in receipt of a transmission from the County Executive recommending approval by the County of Westchester (“County”) of an act amending the County’s current-year capital budget (“Capital Budget Amendment”), as well as adoption of a related bond act (the “Bond Act”) which, if adopted, will authorize the County to issue an additional \$16,700,000 in bonds to finance capital project T0063 – New Bus Radio/Data System (“T0063”).

Your Committee is advised that the Capital Budget Amendment will amend the County’s 2023 capital budget to increase the County share for this project by \$12,520,000 and reduce the non-County share by \$6,400,000.

The Department of Public Works and Transportation has advised that an RFP for this project was issued in January of 2023. Based upon the responses to the RFP, an updated cost estimate was developed. The funding requested in this Capital Budget Amendment represents the current cost estimate/needs for this project, noting that non-County funding, which was originally programmed for this project in 2020, will no longer be applied to this project.

The related Bond Act, prepared by the law firm of Harris Beach, PLLC, would provide \$16,700,000 in additional funding for a new comprehensive enterprise-wide technology communications system upgrade and associated costs for the fixed route Bee-Line bus system. Funding will be used to purchase and install software and hardware for the upgrade. It is anticipated that the software and hardware will be purchased and installation will begin during the second quarter of 2024.

Your Committee notes that your Honorable Board has previously authorized the County to issue bonds for T0063 as follows: Bond Act No. 99-2016 in the amount of \$300,000.00 which funded an evaluation of the voice and data communications needs of the Bee-Line system; and Bond Act No. 233-2019, which amended Bond Act No. 99-2016 by increasing the initial amount authorized by \$2,450,000.00, for a total authorized amount, as amended, of \$2,750,000.00, and which revised the scope of Bond Act No. 99-2016 to include costs related to the purchase of software and hardware. \$2,301,774 in bonds authorized by Bond Act No. 233-2019 have already

been sold. The current Bond Act will authorize an additional \$16,700,000 in bonds to purchase the software and hardware needed for this project, in accordance with the updated cost estimate.

The Planning Department has advised your Committee that based on its review, T0063 may be 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 environmental review is required. Your Committee has reviewed the annexed SEQR documentation and concurs with this recommendation.

The Planning Department has further advised your Committee that the Planning Board has previously reviewed T0063 and issued a report, and that since there is no change in the scope of the work and this is simply a change in the financing plan, no further action by the Planning Board is necessary at this time.

Your Committee has carefully considered the proposed Capital Budget Amendment, as well as the related Bond Act, and recommends approval of both of the proposed Acts, noting that the Bond Act can only be enacted following adoption of the Capital Budget Amendment. It should be noted that an affirmative vote of two-thirds of the members of your Honorable Board is required in order to amend the County's Capital Budget and to adopt the Bond Act.

Dated: September 6, 2023
White Plains, New York

and Ann
Don. Mery
Celia Paez
Larry Zullo John
[Signature]
Vedat Fadhi

[Signature]
[Signature]
Celia Paez
Vedat Fadhi
Public Works & Transportation

COMMITTEE ON

Budget & Appropriations

Dated: September 6, 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.

Committee(s) on:

**BUDGET & APPROPRIATIONS
COMMITTEE**

Colin J. Ant
Sydney D. Brandon

**PUBLIC WORKS &
TRANSPORTATION COMMITTEE**

Colin J. Ant

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: T0063

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 \$ 16,700,000 PPU 10 Anticipated Interest Rate 2.72%

Anticipated Annual Cost (Principal and Interest): \$ 1,941,983

Total Debt Service (Annual Cost x Term): \$ 19,419,830

Finance Department: Interest rates from July 18, 2023 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 additional operating expenses are anticipated.

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: Michael Swee

Title: Director of Surface Transportation

Department: Public Works & Transportation

Date: 7/19/23

Reviewed By:

DW 7/20/23

[Signature]
Budget Director

Date:

7/20/23

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

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



DATE: July 17, 2023

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
T0063 NEW BUS RADIO/DATA SYSTEM**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on
07-03-2023 (Unique ID: 2226)

With respect to the State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617, the Planning Department recommends that no 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/cnm

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Lawrence Soule, Budget Director
Tami Altschiller, Assistant Chief Deputy County Attorney
Dianne Vanadia, Associate Budget Director
Robert Abbamont, Director of Operations, Department of Public Works & Transportation
Kelly Sheehan, Assistant Commissioner
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner



