

5630

2011-2012 Regular Sessions

I N S E N A T E

June 8, 2011

Introduced by Sens. ROBACH, MAZIARZ -- read twice and ordered printed,
and when printed to be committed to the Committee on Local Government

AN ACT to amend chapter 416 of the laws of 2007, establishing the city
of Rochester and the board of education of the city school district of
the city of Rochester school facilities modernization program act, in
relation to debt payments for such school facilities

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-
BLY, DO ENACT AS FOLLOWS:

1 Section 1. Section 5 of chapter 416 of the laws of 2007, establishing
2 the city of Rochester and the board of education of the city school
3 district of the city of Rochester school facilities modernization
4 program act, is amended to read as follows:
5 S 5. Comprehensive school facilities modernization plan. Before
6 formal selection of the projects occurs, the RSC board shall develop a
7 comprehensive school facilities modernization plan recommending and
8 outlining the projects it proposes to be potentially undertaken pursuant
9 to this act. Such plan shall include: (a) an estimate of total costs to
10 be financed, proposed financing plan, proposed method of financing,
11 terms and conditions of the financing, estimated financing costs, and,
12 if city general obligation bonds or notes are not proposed as the method
13 of financing, a comparison of financing costs between such bonds or
14 notes and the proposed method of financing. ALL PAYMENTS, INCLUDING
15 LEASE PAYMENTS AND DEBT SERVICE ON ANY BONDS, NOTES OR OTHER OBLIGATIONS
16 ISSUED TO FINANCE PROJECTS UNDERTAKEN PURSUANT TO THIS ACT SHALL BE
17 CONSIDERED DEBT SERVICE PAYMENTS OF THE CITY SCHOOL DISTRICT FOR
18 PURPOSES OF SUBPARAGRAPH (II) OF PARAGRAPH A OF SUBDIVISION 5-B OF
19 SECTION 2576 OF THE EDUCATION LAW IN A MANNER CONSISTENT WITH THE LEGIS-
20 LATIVE INTENT OF SUCH SECTION. The plan should also address what specif-
21 ic options would be used to ensure that sufficient resources exist to
22 cover the local share of any such project cost on an annual basis; (b)
23 information concerning the potential persons to be involved in the

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets
[] is old law to be omitted.

LBD13010-01-1

1 financing and such person's role and responsibilities; (c) estimates on
2 the design, reconstruction and rehabilitation costs by project, any
3 administrative costs for potential projects, and an outline of the time-
4 frame expected for completion of each potential project; (d) a detailed
5 description of the request for proposals process and an outline of the
6 criteria to be used for selection of the program manager, the independ-
7 ent compliance officer and all contractors; (e) any proposed amendments
8 to the city school district's five year capital facilities plan submit-
9 ted in accordance with subdivision 6 of section 3602 of the education
10 law and the regulations of the commissioner; and (f) a preliminary
11 diversity plan to develop diversity goals, including appropriate commu-
12 nity input and public discussion, and develop strategies that would
13 create and coordinate any efforts to ensure a more diverse workforce for
14 the projects. The preliminary diversity plan should address accountabil-
15 ity for attainment of the diversity goals, what forms of monitoring
16 would be used, and how such information would be publicly communicated.

17 Prior to the development of the comprehensive school facilities
18 modernization plan, the RSC board shall hold as many public hearings as
19 may be necessary to ensure sufficient public input and allow for signif-
20 icant public discussion on school building needs in such city, with at
21 least one hearing to be held in each neighborhood potentially impacted
22 by a proposed project.

23 All projects proposed in the comprehensive school facilities modern-
24 ization plan shall be included by the city school district as a special
25 section of the district's five-year capital facilities plan that is
26 required pursuant to subdivision 6 of section 3602 of the education law
27 and the regulations of the commissioner.

28 The [JSC] RSC board shall submit the components of such comprehensive
29 plan outlined in subdivision (a) of this section to the comptroller,
30 along with any other information requested by the comptroller, for his
31 or her review and approval.

32 S 2. This act shall take effect immediately.