

**Resolution 2022-23:20 Authorization to Acquire Property**

**By Board Member: Mike Schmidt**

WHEREAS, the Rochester School Facilities Modernization Program Act (“the Act”) established the Rochester Joint Schools Construction Board (“RJSCB” or “Board”), a seven voting member board consisting of equal representation by the City of Rochester (“City”) and the Rochester City School District (“District”), as well as a member jointly selected by the City and the District; and

WHEREAS, under the Act, the RJSCB has certain enumerated powers to act as agent for the District, the City, or both; and

WHEREAS, the authorizing legislation for Phase 2 of the Rochester Schools Modernization Program (“RSMP”) was signed into law by the Governor of the State of New York on December 17, 2014; and

WHEREAS, the amended Act authorized up to 26 projects in Phase 2 of the RSMP including a District Wide Technology program which involves technology upgrades and infrastructure work at several of the possible projects; and

WHEREAS, the authorizing legislation for Phase 3 of the RSMP was signed into law by the Governor of the State of New York on November 16, 2021; and

WHEREAS, under the Act, the design of all RSMP projects, as well as additions to project scope, must be reviewed and approved by the District and the design and construction standards must be approved by the State Education Department (“NYSED”); and

WHEREAS, George Mather Forbes School 4 (“School 4”) is one of the projects included in Phase 2c of the RSMP, as provided in the Phase 2 Master Plan (the “Project”); and

WHEREAS, the School 4 Project site is inadequate under NYSED standards; and

WHEREAS, the Board has previously authorized the acquisition by the City of certain parcels on Dr. Samuel McCree Way, Jefferson Terrace and Tremont Street for the expansion of the School 4 campus to conform to NYSED Standards (Resolution 2019-20: 67); and

WHEREAS, the Board has previously authorized the acquisition of the Acquisition Properties by the City using RSMP program funds in the amount of the estimated acquisition costs set forth on Exhibit A hereto (Resolution 2020-21: 04); and

WHEREAS, the Board has previously authorized the demolition of the Acquisition Properties by the City for use by the RSMP as part of the Project with the costs of same being reimbursed to the City through RSMP program funds (Resolution 2020-21: 04); and

**Board Meeting: February 13, 2023**

WHEREAS, the Chair has recommended to the Board that it approve the proposed purchase and demolition by the City of 187 Samuel McCree Way (the "Acquisition Property"), which is one of the Acquisition Properties, in connection with the expansion of the School 4 campus as part of the Project utilizing AG Settlement Funds rather than the RSMP program funds; and

WHEREAS, the RJSCB at its regular meeting on February 13, 2023, considered and discussed the recommendation from the Chair to utilize the AG Settlement Funds rather than the RSMP program funds for the purchase and demolition of 187 Samuel McCree Way.

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves and authorizes the acquisition of the Acquisition Property by the City using AG Settlement funds rather than RSMP program funds in the amount of the estimated acquisition cost of \$45,000 plus closing costs; and
2. The RJSCB hereby approves and authorizes the demolition of the Acquisition Property by the City for use by the RSMP as part of the Project with the costs of same being reimbursed to the City through AG Settlement funds rather than RSMP program funds; and
3. The RJSCB Chair, or his designee, is hereby authorized, in the name and on behalf of the RJSCB, to do all things necessary to effectuate this Resolution.

**Seconded by Member Jesse Dudley**

**Adopted: 6-0**