

Resolution 2012-13: 25
Approval of Amendment to By-Laws

By Board Chair Giess

WHEREAS, the Rochester School Facilities Modernization Program Act (“the Act”) established the Rochester Joint Schools Construction Board (the “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, in furtherance of the Act, the RJSCB adopted by-laws (the “By-Laws”) to establish rules for its conduct of business; and

WHEREAS, the By-Laws state that the initial board members (the “Members”) shall be referred to as “Charter Members,” and any replacement members shall be referred to as “New Members;” and

WHEREAS, in order to stagger the terms of the Members, Article II, Section 1(f) of the By-Laws states that starting in 2009, Charter Members will serve for either two or three year terms, as assigned by lot; and

WHEREAS, due to staff transition and administrative oversight, lots were not drawn and the term limits described above were not implemented; and

WHEREAS, to impose term limits for Charter Members effective immediately, the RJSCB desires to modify the By-Laws; and

WHEREAS, the RJSCB may amend its By-Laws by a two-thirds vote of its Members, provided that written notice of the proposed action has been given by regular or electronic mail to each Member and the Chair at least five (5) days prior to the date of the meeting; and

WHEREAS, each Member and the Chair received notice on August 1, 2012.

THEREFORE, BE IT RESOLVED:

1. Effective immediately, Article II, Section 1(f) of the By-Laws is amended in its entirety and will read as follows:

Terms: Charter Members holding office as of August 6, 2012 shall serve a three-year term effective immediately, unless and until such Charter Member resigns or is removed in accordance with these By-Laws. New Members holding office as of August 6, 2012 or thereafter appointed by the Mayor or the Superintendent, shall serve a three-year term commencing on the date of his or her appointment, unless and until such New Member resigns or is removed in accordance with these By-Laws. Both Charter Members and New Members may serve one additional three-year term upon reappointment by the Mayor or the Superintendent, as applicable.

2. The Members and staff of the RJSCB are hereby authorized to take any additional actions necessary to implement the foregoing resolutions.

***Second by Member of the Board Roulin
Approved 5-0 with Member Brown away.***