

FILED
CITY CLERK
MOUNT VERNON, NY



2021 MAY -3 P 1:33

**BOARD OF ESTIMATE & CONTRACT
AGENDA
TUESDAY, MAY 4, 2021
9:30 AM
VIRTUAL ONLY
PUBLIC ACCESS VIA FACEBOOK.COM/MOUNTVERNONNY**

RESOLUTIONS APPROVING ORDINANCES

1. Amending Ordinance No.1, adopted April 14, 2021, entitled "AN ORDINANCE AUTHORIZING THE MAYOR, CITY COUNCIL, AND THE BOARD OF ESTIMATE TO ENTER INTO AN AGREEMENT WITH THE MOUNT VERNON CITY CLERK AND THE MOUNT VERNON BOARD OF WATERSUPPLY ESTABLISHING THE OFFICE OF THE CITY CLERK AS THE FIDUCIARY CHARGED WITH RECEIPT OF PAYMENTS FOR DEPOSIT IN A DESIGNATED DEPOSITORY AND MOUNT VERNON BOARD OF WATER SUPPLY AS THE FINANCIAL MANAGER OF ALL FUNDS RECEIVED UNDER THE AMERICAN RESCUE PLAN ACT OF 2021; US DEPARTMENT OF TREASURY AND FEMA FUNDS DIRECTED AT THE CITY OF MOUNT VERNON, NEW YORK."
2. Authorizing the Mayor to enter into an agreement with the Westchester County Department of Senior Programs and Services for Title III-B Transportation Services Contract, PY 2021.
3. Authorizing the Mayor to enter into an agreement with Westchester County Office of Senior Programs and Services for the State Transportation Program.
4. Requesting permission to defund the position of "Attorney Land Use Board" and fund the position of "Assistant Corporation Counsel Code Enforcement" within the Department of Planning & Community Development.
5. Confirming the Mayor's acceptance of the National Parks Service African American Civil Rights LAW Grant and enter into an agreement with Dr. Larry Spruill.
6. Approving an amended land acquisition disposition agreement. (20 S. 2nd Square CMV)
7. Authorizing the Mayor to enter into an agreement with Roosevelt Square Holdings LLC (11 West Prospect Avenue).
8. Authorizing the Mayor to enter into an agreement with Friendship Baptist Church (Ready4Life Program).

RETAINERS

9. Retaining the law firm of Murtugh, Cossu Venditti & Castro-Blanco, LLP to provide the City of Mount Vernon with hearing officer services in employment matters, including police personnel disciplinary hearings.

SETTLEMENTS

10. Settling the claim of Patrena Gilimore - \$2,100.00.
11. Settling the claim of Felix Wiafe - \$3,000.00
12. Settling the claim of Caroline Bourne - \$3,500.00
13. Settling the claim of Cane Grove Transportation - \$4,096.36.

MAY 04 2021

RESOLVED, that an ordinance adopted by the City Council on April 28, 2021 and signed by the Mayor on April 29, 2021, amending Ordinance No.1, adopted April 14, 2021, entitled "AN ORDINANCE AUTHORIZING THE MAYOR, CITY COUNCIL, AND THE BOARD OF ESTIMATE TO ENTER INTO AN AGREEMENT WITH THE MOUNT VERNON CITY CLERK AND THE MOUNT VERNON BOARD OF WATERSUPPLY ESTABLISHING THE OFFICE OF THE CITY CLERK AS THE FIDUCIARY CHARGED WITH RECEIPT OF PAYMENTS FOR DEPOSIT IN A DESIGNATED DEPOSITORY AND MOUNT VERNON BOARD OF WATER SUPPLY AS THE FINANCIAL MANAGER OF ALL FUNDS RECEIVED UNDER THE AMERICAN RESCUE PLAN ACT OF 2021; US DEPARTMENT OF TREASURY AND FEMA FUNDS DIRECTED AT THE CITY OF MOUNT VERNON, NEW YORK.", be and the same hereby is approved.

Vote recorded on 5/4/2021 as follows:

Griffith: Yea Reynolds: Absent

Patterson-Howard : Yea

Resolution Adopted 2-0

APPROVED AS TO FORM

Assistant Corporation Counsel

ADOPTED BY
BOARD OF ESTIMATE
AND CONTRACT

APPROVED
Dept. _____


Clerk

AN ORDINANCE AMENDING ORDINANCE No. 1 adopted APRIL 14, 2021 entitled "AN ORDINANCE AUTHORIZING THE MAYOR, CITY COUNCIL, AND THE BOARD OF ESTIMATE TO ENTER INTO AN AGREEMENT WITH THE MOUNT VERNON CITY CLERK AND THE MOUNT VERNON BOARD OF WATER SUPPLY ESTABLISHING THE OFFICE OF THE CITY CLERK AS THE FIDUCIARY CHARGED WITH RECEIPT OF PAYMENTS FOR DEPOSIT IN A DESIGNATED DEPOSITORY AND MOUNT VERNON BOARD OF WATER SUPPLY AS THE FINANCIAL MANAGER OF ALL FUNDS RECEIVED UNDER THE AMERICAN RESCUE PLAN ACT OF 2021; US DEPARTMENT OF TREASURY AND FEMA FUNDS DIRECTED AT THE CITY OF MOUNT VERNON, NEW YORK."

WHEREAS, Article V, Section 32, Legislative Power of the City Council authorizes the City Council to enact ordinances, not inconsistent with law, for the government of the City and the management of its business; and

WHEREAS, Section 91 of the Mount Vernon City Charter empowers the Mount Vernon Comptroller, among other things to "...demand, collect, receive and have the care and custody of and shall disburse all moneys belonging to or due the City from every source, except as otherwise provided by law"; and

WHEREAS, Charter provision addressing the powers of the City Comptroller never envisioned the emergency conditions that have enveloped the City of Mount Vernon along with every other governmental entity in the County of Westchester, State of New York, Nation and globally; and

WHEREAS, the Federal Government has deemed the City of Mount Vernon worthy of allocations under key provisions for Local Aid in the American Rescue Plan Act of 2021 as an Entitlement Municipality eligible for a modified CDBG formula that reflects population, poverty, and housing instability; and

WHEREAS, the Federal Government has allocated \$21 million to the City of Mount Vernon payable up front within two months in 2021; and \$21 million in 2022; and

