

- | <u>NO.</u> | <u>SUBJECT</u> |
|------------|--|
| | AMENDMENT TO CODE OF THE CITY OF NEW ROCHELLE
<u>RE: PARKING FOR THE HANDICAPPED – GLENMORE DRIVE</u> |
| 33 | Ordinance amending Section 312-91 (Schedule XX: Handicapped Parking) of Chapter 312 (Vehicles and Traffic) of the Code of the City of New Rochelle (Glenmore Drive). |
| | AMENDMENT TO 2017 BUDGET
<u>RE: DIVISION OF CRIMINAL JUSTICE SERVICES (DCJS) GRANT</u> |
| 34 | Ordinance accepting the New York State Department of Criminal Justice Services Grant and amending Ordinance No. 274 of 2016, the Budget of the City of New Rochelle for 2017 (Police Department). |
| | AMENDMENT TO 2017 BUDGET
<u>RE: JUSTICE ASSISTANCE GRANT (JAG) 2016</u> |
| 35 | Ordinance accepting the U. S. Department of Justice, Justice Assistance Grant (JAG) in the amount of \$14,114 and amending Ordinance No. 274 of 2016, the Budget of the City of New Rochelle for 2017. |

End of Consent Agenda

- | | |
|----|---|
| | APPOINTMENTS TO THE
<u>NEW ROCHELLE INDUSTRIAL DEVELOPMENT AGENCY (IDA)</u> |
| 36 | Resolution appointing Jordanna Davis and Howard Greenberg to the New Rochelle Industrial Development Agency. |
| | LEASE WITH 165 HUGUENOT PROPERTY OWNERS, LLC.
<u>RE: LEASING OF 59 PARKING SPACES IN THE NEW ROC GARAGE</u> |
| 37 | Resolution amending Resolution No, 78 of 2016 and authorizing the City Manager to execute a lease with 165 Huguenot Property Owners, LLC, relative to leasing 59 parking spaces in the New Roc Garage pursuant to Section 331-126(E)(2)(g) of the Code of the City of New Rochelle. |
| | AMENDMENT TO “ECONOMIC OPPORTUNITY AND
<u>NONDISCRIMINATION POLICY”</u> |
| 38 | Resolution amending Resolution No. 113 of 2016 entitled “Establishing an Economic Opportunity and Nondiscrimination Policy for the City of New Rochelle. |

BENNIE F. GILES, III
CITY CLERK

BFG:MLS

MARCH, 2017:

Committee of the Whole Session: Tuesday, March 14, 2017, at 3:45 P. M.

Regular Legislative Meeting: Tuesday, March 21, 2017, at 7:00 P. M.

City of New Rochelle, N.Y.

Introduced On: 2/7/17

Introduced By:

Held:

Adopted:

No. 28

Council Members Louis J. Trangucci,
Moved: Albert A. Tarantino, Jr., Jared R.

{and} Rice, Ivar Hyden, Barry R. Fertel,

Seconded: Elizabeth M. Fried, and Mayor Noam Bramson

Dist	Member	Yeas	Nays	Abstain	Absent
1st	Trangucci				<input checked="" type="checkbox"/>
2nd	Tarantino	<input checked="" type="checkbox"/>			
3rd	Rice	<input checked="" type="checkbox"/>			
4th	Hyden	<input checked="" type="checkbox"/>			
5th	Fertel	<input checked="" type="checkbox"/>			
6th	Fried	<input checked="" type="checkbox"/>			
Mayor	Bramson	<input checked="" type="checkbox"/>			

Approved As To Form:

Chief of Staff for Policy and Government Affairs/Corporation Counsel

SUBJECT
OR
TITLE

RESOLUTION ACCEPTING THE GIFT OF PUBLIC ART TO
BE INSTALLED AT THE CORNER OF HUGUENOT STREET
AND LECOUNT PLACE.

5.1.

WHEREAS, New Rochelle resident Bernard Robinson has generously offered a gift of a Tom Bills steel and concrete sculpture to the City; and

WHEREAS, Tom Bills, a nationally recognized sculptor and past New York resident, is a professor of art and art history at UC Davis specializing in sculpture whose work has been exhibited in numerous galleries; and

WHEREAS, the Municipal Arts Commission has voted in favor of accepting the sculpture and has considered various publicly accessible locations where this gift can be enjoyed by New Rochelle residents; now, therefore

BE IT RESOLVED by the Council of the City of New Rochelle, that the gift a Tom Bills sculpture offered by Bernard Robinson to be installed at the corner of Huguenot Street and LeCount Place as recommended by the Municipal Arts Commission with final approval of the Commissioner or Parks and Recreation, is hereby accepted.

Authenticated and certified)
this 14th day of Feb., 2017)

NOAM BRAMSON, Mayor
BENNIE F. GILES, III, City Clerk

Authenticated and certified this

14th day of February, 2017

1/26/17

Mayor
Bennie F. Giles, III
City Clerk

City of New Rochelle, N.Y.

Introduced On: 2/7/17

Introduced By:

Held:

Adopted:

No. 29

Council Members Louis J. Trangucci,
Albert A. Tarantino, Jr., Jared R.

