



Legislation Text

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Res. No. 2039

RESOLUTION APPROVING THE FIVE YEAR EDUCATIONAL FACILITIES CAPITAL PLAN FOR 2010 - 2014 AS SUBMITTED BY THE CHANCELLOR AND DATED FEBRUARY 2009, PURSUANT TO SECTION 2590-p OF THE STATE EDUCATION LAW.

By Council Member Weprin

Whereas, State Education Law Section 2590-p provides for the development and approval, every five years, of a five-year educational facilities capital plan; and

Whereas, The current five-year educational facilities capital plan covers the period from July 1, 2009 until June 31, 2014; and

Whereas, The next five-year educational facilities capital plan will commence on July 1, 2009 and cover the period from July 1, 2009 until June 30, 2014; and

Whereas, Pursuant to Education Law section 2590-p, the Chancellor prepared a proposed five-year educational facilities capital plan in November 2008 as well as a final proposed five-year educational facilities capital plan in February 2009; and

Whereas, The plan calls for an expenditure of \$11.3 billion over the five-year plan period and relies on State funding for half of that amount; and

Whereas, Over the course of the last six months, the Council has engaged in extensive discussions and negotiations with the Department of Education (“DOE”) over the content and specifics of the proposed and final proposed Five-Year Educational Facilities Capital Plan; and

Whereas, In addition, as a condition to Council approval of the Plan, the Council, the Chancellor and the Mayor agreed to extend the Memorandum of Understanding (“MOU”) entered into

by the Chancellor, New York City Council Speaker, and the Mayor on June 24, 2004, which expires on June 30, 2009; and

Whereas, This MOU, which applies to the FY2005-2009 Capital Plan, requires, *inter alia*, the Chancellor to annually submit a proposed amendment to the Mayor and Council for approval prior to funding of the Plan; and

Whereas, Additionally, pursuant to the MOU, the DOE and School Construction Authority (SCA) must meet at least twice a year with the Borough Delegations to develop a list of site recommendations for new schools; and

Whereas, The underlying purpose of the MOU was to balance the DOE's need for flexibility in its planning process with the Council's need to be informed and provide input on proposed changes to the Plan's projects, prior to Council approval; and

Whereas, As a condition to Council approval of the Plan, the Council, the Chancellor and the Mayor agreed to an Amended Memorandum of Understanding ("Amended MOU") to extend the terms of the original MOU for one year or until the development of a new protocol that would specify the Mayor and Council's involvement in reviewing and approving proposed amendments to the FY 2010-2014 Plan; now, therefore, be it

Resolved, That the Council of The City of New York hereby approves the Five-Year Educational Facilities Capital Plan for 2010-2014 as submitted by the Chancellor and dated February 2009, pursuant to section 2590-p of the State Education Law.

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