

Resolution 2022-23: 03
REDCO Release of RJSCB Contribution

By Board Member: Kim Jones

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, pursuant to a Program Management Agreement dated December 15, 2015 (as amended from time to time), by and between the RJSCB and Savin Engineers, P.C. (“Savin” or the “Program Manager”), Savin was program manager for Phase 2 of the RSMP; and

WHEREAS, in furtherance of the Act, the RJSCB with the assistance of the Program Manager established a Revolving Loan Program and adopted the Revolving Loan Fund Procedure to provide financial assistance to eligible contractors/subcontractors who perform work or provide materials in connection with Phase 2 of the RSMP (Resolution 2016-17: 120 and Resolution 2020-21:06); and

WHEREAS, the Revolving Loan Fund was maintained at an account established at the Rochester Economic Development Corporation (“REDCO”) with such funds used in accordance with the terms and conditions of the Revolving Loan Fund Procedure; and

WHEREAS, RJSCB donated \$150,000 from the settlement funds it received from the New York State Attorney General’s audit settlement (“RSMP Contribution”) to the RSMP Revolving Loan Program to be used in accordance with the terms and conditions of the Revolving Loan Fund Procedure with the understanding that the funds remaining would be released at the conclusion of Phase 2 of the RSMP (Resolution 2016-17:129); and

WHEREAS, at the conclusion of the Phase 2 the RSMP Contribution would be released from REDCO to be returned to the RJSCB to be used for RSMP purposes (Resolution 2016-17:129); and

WHEREAS, the Chair recommended that the RJSCB Contribution be released by REDCO; and

WHEREAS, the RJSCB considered, discussed and deliberated the Chair's recommendation at its July 11, 2022 regular meeting.

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the release by REDCO of the RJSCB Contribution; and
2. The RJSCB hereby authorizes the Chair or his designee to take whatever additional actions are necessary to implement this Resolution.

Second by: Mike Schmidt