

BUFFALO FISCAL STABILITY AUTHORITY
RESOLUTION NO. 09-03

APPROVAL OF CITY OF BUFFALO 2009 CAPITAL IMPROVEMENT BUDGET

WHEREAS, Chapter 122 of the Laws of 2003 as amended by Chapter 86 of the Laws of 2004 authorizes the Buffalo Fiscal Stability Authority ("BFSA") to approve the City of Buffalo's four-year financial plan that encompasses the City of Buffalo, the Buffalo Public Schools and other covered organizations, and may include a capital budget, and

WHEREAS, the Charter of the City of Buffalo requires the Mayor to prepare and submit a capital budget and four year recommended capital improvement program after receiving a recommendation from the Citizens Planning Council ("CPC"), and

WHEREAS, after receiving CPC's recommendation, the Mayor submitted a capital budget to the Common Council for its consideration and approval, and

WHEREAS, the Mayor has submitted the capital budget to BFSA for its consideration, and

WHEREAS, the City of Buffalo will submit for approval the proposed terms of the bond issuance to finance the capital improvement program and include in its budget and four year financial plan the necessary resources to make the debt service payments required by this capital budget, and

WHEREAS, in approving last year's capital budget, BFSA noted the following caveat: "That the City of Buffalo continue to reduce its use of capital borrowing for short-term operating expenses that are not supported by a long-term physical asset with the goal of eliminating the practice," and

WHEREAS, in approving last year's capital budget, BFSA also noted the following caveat: "That the City of Buffalo continue to rescind authorized but unissued debt whenever possible," and

NOW THEREFORE BE IT RESOLVED, that the Buffalo Fiscal Stability Authority does hereby approve the City of Buffalo 2009-2013 Capital Improvement Program Budget as submitted by the Mayor on February 3, 2009, and

BE IT FURTHER RESOLVED, that BFSA does hereby reaffirm the caveats it included in its approval of last year's capital budget, "That the City of Buffalo continue to reduce its use of capital borrowing for short-term operating expenses that are not supported by a long-term physical asset with the goal of eliminating the practice," and "That the City of Buffalo continue to rescind authorized but unissued debt whenever possible."

This resolution shall take effect immediately.

Approved February 11, 2009

/S/ George K. Arthur

George K. Arthur
Secretary