

# **City of Mount Vernon, New York**

1 ROOSEVELT SQ. RM. 104  
CITY HALL, MOUNT VERNON, NEW YORK 10550  
& VIA FACEBOOK.COM/MOUNTVERNONNY



## **Meeting Agenda - Final**

**Wednesday, November 13, 2024**

**7:00 PM**

**CITY COUNCIL CHAMBERS  
CITY HALL**

### **City Council**

*NICOLE J. BONILLA, M.B.A.  
Deputy City Clerk*

**A REGULAR MEETING OF THE CITY OF THE MOUNT VERNON CITY COUNCIL  
HELD ON WEDNESDAY, NOVEMBER 13, 2024  
Scheduled for 7:00 pm in the City Council Chambers, City Hall, Mount Vernon, New York.**

*\*\*\* This meeting was held in the City Council Chambers, with virtual participation via ZOOM and CMVNY Facebook. The meeting was not closed to the public. \*\*\**

**PRESIDING:** Cathlin B. Gleason, President

**OTHERS:** Nicole J. Bonilla, Deputy City Clerk; Antoinette Anderson, Legislative Aide; Johan Powell, Deputy Corporation Counsel.

**CALL TO ORDER / PLEDGE OF ALLEGIANCE**

Council President Cathlin B. Gleason called the meeting to order and provided general house-keeping rules, including encouraging citizens to share the meeting on social media and what to do “in case of emergency”. Council President Gleason explained the 3-minute-plus-1 public comment rule. She then asked a Councilperson to lead the council in the Pledge of Allegiance. Council President then proceeded to the Public Speakers session of the evening (listed below as public comment).

**PUBLIC COMMENT**

**REFERRAL SESSION**

Roll Call administered by Deputy City Clerk Nicole J. Bonilla

**REPORTS OF STANDING COMMITTEES AND ACTION THEREON**

**To the Council:**

**LEGISLATION AND PUBLIC WORKS**

1. Department of Management Services: An Ordinance Authorizing the Award of a Contract for the Audiovisual (AV) Upgrade Project to Justice AV Solutions, Inc. for City Council Chambers, City Council Committee Room and the Memorial Room

**Code:** LPW

2. Department of Management Services: An Ordinance to Award a Contract for VoIP Phone System to Spectrum and Enter into a Contract

**Code:** LPW

3. Department of Public Works: An Ordinance Authorizing the Mayor to Retroactively Enter into an Emergency Contractual Agreement with PCI Industries, Inc. for Immediate Sanitary and Stormwater Sewer Repairs at 5th Avenue and 3rd Street

**Code:** LPW

4. Department of Public Works: An Ordinance Authorizing the Mayor to Retroactively Enter into an Emergency Contractual Agreement with PCI Industries, Inc. for Sanitary and Stormwater Sewer Repairs at Multiple Locations  
**Code:** LPW
5. Department of Public Works: An Ordinance to Authorizing the Mayor to Amend the Agreement with National Water Main Cleaning Company for the Cleaning and Inspection of Sewer Systems within Outfall 24 Drainage Area (Project 122022-1)
6. Department of Public Works: An Ordinance Authorizing the Issuance of a Request for Proposals (RFP) for an Engineering Study to Address Flooding at the Intersection of South Third Avenue and South Columbus Avenue - FEMA4615-DR-NY-Hazard Mitigation Grant Program (FEMA-HMGP)  
**Code:** LPW
7. Department of Public Works: An Ordinance Authorizing the Release of a Request for Qualifications (RFQ) for Engineering Services Related to the Rehabilitation of the South Fulton Avenue Bridge (BIN 2225220 - Year Built 1912)  
**Code:** LPW
8. Department of Recreation: An Ordinance Authorizing the Department of Recreation to Co-Sponsor the 5th Annual Turkey Trot 5K Run/Walk and Authorizing Assistance from the Department of Public Works and the Department of Public Safety  
**Code:** LPW

**To the Council:**

### **HUMAN RESOURCES**

No Items

**To the Council:**

### **PUBLIC SAFETY AND CODES**

9. Fire Department: An Ordinance Authorizing the Renaming of Firehouse Station #2 at 435 South Fulton Avenue in Honor of Fire Lieutenant Joseph L. Miles Sr.  
**Code:** PSC
10. Department of Management Services: An Ordinance Authorizing the Technology Upgrade Project for the Fire Department  
**Code:** PSC

11. Department of Public Safety: An Ordinance Authorizing the Temporary Suspension and Enforcement of Parking Meters in Designated Municipal Garages and Lots to Promote Holiday Shopping - (December 9 - 24, 2024 from 8:00 a.m. – 8:00 p.m. and December 31, 2024 for the entire day)

**Code:** PSC

12. Department of Public Safety: An Ordinance Authorizing the Department of Public Safety to Solicit Competitive Bids for City Towing Services

**Code:** PSC

13. City Council: A Local Law to Enact Chapter 90 (Bamboo) of the Code of the City of Mount Vernon to Ban Running Bamboo in the City of Mount Vernon, NY

**Code:** PSC

14. City Council: An Ordinance Amending the Vehicle and Traffic Regulations for Commercial Vehicles in Chapter 256, Sections 11 and 23 of the Code of the City of Mount Vernon

