

**Resolution 2024-25: 07**

**Board Member Confidentiality Agreement – Revised August 2024**

**By Board Member Jesse Dudley**

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, the New York State Legislature amended the Act by enacting Chapter 533 of the Laws of 2014 (“Amended Act”), thereby providing alternative financing mechanisms for the reconstruction of up to 26 projects for a total cost of \$435,000,000 for Phase II; and

WHEREAS, the New York State Legislature amended the Amended Act by enacting Chapter 614 of the Laws of 2021 (“Second Amended Act” and together with the Act and Amended Act, the “Enabling Legislation”) to authorize additional oversight, transparency, and accountability by the New York State Education Department to ensure projects are completed on time and within budget, and to provide alternative financing mechanisms for the reconstruction of up to 12 projects for a total cost of \$475,000,000 for Phase III; and

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

WHEREAS, in furtherance of the Act, the RJSCB has adopted several policies and procedures to establish rules for the conducting of its business, including the Confidentiality Agreement (Executive Session); and

WHEREAS, the RJSCB wishes to revise the Confidentiality Agreement in order to update it for Phase III and clarify certain language; and

WHEREAS, consistent with these wishes, the RJSCB has drafted proposed revisions to the Confidentiality Agreement, a copy of which is attached to this resolution; and

WHEREAS, the Board discussed and considered the revised Confidentiality Agreement at its regular Board meeting on August 12, 2024, and now acts as follows.

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves and adopts the revised Confidentiality Agreement (Executive Session) in the form presented at this meeting and attached hereto; and
2. The Board Members and staff of the RJSCB are hereby authorized to take any additional actions necessary to implement this resolution.

**Second by Board Member Richard Perrin**

**Adopted: 7-0**