

**NOTICE OF PUBLIC HEARING ON PROPOSED PROJECT
AND FINANCIAL ASSISTANCE RELATING THERETO**

NOTICE IS HEREBY GIVEN that a public hearing as required by Section 147(f) of the Internal Revenue Code of 1986, as amended (the “**Code**”), will be held by the Dutchess County Local Development Corporation (the “**Issuer**”) on behalf of and at the request of Dutchess County on the 7th day of September, 2021 at 9:30 o’clock a.m., local time, at the Town of Hyde Park, Town Hall, 4383 Albany Post Road, Hyde Park, New York 12538, in connection with the following matters:

THE CULINARY INSTITUTE OF AMERICA, a New York not-for-profit education corporation (the “**Institution**”), has submitted an application to the Issuer, a copy of which application is on file at the office of the Issuer, which application requested that the Issuer consider undertaking a project (the “**Project**”) for the benefit of the Institution consisting of the issuance of tax-exempt bonds as part of a plan of financing to be used as follows:

(a) the refunding of all or a portion of the Issuer’s \$15,833,664.01 original principal amount Multi-Modal Revenue Bonds, Series 2011 (CHF-CIA, L.L.C. Project) (the “**Series 2011 Bonds**”), the proceeds of which were used to fund all or a portion of the cost of (A)(1) the acquisition, construction, and equipping of a housing facility located on the Institution’s campus at 1946 Campus Drive, Hyde Park, Dutchess County, New York (the “**Campus**”) comprising substantially of approximately 160 beds, including 3 single rooms for resident assistants and a resident director apartment contained within 3 three-story “townhouse” design buildings, including kitchen and laundry facilities and related parking and improvements (collectively, the “**Improvements**”); and (2) the acquisition and installation in and around the Improvements of certain items of machinery, equipment and other tangible personal property (the “**Equipment**”, and together with the Improvements, the “**Series 2011 Facility**”); (B) the funding of a debt service reserve fund as security for the Series 2011 Bonds; (C) the payment of certain costs of issuance associated with the issuance of the Series 2011 Bonds; and (D) the funding of capitalized interest on the Series 2011 Bonds. The maximum aggregate principal amount of Bonds expected to be applied to refund the Series 2011 Bonds is \$14,000,000.00. The Series 2011 Facility is currently owned by CHF-CIA, L.L.C. and, upon refunding of the Series 2011 Bonds with proceeds of the Bonds (defined below), the Series 2011 Facility will be owned and operated by the Institution; and

(b) the forward refunding of all or a portion of the Dormitory Authority of the State of New York (“**DASNY**”) \$22,150,000 original principal amount The Culinary Institute of America Revenue Bonds, Series 2012 (the “**Series 2012 Bonds**”), the proceeds of which were used to finance (A) the construction of an approximately 42,000 square foot, two-story (including a half-story mezzanine) approximately 800 seat theater and conference center on the Campus (the “**Series 2012 Facility**”), and (B) refunding of DASNY’s The Culinary Institute of America Insured Revenue Bonds, Series 1999, the proceeds of which financed the construction, renovation, equipping and repair of portions of the following existing buildings on the Institution’s Campus (collectively, the “**Series 1999 Facility**”): (1) the approximately 185,400 square foot Roth Hall to house a new

Bakery/Café and a Bakeshop and Bread Bakery; (2) the approximately 94,500 square foot Hudson Hall for use as admissions offices; (3) the approximately 9,360 square foot McCann Center for use as classroom facilities and faculty offices; and (4) an approximately 2,500 square foot building formerly used as a student delicatessen, for use as a kitchen facility. The maximum aggregate principal amount of Bonds expected to be applied to refund the Series 2012 Bonds is \$13,500,000.00. The Series 1999 Facility and the Series 2012 Facility will be owned and operated by the Institution; and

(c) the refunding of all or a portion of DASNY's \$30,800,000 original principal amount The Culinary Institute of America Revenue Bonds (Series 2013) (the "**Series 2013 Bonds**") the proceeds of which were used to finance (A) the construction of a 33,000 square foot, one-story addition to the Institution's student recreation center for use as a main dining venue and renovation of another 13,000 square feet of the existing student recreation center for expanded fitness space and a new entry area and administrative office suite, and including landscaping redesign and related site improvements, and (B) the build-out of the lower level of the Institution's 42,000 square foot, two-story (including a half-story mezzanine) theater and conference center, including furnishings and equipment required for specialized theater, classroom, conference and demonstration uses, as well as plaza renovations and related site improvements (collectively, the "**Series 2013 Facility**"). The maximum aggregate principal amount of Bonds expected to be applied to refund the Series 2013 Bonds is \$7,500,000.00. The Series 2013 Facility is located on the Campus and will be owned and operated by the Institution. The Series 2011 Bonds, the Series 2012 Bonds and the Series 2013 Bonds to be refunded with proceeds of the Bonds are collectively referred to as the "**Refunded Bonds**"; and

(d) Funding any debt service reserve fund to be pledged to secure the Bonds;

(e) Paying certain incidental expenses incurred in connection therewith;

(f) Paying redemption premiums in connection with the Refunded Bonds and the costs of terminating any interest rate swap in connection with the Refunded Bonds.