WHEREAS, an additional stream of operating funding to the City of Mount Vernon will be made available from the Federal Emergency Management Agency (FEMA) on a reimbursable basis whereby the Federal government will repay FEMA eligible advanced outlays that meet the guidelines; and

WHEREAS, exigent circumstances exist necessitating legislative action arising out of the adverse impact of the Corona Virus on the people of the City of Mount Vernon; the adverse impact of the down turn in the economic and business activity of the City, the availability of local tax revenues on the municipal operations; and

WHEREAS, The New York State Office of the State Comptroller's Report of Examination 2020M-96 entitled "City of Mount Vernon: Financial Reporting and Oversight" dated September 2020 found that the Comptroller of the City of Mount Vernon failed to provide the City Council "interim financial reports including, but not limited to, budgetary status reports, cash flow reports and fund balance projections"; and fails to conduct periodic audits of all departments and administrative officials at least once in each year and submit reports to the Board and the Council by June 30 each year; and

WHEREAS, the Comptroller of the City of Mount Vernon has failed to comply with the award of a Writ of Mandamus from the New York State Supreme Court compelling her to "undertake any and all actions necessary to facilitate the disclosure of ... financial records and which were specified in the August 2020 Ordinances of the Mount Vernon City Council in her capacity as Comptroller of the City of Mount Vernon; as specified in the August 2020 Ordinances of the City Council denominated Item #1, 2, 4,5,and 6 at a SPECIAL MEETING of the City Council of Mount Vernon

dated Wednesday, August 5, 2020; See the Decision and Order of New York State Supreme Court Judge Susan Cacace on March 9, 2021; Copeland, et.al. v. Reynolds, Index No. 62962/20; and

WHEREAS, the current Comptroller of the City of Mount Vernon has willfully, intentionally and inexplicably turned away payments of Federal funds that were paid by United States Department of Housing and Urban Development that were intended to defray important public safety, life safety and human services expenses incurred by the City of Mount Vernon; and consequently the City Council previously passed an ordinance that permit the use of an affiliated entity (The Mount Vernon Urban Renewal Agency) to receive designated funds through a passthrough account administered by the Mount Vernon City Clerk; and

WHEREAS, best practices requires a segregation of duties between the receipt of revenue and the use of those funds by a municipality; and

WHEREAS, the Mount Vernon City Clerk is a branch of the City Government that is appointed by the Mount Vernon City Council; and

WHEREAS, the Mount Vernon Water Department is an independent agency of the City; and is administered under the Mount Vernon Board of Water Supply, [which is incorporated as a separate IRC 501(c)(3) organization that is independent of the oversight of the Mount Vernon City Council]; and

WHEREAS, the Board of Water Supply has the resources of a fully functional Financial Management structure which is capable of following the guidelines of the New York State Office of the New York State Comptroller and the City Charter of the City of Mount Vernon with regard to all funds received in behalf of the City of Mount Vernon from the Federal Government; and

The City of Mount Vernon, in City Council convened does hereby ordain and enact:

Section 1. The City Council shall direct the Corporation Counsel to formulate a **MANAGEMENT AGREEMENT BETWEEN THE CITY OF MOUNT VERNON and the BOARD OF WATER SUPPLY OF THE CITY OF MOUNT VERNON** that shall, at a minimum, provide that:

- a. All funds received from the United States Department of Treasury under the American Rescue Plan Act of 2021 and FEMA shall be received by the Office of the Mount Vernon City Clerk and deposited to a depository designated by the Board of Estimate and Contract of the City of Mount Vernon as a **PASSTHROUGH ACCOUNT/ARPA.2021.and.FEMA**;
- b. Upon receipt of funds received pursuant to this ordinance by the City Clerk; a Notice of Funds Availability shall be provided to the Mayor, Chief of Staff, City Council President, the City Comptroller, and the Mount Vernon Water Commissioner;
- c. Upon receipt of the Notice of Funds Availability from the City Clerk; transfer from the **PASSTHROUGH ACCOUNT/ARPA.2021and FEMA** to an **OPERATIONS ACCOUNT/ARPA.2021and FEMA** under the financial management and control of the Board of Water Supply shall be accomplished within three (3) days of receipt of the Notice of Funds Availability from the Office of the City Clerk; and
- d. All reporting required by the United States Department of the Treasury shall be the responsibility of the Board of Water Supply;

- e. All budgeting, projections of revenues and expenses shall be submitted to the Board of Estimate and Control and the Mount Vernon City Council by the Board of Water Supply following the budgeting process contained in the City Charter that would otherwise emanate from the Department of Finance and/or The City Comptroller; following the accounting requirements of the United States Department of the Treasury and the New York State Office of the State Comptroller;
- f. The Board of Water Supply shall provide the Executive Branch with all of the services required of the Comptroller as described in the City Charter except for the voting role on the Board of Estimate and Contract as it pertains to the receipt and disbursement of funds provided to the City of Mount Vernon through the American Rescue Plan Act of 2021;
- g. The Board of Water Supply shall assure that all contracts, procurement and spending decisions follow the usual course of approvals from the Mount Vernon City Council, the Board of Estimate and Contract and authorized for payment by the Board of Water Supply or any Department of the City of Mount Vernon to whom authority is delegated by the Mayor of the City of Mount Vernon; and shall thereafter follow its (Board of Water Supply's) own financial management systems to assure quality use, oversight and review of all funds received and expended; and

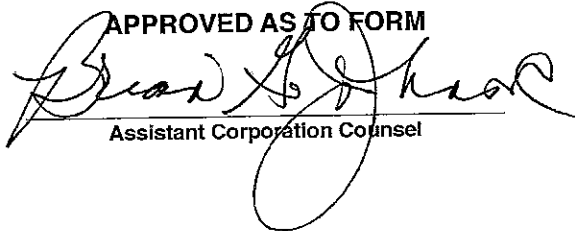
Section 2. The City Council shall authorize the Mayor to enter into a Management Agreement as described in Section 1 of this ordinance with the Mount Vernon Board of Water Supply that shall be counter signed by no less than a simple majority of the members of the Mount Vernon City Council and no less than a simple majority of the members of the Board of Estimate and Contract; and the Chairperson of the Mount Vernon Board of Water Supply.