**Code:** PSC

15. City Council: An Ordinance Amending Chapter 243-29 Entitled "Maximum Fees for Towing and Storage"

**Code:** PSC

**To the Council:**

**FINANCE AND PLANNING**

16. Department of Assessment: An Ordinance Authorizing the Mayor to Execute an Application for a Correction for the Tax Years 2023 and 2024 for City, County and School Tax Bills and Directing the Comptroller to Issue a Refund/Credit to Metro Green Realty of Westchester, LLC / 0 Oak Street (Block 164.68-1055-19) Due to a Correction of Error

**Code:** FP

17. City Council: An Ordinance Authorizing the Establishment of Custodial Accounts for the Management of Funds Related to Specific Development Projects

**Code:** FP

18. City Council: A Resolution of the City Council of the City of Mount Vernon, New York Declaring Itself as the Lead Agency for Mount Vernon East Zoning Amendments, and Scheduling a Public Hearing

**Code:** FP

**OTHER BUSINESS/CLOSING COMMENTS**

**AN ORDINANCE AUTHORIZING THE AWARD  
OF A CONTRACT FOR THE AUDIOVISUAL (AV)  
UPGRADE PROJECT TO JUSTICE AV SOLUTIONS,  
INC. FOR CITY COUNCIL CHAMBERS, CITY COUNCIL  
COMMITTEE ROOM AND THE MEMORIAL ROOM**

**Whereas**, by letter dated October 23, the Commissioner of the Department of Management Services has requested legislation authorizing them to award a contract for RFP #03-2024, City of Mount Vernon AV Upgrade, to Justice AV Solutions, Inc. for \$204,620.01 and authorize the Mayor to enter into a contract with Justice AV Solutions, Inc. for the implementation of the AV upgrade project, subject to the terms and conditions outlined in the RFP and the proposal submitted by Justice AV Solutions, Inc.; and

**Whereas**, the City of Mount Vernon Department of Management Services issued Request for Proposals (RFP) #03-2024 for the upgrade of audiovisual (AV) systems in the City Council Chambers, the City Council Committee Room, and the Memorial Room; and

**Whereas**, the purpose of the RFP was to address longstanding issues with the audio and video quality in these public meeting spaces, ensuring that both in-person and virtual participants can fully engage in public meetings and city functions; and

**Whereas**, the Department of Management Services and an evaluation committee assessed multiple proposals and identified Justice AV Solutions, Inc. as the most suitable vendor based on cost-effectiveness, technical capability, reputation, and scalability; and

**Whereas**, the proposed AV upgrade project includes the installation of modern audiovisual equipment and systems to enhance public access to meetings and presentations, as well as to improve both in-person and virtual participation experiences; and

**Whereas**, Justice AV Solutions, Inc. has submitted a contract proposal for the AV upgrade project, with a total contract value of \$204,620.01; and

**Whereas**, the City of Mount Vernon seeks authorization to award this contract and enter into an agreement with Justice AV Solutions, Inc. for the implementation of the project; **Now, Therefore, Be It Resolved That**

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

**Section 1. Contract Award.** The City of Mount Vernon is authorized to award the contract for RFP #03-2024, City of Mount Vernon AV Upgrade, to Justice AV Solutions, Inc. for \$204,620.01.

**Section 2. Contract Authorization.** The Mayor is hereby authorized to enter into a contract with Justice AV Solutions, Inc. to implement the AV upgrade project, subject to the terms and conditions outlined in the RFP and the proposal submitted by Justice AV Solutions, Inc.

**Section 3. Project Scope.** The scope of work for the AV upgrade project includes, but is not limited to, the following:

1. Installation of a state-of-the-art audiovisual system in the following three spaces within City Hall:
  - o City Council Chambers
  - o City Council Committee Room
  - o Memorial Room
2. Integration of Zoom capabilities and enhanced audio setup for in-person and virtual meeting participants.
3. Install cameras and screens to improve public access and engagement during meetings.
4. Staff training sessions to ensure proper use of the AV equipment.
5. Ongoing support services as outlined in the final contract.

**Section 4. Funding.** The project will be funded through ARPA H1680.203C927. The costs associated with the AV upgrade project shall be allocated from the appropriate budget line items and shall not exceed the contract amount of \$204,620.01.

**Section 5. Effective Date.** This ordinance shall take effect immediately upon its approval by the Board of Estimate & Contract.

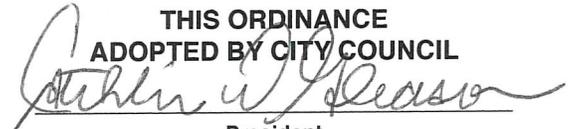
Vote Taken As Follows: 11/13/2024  
 Boxhill: Yea Browne: Yea  
 Poteat: Yea Thompson: Yea  
 Gleason: Yea Ordinance Adopted

**APPROVED AS TO FORM**

  
 Assistant Corporation Counsel

  
 Councilperson

**THIS ORDINANCE ADOPTED BY CITY COUNCIL**

  
 President

**ATTEST:**

  
 Deputy City Clerk

**APPROVED**

NOV 14 2024

Date

  
 Mayor

\_\_\_\_\_  
**APPROVED**  
 Dept. \_\_\_\_\_

2

**AN ORDINANCE AUTHORIZING THE AWARD OF CONTRACT FOR RFP #02-2023 CLOUD-BASED HOSTED VOIP PHONE SYSTEM TO SPECTRUM AND AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH SPECTRUM**

**Whereas**, by letter dated October 28, 2024, the Commissioner of the Department of Management Services has requested legislation authorizing the award of the contract for RFP #02-2023, Cloud-Based Hosted VoIP Phone System, to Spectrum and authorizing the Mayor to enter into an agreement with Spectrum for this project; and

