

BUFFALO FISCAL STABILITY AUTHORITY

RESOLUTION NO. 08-16

APPROVING ENGAGEMENT OF PUBLIC FINANCIAL MANAGEMENT AS FINANCIAL ADVISORS

WHEREAS, the Buffalo Fiscal Stability Authority (“BFSA”) was formed by Chapter 122 of the Laws of 2003 to “oversee the city’s budget, financial and capital plans; to issue bonds, notes or other obligations to achieve budgetary savings through debt restructuring; to finance short-term cash flow or capital needs; and if appropriate, approve borrowings by the City as well as to develop financial plans on behalf of the city if the city is unwilling or unable to take the required steps toward fiscal stability,”; and

WHEREAS, the BFSA may not issue debt during the current year, but will require advisory services in the evaluation of the structure and/or pricing of proposals from the City and other Covered Organizations that may issue their own debt;

WHEREAS, the BFSA occasionally requires advice on issues arising from its own prior debt issuances

WHEREAS, the BFSA requires and is empowered to retain advisors and counsel to assist in the performance of its duties; and

WHEREAS, the BFSA is a public authority of the state of New York and as such is governed by certain state laws that specify the method for the procurement of certain services; and

WHEREAS, the BFSA issued a request for proposals for financial advisor in November 2003; and

WHEREAS, a selection committee consisting of BFSA Directors and staff selected Public Financial on January 21, 2004 as the firm most capable of carrying out the required duties; and

WHEREAS, the BFSA engaged the financial advisory firm Public Financial Management to provide financial advisory services to the Authority on an as-needed basis as requested by BFSA for a period of three years; and

WHEREAS, the BFSA extended its contract with the Financial Advisor firm Public Financial Management in January 2007 for one additional year

WHEREAS, the firm has performed their duties to the full satisfaction of the BFSA, and have expressed an interest in continuing their services for an additional year at the same rates that those offered in the last year; and

WHEREAS, the firm has advised BFSA that BFSA’s former Executive Director, Ms. Dorothy Johnson, is now employed as a senior consultant in their strategic consulting group, and

WHEREAS, the firm has advised that Ms. Johnson does not now or will, during the period of this engagement, have any involvement in the affairs of BFSA, the City of Buffalo or the Covered Organizations and will provide BFSA with a written document to that effect;

NOW THEREFORE BE IT RESOLVED, that the BFSA engage the financial advisory firm of Public Financial Management for the period beginning January 31, 2008 and ending January 31, 2009 to provide financial advisory services to the Authority on an as-needed basis Such services shall be undertaken for such amounts and on such terms as agreed upon by the Chairman, or Vice Chairman and Executive Director.

This resolution shall take effect immediately.

Approved March 31, 2008

/S/ Secretary George K. Arthur