New Matter Underlined _____
 Deleted Matter in [Brackets]

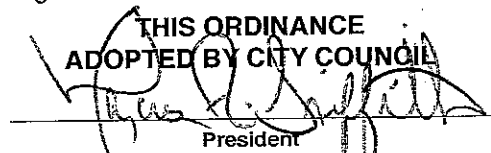
Section 3. That the Management Agreement shall be fully executed and effective upon the completion of Section 2 of this Ordinance.

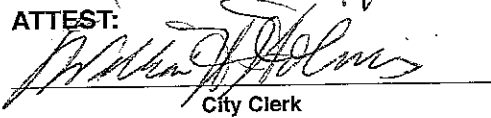
Section 4. This ordinance shall take effect upon its approval by the Board of Estimate and Contract and shall sunset on June 30, 2022.

Vote Taken As Follows: 4/28/2021
 Duarte: Yea Thompson: Yea
 Farquharson: Nay Copeland: Yea
 Griffith: Yea Ordinance Adopted

APPROVED AS TO FORM

 Assistant Corporation Counsel


 Councilperson

**THIS ORDINANCE
 ADOPTED BY CITY COUNCIL**

 President

ATTEST:

 City Clerk

APPROVED
 Dept. _____

APPROVED
APR 29 2021
 Date

 By _____
 Mayor

MAY 04 2021

2

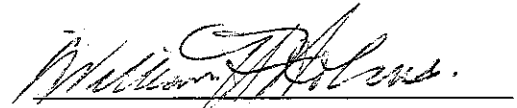
RESOLVED, that an ordinance adopted by the City Council on April 28, 2021 and signed by the Mayor on April 29, 2021, authorizing the Mayor to enter into an agreement with Westchester County Department of Senior Programs and Services for Title III-B Transportation Services Contract, PY 2021, be and the same hereby is approved.

Vote recorded on 5/4/2021 as follows:
Griffith: Yea Reynolds: Absent
Patterson-Howard : Yea
Resolution Adopted 2-0


APPROVED AS TO FORM
Assistant Corporation Counsel

ADOPTED BY
BOARD OF ESTIMATE
AND CONTRACT

APPROVED
Dept. _____


Clerk

2

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE WESTCHESTER COUNTY DEPARTMENT OF SENIOR PROGRAMS AND SERVICES FOR TITLE III-B TRANSPORTATION SERVICES CONTRACT, PY 2021.

WHEREAS, by letter dated April 21, 2021, the Commissioner of the Department of Recreation has requested legislation authorizing the Mayor to enter into an agreement with the Westchester County Department of Senior Programs and Services for Title III-B Transportation Services Contract, PY 2021; and

WHEREAS, the aforesaid agreement will be in the amount of \$24,684.00, with City matching funds of \$17,154.00, for a total program amount of \$41,838.00 during the contract period of January 1, 2021 through December 31, 2021; NOW, THEREFORE,

The City of Mount Vernon, in City Council convened, does hereby ordain and enact:

Section 1. The Mayor is hereby authorized to enter into an agreement with the Westchester County Department of Senior Programs and Services Contract, PY 2021 for Title III-B Transportation Services.

Section 2. The aforesaid funds in the amount of \$17,154.00 for Title IIIB Transportation Services are to be accounted for in Revenue Code A4803.1 to provide for an appropriation in Budget Codes A6774.104 and A6774.458, Department of Recreation 2021 Budget.

Section 3. This ordinance shall take effect upon its approval by the Board of Estimate and Contract.

Vote Taken As Follows: 4/28/2021
Duarte: Yea Thompson: Yea
Farquharson: Yea Copeland: Yea
Griffith: Yea Ordinance Adopted

APPROVED AS TO FORM
Brian G. Johnson
Assistant Corporation Counsel

Debra M. Glin
Councilperson

THIS ORDINANCE
ADOPTED BY CITY COUNCIL
James R. Griffith
President

ATTEST:
William J. Williams
City Clerk

APPROVED
Dept. _____

3

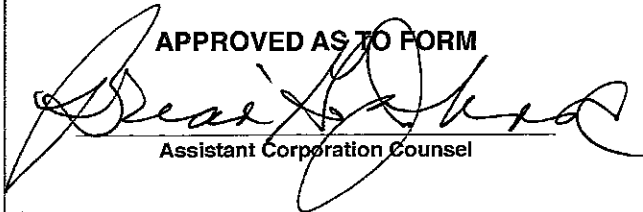
APPROVED
APR 29 2021
Date
Sharon Patterson
By _____ Mayor

MAY 04 2021

3

RESOLVED, that an ordinance adopted by the City Council on April 28, 2021 and signed by the Mayor on April 29, 2021, authorizing the Mayor to enter into an agreement with Westchester County Office of Senior Programs and Services for the State Transportation Program, be and the same hereby is approved.

APPROVED AS TO FORM


Assistant Corporation Counsel

ADOPTED BY
BOARD OF ESTIMATE
AND CONTRACT

APPROVED

Dept. _____


Clerk

Vote recorded on 5/4/2021 as follows:

Griffith: Yea Reynolds: Absent

Patterson-Howard : Yea

Resolution Adopted 2-0

3

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH WESTCHESTER COUNTY OFFICE OF SENIOR PROGRAMS AND SERVICES FOR THE STATE TRANSPORTATION PROGRAM.

WHEREAS, by letter dated April 21, 2021, the Commissioner of the Department of Recreation has requested legislation authorizing the Mayor to enter into an agreement with Westchester County Office of Senior Programs and Services under the State Transportation Program for the total budget amount of \$7,820.00 during the contract period April 1, 2021 to March 31, 2022; NOW, THEREFORE,

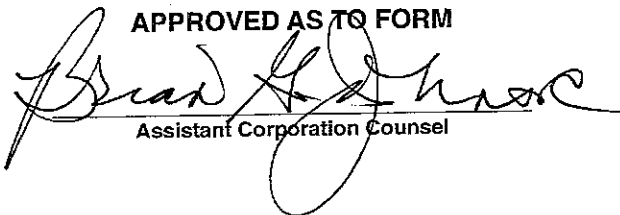
The City of Mount Vernon, in City Council convened, does hereby ordain and enact:

Section 1. The Mayor is hereby authorized to enter into an agreement with Westchester County Office of Senior Programs and Services under the State Transportation Program for the total budget amount of \$7,820.00 during the contract period April 1, 2021 to March 31, 2022.

