

**Resolution No. 2009-10: 510**

**By Member of the Board Commissioner Cruz**

WHEREAS, the State Legislature enacted the City of Rochester and the Board of Education of the City School District of the City of Rochester School Facilities Modernization Program Act, Chapter 416 of the Laws of 2007 of the State of New York (“the Act”), in order to provide the City of Rochester (“City”) and the Rochester City School District (“District”) with increased flexibility to meet the needs the District’s school children by providing alternative financing mechanisms for the reconstruction of up to thirteen school buildings in the District; and

WHEREAS, the Act creates the Rochester Joint Schools Construction Board (“RJSCB”); and designates the RJSCB as agent for the City, the District, or both; and

WHEREAS, the Act authorizes the RJSCB to enter into a cooperative agreement with the City and the District to carry out the purposes of the Act, and the Rochester School Facilities Modernization Program (“FMP”); and

WHEREAS, the parties wish to enter into this cooperative agreement in order to clarify, among other things, the agency arrangement and the delegation of authority between the City and the District, on the one hand, and the RJSCB, on the other, as well as their respective obligations and expectations to achieve the purposes of the Act; therefore be it

RESOLVED, That the Superintendent and the President of the Board of Education be, and hereby are, authorized to execute the Cooperative Agreement, by and between the City, the District and the RJSCB, substantially in the form on file with the Board Clerk; and be it further

RESOLVED, That the Board of Education delegates to the Superintendent of Schools the power to effectuate and implement the provisions of the Cooperative Agreement on behalf of the School District.

**Seconded by Member of the Board Commissioner Powell  
Adopted 7-0**