

5715

2011-2012 Regular Sessions

I N S E N A T E

June 13, 2011

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

AN ACT to amend 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 the payment of debt service
for the comprehensive school facilities modernization plan

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, constituting
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. PAYMENT OF DEBT SERVICE ON
15 ANY BONDS, NOTES OR OTHER OBLIGATIONS ISSUED TO FINANCE PROJECTS UNDER-
16 TAKEN PURSUANT TO THIS ACT SHALL BE DISREGARDED FOR PURPOSES OF CALCU-
17 LATING THE "CITY AMOUNT" UNDER SUBPARAGRAPH (II) OF PARAGRAPH A OF
18 SUBDIVISION 5-B OF SECTION 2576 OF THE EDUCATION LAW. The plan should
19 also address what specific options would be used to ensure that suffi-
20 cient resources exist to cover the local share of any such project cost
21 on an annual basis; (b) information concerning the potential persons to
22 be involved in the financing and such person's role and responsibil-
23 ities; (c) estimates on the design, reconstruction and rehabilitation

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

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1 costs by project, any administrative costs for potential projects, and
2 an outline of the timeframe expected for completion of each potential
3 project; (d) a detailed description of the request for proposals process
4 and an outline of the criteria to be used for selection of the program
5 manager, the independent compliance officer and all contractors; (e) any
6 proposed amendments to the city school district's five year capital
7 facilities plan submitted in accordance with subdivision 6 of section
8 3602 of the education law and the regulations of the commissioner; and
9 (f) a preliminary diversity plan to develop diversity goals, including
10 appropriate community input and public discussion, and develop strate-
11 gies that would create and coordinate any efforts to ensure a more
12 diverse workforce for the projects. The preliminary diversity plan
13 should address accountability for attainment of the diversity goals,
14 what forms of monitoring would be used, and how such information would
15 be publicly communicated.

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

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

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

31 S 2. This act shall take effect immediately.