





TO: The Honorable the Members of the Board of Regents

FROM: John L. D'Agati 

SUBJECT: Petition of the City School District of the City of Geneva for Consent to Exceed the Constitutional Debt Limit

DATE: July 2, 2020

AUTHORIZATION(S): 

SUMMARY

Issue for Decision (Consent Agenda)

Should the Board of Regents consent to allow the City School District of the City of Geneva to increase the indebtedness of the school district under the provisions of the State Constitution and the Local Finance Law?

Reason(s) for Consideration

Required by Article 8, Section 4, Paragraph (h) of the State Constitution and by Local Finance Law section 104.00(c).

Proposed Handling

This petition for consent will come before the Full Board at its July 2020 meeting for discussion and action.

Procedural History

The Board of Regents is required to give consent for such petitions prior to the petition being forwarded to the State Comptroller for final consideration. The Board of Regents has discussed in the past similar requests from school districts to exceed their debt limit and is familiar with the guidelines and procedures for granting consent.

Background Information

The Department received a petition from the Board of Education of the City School District of the City of Geneva seeking consent of the Board of Regents to an increase in the indebtedness of the City School District of the City of Geneva.

The State Constitution requires that any increase in the constitutional limit on local indebtedness for a school district wholly or partly within a city of less than 125,000 inhabitants receive: (1) the approving vote of 60 percent or more of the duly qualified voters; (2) the consent of the Regents; and (3) the consent of the State Comptroller.

According to the petition, the Geneva City School District, formed in 1839, is located in the Towns of Geneva, Seneca and Phelps in Ontario County, the Town of Benton in Yates County and the Town of Waterloo in Seneca County. The District also includes the City of Geneva (the "City"), located in Ontario County. The District covers approximately 43 square miles and has an estimated population of 17,792. The documentation supporting the petition verifies that more than 60 percent of duly qualified voters approved the increase at an annual meeting held on May 21, 2019. The increase in indebtedness will be used for the purchase of six (6) large school buses and two (2) small school buses, at a maximum aggregate cost of \$845,649.38.

Staff has reviewed the petition and supporting documentation and recommends that the requested consent be granted.

Related Regent's Items

In 2013, the Board of Regents and the State Comptroller consented to and approved a prior request in the amount of \$12,300,000 from the Board of Education of the City School District of the City of Geneva. See prior Regents Item:

2013: [Petition of the City School District of the City of Geneva for Consent to Exceed the Constitutional Debt Limit](http://www.regents.nysed.gov/common/regents/files/113brca4.pdf) (<http://www.regents.nysed.gov/common/regents/files/113brca4.pdf>)

In 2014, the Board of Regents and the State Comptroller consented to and approved a prior request in the amount of \$659,000 from the Board of Education of the City School District of the City of Geneva. See prior Regents Item:

2014: [Petition of the City School District of the City of Geneva for Consent to Exceed the Constitutional Debt Limit](http://www.regents.nysed.gov/common/regents/files/1114brca1.pdf) (<http://www.regents.nysed.gov/common/regents/files/1114brca1.pdf>)

In 2016, the Board of Regents and the State Comptroller consented to and approved a prior request in the amount of \$14,230,000 from the Board of Education of the City School District of the City of Geneva. See prior Regents Item:

2016: [Petition of the City School District of the City of Geneva for Consent to Exceed the Constitutional Debt Limit](http://www.regents.nysed.gov/common/regents/files/616brca8.pdf) (<http://www.regents.nysed.gov/common/regents/files/616brca8.pdf>)

In 2019, the Board of Regents and the State Comptroller consented to and approved two concurrent prior requests in the amounts of \$4,900,000 and \$822,500 from the Board of Education of the City School District of Geneva. See prior Regents Items:

2019: [Petition 1 of 2 of the City School District of the City Geneva for Consent to Exceed the Constitutional Debt Limit \[Capital Improvements Project\]](http://www.regents.nysed.gov/common/regents/files/619brca6.pdf)
(<http://www.regents.nysed.gov/common/regents/files/619brca6.pdf>)

[Petition 2 of 2 of the City School District of the City Geneva for Consent to Exceed the Constitutional Debt Limit \[Bus Acquisition\]](http://www.regents.nysed.gov/common/regents/files/619brca7.pdf)
(<http://www.regents.nysed.gov/common/regents/files/619brca7.pdf>)

Recommendation

It is recommended that the Board of Regents take the following action:

VOTED: That the Board of Regents hereby gives consent to the issuance of bonds and/or bond anticipation notes by the Board of Education of the City School District of the City of Geneva in an amount not to exceed \$845,649.38 for the purchase of six (6) large school buses and two (2) small school buses, in excess of the constitutional debt limit of said school district.

Timetable for Implementation

Upon approval by the Board of Regents, the petition will be forwarded to the State Comptroller for final consideration.