Memorandum

Department of Planning

432 Michaelian Office Building
White Plains, NY 10601

To: The Westchester County Planning Board

From: Kelly Sheehan, Assistant Commissioner *KS*

Date: June 30, 2023

RE: **Capital Budget Amendment –
T0063 New Bus Radio and Data Systems (2023 CBA)**

The County Executive is requesting an amendment to the 2023 Capital Budget to modify the funding of the above project. Capital project **T0063 New Bus Radio and Data Systems (2023 CBA)** will fund the evaluation and procurement of a new comprehensive enterprise-wide technology communications system upgrade for the fixed route Bee-Line bus system. The capital budget amendment will fund increased costs in Phase 1 of 2.

The Capital Budget Amendment (CBA) adds \$6.12 million to the project and removes the non-county share \$6.4 million from the project financing plan. The revised appropriation if the capital budget amendment is adopted will be \$19.45 million. This project was classified as a PL1, a project with no physical planning aspects by the Planning Board in the 2020 Report on the Capital Project Requests adopted July 2, 2019.

There are no changes to the physical planning aspects of this project as reviewed by the Board; therefore, no further action by your Board is necessary.

cc: Blanca P. Lôpez, Acting Commissioner
David S. Kvinge, Assistant Commissioner
Michael Lipkin, Associate Planner

An Act amending the 2023 County
Capital Budget Appropriations for
Capital Project T0063 New Bus
Radio/Data System

BE IT ENACTED by the Board of Legislators of the County of Westchester as follows:

Section 1. The Capital section of the 2023 County Budget is hereby amended as follows:

	Previous 2023 Appropriation	Change	Revised 2023 Appropriation
I. Appropriation	\$13,330,000	\$6,120,000	\$19,450,000

Section 2. The estimated method of financing in the Capital Section of the 2023 Westchester County Capital Budget is amended as follows:

II. METHOD OF
FINANCING

Bonds and/or Notes	\$6,930,000	\$12,520,000	\$19,450,000
Non County Shares	\$6,400,000	-\$6,400,000	\$0
Cash	\$0		\$0
Total	\$13,330,000	\$6,120,000	\$19,450,000

Section 3. The ACT shall take effect immediately.

ACT NO. 167 - 2023

BOND ACT AUTHORIZING THE ISSUANCE OF \$16,700,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF RADIO SYSTEM UPGRADES FOR BUS VOICE AND DATA COMMUNICATIONS IMPROVEMENTS FOR THE BEE-LINE SYSTEM; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$16,700,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$16,700,000 BONDS HEREIN AUTHORIZED TO FINANCE SUCH COST; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted 09/18 , 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, \$16,700,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of radio system upgrades for bus voice and data communications improvements for the Bee-Line system including hardware and software; 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 \$16,700,000. The plan of financing includes the issuance of \$16,700,000 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. 25 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 \$16,700,000. 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.

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CAPITAL PROJECT FACT SHEET

Project ID:* T0063	<input checked="" type="checkbox"/> CBA	Fact Sheet Date:* 05-08-2023
Fact Sheet Year:* 2023	Project Title:* NEW BUS RADIO/DATA SYSTEM	Legislative District ID: ALL
Category* TRANSPORTATION	Department:* AIRPORT/DOT	CP Unique ID: 2226

Overall Project Description

This project funds the evaluation and procurement of a new comprehensive enterprise-wide technology communications system upgrade for the fixed route Bee-Line bus system.

- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> Best Management Practices | <input type="checkbox"/> Energy Efficiencies | <input checked="" 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	28,750	13,330	0	9,300	0	0	0	6,120
Less Non-County Shares	0	6,400	0	0	0	0	0	-6,400
Net	28,750	6,930	0	9,300	0	0	0	12,520

Expended/Obligated Amount (in thousands) as of : 2,490

Current Bond Description: A CBA is requested to facilitate the funding of a new comprehensive enterprise-wide technology communications system upgrade and associated costs for the fixed route Bee-Line bus system. Funding requested in the 2023 CBA (shown in under review) will facilitate the first phase of the project. The 2024 amount will fund the second phase of the project.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	16,700,000
Cash:	0
Total:	\$ 16,700,000

SEQR Classification:

II

Amount Requested:

16,700,000

Comments:

An RFP for this project was advertised in January of 2023. Based on the responses to the RFP, an updated cost estimate has been developed. The funding requested in this CBA represents the current cost estimate/needs for this project. In addition, non-county funding which was originally programmed to this project in 2020 is no longer being applied to this project.

