

**Resolution 2023-24: 18**

**Additional Loan Request to the Rochester City School District**

**By Board Member Richard Perrin**

WHEREAS, the Rochester School Facilities Modernization Program Act ("Act") established the Rochester Joint Schools Construction Board ("RJSCB" or "Board"), a seven voting member board consisting of equal representation by the City of Rochester ("City") and the Rochester City School District ("District"), as well as a member jointly selected by the City and the District; and

WHEREAS, under the Act, the RJSCB has certain enumerated powers to act as agent for the District, the City, or both; and

WHEREAS, the New York State Legislature amended the Act by enacting Chapter 533 of the Laws of 2014 ("Amended Act"), thereby providing alternative financing mechanisms for the reconstruction of up to 26 projects for a total cost of \$435,000,000 for Phase II; and

WHEREAS, the New York State Legislature amended the Amended Act by enacting Chapter 614 of the Laws of 2021 ("Second Amended Act") to authorize additional oversight, transparency, and accountability by the New York State Education Department to ensure projects are completed on time and within budget, and to provide alternative financing mechanisms for the reconstruction of up to 12 projects for a total cost of \$475,000,000 for Phase III; and

WHEREAS, at the request of the Board and to avoid delay in the implementation of Phase 3 of the Rochester Schools Modernization Program ("RSMP"), the District has advanced funds totaling \$1,925,000 to the Board to cover the initial expenses of Phase 3; and

WHEREAS, the Board requires additional funding for Phase 3 activities from the District until the City can provide such funding pursuant to its issuance of a bond anticipation note ("BAN") in or about August 2024; and

WHEREAS, it is understood by the District, the City and the RJSCB that the funds advanced by the District will be reimbursed by the City to the District through a BAN; and

WHEREAS, the Phase 3 Program Manager has advised the Board that it will require an additional \$4,240,000 in cash to fund Phase 3 activities through August 2024; and

WHEREAS, the RJSCB has recommended to the Board that a request for funding through an additional District loan be sent to the District and has presented the Board with a letter requesting the additional loan in the sum of \$4,240,000 to the Board for its consideration; and

WHEREAS, and the RJSCB discussed and considered the Chair's recommendation and the additional loan request letter at its regular Board meeting on January 8, 2024, and now acts as follows.

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby authorizes the RJSCB Chair, on behalf of the RJSCB, to request an additional loan from the District in the amount of \$4,240,000 and further authorizes the RJSCB Chair to issue the letter request in the form presented to the Board at the January 8, 2024 meeting.

**Second by Board Member: Ron Gaither**

**Adopted: 6-0**