(and) Rice, Ivar Hyden, Barry R. Fertel,

Seconded: Elizabeth M. Fried, and Mayor Noam Bramson

Approved As To Form:

Chief of Staff for Policy and Government Affairs/Corporation Counsel

SUBJECT
OR
TITLE

RESOLUTION AUTHORIZING THE CITY MANAGER
TO NEGOTIATE AND EXECUTE A CONTRACT WITH
TESLA MOTORS, INC., RELATIVE TO ELECTRIC
VEHICLE CHARGER STATIONS AT THE NEW ROC
GARAGE.

Dist	Member	Yeas	Nays	Abstain	Absent
1st	Trangucci				<input checked="" type="checkbox"/>
2nd	Tarantino	<input checked="" type="checkbox"/>			
3rd	Rice	<input checked="" type="checkbox"/>			
4th	Hyden	<input checked="" type="checkbox"/>			
5th	Fertel	<input checked="" type="checkbox"/>			
6th	Fried	<input checked="" type="checkbox"/>			
Mayor	Bramson	<input checked="" type="checkbox"/>			

6-1

WHEREAS, the City of New Rochelle New Rochelle recognizes the need to grow in a smart and sustainable way that both meets the needs of its residents and preserves the integrity of the community; and

WHEREAS, Tesla wishes to install eight (8) *Tesla Super Charger Stations* in eight parking spaces at the New Roc Garage; and

WHEREAS, all spaces will feature signage announcing the charging capability for Tesla vehicles; and

WHEREAS, the electric charges will be metered directly to Tesla and all utility charges associated with the use of the stations will be borne by Tesla; and

WHEREAS, Tesla customers will pay the standard parking rate for the facility to the City when a vehicle is occupying the parking stall; now, therefore

BE IT RESOLVED, that the City Council of the City of New Rochelle hereby authorizes the City Manager to negotiate and execute a contract with Tesla Motors, Inc. relative to the installation of eight charging stations at the New Roc Garage under the terms and conditions acceptable to the City Manager and Corporation Counsel.

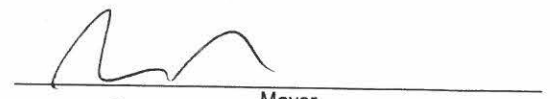

Authenticated and certified)
this 14th day of Feb., 2017)

NOAM BRAMSON, Mayor
BENNIE F. GILES, III, City Clerk

Authenticated and certified this

14th day of February, 2017

1/26/17


Mayor

City Clerk

City of New Rochelle, N.Y.

Introduced On: 2/7/17

Introduced By:

Held:

Adopted:

No. 30

Council Members Louis J. Trangucci,

Moved: Albert A. Tarantino, Jr., Jared R.

(and) Rice, Ivar Hyden, Barry R. Fertel,

Seconded: Elizabeth M. Fried, and Mayor Noam Bramson

Dist	Member	Yeas	Nays	Abstain	Absent
1st	Trangucci				<input checked="" type="checkbox"/>
2nd	Tarantino	<input checked="" type="checkbox"/>			
3rd	Rice	<input checked="" type="checkbox"/>			
4th	Hyden	<input checked="" type="checkbox"/>			
5th	Fertel	<input checked="" type="checkbox"/>			
6th	Fried	<input checked="" type="checkbox"/>			
Mayor	Bramson	<input checked="" type="checkbox"/>			

Approved As To Form:

Chief of Staff for Policy and Government Affairs/Corporation Counsel

SUBJECT
OR
TITLE

ORDINANCE AUTHORIZING THE APPROPRIATION OF FUNDS AND AMENDING ORDINANCE NO. 274 OF 2016, THE BUDGET OF THE CITY OF NEW ROCHELLE FOR 2017, RELATIVE TO FIRST SOURCE REFERRAL CENTER JOB TRAINING (WESTHAB).

WHEREAS, by Resolution No. 264 of 2016-264, the City Council authorized the City Manager to negotiate and execute an agreement with Westhab for services relating to operating a First Source Referral Center to promptly refer qualified workers to certain employers in New Rochelle; and

WHEREAS, the contract shall be funded through the proceeds collected through the Community Benefits Fund; and

WHEREAS, the First Source Referral Center will perform outreach within the New Rochelle community for individuals interested in job training for a variety of jobs but especially to be prepared to gain employment on the construction projects coming on line in the City; and

WHEREAS, as construction employment opportunities currently exist in the City, time is of the essence to have Westhab begin their work to outreach and train New Rochelle residents to take advantage of these opportunities; now, therefore

BE IT ORDAINED, by the City of New Rochelle:

Section 1. The Council of the City of New Rochelle the appropriation of Community Benefit funds to execute an agreement with Westhab relative to job training.

Section 2. Ordinance No. 274 of 2016, the Budget of the City of New Rochelle for 2017, is hereby amended as follows:

Increase Appropriations – General Fund:

DV 460.B Westhab – Job Training \$250,000

Increase Estimated Revenues – General Fund:

R42 Community Benefits Fund \$250,000


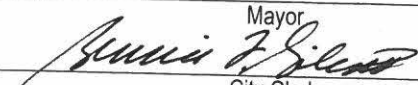
Authenticated and certified)
this 14th day of Feb., 2017)

NOAM BRAMSON, Mayor
BENNIE F. GILES, III, City Clerk

Authenticated and certified this

14th day of February, 2017

1/31/17


Mayor

City Clerk

City of New Rochelle, N.Y.