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2016	300,000	STUDY
2018	5,000,000	HARDWARE/SOFTWARE RELATED TO THE NEW SYSTEM.
2020	8,030,000	COST ESCALATION AND RECEIPT OF FUNDS FROM FEDERAL TRANSPORTATION ADMINISTRATION

Total Appropriation History:

13,330,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
16	99	151,200	151,200	PLANNING BUS VOICE AND DATA COMMUNICATIONS IMPROV
19	233	2,598,000	2,301,774	NEW VOICE AND DATA COMMUNICATIONS SYSTEM FOR THE BEE-LINE BUS SYSTEM

Total Financing History:

2,749,200

Recommended By:

Department of Planning
MLLL

Date
07-03-2023

Department of Public Works
JZR7

Date
07-05-2023

Budget Department
DEV9

Date
07-05-2023

Requesting Department
JZR7

Date
07-06-2023

NEW BUS RADIO/DATA SYSTEM (T0063)

User Department : Airport/DOT
Managing Department(s) : Airport/DOT ;
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	13,330	13,330	2,490						
Non County Share	(6,400)	(6,400)	52						
Total	6,930	6,930	2,542						

Project Description

This project will evaluate the voice and data communications needs of the Bee-Line system and will fund a new bus voice and data communications system.

Current Year Description

There is no current year request.

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
2016	300,000	Study	IN PROGRESS
2018	5,000,000	Hardware/software related to the new system.	\$2,450,000 IN PROGRESS ; \$2,550,000 AWAITING BOND AUTHORIZATION
2020	8,030,000	Cost escalation and receipt of funds from Federal Transportation Administration	\$1,630,000 AWAITING BOND AUTHORIZATION; \$6,400,000 NCS
Total	13,330,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	6,930,000	2,452,974	4,477,026
Federal Funds	6,400,000		6,400,000
Others		(51,662)	51,662
Total	13,330,000	2,401,312	10,928,688

Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
99 16	151,200	12/10/19	126,266	
		12/10/19	24,934	
233 19	2,598,000	04/30/20	725,668	296,226
		10/28/20	1,337,099	
		10/28/20	187,345	
		10/28/20	51,662	
Total	2,749,200		2,452,974	296,226

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 September 18, 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
September 13, 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:

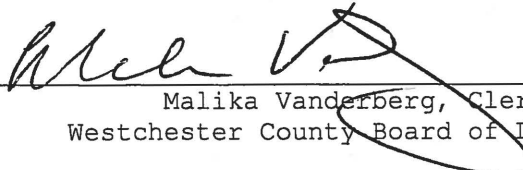
Designated Location(s)
of posted notice

Date of Posting
September 13, 2023

www.westchesterlegislators.com

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County Board of Legislators on September 19, 2023.





Malika Vanderberg, Clerk
Westchester County Board of Legislators

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

AYES:

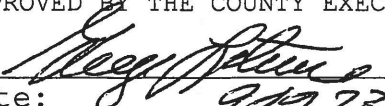
- Legislator Jose Alvarado
- Legislator Nancy Barr
- Legislator Catherine Borgia
- Legislator Benjamin Boykin
- Legislator Symra Brandon
- Legislator Terry Clements
- Legislator Margaret Cunzio
- Legislator Vedat Gashi
- Legislator David Imamura
- Legislator Damon Maher
- Legislator James Nolan
- Legislator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

NOES:

ABSENT: Legislator David Tubiolo

The Bond Act was thereupon declared duly adopted.

* * * * *
APPROVED BY THE COUNTY EXECUTIVE



Date: 9/19/23

STATE OF NEW YORK)
) ss.
COUNTY OF WESTCHESTER)

I HEREBY CERTIFY that I have compared the foregoing Act No. 166 - 2023, and (Bond) Act No. 167 - 2023, with the originals on file in my office, and that the same are correct transcripts therefrom, and of the whole, of said original Act, and (Bond) Act, which were duly adopted by the Westchester County Board of Legislators, of the County of Westchester on September 18, 2023, and approved by the County Executive on September 19, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said County Board of Legislators on this 20th day of September, 2023.

Malik Van

Malika Vanderberg

The Clerk of the Westchester County
Board of Legislators

County of Westchester, New York