**Whereas**, the City of Mount Vernon, through its Department of Management Services, issued RFP #02-2023 for a cloud-based hosted VoIP phone system to improve communication across city departments and satellite offices; and

**Whereas**, the RFP sought a reliable, scalable, and feature-rich solution that would accommodate approximately 250 phones and 350 lines, enhancing productivity and communication for city operations; and

**Whereas**, the RFP was published on June 30, 2023, and a proposal evaluation committee comprised of members from Management Services, DPW, the Assessors office, Finance, and other city departments reviewed all submissions based on criteria including cost-effectiveness, technical capability, vendor reputation, and scalability; and

**Whereas**, after thorough evaluation, Spectrum was identified as the most suitable vendor, meeting the city's requirements for quality service and cost efficiency, and offered the best overall solution for the city's communication needs; and

**Whereas**, Spectrum's contract proposal for this project includes a total contract value of \$539,755, with a recurring cost of \$489,390.00 over a 60-month term (monthly cost of \$8,156.50), a one-time hardware purchase of \$50,355.00, and a headset purchase totaling \$7,000.00 for city staff; and

**Whereas**, the project funding will be covered by ARPA budget code 168.203.C927 for the initial costs, with ongoing funding for recurring costs from the city's Telecommunications budget line 1912.441; **Now, Therefore, Be It Resolved That**

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

**Section 1. Award of Contract for VOIP Phone System.** The City Council hereby awards the contract for RFP #02-2023, Cloud-Based Hosted VoIP Phone System, to Spectrum and authorizes the Department of Management Services to enter into an agreement with Spectrum for this project.

**Section 2. Contract**

**Summary.** The terms of the Spectrum contract are as follows:

- **Total Contract Value:** \$539,755.00
  - **Recurring Cost:** \$489,390.00 over 60 months (\$8,156.50/month)
  - **One-Time Hardware Purchase:** \$50,355.00
- **Project Deliverables:**
  - Installation of the VoIP system across city departments
  - Staff training sessions
  - Managed technical support and maintenance

2

2

**Section 3. Additional Project Costs.** The City Council authorizes the purchase of 200 headsets for city staff for \$7,000.00 (headsets priced at \$35.00 each). Funding for these headsets will be provided through ARPA Budget Code 168.203.C927.

**Section 4. Funding Sources.** Funding for this project will be allocated as follows:

- **ARPA Budget Code 168.203.C927:** Covers initial project costs, including one-time hardware purchase and headset costs.
- **Telecommunications Budget Line 1912.441:** Provides funding for recurring monthly costs associated with the VoIP system.

**Section 5. Authorization and Execution.** The Mayor is hereby authorized to execute and manage this contract with Spectrum in accordance with the terms and funding sources outlined in this Ordinance.

**Section 6. Effective Date.** This ordinance shall take effect immediately upon its approval by the Board of Estimate & Contract.

Vote Taken As Follows: 11/13/2024

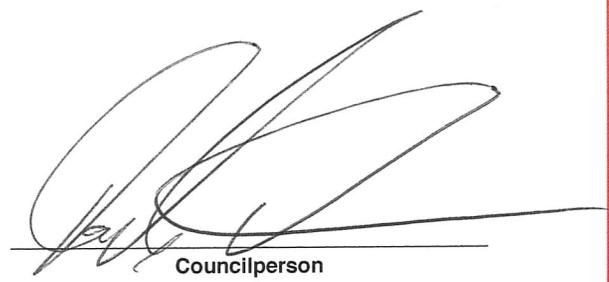
Boxhill: Yea Browne: Yea

Poteat: Yea Thompson: Yea

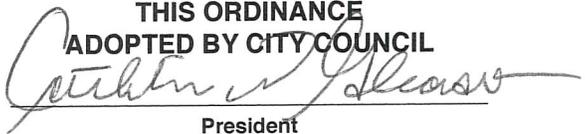
Gleason: Yea Ordinance Adopted

**APPROVED AS TO FORM**

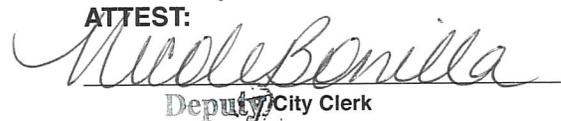
  
Assistant Corporation Counsel

  
Councilperson

**THIS ORDINANCE  
ADOPTED BY CITY COUNCIL**

  
President

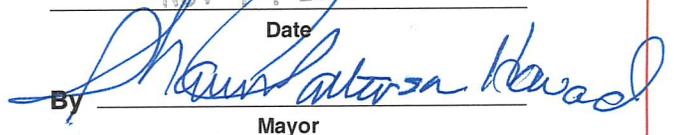
**ATTEST:**

  
Deputy City Clerk

**APPROVED**

NOV 14 2024

Date

  
Mayor

**APPROVED**

Dept. \_\_\_\_\_

2

3

**AN ORDINANCE AUTHORIZING THE MAYOR  
TO RETROACTIVELY ENTER INTO AN EMERGENCY  
CONTRACTUAL AGREEMENT WITH PCI INDUSTRIES,  
INC. FOR IMMEDIATE SANITARY AND STORMWATER  
SEWER REPAIRS AT 5TH AVENUE AND 3RD STREET**

**Whereas**, by letter dated October 16, 2024, the Commissioner of the Department of Public Works (“DPW”) has requested legislation authorizing the Mayor to retroactively enter into an emergency contractual agreement with PCI Industries, Inc. (“PCI”), to immediately remove and replace sanitary and stormwater sewer infrastructure at 5th Avenue and 3rd Street intersection; and

