MEMORANDUM

TO: Legislators, Directors, Staff and Media

FROM: Jack Moffitt, Clerk of the Legislature

DATE: May 10, 2021

RE: Matters of Urgency – File Nos. 21-0165 through 21-0167

21-0165 Authorize the Allocation of Emergency Grant Funding to Support Arts Organizations Negatively Impacted by the COVID-19 Pandemic – As a Matter of Urgency – Legislators Vincent R. Felder, Ernest Flagler-Mitchell, and Frank Keophetlasy

21-0166 Amending Resolution 134 of 2020 Entitled “Accepting Grant from United States Treasury for Coronavirus Aid, Relief and Economic Security Act,” for the Provision of Additional Legislative Fiscal Oversight – As a Matter of Urgency – Legislator George Hebert

21-0167 Authorize an Intermunicipal Agreement with the Town of Webster for an Exchange of Real Property to Fulfill and Assist with the Completion of the Town of Webster’s Lake Ontario Resiliency and Economic Development Initiative (REDI) Mo.56 Lake Road Improvement Project – As a Matter of Urgency – Adam J. Bello, County Executive

Per Dr. Joe Carbone, President of the Monroe County Legislature, the attached communications are declared to be Matters of Urgency pursuant to Section 545-24(A)(3) of the Rules of the Monroe County Legislature and will be considered for appropriate action at the May 11, 2021 meetings of the Monroe County Legislature.

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

Subject: Authorize the Allocation of Emergency Grant Funding to Support Arts Organizations Negatively Impacted by the COVID-19 Pandemic

Honorable Legislators:

Monroe County has always been a leader in the world of art and cultural. Home to a vibrant and diverse community; we have always been trailblazers in the arts community. From the renowned Eastman School of Music to the Rochester Philharmonic Orchestra to the Memorial Art Gallery and so many other large-scale art organizations, our area has fostered creativity and expression through the arts. Unfortunately, there are a number of valuable smaller arts programs that are all too frequently left to fend for themselves, not receiving the support they need and deserve.

According to the National Center for Arts Research, arts and culture provides $93 million into the Monroe County economy annually while supporting over 1,500 full-time jobs, 2,100 part-time jobs and roughly 6,600 volunteers. The City of Rochester has appeared on the organization’s annual list of “The Top 40 Most Vibrant Arts Communities” three out of the last six years. While these findings were concurred by the Center for Governmental Research in 2019, this review also found shortcomings that have held our community back, particularly a lack of public financing for mid-sized arts.

This year’s Monroe County budget allocates just $1.4 million for arts funding – an amount without a sufficient increase from years past. For too long our local artists and organizations have not received the adequate funding that truly corresponds to their community worth. In nearby Erie County, their 2021 Budget allocates over $6 million for arts – funding that truly displays the area’s commitment to their artists. Each year, Monroe County has continued to fail its local artists and the community that benefits so much from their work by its lack of funding and lack of funding diversity. Monroe County gives three-quarters of its arts allocation to two organizations and one-fifth of it to another seven. In particular, mid-sized arts groups receive barely 3-percent of the arts allocation and for several years, the same groups each year have split the amount.

It is time for Monroe County to commit to its vibrant and diverse art community by support mid-sized arts organizations. Further, the COVID-19 pandemic has exacerbated this lack of funding – forcing organizations and artists into fiscal ruin – and further displaying this point. Funding for the arts should match the immense value it brings to our community while ensuring diverse funding for all the artists and organizations our community has to offer, particularly mid-sized art groups.

The specific legislative actions required is to authorize the President of the Legislature, or his designee, to execute grant agreements, contracts, or applications, and any amendments thereto, with the organizations listed below, for Monroe County to provide funding to arts organizations negatively impacted by the COVID-19 pandemic that have not previously received County funding or received insufficient
funding through the Mid-Sized Arts Grant budget allocation, in the total amount of $131,000, for the period of January 1, 2021 through December 31, 2021.

<table>
<thead>
<tr>
<th>Organization</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Avenue Blackbox Theatre</td>
<td>$20,000</td>
</tr>
<tr>
<td>Rochester Contemporary Art Center</td>
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<td>Rochester Community Television</td>
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<tr>
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<tr>
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<td>Blackfriars of Rochester Inc.</td>
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<tr>
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<td>$3,500</td>
</tr>
<tr>
<td>Deep Arts</td>
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<tr>
<td>Flower City Arts Center</td>
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</tr>
<tr>
<td>Garth Fagan Dance</td>
<td>$4,000</td>
</tr>
<tr>
<td>Landmark Society of WNY Inc.</td>
<td>$4,500</td>
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<tr>
<td>Push Physical Theatre</td>
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<tr>
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</tr>
<tr>
<td>Writers And Books</td>
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<td><strong>Total:</strong></td>
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This is a Type II Action pursuant to 6 NYCRR 617.5(c) (26) ("routine of continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment") and is not subject to further review under the State Environmental Quality Review Act.

