

6870

I N S E N A T E

March 30, 2012

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

AN ACT to amend section 5 of chapter 416 of the laws of 2007, establish-
ing the city of Rochester and the board of education of the city school
district of the city of Rochester school facilities moderniza-
tion program act, in relation to establishing that debt payments for
the Rochester school facilities modernization program shall not affect
the city of Rochester's maintenance of effort requirements

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. PAYMENT OF DEBT SERVICE ON
15 BONDS, NOTES OR OTHER OBLIGATIONS ISSUED TO SECURE FINANCING OF NOT MORE
16 THAN \$325,000,000 FOR PROJECTS UNDERTAKEN PURSUANT TO THIS ACT SHALL NOT
17 BE CONSIDERED WHEN DETERMINING THE "CITY AMOUNT" REQUIRED PURSUANT TO
18 SUBPARAGRAPH (II) OF PARAGRAPH A OF SUBDIVISION 5-B OF SECTION 2576 OF
19 THE EDUCATION LAW; PROVIDED, HOWEVER, THAT THIS PROVISION SHALL NOT
20 OTHERWISE AFFECT THE DETERMINATION OF SAID "CITY AMOUNT" WITH RESPECT TO
21 FUNDING UNRELATED TO PROJECTS UNDERTAKEN PURSUANT TO THIS ACT. The plan
22 should also address what specific options would be used to ensure that
23 sufficient resources exist to cover the local share of any such project

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

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

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

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

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

34 S 2. This act shall take effect immediately.