**Whereas**, a health hazard has arisen due to the compromised condition of sanitary and stormwater sewer infrastructure at the intersection of 5th Avenue and 3rd Street, creating an immediate need for repairs to safeguard the health, welfare, and safety of residents and the public; and

**Whereas**, PCI Industries, Inc. has been identified and contacted to provide the necessary emergency repairs, which include the reconstruction of existing catch basins and the removal and replacement of a damaged light pole foundation at this critical location; and

**Whereas**, Section 6, Part B of the City’s Procurement Policy authorizes emergency purchases when an occurrence presents an immediate threat to public property, life, health, safety, welfare, or essential city services, thereby necessitating immediate procurement without delay for competitive bidding; and

**Whereas**, the total cost for the emergency work to be conducted by PCI Industries, Inc. is \$22,697.62; and

**Whereas**, funding for these emergency repairs is available through the New York State Department of Environmental Conservation (“DEC”) Water Quality Improvement Program Grant, budget codes H8120.203 C937 and H8140.203 C938; **Now, Therefore, Be It Resolved That**

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

**Section 1. Authorization to Enter Agreement.** The Mayor is hereby authorized to retroactively enter into an emergency contractual agreement with PCI Industries, Inc., to immediately remove and replace sanitary and stormwater sewer infrastructure at the 5th Avenue and 3rd Street intersection.

**Section 2. Contract Scope and Funding.** The contract with PCI Industries, Inc. shall be for the following scope of work:

- Reconstruction of catch basins at 5th Avenue and 3rd Street
- Removal and replacement of the damaged light pole foundation

Funding in the amount of \$22,697.62 is authorized for this project, provided through the DEC Water Quality Improvement Program \$10,000,000 Grant, utilizing Budget Codes H8120.203 C937 and H8140.203 C938.

3

**Section 3. Procurement Policy Compliance.** This ordinance is in compliance with Section 6, Part B of the City's Procurement Policy, which permits emergency purchases when immediate threats to public welfare, health, or safety are present, as is the case with this infrastructure project.

**Section 4. Effective Date.** This ordinance shall take effect immediately upon its approval by the Board of Estimate & Contract.

Vote Taken As Follows: 11/13/2024

Boxhill: Yea Browne: Yea

Poteat: Yea Thompson: Yea

Gleason: Yea Ordinance Adopted

APPROVED AS TO FORM

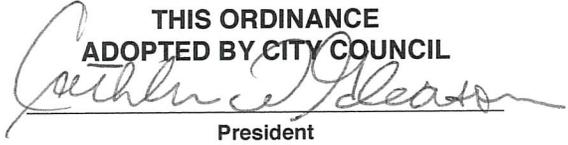
Assistant Corporation Counsel

APPROVED

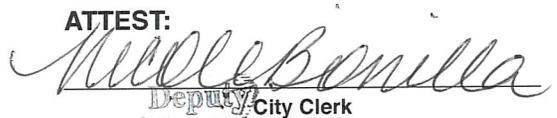
Dept. \_\_\_\_\_

  
\_\_\_\_\_  
Councilperson

THIS ORDINANCE  
ADOPTED BY CITY COUNCIL

  
\_\_\_\_\_  
President

ATTEST:

  
\_\_\_\_\_  
Deputy City Clerk

APPROVED

NOV 14 2024

Date

  
\_\_\_\_\_  
By Mayor

4

**AN ORDINANCE AUTHORIZING THE MAYOR TO RETROACTIVELY ENTER INTO AN EMERGENCY CONTRACTUAL AGREEMENT WITH PCI INDUSTRIES, INC. FOR SANITARY AND STORMWATER SEWER REPAIRS AT MULTIPLE LOCATIONS**

**Whereas**, by letter dated October 16, 2024, the Commissioner of the Department of Public Works (“DPW”) has requested legislation authorizing the Mayor to retroactively enter into an emergency contractual agreement with PCI Industries, Inc. (“PCI”), to immediately repair and replace sanitary and stormwater sewer infrastructure at multiple locations specified below; and

**Whereas**, the City of Mount Vernon faces an urgent health and safety hazard due to the deteriorating condition of sanitary and stormwater sewers at several critical locations throughout the city, thereby creating an immediate need for repairs to safeguard public welfare; and

**Whereas**, PCI Industries, Inc. has been contracted to undertake emergency repair work to address the failing catch basins at multiple locations, including Kingsbridge Road, Oak Street, N. West Street, Devonia Avenue, Packman Avenue, South Street, Beach Street, So. Fulton Avenue, Columbus Avenue/Cross County Parkway, and High Street/Forster Street; and

**Whereas**, Section 6, Part B of the City’s Procurement Policy authorizes emergency purchases when immediate threats to public property, life, health, safety, welfare, or essential services are present, allowing procurement without delay for competitive bidding; and

**Whereas**, the total cost for this emergency repair work to be conducted by PCI Industries, Inc. is \$61,651.86; and

**Whereas**, funding for these emergency repairs is available through the New York State Department of Environmental Conservation (DEC) Water Quality Improvement Program Grant and the Environmental Facilities Corporation (EFC) Emergency Grant, utilizing budget codes H8120.203 C937 & H8140.203 C938 and H8120.203 C934 & H8140.203 C935; **Now, Therefore, Be It Resolved That**

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

**Section 1. Authorization to Enter Agreement.** The Mayor is hereby authorized to retroactively enter into an emergency contractual agreement with PCI Industries, Inc., to immediately repair and replace sanitary and stormwater sewer infrastructure at multiple locations specified above.