Funding for these agreements are included in the 2021 operating budget of the Monroe County Legislature, Community Contingency Fund, general fund 9001, funds center 1001020000, Community Contingency Fund.

All the above organizations are not-for-profit agencies, and the records in the Office of the Monroe County Treasury indicate they do not owe and delinquent Monroe County property taxes.

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

Respectfully Submitted,

Vincent R. Felder
Monroe County Legislature
Democratic Minority Leader

Ernest Flagler-Mitchell
Monroe County Legislature
Black & Asian Caucus Leader

Frank Keophetlasy
Monroe County Legislator
District 28
By Legislators _____________ and ______________

Intro. No. _____

RESOLUTION NO. ___ OF 2021

AUTHORIZING ALLOCATION OF EMERGENCY GRANT FUNDING TO SUPPORT ARTS ORGANIZATIONS NEGATIVELY IMPACTED BY COVID-19 PANDEMIC

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

Section 1. The President of the Legislature, or his designee, is hereby authorized to execute grant agreements, contracts, or applications, and any amendments thereto, with the organizations listed below, in the total amount of $131,000, for emergency grant funding related to the COVID-19 pandemic, for the period of January 1, 2021 through December 31, 2021.

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</table>

Total: $131,000

Section 2. Funding for these agreements, contracts, or applications is included in the 2021 operating budget of the Monroe County Legislature, general fund 9001, funds center 1001020000, Community Contingency Fund.

Section 3. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Matter of Urgency
File No. 21-____

ADOPTION: Date: _______________  Vote: _______
ACTION BY THE COUNTY EXECUTIVE

APPROVED: _______    VETOED: _______

SIGNATURE: ______________________ DATE: ______________

EFFECTIVE DATE OF RESOLUTION: __________________________
To the Honorable
Monroe County Legislature
407 County Office Building
Rochester, New York 14614

Subject: Amending Resolution 134 of 2020 Entitled “Accepting Grant from United States Treasury for Coronavirus Aid, Relief and Economic Security Act,” for the Provision of Additional Legislative Fiscal Oversight

Honorable Legislators:

In April of 2020, this Honorable Body accepted $129 million in federal funding through the Coronavirus Aid, Relief and Economic Security (CARES) Act. The express purpose of this funding was to assist our residents, businesses and government agencies in fighting and recovering from the COVID-19 pandemic. Over the past year, this funding has served as a means to bolster small businesses, assist local government, and provide for a comprehensive response to the pandemic.

Late last year, as a result of difficult to access reporting, this Honorable Body voted for weekly reporting for CARES Act expenditures. While this reporting has assisted the Legislature in performing its duty of providing fiscal oversight, the County Executive has been able to make unilateral spending decisions with this funding for nearly a year. The great latitude in spending afforded to the County Executive was appropriate when this funding was accepted, however nearly a year later it is imperative that the Legislature have more involvement in approving the use of this funding.

This resolution allows for greater fiscal oversight from this Honorable Body. Legislative approval will be required for the expending of CARES Act funding in excess of $20,000. The Legislature has been diligent in meeting quickly when it is required, therefore any appropriate and necessary use of funding is able to be approved expeditiously. It is the duty of this Honorable Body to protect taxpayers and review expenditures of the County carefully and with scrutiny; enacting this legislation will ensure that this is done.

The specific legislative actions required is to amend resolution no. 134 of 2020, entitled “Accepting Grant from United States Treasury for Coronavirus Relief, And Economic Security Act,” to change the end date of the grant term and add fiscal oversight measures by the County Legislature as detailed in the resolution.
This is a Type II Action pursuant to 6 NYCRR 617.5(c) (26) ("routine of continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment") and is not subject to further review under the State Environmental Quality Review Act.

This action will have no impact on the revenues or expenditures of the current Monroe County budget.

Respectfully Submitted,

[Signature]

George J. Hebert
Monroe County Legislator
District 15
By Legislator Hebert

Intro. No. ___

RESOLUTION NO. ___ OF 2021

AMENDING RESOLUTION 134 OF 2020 ENTITLED “ACCEPTING GRANT FROM UNITED STATES TREASURY FOR CORONAVIRUS AID, RELIEF AND ECONOMIC SECURITY ACT,” FOR PROVISION OF ADDITIONAL LEGISLATIVE FISCAL OVERSIGHT

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

Section 1. Section 1 of Resolution No. 134 of 2020 shall be amended, in part, as follows:

The County Executive, or his designee, is hereby authorized to accept a $129,433,144.90 grant from, and to execute a contract and any amendments thereto with, the United States Treasury, for the Coronavirus Aid, Relief, and Economic Security Act, for payment of expenses needed to combat the Coronavirus pandemic, for the period of March 1, 2020 through December 31, 2020.