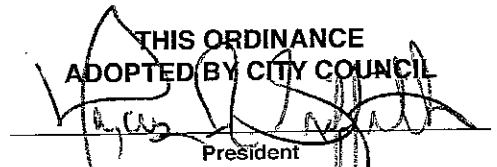
Section 2. The aforesaid funds are to be deposited into Revenue Code A4803.1 to provide for an appropriation in Budget Codes A7020.401 & A7020.402, Department of Recreation 2021 Budget.

Section 3. This ordinance shall take effect upon its approval by the Board of Estimate and Contract.

Vote Taken As Follows: 4/28/2021
Duarte: Yea Thompson: Yea
Farquharson: Yea Copeland: Yea
Griffith: Yea Ordinance Adopted

APPROVED AS TO FORM

Assistant Corporation Counsel


Councilperson

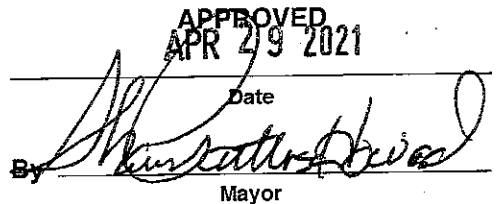
THIS ORDINANCE
ADOPTED BY CITY COUNCIL

President

ATTEST:

City Clerk

APPROVED
Dept. _____

4

APPROVED
APR 29 2021
Date

By _____
Mayor

MAY 04 2021

4

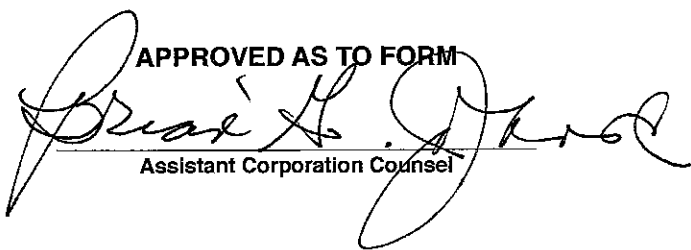
RESOLVED, that an ordinance adopted by the City Council on April 28, 2021 and signed by the Mayor on April 29, 2021, requesting permission to defund the position of "Attorney Land Use Board" and fund the position of "Assistant Corporation Counsel Code Enforcement" within the Department of Planning & Community Development, be and the same hereby is approved.

Vote recorded on 5/4/2021 as follows:

Griffith: Yea Reynolds: Absent

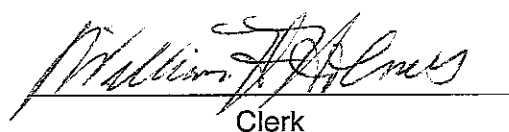
Patterson-Howard : Yea

Resolution Adopted 2-0


APPROVED AS TO FORM
Assistant Corporation Counsel

ADOPTED BY
BOARD OF ESTIMATE
AND CONTRACT

APPROVED
Dept. _____


Clerk

4

11

AN ORDINANCE REQUESTING PERMISSION TO TO DEFUND THE POSITION OF "ATTORNEY LAND USE BOARD" AND FUND THE POSITION OF "ASSISTANT CORPORATION COUNSEL CODE ENFORCEMENT" WITHIN THE DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT.

WHEREAS, by letter dated April 21, 2021, the Chief of Staff (Mayor's Office) has requested that legislation be enacted to defund the position of "Attorney Land Use Board" (grant funded) and fund the position of "Assistant Corporation Counsel Code Enforcement" (grant funded) in the amount of \$95,000.00 within said Department of Planning & Community Development; and

WHEREAS, funding for the aforesaid defunding/funding of positions are within the same payroll Budget Code A8020.101. The Cities RISE grant funds were already transferred to the City and are available in the 2021 Budget. This position will include fringe benefits which are covered by grant funds; NOW, THEREFORE,

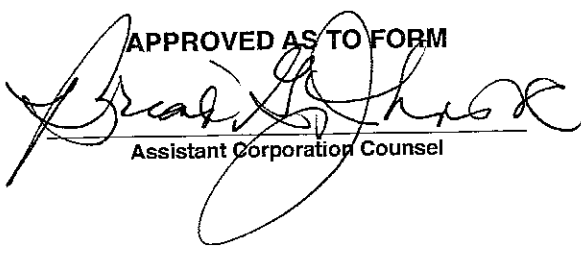
The City of Mount Vernon, in City Council convened, does hereby ordain and enact:

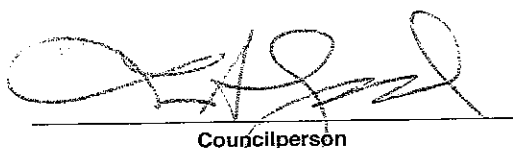
Section 1. The Department of Planning & Community Development is hereby authorized to defund the position of "Attorney Land Use Board" (grant funded) and fund the position of "Assistant Corporation Counsel Code Enforcement" (grant funded) in the amount of \$95,000.00.

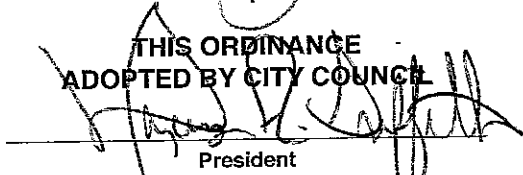
Section 2. Funds for the aforesaid in the amount of \$95,000.00 are available in Budget Code A8020.101 (Salaries & Wages), Department of Planning & Community Development 2021 Budget.

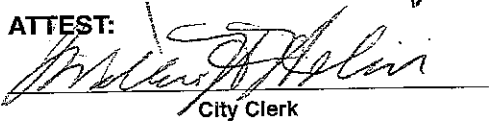
Section 3. This ordinance shall take effect upon its approval by the Board of Estimate and Contract.

