

**Resolution 2024-25:52**

**Request to City of Rochester for Bond Anticipation Note Financing**

**By Board Member Ronald Gaither**

WHEREAS, the Rochester School Facilities Modernization Program Act (the “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, to implement a comprehensive school facilities modernization program (the “FMP”); and

WHEREAS, the New York State Legislature amended the Act by enacting Chapter 533 of the Laws of 2014 (“Amended Act”) to authorize 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 up to 12 projects for a total cost of \$475,000,000 for Phase III to be funded through tax exempt debt issued by the county of Monroe industrial development agency (“COMIDA”) or the dormitory authority of the state of New York (“DASNY”); and

WHEREAS, in accordance with the Act and the FMP, the Phase III projects will be comprised of certain work at existing school building sites involving the design, reconstruction, and/or rehabilitation of existing school buildings for continued use as a school of the District, which may include: (1) an addition to existing school buildings for such continued use, (2) the construction or reconstruction of athletic fields, playgrounds, and other recreational facilities for such existing school buildings, and/or (3) the acquisition and installation of all equipment necessary and attendant to and for the use of such existing school buildings (collectively, the “Project”); and

WHEREAS, as a condition to obtain bond financing, the Board must design the individual projects and receive NYSED Commissioner approval of the design and construction plans for those projects; and

WHEREAS, on June 23, 2022, March 23, 2023, March 28, 2024 and January 23, 2025, the District authorized temporary advanced funding to allow the Board to proceed with Phase III in the aggregate amount of \$14,635,000; and

WHEREAS, the Board requires additional funding for the preliminary and incidental costs of the Project and to reimburse the District the temporary advanced funding; and

WHEREAS, at the RJSCB meeting on April 14, 2025, the Chair recommended that, along with the District, the Board request that the City Council of the City of Rochester issue Bond Anticipation Notes (“BANs”) in an amount not to exceed Fifty-Five Million Dollars (\$55,000,000) and to appropriate the proceeds therefrom to repay the District’s temporary advanced funding and for the Board’s preliminary and incidental costs for Phase III until such time the RJSCB can issue bonds through COMIDA or DASNY and reimburse the City for said BANs and issuance expenses; and

WHEREAS, the RJSCB considered, discussed and deliberated the Chair’s recommendation at the Board’s April 14, 2025 regular meeting, and now acts as follows:

THEREFORE, BE IT RESOLVED

1. The RJSCB hereby requests that the City Council of the City of Rochester issue BANs in an amount not to exceed Fifty-Five Million Dollars (\$55,000,000) and to appropriate the proceeds therefrom to repay the District's temporary advanced funding and fund the Board's preliminary and incidental costs for Phase III until such time the RJSCB can issue bonds through COMIDA or DASNY and reimburse the City for said BANs and issuance expenses; and
2. The Chair is hereby authorized, in the name and on behalf of the RJSCB, to deliver the RJSCB's request to the District Board of Education and the City Council and to take whatever further and additional steps are necessary to effectuate this Resolution.

**Second by Board Member Kabutey Ocansey**

**Adopted 5-0**