(g) The financing of all or a portion of the costs of the foregoing by the issuance of tax-exempt revenue bonds of the Issuer in one or more issues or series in an aggregate principal amount sufficient to pay the cost of undertaking the Project, together with the necessary incidental costs in connection therewith, not to exceed Thirty-Five Million and 00/100 Dollars (\$35,000,000) (the "**Bonds**"); and

(h) The granting of certain other financial assistance with respect to the foregoing, including potential exemptions from mortgage recording taxes (collectively with the Bonds, the "**Financial Assistance**"); and

The maximum aggregate principal amount of the Bonds will be \$35,000,000. The Issuer is considering whether (a) to undertake the Project, (b) to finance and refinance the Project by issuing, from time to time, the Bonds, (c) to loan the proceeds of the Bonds to the Institution to pay the cost of undertaking the Project, together with necessary incidental costs in connection therewith, and (d) to provide Financial Assistance with respect to the Project as defined above with

respect to any documents recorded by the Issuer with respect to the Project in the office of the County Clerk of Dutchess County, New York or elsewhere.

If issuance of the Bonds is approved by the Issuer, interest on the Bonds will not be excludable from gross income for federal income tax purposes unless (a) pursuant to Section 147(f) of the Code and the regulations of the United States Treasury Department thereunder (the “**Treasury Regulations**”) the issuance of such Bonds is approved by the County Executive of Dutchess County, New York after a public hearing on the nature and location of the Project and the issuance of such Bonds has been held in Dutchess County; and (b) pursuant to Section 145(a) of the Code, all property which is to be provided by the net proceeds of the Bonds is to be owned by a Section 501(c)(3) organization or a governmental unit and at least ninety-five percent (95%) of the net proceeds of the Bonds are used with respect to (1) governmental units and/or (2) the activities of Section 501(c)(3) organizations which do not constitute “unrelated trades or businesses” (as defined in Section 513(a) of the Code) with respect to such Section 501(c)(3) organizations. The Bonds will be issued as qualified 501(c)(3) Bonds as defined in Section 145 of the Code for the purposes described above.

If the Issuer determines to proceed with the Project and the issuance of the Bonds, (a) interest on the Bonds will be excluded from gross income for federal income tax purposes pursuant to Sections 103 and 145 of the Code, as applicable, (b) the Project will be financed and refinanced with the Bonds, (c) the proceeds of the Bonds will be loaned by the Issuer to the Institution or its designee pursuant to a Loan Agreement (the “**Agreement**”) requiring that the Institution or its designee make payments equal to debt service on the Bonds and make certain other payments, and (d) the Bonds will be a special obligation of the Issuer payable solely out of certain of the proceeds of the Agreement and certain other assets of the Issuer pledged to the repayment of the Bonds. THE BONDS SHALL NOT BE A DEBT OF THE STATE OF NEW YORK OR OF THE COUNTY OF DUTCHESS, NEW YORK, AND NEITHER THE STATE OF NEW YORK NOR THE COUNTY OF DUTCHESS, NEW YORK SHALL BE LIABLE THEREON.

The Issuer has determined pursuant to Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended (the “**SEQR Act**”), and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State of New York, being 6 NYCRR Part 617, as amended (the “**Regulations**”, and collectively with the SEQR Act, “**SEQRA**”) that the Project is a “type II” action under SEQRA and, accordingly, no further action under SEQRA is required with respect to the Project.

The Issuer will at the above-stated time and place hear all persons with views in favor of or opposed to the Project or the Financial Assistance being contemplated by the Issuer in connection therewith. Interested parties may present their views both orally and in writing with respect to the Project or the Financial Assistance. Additional information can be obtained from, and written comments may be addressed to: Sarah Lee, Chief Executive Officer, Dutchess County Local Development Corporation, Three Neptune Road, Poughkeepsie, New York 12601; Telephone: (845) 463-5400.

A copy of the Institution’s application for financing is available for review by the public upon request to the Chief Executive Officer. A transcript or summary report of the hearing will

be made available to the County Executive of Dutchess County, New York. Approval of the issuance of the Bonds by the County Executive of Dutchess County, New York is necessary in order for the interest on the Bonds to qualify for exemption from federal income taxation.

Dated: Poughkeepsie, New York
August 18, 2021

DUTCHESS COUNTY LOCAL
DEVELOPMENT CORPORATION

By: /s/ MARK DOYLE
Mark Doyle, Vice Chairman