

**Resolution 2017-18: 145**

**Authorization to Explore Acquisition of Real Property**

**By Board Member Richards**

WHEREAS, the Rochester School Facilities Modernization Program Act constituting Chapter 416 of the 2007 Laws New York and Chapter 533 of the 2014 Laws of New York (collectively, the "Rochester Schools 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 Rochester Schools Act, the RJSCB has certain enumerated powers to act as agent for the District, the City, or both; and

WHEREAS, pursuant to the Rochester Schools Act and a Cooperative Agreement among the District, the RJSCB and the City, executed on February 22, 2010, as amended on August 4, 2016 (the "Cooperative Agreement"), the RJSCB has developed a comprehensive school facilities modernization plan for Phase I (the "Phase I Master Plan") of the Rochester Schools Modernization Program ("RSMP") and the State Comptroller has approved the Phase I Master Plan, all as contemplated by Section 5 of the Rochester Schools Act; and

WHEREAS, the RJSCB has selected 12 existing school building sites for modernization as an implementation of the Phase I Master Plan (the "Phase I Existing Sites Facilities"); and

WHEREAS, pursuant to the Rochester Schools Act and the Cooperative Agreement, the RJSCB has developed a comprehensive school facilities modernization plan for Phase II (the "Phase II Master Plan") of the RSMP and the State Comptroller has approved the Phase II Master Plan, all as contemplated by Section 5 of the Rochester Schools Act; and

WHEREAS, the RJSCB has selected the 13 existing school building sites for modernization as an implementation of the Phase II Master Plan (the "Phase II Existing Site Facilities")

WHEREAS, in addition to the Phase I Existing Sites Facilities, the RJSCB is considering the potential acquisition of additional ancillary real property for purposes of facilitating the modernization of the Phase I Existing Sites Facilities pursuant to the Phase I Master Plan and to facilitate their subsequent use as school buildings (such real property, together with the Phase I Existing Sites Facilities, the "Phase I Facilities"); and

WHEREAS, in addition to the Phase II Existing Sites Facilities, the RJSCB is considering the potential acquisition of additional ancillary real property for purposes of facilitating the modernization of the Phase II Existing Sites Facilities pursuant to the Phase II Master Plan and to facilitate their subsequent use as school buildings (such real property, together with the Phase II Existing Sites Facilities, the "Phase II Facilities"); and

WHEREAS, the RJSCB desires to explore the possibility of the use of certain identified parcels located in the City of Rochester adjacent to certain Phase I Facilities and Phase II Facilities for purposes related to the RSMP with regard to the modernization of the Phase I Facilities and the Phase II Facilities; and

WHEREAS, the RJSCB discussed the potential acquisition of real property and the associated due diligence at its regular meeting held on February 6, 2018 and, after due deliberation and consideration, authorized the RJSCB Chair, in conjunction with the Program Manager, to undertake necessary actions to explore such potential acquisitions.

THEREFORE, BE IT RESOLVED:

1. The Rochester Joint Schools Construction Board Chair, in conjunction with the Program Manager, is hereby authorized to undertake necessary actions to explore the potential acquisition of real property within the City of Rochester to facilitate the modernization of the Phase I Facilities and Phase II Facilities.

**Second by Board Member Cruz**

**Approved 6-0 with Vice Chair Schmidt away**