**Section 2. Contract Scope and Funding.** The contract with PCI Industries, Inc. shall include the following emergency repair work:

- Remove and replace deteriorated catch basins at multiple locations throughout the city, as listed above.

This project is authorized to receive \$61,651.86 in funding, to be allocated from the DEC Water Quality Improvement Program \$10,000,000 Grant (H8120.203 C937 & H8140.203 C938) and EFC \$5,000,000 Emergency Grant (H8120.203 C934 & H8140.203 C935).

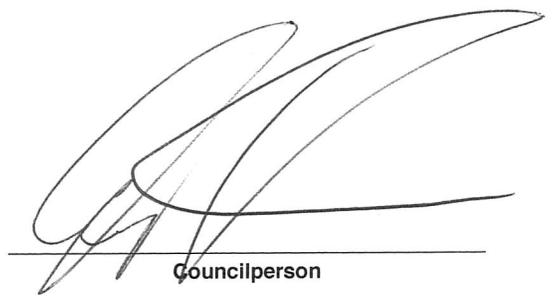
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**Section 3. Procurement Policy Compliance.** This ordinance complies with Section 6, Part B of the City's Procurement Policy, which permits emergency purchases when an immediate threat to public welfare, health, or safety is present, as is the case with the current infrastructure repair needs.

**Section 4. Effective Date.** This ordinance shall take effect immediately upon its approval by the Board of Estimate & Contract.

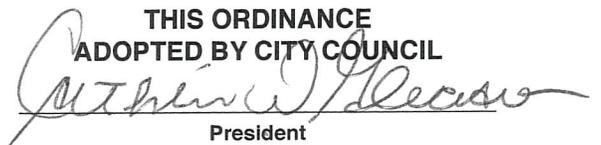
Vote Taken As Follows: 11/13/2024  
Boxhill: Yea Browne: Yea  
Poteat: Yea Thompson: Yea  
Gleason: Yea Ordinance Adopted

  
\_\_\_\_\_  
Councilperson

**APPROVED AS TO FORM**

  
\_\_\_\_\_  
Assistant Corporation Counsel

**THIS ORDINANCE  
ADOPTED BY CITY COUNCIL**

  
\_\_\_\_\_  
President

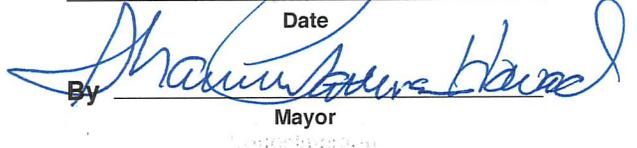
**ATTEST:**

  
\_\_\_\_\_  
Deputy City Clerk

**APPROVED**

NOV 14 2024

Date

  
\_\_\_\_\_  
By Mayor

\_\_\_\_\_  
**APPROVED**  
Dept. \_\_\_\_\_

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**AN ORDINANCE AUTHORIZING THE MAYOR TO AMEND THE AGREEMENT WITH NATIONAL WATER MAIN CLEANING COMPANY FOR THE CLEANING AND INSPECTION OF SEWER SYSTEMS WITHIN OUTFALL 24 DRAINAGE AREA**

**Whereas**, by letter dated October 23, 2024, the Commissioner of the Department of Public Works has requested legislation authorizing the Mayor to amend the agreement with National Water Main Cleaning Company for Project No. 122022-1, "Outfall 24 – Sewer System Cleaning and Inspection," to increase the total contract amount by \$700,000, for a new total of \$2,361,800; and

**Whereas**, the City of Mount Vernon is committed to maintaining and improving its sewer system to ensure compliance with state and federal environmental regulations; and

**Whereas**, Project No. 122022-1, relating to the cleaning and inspection of sewers within the Outfall 24 drainage area, was awarded to National Water Main Cleaning Company on May 2, 2023, for \$1,661,800, as the lowest responsive bidder; and

**Whereas**, the total sewer length in the Outfall 24 drainage area was initially estimated at 200,000 feet, but after further inspection, it was determined that the actual length is closer to 240,000 feet; and

**Whereas**, the amount of heavy cleaning required within this drainage area has also exceeded original estimates; and

**Whereas**, in order to complete the remaining sewer cleaning and inspection, an additional \$700,000 is necessary, bringing the total project cost to \$2,361,800; and

**Whereas**, this project is partially funded by the New York State Department of Environmental Conservation (NYSDEC) 2021 Water Quality Improvement Program Grant (WQIP); and

**Whereas**, the City is required to complete this work under the terms of a Consent Order, with a deadline for completion set for May 2025, making rebidding of the project impractical; **Now, Therefore, Be It Resolved That**

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

**Section 1. Authorization to Amend Agreement.** The Mayor is hereby authorized to amend the agreement with National Water Main Cleaning Company for Project No. 122022-1, "Outfall 24 – Sewer System Cleaning and Inspection," to increase the total contract amount by \$700,000, for a new total of \$2,361,800.

**Section 2. Funding.** The additional funds required for this amendment shall be funded by the NYSDEC 2021 Water Quality Improvement Program Grant (WQIP) and any other applicable sources. The funds shall be deposited into Revenue Code H3990 C937 and H3990 C938 (State Aid, Sewer Cap Pro) to be appropriated to Budget Code H8120.203 C937 and H8140.203 C938 (DPW sanitary and Storm Sewers) throughout the contract period.

