

Resolution 2016-17: 35

Selection of COMIDA as the issuer of long-term debt for Phase 2 and Authorization for Application

By Board Member Benincasa

WHEREAS, the Rochester School Facilities Modernization Program Act (“the Act”) established the Rochester Joint Schools Construction Board (“RJSCB”), 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 authorizing legislation for Phase 2 of the Rochester Schools Modernization Program (“RSMP”) was signed into law by the Governor of the State of New York on December 17, 2014; and WHEREAS, the amended Act authorized up to 26 projects in Phase 2 of the RSMP including a District Wide Technology program which involves technology upgrades and infrastructure work at several of the possible projects; and

WHEREAS, the Act authorizes new and innovative ways to renovate school buildings, including various financing techniques; and

WHEREAS, the Act permits the issuance of debt by one or more of the City, the County of Monroe Industrial Development Agency (“COMIDA”) and the Dormitory Authority of the State of New York (“DASNY”); and

WHEREAS, the City has issued \$32 million in Bond Anticipation Notes for the Project in order to finance the initial planning and design costs of the Phase 2 projects and the initial construction costs associated with the Monroe High School project; and

WHEREAS, the City lacks sufficient debt capacity to be the issuer of any additional debt for the Project; and

WHEREAS, in order to choose an issuer of up to \$435 million of long-term debt, the RJSCB, with the assistance of its counsel and its Financial Advisor, obtained cost estimates from COMIDA and DASNY; and

WHEREAS, based on the fee quotes provided by COMIDA and DASNY, any additional financing costs that accompany each respective issuer and a review of potential interest rates, the Executive Director, with the assistance of general counsel and the RJSCB’s Financial Advisor, determined that COMIDA offers the most favorable financing terms ; and

WHEREAS, the Executive Director, with the assistance of general counsel, will prepare an Application for Assistance (the “Application”) on COMIDA’s standard form; and

WHEREAS, the M/WBE Services and Procurement Committee reviewed the recommendation of the Financial Advisor to utilize COMIDA as the issuer of long-term debt for Phase 2 at its August 4, 2016

meeting and, after due deliberation, it agreed to recommend to the full board that COMIDA be selected and that the Application be prepared and submitted to COMIDA;

NOW, THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the selection of COMIDA as the issuer of long-term debt for Phase 2 of the Facilities Modernization Plan.
2. The Executive Director, with the assistance of general counsel, is hereby authorized and directed to prepare and submit the Application to COMIDA.

Second by Board Member W. Williams

Approved 7-0