Introduced On: 2/7/17

Introduced By:

Held:

Adopted:

No. 31

Council Members Louis J. Trangucci,

Moved: Albert A. Tarantino, Jr., Jared R.

{and} Rice, Ivar Hyden, Barry R. Fertel,

Seconded: Elizabeth M. Fried, and Mayor Noam Bramson

Dist	Member	Yeas	Nays	Abstain	Absent
1 st	Trangucci				✓
2 nd	Tarantino	✓			
3 rd	Rice	✓			
4 th	Hyden	✓			
5 th	Fertel	✓			
6 th	Fried	✓			
Mayor	Bramson	✓			

Approved As To Form:

Chief of Staff for Policy and Government Affairs/Corporation Counsel

SUBJECT
OR
TITLE

ORDINANCE AMENDING SECTION 312-84 (SCHEDULE XIII:
PARKING PROHIBITED CERTAIN HOURS) OF CHAPTER 312
(VEHICLES AND TRAFFIC) OF THE CODE OF THE CITY OF
NEW ROCHELLE (LINCOLN AVENUE AT WINYAH TERRACE).

BE IT ORDAINED by the City of New Rochelle:

The Code of the City of New Rochelle, Section 312-84 (Schedule XIII: Parking Prohibited
Certain Hours) of Chapter 312 (Vehicles and Traffic) is hereby amended as follows:

§312-84. Schedule XIII: Parking Prohibited at Certain Hours.

In accordance with the provisions of §312-40, no person shall park a vehicle between the
hours listed upon any of the following streets or parts of streets subject to winter suspension of
alternate side of street sweeping parking regulations as denoted by an asterisk (*) herein:

Name of Street	Side	Hours / Days	Location
<u>Lincoln Avenue</u>	<u>South</u>	<u>8:00 a.m. to 6:00 p.m./All</u>	<u>From Winyah Terrace to</u> <u>100 ft. west</u>

Matter underlined added.

Authenticated and certified)
this 14th day of Feb., 2017)

NOAM BRAMSON, Mayor
BENNIE F. GILES, III, City Clerk

Authenticated and certified this

14th day of February, 2017

1/27/17

Mayor
Bennie F. Giles, III
City Clerk

City of New Rochelle, N.Y.

Introduced On: 2/7/17

Introduced By:

Held:

Adopted:

No. 32

Moved: Council Members Louis J. Trangucci,
Albert A. Tarantino, Jr., Jared R.

{and} Rice, Ivar Hyden, Barry R. Fertel,

Seconded: Elizabeth M. Fried, and Mayor Noam Bramson

Approved As To Form:

Chief of Staff for Policy and Government Affairs/Corporation Counsel

SUBJECT
OR
TITLE }

ORDINANCE AMENDING SECTION 312-87,
SCHEDULE XVI: NO STOPPING OR STANDING, OF
CHAPTER 312 (VEHICLES AND TRAFFIC) OF THE
CODE OF THE CITY OF NEW ROCHELLE (CLOVE
ROAD).

Dist	Member	Yeas	Nays	Abstain	Absent
1 st	Trangucci				✓
2 nd	Tarantino	✓			
3 rd	Rice	✓			
4 th	Hyden	✓			
5 th	Fertel	✓			
6 th	Fried	✓			
Mayor	Bramson	✓			

13.1

BE IT ORDAINED by the City of New Rochelle:

The Code of the City of New Rochelle, Section 312-87, Schedule XVI: No Stopping or Standing, of Chapter 312 (Vehicles and Traffic) is hereby amended as follows:

§ 312-87, Schedule XVI: No Stopping or Standing.

In accordance with the provisions of § 312-45, no person shall stop or stand a vehicle between the hours listed upon any of the following described streets or parts of streets:

Name of Street	Side	Hours/Days	Location
<u>Clove Road</u>	<u>East</u>	<u>2:30 p.m.-3:30 p.m.</u> <u>school days/except buses</u>	<u>From Otsego Avenue</u> <u>south for 200 feet</u>

Matter underlined added.


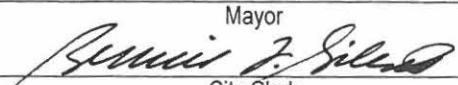
Authenticated and certified)
this 14th day of Feb., 2017)

NOAM BRAMSON, Mayor
BENNIE F. GILES, III, City Clerk

Authenticated and certified this

14th day of February, 2017

1/27/17


Mayor

City Clerk

City of New Rochelle, N.Y.

Introduced On: 2/7/17

Introduced By:

Held:

Adopted:

No.

33

Moved: Council Members Louis J. Trangucci,
Albert A. Tarantino, Jr., Jared R.