Vote Taken As Follows: 4/28/2021
Duarte: Yea Thompson: Yea
Farquharson: Yea Copeland: Yea
Griffith: Yea Ordinance Adopted

APPROVED AS TO FORM

Assistant Corporation Counsel


Councilperson

THIS ORDINANCE
ADOPTED BY CITY COUNCIL

President

ATTEST:

City Clerk

APPROVED
Dept. _____

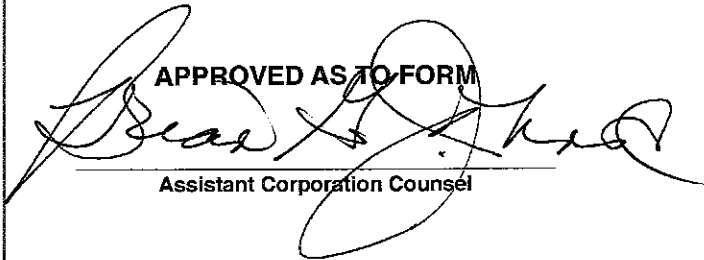
APPROVED
APR 29 2021
Date

Mayor

MAY 04 2021

5

RESOLVED, that an ordinance adopted by the City Council on April 28, 2021 and signed by the Mayor on April 29, 2021, confirming the Mayor's acceptance of the National Parks Service African American Civil Rights IAW Grant and enter into an agreement with Dr. Larry Spruill, be and the same hereby is approved.


APPROVED AS TO FORM
Assistant Corporation Counsel

ADOPTED BY
BOARD OF ESTIMATE
AND CONTRACT

APPROVED

Dept. _____


Clerk

Vote recorded on 5/4/2021 as follows:
Griffith: Yea Reynolds: Absent
Patterson-Howard : Yea
Resolution Adopted 2-0

5

12

AN ORDINANCE CONFIRMING THE MAYOR'S ACCEPTANCE OF THE NATIONAL PARKS SERVICE AFRICAN AMERICAN CIVIL RIGHTS IAW GRANT AND ENTER INTO AN AGREEMENT WITH DR. LARRY SPRUILL.

WHEREAS, by letter dated April 21, 2021, the Deputy Commissioner of the Department of Planning & Community Development has requested legislation authorizing the Mayor to accept the National Parks Service African American Civil Rights IAW Grant Agreement #19AP00471 in the amount of \$50,000.00 effective October 1, 2019 to September 30, 2022; and

WHEREAS, the aforesaid grant was accepted by the City through legislation dated September 18, 2019; and

WHEREAS, it is further requested for the Mayor to enter in to an agreement with Dr. Larry Spruill to act as the primary consultant to create the deliverables specified in the aforesaid grant; and

WHEREAS, the aforesaid grant requires the expenditure of City funds from the Department of Planning & Community Development (Budget Code A8020.405-Outside Services), and comes at no cost to the City with submission for reimbursement of Dr. Spruill's consulting fees from the African American Civil Rights Grant; and

WHEREAS, Dr. Spruill's consulting fees and those of any subcontractors hired by Dr. Spruill will be capped at the awarded amount of \$50,000.00 and solely funded by the U.S. Department of the Interior's National Park Service. Dr. Spruill will not be paid an hourly salary and will instead be compensated in increments (\$25,000, \$15,000, \$10,000) based on furnishing the deliverables detailed in the contract and will allocate payments to his subcontractors in accordance with their own externally executed contracts; NOW, THEREFORE,

The City of Mount Vernon, in City Council convened, does hereby ordain and enact:

Section 1. The Mayor is hereby authorized to enter into an agreement with Dr. Larry Spruill to act as the primary consultant to create the deliverables specified in the National Parks Service African American Civil Rights IAW Grant Agreement #19AP00471.

Section 2. There is no cost to the City.

Section 3. This ordinance shall take effect upon its approval by the Board of Estimate and Contract.

APPROVED AS TO FORM
Brian D. [Signature]
Assistant Corporation Counsel

[Signature]
Councilperson

THIS ORDINANCE ADOPTED BY CITY COUNCIL
[Signature]
President

ATTEST:
[Signature]
City Clerk

APPROVED
Dept. _____

12

APPROVED
APR 29 2021
Date
By *[Signature]*
Mayor

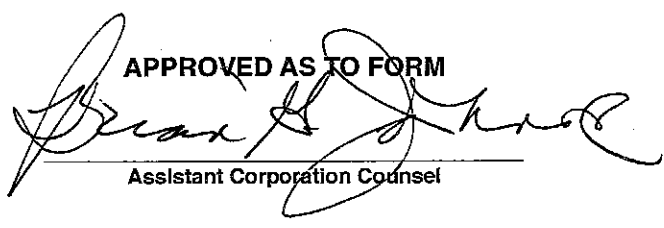
Vote Taken As Follows: 4/28/2021
Duarte: Yea Thompson: Yea
Farquharson: Yea Copeland: Yea
Griffith: Yea Ordinance Adopted

MAY 04 2021

6

RESOLVED, that an ordinance adopted by the City Council on April 28, 2021 and signed by the Mayor on April 29, 2021, approving an amended land acquisition disposition agreement (20 S. 2nd Square CMV), be and the same hereby is approved.

Vote recorded on 5/4/2021 as follows:
Griffith: Yea Reynolds: Absent
Patterson-Howard : Yea
Resolution Adopted 2-0


APPROVED AS TO FORM
Assistant Corporation Counsel

ADOPTED BY
BOARD OF ESTIMATE
AND CONTRACT

APPROVED
Dept. _____


Clerk

6

APR 28 2021
14

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MOUNT VERNON TO APPROVE AN AMENDED LAND ACQUISITION DISPOSITION AGREEMENT

WHEREAS, the City of Mount Vernon is the owner of certain real property located at 20 South Second Avenue (Section/Block/Lots 165.70-3112-11, 13, 37, and 39) (together, "Subject Property"); and

WHEREAS, pursuant to a Memorandum of Understanding entered between 20 S. 2nd Square, LLC ("Applicant") and the City of Mount Vernon in December of 2015, and extended in 2016 and 2019, respectively, the Applicant intends to purchase, remediate, and redevelop the Subject Property and develop it into a 340,000 square foot mixed-use building with 320 mixed-income residential units, and up to 18,000 square feet of non-residential space and public amenities ("Project"); and

WHEREAS, a Land Disposition Agreement ("LDA") has been proposed related to the sale of the Subject Property to the Applicant; and

WHEREAS, the Applicant proposes to purchase the Subject Property for \$1,500,000, which is higher than the assessed value of the Subject Property; and

WHEREAS, on February 18, 2021, the Real Estate Committee recommended the sale of the Subject Property; and

