

Resolution 2011-12: 90
DOT Property Acquisition

By Board Chairman Bell

WHEREAS, the Rochester School Facilities Modernization Program Act (“the Act”) established the Rochester Joint Schools Construction Board (“RJSCB”), 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 RJSCB desires to utilize a portion of the New York State Department of Transportation (the “NYSDOT”) right of way for the I-490 Inner Loop for purposes related to the Rochester Schools Modernization Program (“RSMP”), with the property consisting of 10,144 square feet of real property adjoining the northern boundary of School #58 (the “Property”); and

WHEREAS, the parcel to be acquired will be combined with the adjoining school campus to provide the necessary land area for construction of a one-story 11,000 square foot addition that will contain a new gymnasium; and

WHEREAS, the City has agreed to purchase and own the Property using the proceeds of its General Obligation Bonds, which will be refinanced with the proceeds of certain bonds to be issued by the County of Monroe Industrial Development Agency as RSMP program funds (copy of City Council ordinance is attached); and

WHEREAS, the regional office of the NYSDOT has determined that this parcel is surplus and may therefore be sold to the City at appraised value; and

WHEREAS, an independent appraisal has been completed showing an appraised value of \$25,300 (copy is attached), and including closing costs, the total acquisition amount will not exceed \$30,000; and

WHEREAS, the RJSCB will obtain aid from New York State to offset the purchase price of the Property , since the purchase price is included in the current project budget for School #58 as an incidental expense; and

WHEREAS, following the purchase of the Property, it is the intent of the RJSCB, the City and the District that the District will have immediate use of this Property as a part of and for School #58; and

WHEREAS, the Program Manager has recommended to the RJSCB’s MWBE and Procurement Committee that it approve the proposed purchase by the City of the Property; and

WHEREAS, the Committee considered and discussed the Program Manager’s recommendation at its April 5, 2012 meeting and, after due deliberation, it approved the proposed purchase of the Property;

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the proposed acquisition of the Property by the City using RSMP program funds in the amount of \$30,000, subject to satisfactory legal reviews; and
2. The RJSCB hereby authorizes its Chair to execute an Agreement with the City in such form as is acceptable to the Chair with the advice of the Program Manager and the RJSCB’s general counsel.

Second by Board Member Pifer
Approved 6-1 (Member Underwood was opposed)