(and) Rice, Ivar Hyden, Barry R. Fertel,

Seconded: Elizabeth M. Fried, and Mayor Noam Bramson

Dist	Member	Yeas	Nays	Abstain	Absent
1st	Trangucci				✓
2nd	Tarantino	✓			
3rd	Rice	✓			
4th	Hyden	✓			
5th	Fertel	✓			
6th	Fried	✓			
Mayor	Bramson	✓			

Approved As To Form:

Chief of Staff for Policy and Government Affairs/Corporation Counsel

u SUBJECT
OR
TITLE }

ORDINANCE AMENDING SECTION 312-91 (SCHEDULE XX:
HANDICAPPED PARKING) OF CHAPTER 312 (VEHICLES
AND TRAFFIC) OF THE CODE OF THE CITY OF NEW
ROCHELLE (GLENMORE DRIVE).

14.1

BE IT ORDAINED by the City of New Rochelle:

The Code of the City of New Rochelle, Section 312-91 (Schedule XX: Handicapped
Parking) of Chapter 312 (Vehicles and Traffic) is hereby amended as follows:

§312-91. Schedule XX: Handicapped Parking.

In accordance with the provisions of §312-49, the following described locations are hereby
designated as handicapped parking spaces:

Name of Street	Side	Location
<u>Glenmore Drive</u>	<u>West</u>	<u>Across from 95 Glenmore Drive for 20 feet</u>

Matter underlined added


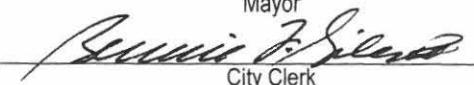
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this 14th day of Feb., 2017)

NOAM BRAMSON, Mayor
BENNIE F. GILES, III, City Clerk

Authenticated and certified this

14th day of February, 2017

1/27/17


Mayor

City Clerk

City of New Rochelle, N.Y.

Introduced On: 2/7/17

Introduced By:

Held:

Adopted:

No. 34

Moved: Council Members Louis J. Trangucci,
Albert A. Tarantino, Jr., Jared R.

(and) Rice, Ivar Hyden, Barry R. Fertel,

Seconded: Elizabeth M. Fried, and Mayor Noam Bramson

Approved As To Form:

Chief of Staff for Policy and Government Affairs/Corporation Counsel

SUBJECT
OR
TITLE

ORDINANCE ACCEPTING THE NEW YORK STATE
DEPARTMENT OF CRIMINAL JUSTICE SERVICES GRANT
AND AMENDING ORDINANCE NO. 274 OF 2016, THE
BUDGET OF THE CITY OF NEW ROCHELLE FOR 2017
(POLICE DEPARTMENT).

Dist	Member	Yeas	Nays	Abstain	Absent
1 st	Trangucci				<input checked="" type="checkbox"/>
2 nd	Tarantino	<input checked="" type="checkbox"/>			
3 rd	Rice	<input checked="" type="checkbox"/>			
4 th	Hyden	<input checked="" type="checkbox"/>			
5 th	Fertel	<input checked="" type="checkbox"/>			
6 th	Fried	<input checked="" type="checkbox"/>			
Mayor	Bramson	<input checked="" type="checkbox"/>			

16.1

BE IT ORDAINED by the City of New Rochelle:

Section 1. The Council of the City of New Rochelle hereby accepts the New York State Department of Criminal Justice Services grant in the amount of \$82,710.

Section 2. Ordinance No. 274 of 2016, the Budget of the City of New Rochelle for 2017, is hereby amended in order to provide for the acceptance and implementation of this grant, as follows:

Increase Estimated Revenues – General Fund:

S 87	Police Protective Equipment	\$82,710
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Increase Appropriations – General Fund:

PDP 221	Police Protective Equipment	\$82,710
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Section 3. The City Manager is hereby authorized to make such representation and execute such documentation as may be necessary and required to file and accept the \$82,710 grant.


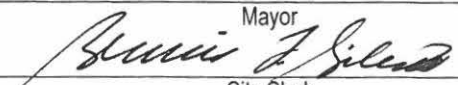
Authenticated and certified)
this 14th day of Feb., 2017)

NOAM BRAMSON, Mayor
BENNIE F. GILES, III, City Clerk

Authenticated and certified this

14th day of February, 2017

2/2/17


Mayor

City Clerk

City of New Rochelle, N.Y.

Introduced On: 2/7/17

Introduced By:

Held:

Adopted:

No. 35

Council Members Louis J. Trangucci,

Moved: Albert A. Tarantino, Jr., Jared R.

(and) Rice, Ivar Hyden, Barry R. Fertel,

Seconded: Elizabeth M. Fried, and Mayor Noam Bramson

Dist	Member	Yeas	Nays	Abstain	Absent
1st	Trangucci				<input checked="" type="checkbox"/>
2nd	Tarantino	<input checked="" type="checkbox"/>			
3rd	Rice	<input checked="" type="checkbox"/>			
4th	Hyden	<input checked="" type="checkbox"/>			
5th	Fertel	<input checked="" type="checkbox"/>			
6th	Fried	<input checked="" type="checkbox"/>			
Mayor	Bramson	<input checked="" type="checkbox"/>			

Approved As To Form:

Chief of Staff for Policy and Government Affairs/Corporation Counsel

SUBJECT
OR
TITLE }

ORDINANCE ACCEPTING THE U.S. DEPARTMENT OF JUSTICE, JUSTICE ASSISTANCE GRANT (JAG) IN THE AMOUNT OF \$14,114 AND AMENDING ORDINANCE NO. 274 OF 2016, THE BUDGET OF THE CITY OF NEW ROCHELLE FOR 2017.