**Section 3. Scope of Work.** The project's scope remains unchanged, and the additional costs are associated with the increased length of sewers and the extra heavy cleaning required within the Outfall 24 drainage area.

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**Section 4. Project Deadline.** The City shall ensure that all work is completed in accordance with the requirements of the Consent Order by the deadline of May 2025.

**Section 5. Effective Date.** This ordinance shall take effect immediately upon its approval by the Board of Estimate & Contract.

Vote Taken As Follows: 11/13/2024

Boxhill: Yea Browne: Yea

Poteat: Yea Thompson: Yea

Gleason: Yea Ordinance Adopted

**APPROVED AS TO FORM**

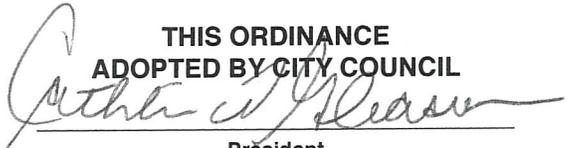
  
Assistant Corporation Counsel

**APPROVED**

Dept. \_\_\_\_\_

Councilperson

**THIS ORDINANCE  
ADOPTED BY CITY COUNCIL**

  
President

**ATTEST:**

  
Deputy City Clerk

**APPROVED**

NOV 14 2024

Date

  
Mayor

Councilperson

5

**AN ORDINANCE AUTHORIZING THE ISSUANCE  
OF A REQUEST FOR PROPOSALS (RFP) FOR AN  
ENGINEERING STUDY TO ADDRESS FLOODING  
AT THE INTERSECTION OF SOUTH THIRD  
AVENUE AND SOUTH COLUMBUS AVENUE**

**Whereas**, by letter dated November 6, 2024, the Deputy Commissioner of the Department of Public Works (“DPW”) has requested legislation authorizing the Department of Public Works to release a Request for Proposals (“RFP”) to engage a qualified engineering firm to perform studies and analyses of the flood-prone area at the intersection of South Third Avenue and South Columbus Avenue; and

**Whereas**, the intersection of South Third Avenue and South Columbus Avenue serves as a major thoroughfare and entrance/exit point for the City of Mount Vernon; and

**Whereas**, the area frequently experiences severe flooding due to stormwater system backups during rainstorms and high tide events near the Canal Outfall #34, impeding traffic flow, impacting public safety, and damaging city infrastructure; and

**Whereas**, the City of Mount Vernon seeks a qualified engineering firm to conduct a comprehensive study of the project area, including environmental and historical assessments, to determine viable solutions to mitigate flooding at this key location; and

**Whereas**, the scope of work for the selected engineering firm will include a detailed report on existing conditions, an analysis of environmental and historical resources, a review of potential alternatives with cost estimates, and a recommended solution for advancing the project toward future design and construction funding; and

**Whereas**, this project is eligible for reimbursable funding from FEMA’s Hazard Mitigation Grant Program (HMGP) under Advance Assistance (AA), providing up to \$950,000 in federal funds for the approved Scope of Work (SOW); and

**Whereas**, the Department of Public Works intends to implement selected flood mitigation measures based on the study’s recommendations and prepare a future FEMA mitigation funding application to address flood risks at the project site further; **Now, Therefore, Be It Resolved That**

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

**Section 1. Authorization to Issue Request for Proposals (RFP).** The City Council authorizes the Department of Public Works to release a Request for Proposals (RFP) to engage a qualified engineering firm to perform studies and analyses of the flood-prone area at the intersection of South Third Avenue and South Columbus Avenue.

**Section 2. Scope of Work for Engineering Study.** The selected engineering firm shall be responsible for:

- Conducting a detailed assessment of the existing flooding issues at the intersection.
- Preparing an analysis of environmental and historical resources within the project area.
- Evaluating potential alternatives for flood mitigation, including preliminary cost estimates.
- Recommending a comprehensive solution to support a future FEMA funding application for the design and construction phases.

**Section 3. Funding Source.** Funding for this project will be provided through the FEMA Hazard Mitigation Grant Program (HMGP) for the approved Scope of Work, with federal reimbursements not to exceed \$950,000 for eligible project costs.

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**Section 4. Implementation.** Following the study and analysis, the Department of Public Works is authorized to implement approved flood mitigation interventions based on the engineering firm's recommendations and to proceed with necessary actions to secure future FEMA mitigation funding.

