

*Monroe County  
Clerk of the Legislature*

**Jack Moffitt  
Clerk**



**David Grant  
Deputy Clerk**

**MEMORANDUM**

**TO:** Legislators, Directors, Staff and Media  
**FROM:** Jack Moffitt, Clerk of the Legislature *h*  
**DATE:** May 10, 2021  
**RE:** Matters of Urgency – File Nos. 21-0165 through 21-0167

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- 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 5-45-24(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



# Monroe County Legislature

**Vincent R. Felder**  
Democratic Minority Leader

**Ernest Flagler-Mitchell**  
Black & Asian Caucus Leader

**Frank Keophetlasy**  
Legislator – District 28

May 10, 2021

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**

<b>OFFICIAL FILE COPY</b>	
No.	<b>210165</b>
Not to be removed from the Office of the Legislature Of Monroe County	
Committee Assignment	
<b>URGENT</b>	-L
to Support Arts	

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 areas 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.

Organization

The Avenue Blackbox Theatre	\$20,000
Rochester Contemporary Art Center	\$10,000
Rochester Community Television	\$20,000
Borinquen Dance Theatre	\$20,000
Legacy Drama House	\$10,000
Rochester Latino Theatre	\$10,000
Blackfriars of Rochester Inc.	\$3,500
Boa Editions Limited	\$3,500
Deep Arts	\$2,500
Flower City Arts Center	\$3,500
Garth Fagan Dance	\$4,000
Landmark Society of WNY Inc.	\$4,500
Push Physical Theatre	\$3,000
Rochester City Ballet	\$5,500
Rochester Oratorio Society	\$3,000
Visual Studies Workshop Inc.	\$3,500
Writers And Books	\$4,500

Total: \$131,000

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.

Organization

The Avenue Blackbox Theatre	\$20,000
Rochester Contemporary Art Center	\$10,000
Rochester Community Television	\$20,000
Borinquen Dance Theatre	\$20,000
Legacy Drama House	\$10,000
Rochester Latino Theatre	\$10,000
Blackfriars of Rochester Inc.	\$3,500
Boa Editions Limited	\$3,500
Deep Arts	\$2,500
Flower City Arts Center	\$3,500
Garth Fagan Dance	\$4,000
Landmark Society of WNY Inc.	\$4,500
Push Physical Theatre	\$3,000
Rochester City Ballet	\$5,500
Rochester Oratorio Society	\$3,000
Visual Studies Workshop Inc.	\$3,500
Writers And Books	\$4,500
Total:	<u>\$131,000</u>

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: \_\_\_\_\_



# Monroe County Legislature

**GEORGE J. HEBERT**

LEGISLATOR – DISTRICT 15

May 10, 2021

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

<b>OFFICIAL FILE COPY</b>	
No. <u>210166</u>	
Not to be removed from the Office of the Legislature Of Monroe County	
Committee Assignment	
<b>URGENT</b>	-L

**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,

A handwritten signature in blue ink that reads "George J. Hebert". The signature is written in a cursive style with a large, stylized initial 'G'.

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 ~~30~~ 31, 2020 2021.

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 hereto, 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 ~~stricken~~

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

May 10, 2021

OFFICIAL FILE COPY
No. 210167
Not to be removed from the
Office of the
Legislature Of
Monroe County
Committee Assignment
URGENT -L

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,

Handwritten signature of Adam J. Bello

Adam J. Bello
Monroe County Executive

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

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: \_\_\_\_\_