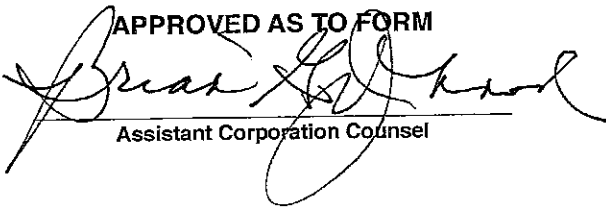
WHEREAS, the closing of the sale is conditioned upon, among other requirements set forth in the LDA, the satisfactory conclusion of all the City's and involved agencies' land use review procedures, including, without limitation, certain zoning revisions, the State Environmental Quality Review Act, and Site Plan Review; and

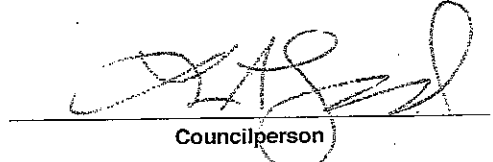
WHEREAS, this is a preliminary action not requiring SEQRA review at this time since the City retains all its rights to make a final determination approving, denying, or approving or denying in part, with conditions, the Project and related applications in accordance with the aforementioned approval processes,

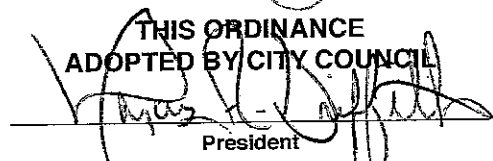
NOW, THEREFORE, the City of Mount Vernon, in City Council convened, does hereby ordain and enact:

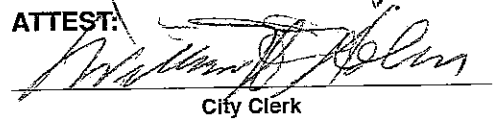
Section 1. The City Council of the City of Mount Vernon, as convened, does hereby approve the enclosed Land Disposition Agreement and authorizes the City's Representatives to execute said Land Disposition Agreement.

Section 2. This Ordinance shall take effect upon approval by the Board of Estimate and Contract.

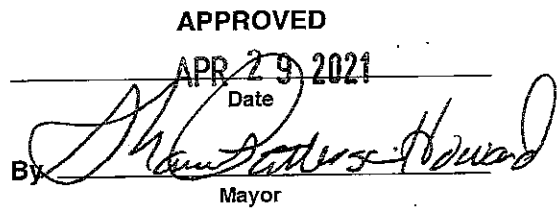
APPROVED AS TO FORM

Assistant Corporation Counsel


Councilperson

THIS ORDINANCE
ADOPTED BY CITY COUNCIL

President

ATTEST:

City Clerk

APPROVED
Dept. _____

APPROVED
APR 29 2021
Date

By _____
Mayor

Vote Taken As Follows: 4/28/2021
Duarte: Yea Thompson: Yea
Farquharson: Nay Copeland: Yea
Griffith: Yea Ordinance Adopted

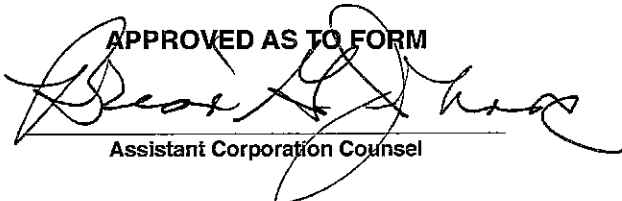
14

MAY 04 2021

7

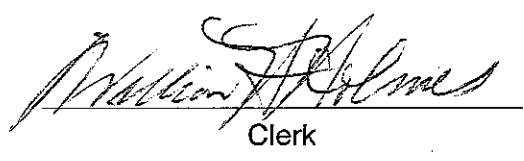
RESOLVED, that an ordinance adopted by the City Council on April 30, 2021 and signed by the Mayor on April 30, 2021, authorizing the Mayor to enter into an agreement with Roosevelt Square Holdings LLC, be and the same hereby is approved.

Vote recorded on 5/4/2021 as follows:
Griffith: Yea Reynolds: Absent
Patterson-Howard : Yea
Resolution Adopted: 2-0

APPROVED AS TO FORM

Assistant Corporation Counsel

ADOPTED BY
BOARD OF ESTIMATE
AND CONTRACT

APPROVED
Dept. _____


Clerk

7

5

AN ORDINANCE AUTHORIZING THE MAYOR
TO ENTER INTO AN AGREEMENT WITH
ROOSEVELT SQUARE HOLDINGS LLC.

WHEREAS, by letter dated April 19, 2021, the Deputy Director of the Youth Bureau has requested legislation authorizing the Mayor to enter into an agreement with Roosevelt Square Holdings LLC (11 West Prospect Avenue) in the amount of \$60,000.00 for the Mount Vernon Youth Bureau's Ready4Life Program to provide lease space for the contract period of May 1, 2021 - October 3, 2022; and

WHEREAS, the aforesaid agreement is part of a grant with the Administration for Children & Families/The Office of Family Assistance accepted by the City through legislation dated November 12, 2020 in the amount of \$745,235.00 per year for five (5) years and not to exceed \$3,726,175.00; and

WHEREAS, the aforesaid agreement will allow the Mount Vernon Youth Bureau to rent space with Roosevelt Square Holdings LLC (11 West Prospect Avenue) to provide: four (4) professional offices, one (1) cubicle for the Assistant/Data Clerk and use of various conference rooms; NOW, THEREFORE,

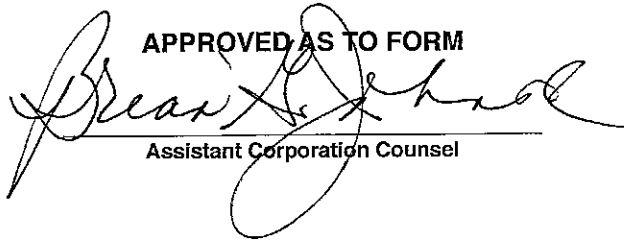
The City of Mount Vernon, in City Council convened, does hereby ordain and enact:

Section 1. The Mayor is hereby authorized to enter into an agreement with Roosevelt Square Holdings LLC (11 West Prospect Avenue) in the amount of \$60,000.00 for the Mount Vernon Youth Bureau's Ready4Life Program to provide lease space for the contract period of May 1, 2021 - October 3, 2022.

