



Legislation Text

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Res. No. 232

RESOLUTION APPROVING, PURSUANT TO SECTION 2590-p OF THE STATE EDUCATION LAW AND PARAGRAPH(1)(a) OF THE MEMORANDUM OF UNDERSTANDING, DATED NOVEMBER 10, 2020, AMONG THE MAYOR, THE SPEAKER, AND THE CHANCELLOR, THE AMENDMENT TO THE FIVE-YEAR EDUCATIONAL FACILITIES CAPITAL PLAN FOR 2020-2024 SUBMITTED BY THE CHANCELLOR.

By Council Member Brannan

**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 amendments thereto; and

**WHEREAS**, On June 19, 2019, after extensive discussions and negotiations with the Department of Education over the content and specifics of the proposed 2020-2024 Five-Year Educational Facilities Capital Plan, the Council of the City of New York approved the Five-Year Educational Facilities Capital Plan for the period of July 1, 2019 until June 30, 2024 (“2020 Plan”) pursuant to Section 2590-p of the Education Law for a total budget of \$17 billion; and

**WHEREAS**, On November 10, 2020, the Mayor of the City of New York (“Mayor”), the Speaker of the Council of the City of New York (“Speaker”), and the Chancellor entered into a Memorandum of Understanding (“MOU”), which required, *inter alia*, the Chancellor of the New York City Department of Education (“Chancellor”) to submit annual amendments to the 2020 Plan to the Mayor and the City Council for their respective consideration and approval; and

**WHEREAS**, The MOU also continued reporting requirements on the New York City Department of Education (“DOE”); and

**WHEREAS**, On March 10, 2022, the Chancellor submitted to the Council the Proposed February 2022 Amendment (hereinafter referred to as the “Amendment”) to the 2020 Plan, which would increase funding for the 2020 Plan by \$1.3 billion to \$20.6 billion; and

**WHEREAS**, This Amendment provides \$9.8 billion for the Capacity Program, which includes all programmatic elements related to creating, expanding, or replacing capacity in the school system; and

**WHEREAS**, This Amendment also provides \$7.3 billion for the Capital Investment Program, which is for the enhancement and repair of existing facilities to improve the quality of infrastructure of buildings and properties; and

**WHEREAS**, This Amendment also provides \$3.5 billion for the Mandated Programs, which are projects required by law or City agency mandate; and

**WHEREAS**, This Amendment also includes funding in the amount of approximately \$819.5 million, which has been provided by the City Council, Borough President, and Mayor/Council sources; now, therefore, be it

**RESOLVED**, That the Council of the city of New York hereby approves, pursuant to Section 2590-p of the State Education Law and Paragraph (1)(a) of the Memorandum of Understanding, dated November 10, 2020, among the Mayor, the Speaker, and the Chancellor, the Amendment to the Five-Year Educational Facilities Capital Plan for 2020-2024 submitted by the Chancellor.

MMB  
6/12/2022