**Section 4. Effective Date.** This ordinance shall take effect immediately upon its approval by the City Council.

Vote Taken As Follows: 11/13/2024

Boxhill: Yea Browne: Yea

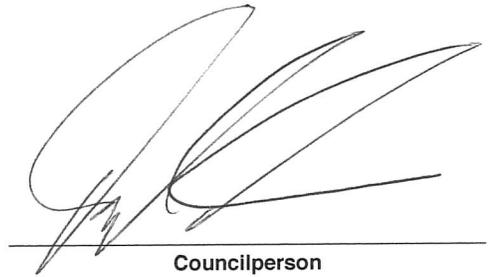
Poteat: Yea Thompson: Yea

Gleason: Yea Ordinance Adopted

**APPROVED AS TO FORM**

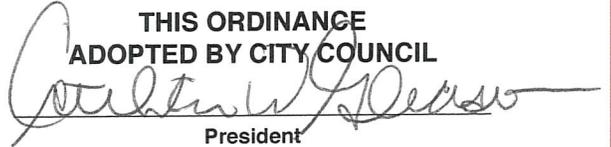


Assistant Corporation Counsel



Councilperson

**THIS ORDINANCE  
ADOPTED BY CITY COUNCIL**



President

**ATTEST:**

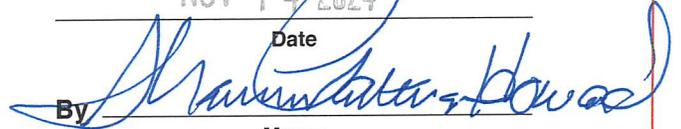


Deputy City Clerk

**APPROVED**

NOV 14 2024

Date



By

Mayor

\_\_\_\_\_  
**APPROVED**  
Dept. \_\_\_\_\_

APPROVED AS TO FORM

6

THIS ORDINANCE  
ADOPTED BY CITY COUNCIL

7

**AN ORDINANCE AUTHORIZING THE RELEASE OF A REQUEST FOR QUALIFICATIONS (RFQ) FOR ENGINEERING SERVICES RELATED TO THE REHABILITATION OF THE SOUTH FULTON AVENUE BRIDGE (BIN: 2225220)**

**Whereas**, by letter dated November 6, 2024, the Deputy Commissioner of the Department of Public Works (“DPW”) has requested legislation authorizing the release of a Request for Qualifications (RFQ) seeking an engineering firm to provide design and construction inspection services for the rehabilitation of the South Fulton Avenue Bridge (BIN: 2225220); and

**Whereas**, the City of Mount Vernon recognizes the need for essential infrastructure improvements to the South Fulton Avenue Bridge (BIN: 2225220), which is integral to maintaining safe and effective transportation for residents and visitors; and

**Whereas**, to accomplish this, the City intends to solicit qualifications from experienced engineering firms for design and construction inspection services using the New York State County Highway Superintendents Association (NYSCHSA) Local Design Service Agreement (LDSA) procedures for Region 8; and

**Whereas**, the NYSCHSA has created a regional list of fifteen (15) qualified consultants, developed in collaboration with the New York State Department of Transportation (NYSDOT) Region 8 and multiple municipalities, to provide design and construction inspection services for federally or state-funded projects; and

**Whereas**, the selected firm will be tasked with conducting a comprehensive assessment of current bridge conditions, designing necessary improvements, and providing construction inspection services throughout the project to ensure compliance with state and federal standards; and

**Whereas**, the City Council’s authorization of this RFQ will enable the City to advance this project, ensuring the safety, structural integrity, and functionality of the South Fulton Avenue Bridge and maximizing the efficient use of available state funding;  
**Now, Therefore, Be It Resolved That**

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

**Section 1. Authorization to Release Request for Qualifications (RFQ).** The City Council authorizes the release of a Request for Qualifications (RFQ) seeking an engineering firm to provide design and construction inspection services for rehabilitating the South Fulton Avenue Bridge (BIN: 2225220).

**Section 2. Selection Process.** The City shall utilize the New York State County Highway Superintendents Association (NYSCHSA) Local Design Service Agreement (LDSA) procedures for Region 8. The RFQ shall be distributed to the fifteen (15) engineering firms identified on the Region 8 consultant list to solicit qualifications.

7

7

**Section 3. Scope of Services.** The selected engineering firm shall be responsible for:

1. Conducting a detailed assessment of the current conditions of the South Fulton Avenue Bridge.
2. Developing comprehensive design solutions to rehabilitate the bridge, ensuring compliance with applicable state and federal guidelines.
3. Providing construction inspection services throughout the rehabilitation process.

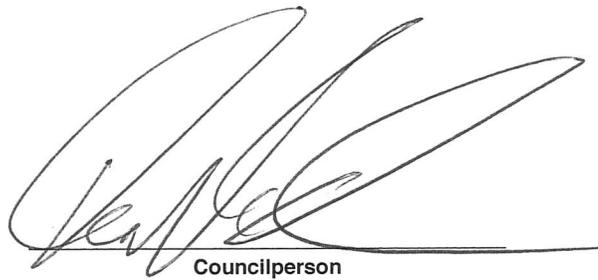
**Section 4. Effective Date.** This Ordinance shall take effect immediately upon its passage by the City Council.

Vote Taken As Follows: 11/13/2024

Boxhill: Yea Browne: Yea

Poteat: Yea Thompson: Yea

Gleason: Yea Ordinance Adopted



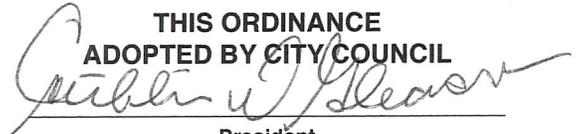
Councilperson

**APPROVED AS TO FORM**



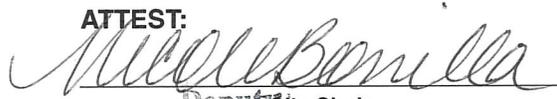
Assistant Corporation Counsel

**THIS ORDINANCE  
ADOPTED BY CITY COUNCIL**



President

**ATTEST:**



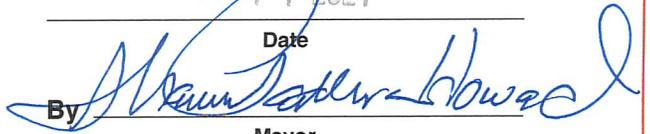
Deputy City Clerk

**APPROVED**

NOV 14 2024

Date

APPROVED \_\_\_\_\_  
Dept. \_\_\_\_\_



By \_\_\_\_\_  
Mayor

7

8

**AN ORDINANCE AUTHORIZING THE  
DEPARTMENT OF RECREATION TO  
CO-SPONSOR THE 5<sup>TH</sup> ANNUAL TURKEY TROT  
5K RUN/WALK AND AUTHORIZING ASSISTANCE  
FROM THE DEPARTMENT OF PUBLIC WORKS  
AND THE DEPARTMENT OF PUBLIC SAFETY**