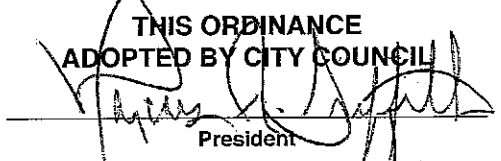
Section 2. The total cost not to exceed \$60,000.00 will be accounted for in Budget Code A7335.458, Youth Bureau 2021 Budget.

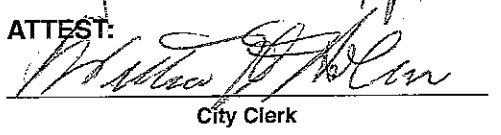
Section 3. This ordinance shall take effect upon its approval by the Board of Estimate and Contract.

Vote Taken As Follows: 4/30/2021 special
Duarte: Yea Thompson: Yea
Farquharson: Nay Copeland: Yea
Griffith: Yea Ordinance Adopted

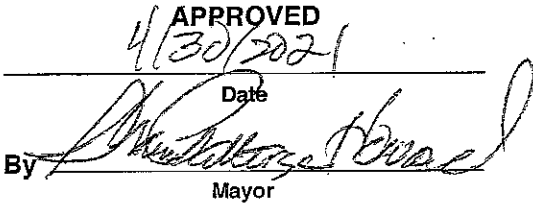
APPROVED AS TO FORM

Assistant Corporation Counsel


Councilperson

**THIS ORDINANCE
ADOPTED BY CITY COUNCIL**

President

ATTEST:

City Clerk

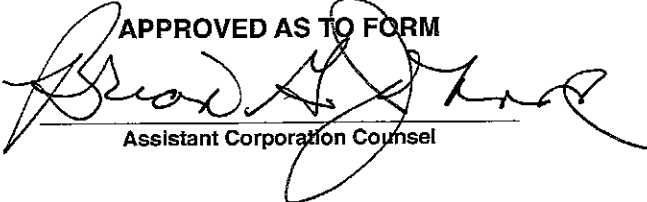
APPROVED
Dept. _____

APPROVED
4/30/2021
Date

By _____
Mayor

5

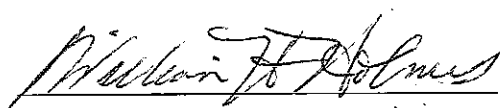
8

RESOLVED, that an ordinance adopted by the City Council on April 28, 2021 and signed by the Mayor on April 30, 2021, authorizing the Mayor to enter into an agreement with Friendship Baptist Church, be and the same hereby is approved.

APPROVED AS TO FORM

Assistant Corporation Counsel

ADOPTED BY
BOARD OF ESTIMATE
AND CONTRACT

APPROVED
Dept. _____


Clerk

Vote recorded on 5/4/2021 as follows:
Griffith: Yea Reynolds: Absent
Patterson-Howard : Yea
Resolution Adopted 2-0

8

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH FRIENDSHIP BAPTIST CHURCH.

WHEREAS, by letter dated April 20, 2021, the Executive Director of the Youth Bureau has requested legislation authorizing the Mayor to enter into an agreement with Friendship Baptist Church in the amount of \$30,000.00 for the Mount Vernon Youth Bureau's Ready4Life Program to provide lease space for the contract period of May 3, 2021 - October 3, 2022; and

WHEREAS, the aforesaid agreement is part of a grant with the Administration for Children & Families/The Office of Family Assistance accepted by the City through legislation dated November 12, 2020 in the amount of \$745,235.00 per year for five (5) years and not to exceed \$3,726,175.00; and

WHEREAS, the aforesaid agreement will allow the Mount Vernon Youth Bureau to rent space with Friendship Baptist Church to provide comprehensive services to high school students grades 9 through 12. The Ready4Life Program will address critical elements that aides in youth transitioning into adulthood and gain economic self-sufficiency; NOW, THEREFORE,

The City of Mount Vernon, in City Council convened, does hereby ordain and enact:

Section 1. The Mayor is hereby authorized to enter into an agreement with Friendship Baptist Church in the amount of \$30,000.00 for the Mount Vernon Youth Bureau's Ready4Life Program to provide lease space for the contract period of May 3, 2021 - October 3, 2022.

Section 2. The total cost not to exceed \$30,000.00 will be accounted for in Revenue Code A4820.4 to provide for an appropriation in Budget Code A7335.458 associated with the Ready4Life Program, Youth Bureau 2021 Budget.

Section 3. This ordinance shall take effect upon its approval by the Board of Estimate and Contract.

APPROVED AS TO FORM

[Signature]
Assistant Corporation Counsel

Councilperson

THIS ORDINANCE ADOPTED BY CITY COUNCIL

[Signature]
President

ATTEST:

[Signature]
City Clerk

APPROVED

4/30/2021

Date

[Signature]
By Mayor

APPROVED

Dept. _____

Vote Taken As Follows: 4/28/2021
Duarte: Yea Thompson: Yea
Farquharson: Yea Copeland: Yea
Griffith: Yea Ordinance Adopted

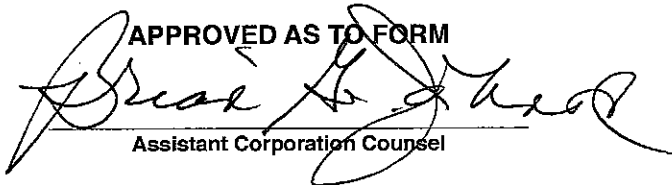
WHEREAS, pursuant to Section 153 of the Charter of the City of Mount Vernon, the Corporation Counsel, with the written consent of the Mayor, may employ counsel at such compensation as may be agreed upon by the Board of Estimate and Contract in the conduct of proceedings in which the City is a party, and

WHEREAS, by letter dated April 29, 2021, the Corporation Counsel has recommended that this Board retain the law firm of Murtugh, Cossu Venditti & Castro-Blanco, LLP to provide the City of Mount Vernon with hearing officer services in employment matters both now and in the future, including police personnel disciplinary hearings; NOW THEREFORE, be it

RESOLVED, that hearing officer services will be provided by Robert J. Ponzini, Esq. be retained at the firm's hourly rate of \$250.00 per hour for hearing officer services and \$100.00 for paralegal service; and be it further

RESOLVED that funds are available in Budget Code A1420.405 Law Department, 2021, Budget; and be it further

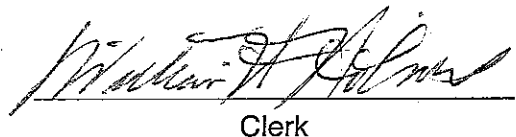
RESOLVED, that this resolution shall take effect immediately.