Suppl. 18.1.

BE IT ORDAINED by the City of New Rochelle:

Section 1. The Council of the City of New Rochelle hereby accepts the U.S. Department of Justice, Justice Assistant Grant (JAG) in the amount of \$14,114.

Section 2. Ordinance No. 274 of 2016, the Budget of the City of New Rochelle for 2017, is hereby amended in order to provide for the acceptance and implementation of this grant, as follows:

Increase Appropriations – General Fund

PDP 220.22 Equipment – 2016 JAG Grant \$14,114

Increase Estimated Revenues – General Fund

S17.93 2016 JAG Grant \$14,114

Section 3. The City Manager is hereby authorized to execute documentation as may be necessary and required to file and accept the \$14,114 grant.

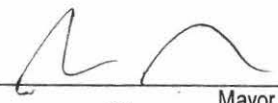
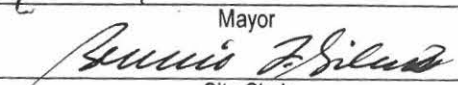
Authenticated and certified)
this 14th day of Feb., 2017)

NOAM BRAMSON, Mayor
BENNIE F. GILES, III, City Clerk

Authenticated and certified this

14th day of February, 2017

2/11/17


Mayor

City Clerk

City of New Rochelle, N.Y.

Introduced On: 2/14/17

Introduced By:

Held:

Adopted:

No. 36

Moved: Council Members Albert A. Tarantino, Jared R. Rice, Ivar Hyden, Barry R.

(and) Fertel, Elizabeth M. Fried, and

Seconded: Mayor Noam Bramson

Approved As To Form:

Chief of Staff for Policy and Government Affairs/Corporation Counsel

SUBJECT }
OR }
TITLE }

RESOLUTION APPOINTING TWO MEMBERS TO THE
NEW ROCHELLE INDUSTRIAL DEVELOPMENT
AGENCY.

Dist	Member	Yeas	Nays	Abstain	Absent
1st	Trangucci				✓
2nd	Tarantino	✓			
3rd	Rice	✓			
4th	Hyden	✓			
5th	Fertel	✓			
6th	Fried	✓			
Mayor	Bramson	✓			

Suppl. 19.

BE IT RESOLVED by the Council of the City of New Rochelle as follows:

Howard Greenberg and Jordanna Davis are hereby appointed to the New Rochelle Industrial Development Agency for three (3) year terms, commencing on March 1, 2017 through February 28, 2020.


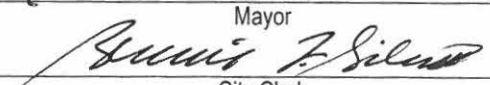
Authenticated and certified)
this 14th day of Feb., 2017)

NOAM BRAMSON, Mayor
BENNIE F. GILES, III, City Clerk

Authenticated and certified this

14th day of February, 2017

2/8/17


Mayor

City Clerk

City of New Rochelle, N.Y.

Introduced On: 2/14/17

Introduced By:

Held:

Adopted:

No. 37

Council Members Albert A. Tarantino, Jr.

Moved: Jared R. Rice, Ivar Hyden, Barry R.

(and) Fertel, Elizabeth M. Fried, and

Seconded: Mayor Noam Bramson

Approved As To Form:

Chief of Staff for Policy and Government Affairs/Corporation Counsel

SUBJECT
OR
TITLE }

RESOLUTION AMENDING RESOLUTION NO. 78 OF 2016
AND AUTHORIZING THE CITY MANAGER TO EXECUTE A
LEASE WITH 165 HUGUENOT PROPERTY OWNERS, LLC,
RELATIVE TO LEASING 59 PARKING SPACES IN THE NEW
ROC GARAGE PURSUANT TO SECTION 331-126(E)(2)(g) OF
THE CODE OF THE CITY OF NEW ROCHELLE.

Suppl. 20.

Dist	Member	Yeas	Nays	Abstain	Absent
1st	Trangucci				✓
2nd	Tarantino	✓			
3rd	Rice	✓			
4th	Hyden	✓			
5th	Fertel	✓			
6th	Fried	✓			
Mayor	Bramson	✓			

BE IT RESOLVED that Resolution No. 78 of 2016 is hereby amended, and the City Council of the City of New Rochelle hereby authorizes the City Manager to enter into an Agreement with 165 Huguenot Property Owners, LLC, for parking spaces in the New Roc Garage under the following terms and conditions:

1. The number of parking spaces shall be 59.
2. The term shall be for ninety-nine (99) years.
3. Termination: No termination for ten [five] (10[5]) years unless replacement parking is provided or a variance is granted. Following the initial five year period, the City may terminate the agreement if the New Roc Garage is no longer used as a public parking facility, or it is sold or leased in its entirety.
4. Fee: Annual parking permit rates and any adjustments made to such rates by the City Council.
3. Upon such terms and conditions as shall be satisfactory to the City Manager and approved by the Corporation Counsel.

