

By Legislators Frazier and Maffucci

Intro. No. \_\_\_\_\_

RESOLUTION NO. \_\_\_\_\_ OF 2024

**ACCEPTING RESTORE NEW YORK GRANT FROM EMPIRE STATE DEVELOPMENT CORPORATION FOR TRIANGLE BUILDING PROJECT AND AUTHORIZING GRANT AGREEMENT WITH JAYS ACQUISITIONS II LLC, OR SUBSIDIARY THEREOF**

BE IT RESOLVED BY THE LEGISLATURE OF THE COUNTY OF MONROE, as follows:

Section 1. The County Executive, or his designee, is hereby authorized to accept a \$3,000,000 Restore New York grant from, and to execute a contract and any amendments thereto with, Empire State Development Corporation for the Triangle Building Project.

Section 2. The County Executive, or his designee, is hereby authorized to enter into a grant agreement and any accompanying grant documents, and any amendments thereto, with Jays Acquisitions II LLC, or a subsidiary thereof, to utilize grant funds to reimburse for Triangle Building Project cost up to the amount of \$3,000,000.

Section 3. The 2024 operating budget of the Department of Planning and Development is hereby amended by appropriating the sum of \$3,000,000 into general fund 9300, funds center 1401010000, Planning Administration.

Section 4. The County Executive is hereby authorized to appropriate any subsequent years of the grant award in accordance with the grant terms, to reappropriate any unencumbered balances during the grant period according to the grantor requirements, to make any necessary funding modifications within the grant guidelines to meet contractual commitments, and to enter into any amendments to extend the time period of the grant.

Section 5. Should funding of this program be modified or terminated for any reason, the County Executive is hereby authorized to terminate or modify the program and, where applicable, to terminate or abolish some or all positions funded under such program. Any termination or abolishment of positions shall be in accordance with New York State Civil Service Law and, when applicable, the terms of any labor agreement affecting such positions.

Section 6. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Planning and Economic Development Committee; June 24, 2024 - CV: 5-0  
Ways and Means Committee; June 24, 2024 - CV: 11-0  
File No. 24-0203

ADOPTION: Date: \_\_\_\_\_ Vote: \_\_\_\_\_

ACTION BY THE COUNTY EXECUTIVE

APPROVED: \_\_\_\_\_ VETOED: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

EFFECTIVE DATE OF RESOLUTION: \_\_\_\_\_

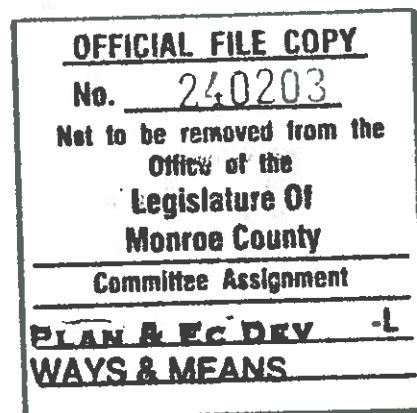


# Office of the County Executive

Monroe County, New York

**Adam J. Bello**  
*County Executive*

June 7, 2024



To The Honorable  
Monroe County Legislature  
407 County Office Building  
Rochester, New York 14614

**Subject:** Acceptance of a Restore New York Grant from Empire State Development Corporation for the Triangle Building Project and Authorize a Grant Agreement with Jays Acquisitions II LLC, or a Subsidiary Thereof

**Honorable Legislators:**

I recommend that Your Honorable Body accept a Restore New York grant from the Empire State Development Corporation in the amount of \$3,000,000 for the Triangle Building Project and enter into a grant agreement, and any accompanying grant documents, with Jays Acquisitions II LLC, or a subsidiary thereof to pass through grant funds up to the amount of \$3,000,000.

The purpose of this grant is to provide funding for a portion of the Triangle Building Project, which includes renovation of 39,000 sq. ft. of the Sibley Triangle Building into 36 residential apartments and 11,500 sq. ft. of lower floor commercial space on the .18 acre site located at 20-30 East Avenue in the City of Rochester. The remaining project costs of \$3,725,000 will be funded through equity and financing from the developer, Jays Acquisitions II LLC.

**The specific legislative actions required are:**

1. Authorize the County Executive, or his designee, to accept a \$3,000,000 Restore New York grant from, and to execute a contract and any amendments thereto with, Empire State Development Corporation for the Triangle Building Project.
2. Authorize the County Executive, or his designee, to enter into a grant agreement and any accompanying grant documents, and any amendments thereto, with Jays Acquisitions II LLC, or a subsidiary thereof, to utilize grant funds to reimburse for Triangle Building Project cost up to the amount of \$3,000,000.
3. Amend the 2024 operating budget of the Department of Planning and Development by appropriating the sum of \$3,000,000 into general fund 9300, funds center 1401010000, Planning Administration.

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4. Authorize the County Executive to appropriate any subsequent years of the grant award in accordance with the grant terms, to reappropriate any unencumbered balances during the grant period according to the grantor requirements, to make any necessary funding modifications within the grant guidelines to meet contractual commitments, and to enter into any amendments to extend the time period of the grant.
5. Should funding of this program be modified or terminated for any reason, the County Executive is hereby authorized to terminate or modify the program and, where applicable, to terminate or abolish some or all positions funded under such program. Any termination or abolishment of positions shall be in accordance with New York State Civil Service Law and, when applicable, the terms of any labor agreement affecting such positions.

This action is a Type II Action pursuant to 6 NYCRR § 617.5(c)(18) ("reuse of a residential or commercial structure, or of a structure containing mixed residential and commercial uses, where the residential or commercial use is a permitted use under the applicable zoning law or ordinance, including permitted by special-use permit, and the action does not meet or exceeds any of the thresholds in section 617.4 of this Part") and is not subject to further review under the State Environmental Quality Review.

This grant is 100% funded by Empire State Development Corporation. No net County support is required in the current Monroe County budget.

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,



Adam J. Bello  
Monroe County Executive