APPROVED AS TO FORM

Assistant Corporation Counsel

ADOPTED BY
BOARD OF ESTIMATE
AND CONTRACT

APPROVED

Dept. _____


Clerk

Vote recorded on 5/4/2021 as follows:
Griffith: Yea Reynolds: Absent
Patterson-Howard : Yea
Resolution Adopted 2-0

10

WHEREAS, on September 21, 2020, PATRENA GALIMORE filed a Notice of Claim seeking the sum of \$5,644.00 against the City of Mount Vernon for property damage to claimant's 2004 Honda Accord, which was allegedly damaged by a Police Department vehicle which occurred on August 11, 2020, and

WHEREAS, the Corporation Counsel hereby recommends that the Board of Estimate and Contract approve the settlement of the aforesaid claim in the amount of \$2,100.00; NOW, THEREFORE, be it

RESOLVED, that the aforesaid claim of PATRENA GALIMORE, be settled for the sum of \$2,100.00 and that said settlement be and the same hereby is approved; and be it further


RESOLVED, that said sum be paid out of Code A1910.469 (Insurance-Claims), 2021 Budget.

APPROVED AS TO FORM

Assistant Corporation Counsel

ADOPTED BY
BOARD OF ESTIMATE
AND CONTRACT

APPROVED
Dept. _____


Clerk

Vote recorded on 5/4/2021 as follows:
Griffith: Yea Reynolds: Absent
Patterson-Howard : Yea
Resolution Adopted 2-0

11

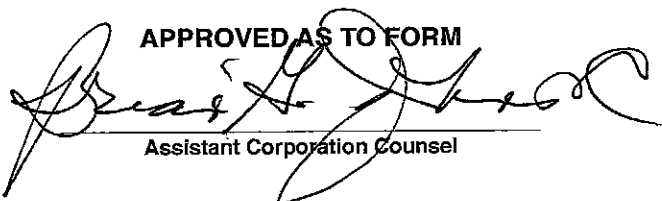
WHEREAS, on October 29, 2020, FELIX WIAFE filed a Notice of Claim seeking the sum of \$5,151.32 against the City of Mount Vernon for property damage to claimant's 2019 Genesis G-70, which was damaged while parked on City property (Lot 17 off Crary Avenue) due to "large weak branches" on August 8, 2020.

WHEREAS, the Corporation Counsel hereby recommends that the Board of Estimate and Contract approve the settlement of the aforesaid claim in the amount of \$3,000.00; NOW, THEREFORE, be it

RESOLVED, that the aforesaid claim of FELIX WIAFE, be settled for the sum of \$3,000.00 and that said settlement be and the same hereby is approved; and be it further

RESOLVED, that said sum be paid out of Code A1910.469 (Insurance-Claims), 2021 Budget.

APPROVED AS TO FORM



Assistant Corporation Counsel

ADOPTED BY
BOARD OF ESTIMATE
AND CONTRACT

APPROVED

Dept. _____



Clerk

Vote recorded on 5/4/2021 as follows:
Griffith: Yea Reynolds: Absent
Patterson-Howard : Yea
Resolution Adopted 2-0

WHEREAS, on September 30, 2019, CAROLINE BOURNE filed a Notice of Claim seeking the sum of \$40,000.00 against the City of Mount Vernon for personal injuries which occurred on July 1, 2019, when claimant was struck by a metal bolt while sitting on a park bench in Hartley Park.

WHEREAS, the Corporation Counsel hereby recommends that the Board of Estimate and Contract approve the settlement of the aforesaid claim in the amount of \$3,500.00; NOW, THEREFORE, be it

RESOLVED, that the aforesaid claim of CAROLINE BOURNE, be settled for the sum of \$3,500.00 and that said settlement be and the same hereby is approved; and be it further

RESOLVED, that said sum be paid out of Code A1910.469 (Insurance-Claims), 2021 Budget.

APPROVED AS TO FORM

Assistant Corporation Counsel

ADOPTED BY
BOARD OF ESTIMATE
AND CONTRACT

APPROVED

Dept. _____


Clerk

Vote recorded on 5/4/2021 as follows:

Griffith: Yea Reynolds: Absent
Patterson-Howard : Yea
Resolution Adopted 2-0

13

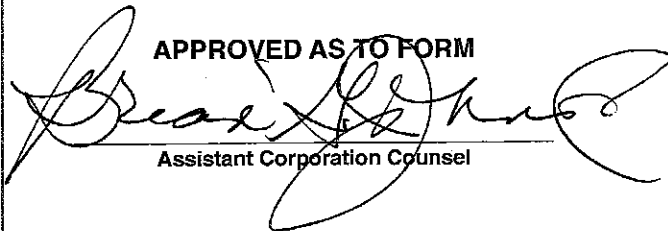
WHEREAS, on October 7, 2019, CANE GROVE TRANSPORTATION filed a Notice of Claim seeking the sum of \$5,120.45 against the City of Mount Vernon for property damage to claimant's 2014 Nissan Altima, which was allegedly damaged by a city vehicle driven by a former city employee which occurred on July 10, 2019, and

WHEREAS, the Corporation Counsel hereby recommends that the Board of Estimate and Contract approve the settlement of the aforesaid claim in the amount of \$4,096.36; NOW, THEREFORE, be it

RESOLVED, that the aforesaid claim of CANE GROVE TRANSPORTATION, be settled for the sum of \$4,096.36 and that said settlement be and the same hereby is approved; and be it further

RESOLVED, that said sum be paid out of Code A1910.469 (Insurance-Claims), 2021 Budget.

APPROVED AS TO FORM



Assistant Corporation Counsel

ADOPTED BY
BOARD OF ESTIMATE
AND CONTRACT

APPROVED

Dept. _____


Clerk

Vote recorded on 5/4/2021 as follows:
Griffith: Yea Reynolds: Absent
Patterson-Howard : Yea
Resolution Adopted 2-0

13