Matter [bracketed] deleted.

Matter underlined added.


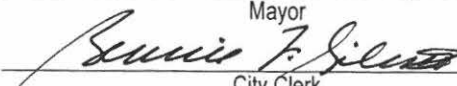
Authenticated and certified)
this 14th day of Feb., 2017)

NOAM BRAMSON, Mayor
BENNIE F. GILES, III, City Clerk

Authenticated and certified this

14th day of February, 2017

2/8/17


Mayor

City Clerk

City of New Rochelle, N.Y.

Introduced On: 2/14/17

Introduced By:

Held:

Adopted:

No. 38

Council Members Albert A. Tarantino, J.

Moved: Jared R. Rice, Ivar Hyden, Barry R.

(and) Fertel, Elizabeth M. Fried, and

Seconded: Mayor Noam Bramson

Approved As To Form:

Chief of Staff for Policy and Government Affairs/Corporation Counsel

SUBJECT
OR
TITLE }

RESOLUTION AMENDING RESOLUTION NO. 113 OF
2016 ENTITLED "ESTABLISHING AN ECONOMIC
OPPORTUNITY AND NONDISCRIMINATION POLICY
FOR THE CITY OF NEW ROCHELLE (REVISED)".

Dist	Member	Yeas	Nays	Abstain	Absent
1 st	Trangucci				<input checked="" type="checkbox"/>
2 nd	Tarantino	<input checked="" type="checkbox"/>			
3 rd	Rice	<input checked="" type="checkbox"/>			
4 th	Hyden	<input checked="" type="checkbox"/>			
5 th	Fertel	<input checked="" type="checkbox"/>			
6 th	Fried	<input checked="" type="checkbox"/>			
Mayor	Bramson	<input checked="" type="checkbox"/>			

Suppl. 21.

BE IT RESOLVED by the Council of the City of New Rochelle, that Resolution No. 113 of 2016 is hereby amended as follows:

I. Introduction.

A. Intent. The City of New Rochelle finds and determines that contracts awarded by the City, and economic development projects supported by the City or benefitting from zoning enhancements, provide a crucial opportunity for advancing City policy objectives, including targeting employment and business opportunities. In addition, prohibiting barriers to employment and invidious discrimination in City-supported contracts and projects is an important goal of the City in its expenditures and economic development activities.

B. Definitions. The following terms shall have the following meanings in this Policy:

"Opportunity Youth", also referred to as "Disconnected Youth", shall mean New Rochelle residents between the ages of 16 and 24 who are unemployed or underemployed and not attending school.


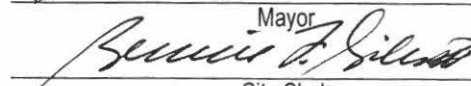
Authenticated and certified)
this 14th day of Feb., 2017)

NOAM BRAMSON, Mayor
BENNIE F. GILES, III, City Clerk

Authenticated and certified this

14th day of February, 2017

2/10/17


Mayor

City Clerk

City of New Rochelle, N.Y.

Introduced On:

Introduced By:

Held:

Adopted:

No. 113

Council Members Louis J. Trangucci,

Moved: Albert A. Tarantino, Jr., Jared R.

(and) Rice, Ivar Hyden, Barry R. Fertel,

Seconded: Elizabeth M. Fried, and Mayor Noam Bramson

Dist	Member	Yeas	Nays	Abstain	Absent
1 st	Trangucci	✓			
2 nd	Tarantino	✓			
3 rd	Rice	✓			
4 th	Hyden	✓			
5 th	Fertel	✓			
6 th	Fried	✓			
Mayor	Bramson	✓			

Approved As To Form:

Chief of Staff for Policy and Government Affairs/Corporation Counsel

Suppl. 261

SUBJECT
OR
TITLE }

RESOLUTION ESTABLISHING AN ECONOMIC
OPPORTUNITY AND NONDISCRIMINATION POLICY
FOR THE CITY OF NEW ROCHELLE (REVISED).

BE IT RESOLVED by the Council of the City of New Rochelle:

There is hereby established, an Economic Opportunity and Nondiscrimination Policy for the City of New Rochelle, applicable to City-awarded contracts and specified economic development projects, as follows.

I. Introduction.

A. Intent. The City of New Rochelle finds and determines that contracts awarded by the City, and economic development projects supported by the City or benefitting from zoning enhancements, provide a crucial opportunity for advancing City policy objectives, including targeting employment and business opportunities. In addition, prohibiting barriers to employment and invidious discrimination in City-supported contracts and projects is an important goal of the City in its expenditures and economic development activities.

B. Definitions. The following terms shall have the following meanings in this Policy:

"City" shall mean the City of New Rochelle.

"City Contract" shall mean a contract awarded by the City of New Rochelle, or a subcontract thereunder.

"Construction Contractor" shall mean a business performing construction work, or subcontracting to another entity to perform construction work, in furtherance of a City Contract or in construction of a Public-Private Project. "Construction Contractor" includes Prime Contractors.

