

Financial Restructuring Board for Local Governments

RESOLUTION No. 2018-01

APPROVING THE COMPREHENSIVE REVIEW REPORT AND AUTHORIZING
GRANTS FOR THE CITY OF DUNKIRK

WHEREAS, pursuant to New York State Local Finance Law section 160.05(3), the Financial Restructuring Board for Local Governments (the "Board"), upon the request of a fiscally eligible municipality, by resolution of the governing body of such municipality with the concurrence of the chief executive of such municipality, may undertake a comprehensive review of the operations, finances, management practices, economic base and any other factors that in its sole discretion it deems relevant to be able to make findings and recommendations on reforming and restructuring the operations of the fiscally eligible municipality (the "Comprehensive Review"); and

WHEREAS, on June 19, 2017, the Board approved Resolution No. 2017-10 agreeing to undertake a Comprehensive Review of the City of Dunkirk (the "City") in accordance with New York State Local Finance Law section 160.05(3); and

WHEREAS, the Board subsequently undertook a Comprehensive Review of the City; and

WHEREAS, pursuant to New York State Finance Law section 54(10)(t)(ii), the Board may award funding under the Local Government Performance and Efficiency Program to fiscally eligible municipalities for financial restructuring and related purposes, as determined by the Board; and

WHEREAS, the report on the Comprehensive Review of the City (the "Comprehensive Review Report"), attached hereto as Attachment A, includes a recommendation that the City pursue advancements in energy efficiency; and

WHEREAS, the Comprehensive Review Report provides that, if the City agrees to abide by and implement the recommendation described in the immediately preceding recital, the Board may, in its sole discretion, award a grant of up to \$1,100,000 to assist the City with the conversion of its lighting infrastructure to light emitting diode (LED) technology; and

WHEREAS, the Comprehensive Review Report also includes a recommendation that in recognition of the City's fiscal situation and the uncertainty of a resumed NRG, Inc. payment in lieu of taxes, the Board may award, in its sole discretion, a grant of up to \$1,770,000 to help temporarily stabilize the City's 2018, 2019, and 2020 finances and levy, while the City prepares for the potential long-term loss of an NRG, Inc. payment in lieu of taxes, and to help limit further erosion of the City's current fund balance;

NOW THEREFORE BE IT RESOLVED that the Board approves the Comprehensive Review Report, attached hereto as Attachment A, and all of the findings and recommendations therein; and


BE IT FURTHER RESOLVED that the Board authorizes a grant of up to \$1,100,000 to the City to assist the City with the conversion of its lighting infrastructure to light emitting diode (LED) technology, which grant shall be subject to the terms of a contract entered into between the New York State Department of State and the City; and

BE IT FURTHER RESOLVED that the Board authorizes a grant of up to \$1,770,000 to the City to help temporarily stabilize the City's 2018, 2019, and 2020 finances and tax levy, while the City prepares for the potential long-term loss of an NRG, Inc. payment in lieu of taxes and to help limit further erosion of the City's current fund balance, which grant shall be contingent on the submission and adoption of fiscally prudent City budgets and be subject to the terms of a contract entered into between the New York State Department of State and the City.

This resolution shall take effect immediately and remain in effect until modified, replaced or repealed by resolution of the Board.

No. 2018-01

Dated: 6-13-18

A handwritten signature in black ink, consisting of a stylized, cursive letter 'S' followed by a horizontal line extending to the right.