Section 2. Section 3 of Resolution No. 134 of 2020 shall be amended, in part, as follows:

The County Executive, is hereby authorized to with approval by resolution of the County Legislature, may 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, and to make any necessary funding modifications within the grant guidelines to meet contractual commitments.

Section 3. Section 5 of Resolution No. 134 of 2020 shall be renumbered as Section 6.

Section 4. Resolution No. 134 of 2020 shall be amended, in part, by adding a new Section 5, to read as follows:

It shall be required that the Legislature approve by resolution, the expense of any funds accepted and appropriated hereunder, when used to fund any agreement or contract on behalf of the county for goods and services where the total consideration thereof is in excess of $20,000, as prescribed in Section A5-6 (A) of the Monroe County Code.

Section 5. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Matter of Urgency
File No. 21___

Added language is underlined.
Deleted language is struck through.

ADOPTION: Date: ________________ Vote: _______

ACTION BY THE COUNTY EXECUTIVE

APPROVED: _______ VETOED: _______

SIGNATURE: __________________________ DATE: __________

EFFECTIVE DATE OF RESOLUTION: __________________________
To The Honorable
Monroe County Legislature
407 County Office Building
Rochester, New York 14614

Subject: Authorize an Intermunicipal Agreement with the Town of Webster for an Exchange of Real Property to Fulfill and Assist with the Completion of the Town of Webster's Lake Ontario Resiliency and Economic Development Initiative (REDI) Mo.56 Lake Road Improvement Project

Honorable Legislators:

I recommend that Your Honorable Body authorize an intermunicipal agreement with the Town of Webster for an exchange of Real Property to fulfill and assist with the completion of the Town of Webster's Lake Ontario Resiliency and Economic Development Initiative (REDI) Mo.56 Lake Road Improvement Project.

The Town of Webster has submitted a Home Rule Request to New York State to alienate an approximately 16,970 square feet parcel of parkland along the northwest side of Lake Road, to be used as right of way for Lake Road. The New York State Legislature requires that Monroe County approve the acceptance of the parcel of parkland from the Town of Webster once it has been alienated and the transfer to the Town of Webster of approximately 21,141 square feet parcel along the southeast side of Lake Road that will be dedicated as parkland.

The specific legislative action required is to authorize the County Executive, or his designee, to enter into an intermunicipal agreement, and any amendments thereto, with the Town of Webster for the acceptance of an approximately 16,970 square feet parcel along the northwest side of Lake Road, to be used as right of way, in exchange for the transfer of an approximately 21,141 square feet parcel along the southeast side of Lake Road, of abandoned right of way, and any other actions needed to fulfill and assist with the completion of REDI Project Mo.56 Lake Road Improvement Project.

This action is a Type I Action under the New York State Environmental Quality Review Act ("SEQRA"). The Town of Webster conducted a coordinated review and found that the proposed action will not result in any significant adverse environmental impacts. The Town of Webster has therefore issued a Negative Declaration for this action and no further action under SEQRA is required.

This agreement will have no impact on the revenues or expenditures of the current Monroe County budget.

I recommend that this matter receive favorable action by Your Honorable Body.

Sincerely,

Adam J. Bello
County Executive
RESOLUTION NO. _______ OF 2021

AUTHORIZING INTERMUNICIPAL AGREEMENT WITH TOWN OF WEBSTER FOR AN EXCHANGE OF REAL PROPERTY TO FULFILL AND ASSIST WITH THE COMPLETION OF TOWN OF WEBSTER’S LAKE ONTARIO RESILIENCY AND ECONOMIC DEVELOPMENT INITIATIVE (REDI) MO.56 LAKE ROAD IMPROVEMENT PROJECT

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 enter into an intermunicipal agreement, and any amendments thereto, with the Town of Webster for the acceptance of an approximately 16,970 square feet parcel along the northwest side of Lake Road, to be used as right of way, in exchange for the transfer of an approximately 21,141 square feet parcel along the southeast side of Lake Road, of abandoned right of way, and any other actions needed to fulfill and assist with the completion of Town of Webster’s Lake Ontario Resiliency and Economic Development Initiative (REDI) Mo.56 Lake Road Improvement Project.

Section 2. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Matter of Urgency
File No. 21-____

ADOPTION: Date: ___________  Vote: ___________

ACTION BY THE COUNTY EXECUTIVE

APPROVED: _______  VETOED: _______

SIGNATURE: ___________________________ DATE: ___________________

EFFECTIVE DATE OF RESOLUTION: ____________________