"Developer" shall mean a developer of a Public-Private Project.

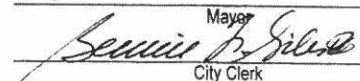
Authenticated and certified this

17th day of May, 2016

5/11/16



Mayor



City Clerk

"Employer" shall mean a business employing at least five individuals to work either in fulfillment of a City Contract, or on-site within a Public-Private Project. "Employer" does not include construction contractors.

"First Source Center" shall mean a source designated by the City for prompt referral of qualified and/or trained workers to Construction Contractors and Employers, for purposes of this Policy.

"M/WBE" shall mean a business concern that is at least 51% owned by one or more individuals who are African American, Hispanic American, Native American, Asian-Pacific American or Asian-Indian American, or female; and whose management and daily business operations are controlled by one or more of these owners.

"Opportunity Youth" shall mean New Rochelle residents between the ages of 16 and 24 who are unemployed or underemployed.

"Prime Contractor" shall mean a Construction Contractor that is party to a City Contract, or a prime contractor retained to perform construction work on a Public-Private Project.

"Public-Private Project" shall mean a development project (i) that receives financial aid, assistance, or funding from the City, including any public financing or contribution, such as loans, loan guarantees, tax credits, tax abatements, or infrastructure construction; (ii) for which the City is transferring ownership of or leasing right to occupy any real property, including rights-of-way or street vacation, whether at or below market rate; (iii) for which the City is entering into a development agreement or similar agreement; (iv) for which a developer has opted into the Downtown Overlay Zone; or (v) for which the City includes compliance with this Policy a term or condition of a voluntarily negotiated agreement, requested discretionary permit, or requested legislative action.

"Subscribing Employer" shall mean a Construction Contractor that employs an apprentice in accordance with the standards of apprenticeship through agreement with an apprenticeship program registered with the New York State Department of Labor.

"Targeted Worker" shall mean a qualified and/or trained worker referred to a Construction Contractor or Employer by the First Source Center, either for the currently available position, or for any position within the previous twelve months.

II. Employment and Training Opportunities.

A. Construction Employment.

1. Hiring Procedures. Each Construction Contractor shall take the following steps in the following order, in an effort to employ Targeted Workers to perform at least 20% of the work hours on the project or contract.

Step One: Utilize the Construction Contractor's discretion to assign to perform project work to any current employees who are Targeted Workers;

Step Two: If the Construction Contractor utilizes a union hiring hall to retain workers, utilize name call, rehire, similar procedures in the relevant collective bargaining agreement, and an explicit request, to retain Targeted Workers;

Step Three: If the above steps have not enabled employment of Targeted Workers to perform at least 20% of the work hours on the project or contract, request referral of Targeted Workers from the First Source Center; and

Step Four: Reasonably consider workers that have been referred by the First Source Center within five business days of request therefor.

If the Construction Contractor has not filled available jobs with Targeted Workers through the steps set forth above, it may recruit and hire workers through any mechanism, and shall continue to reasonably consider workers that have been referred by the First Source Center for up to fifteen days after initial notification. Employers that need to hire on an emergency basis in order to maintain operations may hire from any source immediately, but still shall notify the First Source Center about available positions, and reasonably consider any candidates referred before hiring is complete.

2. New Apprentice Employment Requirements for Prime Contractors. For each 20,000 construction work hours performed by a Prime Contractor and its subcontractors of any tier, such Prime Contractor and its subcontractors of any tier shall act as a Subscribing Employer for at least one individual newly enrolled as an apprentice in an apprenticeship program registered with the New York State Department of Labor, and employ such new apprentice for an aggregate total of at least one thousand 1,000 hours of work on the prime contract or subcontracts.

B. Non-construction Employment. Each Employer shall undertake the following steps in the following order, in an effort to hire Targeted Workers to fill at least 25% of available jobs on the project or contract.

Step One: Notification of Job Opportunities. When an Employer has an opening for an on-site job available, the Employer shall notify the First Source Center of the job opening and provide a description of job responsibilities and qualifications. Job qualifications shall be limited to qualifications directly related to performance of job duties.

Step Two: Consideration of Targeted Workers. The Employer shall then use standard hiring practices, including interviews, to consider all Targeted Workers referred by the First Source Center and meeting the qualifications described in the referral request during a five-day period after initial notification, or until all open on-site jobs are filled, whichever is sooner. The Employer shall make good faith efforts to

fill all available on-site jobs with Targeted Workers. If at the conclusion of the five-day period the Employer has been unable to fill all openings for on-site jobs with Targeted Workers, the Employer may use other recruitment methods. Employers that need to hire on an emergency basis in order to maintain operations may hire from any source immediately, but still shall notify the First Source Center about available positions, and reasonably consider any candidates referred before hiring is complete.

C. Hiring Discretion. Nothing in this Policy requires that any Construction Contractor or Employer hire any particular individual; each Construction Contractor shall have the sole discretion judge the qualification of and to hire or decline to hire any individual referred by the First Source Center or any other source. In order to improve the First Source system and the City's job training pipeline, each Employer that declines to hire all First Source referrals for an available position shall provide to the First Source Center a written account of reasons for rejecting such candidates.

D. First Source Center.

1. Role and Responsibilities. The City shall designate a First Source Center, which shall refer qualified and/or trained workers to employers pursuant to this Policy. The First Source Center shall coordinate referrals from multiple sources in and around New Rochelle. Referrals of workers to employers under this policy shall include available information on candidates, including background, qualifications, contact information, relevant training or skills, and resumes and references.

2. Outreach and Recruitment. The First Source Center shall concentrate outreach and recruitment on New Rochelle residents, and shall coordinate with referral and workforce development sources serving New Rochelle residents.

3. Prioritization of Opportunity Youth. In making referrals to employers, the First Source Center shall prioritize referrals of Opportunity Youth, where such candidates meet employer qualifications.

III. Business Opportunities.

A. Construction Contracts.

1. Prime Contracting. The City and each Developer shall have a goal of awarding at least 10% of prime contracts for construction work, including trucking services, to businesses based in the City. The City and the Developer shall make affirmative efforts to provide outreach to M/WBEs, including notification of bidding opportunities to a list of sources provided by the City, responsive communications with M/WBEs that express interest in bidding, and full and fair considerations of bids submitted by M/WBEs.

2. Subcontracting. Each Prime Contractor shall have a goal of awarding at least 20% of the dollar value of subcontracts for construction work, including trucking services, to businesses based in the City. Each Prime Contractor shall make affirmative efforts to provide outreach to M/WBEs, including notification of bidding opportunities to a list of sources provided by the City, responsive communications with M/WBEs that express interest in bidding, and full and fair considerations of bids submitted by M/WBEs.

3. Contracts and sub-contracts for construction shall include the requirement to submit quarterly utilization reports in a form provided by the City indicating the number and percentage of Targeted Workers and M/WBEs employed at a job site, with certified payroll sheets listing employees' bi-weekly payroll.

B. Service Contracts. The City, each Developer, Employers, and management entities operating portions of Public-Private Projects shall have a goal of awarding at least 20% of the dollar value of service contracts (not including construction contracts) to be performed on-site at the project to businesses based in the City. Entities awarding service contracts shall make affirmative efforts to provide outreach to M/WBEs, including notification of bidding opportunities to a list of sources provided by the City, responsive communications with M/WBEs that express interest in bidding, and full and fair considerations of bids submitted by M/WBEs.

1. Service contracts shall include the requirement to submit quarterly utilization reports in a form provided by the City indicating the number and percentage of Targeted Workers and M/WBEs employed on Public-Private Projects, with certified payroll sheets listing employees' bi-weekly payroll.

IV. Implementation.

A. Application. This Policy applies to and shall be incorporated into all City Contracts and into contracts between the City and Developers related to Public-Private Projects. When parties referenced in this Policy engage subcontractors, tenants, and other parties to operate in Public-Private Projects or as participants in fulfillment of City Contracts, this Policy shall be incorporated by reference into relevant contracts as a material term, enforceable by the City as a third-party beneficiary.

B. Monitoring. All parties with responsibilities under this Policy agree to provide information requested by the City as necessary to determine compliance with this Policy. Developers, Prime Contractors, and Employers shall provide annual public reports regarding compliance with this Policy. The City shall make available to the public in electronic format all such reports.

C. Enforcement. Developers, Construction Contractors, and Employers are subject to liquidated damages in cases of noncompliance with this Policy. The City Manager shall release a schedule of liquidated damages pertaining to particular violations of this Policy. When this Policy is included as a term of a contract, it incorporates by

reference the most recently released version of the liquidated damages schedule, and any other Policy clarifications released by the City. Liquidated damages shall be assessed by the City only in cases of sustained, material noncompliance, and after notice and opportunity to correct. Developers, Construction Contractors, and Employers also agree to remedies of specific performance and other contractual or equitable remedies related to compliance with this Policy. The liquidated damages schedule shall contain procedures relating to notice and opportunity to cure, and an appeals process in cases of assessment of liquidated damages. The City Manager may revise the liquidated damages schedule and other Policy clarifications over time, in light of implementation experience, with the goal of fostering successful implementation of this Policy without an adversarial or punitive approach.

D. Severability. If any provision of this Policy or any application thereof to any person or circumstances is held invalid by final judgment of any court of competent jurisdiction, such invalidity shall not affect other provisions or application of this Policy, which can be given effect without the invalid provision or application, and to this end the provisions of this Policy are declared to be severable.

V. Nondiscrimination Policy. The City and each Construction Contractor, Employer, and Developer shall refrain from discrimination or harassment based on race, ethnicity, national origin, gender, sexual orientation, age, religion, disability, veteran status, or any other basis prohibited by law, in all activities in furtherance of or on site of work performed in relation to a City Contract or a Public-Private Project. Such entities shall take active steps to ensure that all activities related to City Contracts and Public-Private Projects are conducted without discrimination or harassment on these bases, by all employees and representatives.

Authenticated and certified)
this 17th day of May, 2016)

NOAM BRAMSON, Mayor
BENNIE F. GILES, III, City Clerk