**Whereas**, by letter dated October 29, 2024, the Deputy Commissioner of the Department of Recreation has requested legislation authorizing the Department to co-sponsor the 5th Annual Turkey Trot 5K Run/Walk in partnership with the WE RUN MT. VERNON team, with the event scheduled to take place on Saturday, November 30, 2024; and

**Whereas**, the Department of Recreation seeks to co-sponsor the 5th Annual Turkey Trot 5K Run/Walk, a registration fee-based event, scheduled for Saturday, November 30, 2024; and

**Whereas**, the event will commence at Hartley Park and will utilize designated city sidewalks and streets as outlined in the event route map provided, with setup beginning at 5:00 a.m. by the event organizers, the WE RUN MT. VERNON team; and

**Whereas**, the Turkey Trot 5K Run/Walk will begin at 8:00 a.m. and conclude by approximately 1:00 p.m., with the route encompassing 3.128 miles (5.03 km) and highlighting local shopping districts, neighborhoods, and landmarks on the city's north side; and

**Whereas**, for the safety of participants and efficient event management, the Department of Recreation requests support from the Department of Public Works to install metal barricades at the finish line, as well as assistance in setting up tents, chairs, and banners at Hartley Park; and

**Whereas**, the event also requires essential staffing from the Department of Public Safety, including auxiliary police or patrol cars, to ensure safe street crossings and to monitor the route for the safety of all participants and the public; and

**Whereas**, there will be a minimal cost of \$2,000 to the City for this event, which will cover essential staff and materials for setup, safety monitoring, and breakdown following the event; **Now, Therefore, Be It Resolved That**

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

**Section 1. Authorization for Co-Sponsorship.** The Department of Recreation is hereby authorized to co-sponsor the 5th Annual Turkey Trot 5K Run/Walk in partnership with the WE RUN MT. VERNON team, which will take place on Saturday, November 30, 2024.

**Section 2. Authorization for Public Works Assistance.** The Department of Public Works is hereby authorized to assist in setting up metal barricades at the event's finish line and to provide setup materials, including tents, chairs, and event banners at Hartley Park, as requested by the Department of Recreation.

**Section 3. Authorization for Public Safety Assistance.** The Department of Public Safety is authorized to provide auxiliary police or patrol cars to assist with street crossings and route monitoring for the safety of participants and the public.

8

**Section 4. Funding.** The Department of Recreation's budget will provide funding for essential staffing and materials to cover the minimal \$2,000 cost associated with monitoring, setup, and breakdown.

**Section 5. Effective Date.** This ordinance shall take effect immediately upon its approval by the Board of Estimate & Contract.

Vote Taken As Follows: 11/13/2024

Boxhill: Yea Browne: Yea

Poteat: Yea Thompson: Yea

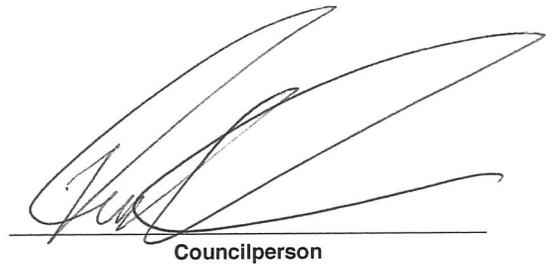
Gleason: Yea Ordinance Adopted

**APPROVED AS TO FORM**

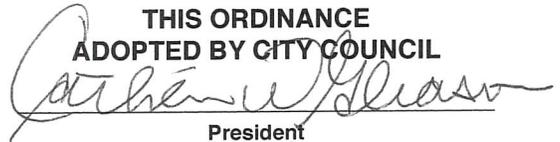
  
Assistant Corporation Counsel

**APPROVED**

Dept. \_\_\_\_\_

  
Councilperson

**THIS ORDINANCE  
ADOPTED BY CITY COUNCIL**

  
President

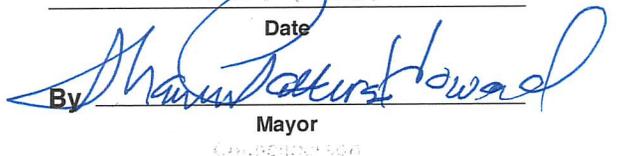
**ATTEST:**

  
Deputy City Clerk

**APPROVED**

NOV 14 2024

Date

  
By \_\_\_\_\_  
Mayor

8

**AN ORDINANCE AUTHORIZING THE  
RENAMING OF FIREHOUSE STATION #2  
AT 435 SOUTH FULTON AVENUE IN HONOR  
OF FIRE LIEUTENANT JOSEPH L. MILES SR.**

**Whereas**, by letter dated October 30, 2024, the Commissioner of the Fire Department has requested legislation authorizing the renaming of Firehouse Station #2, located at 435 South Fulton Avenue, be officially renamed the “Lieutenant Joseph L. Miles Sr. Firehouse” in honor of his outstanding service, dedication to public safety, and advocacy for equality in the fire service; and

**Whereas**, Fire Lieutenant Joseph L. Miles Sr. was born on July 23, 1935, and served in the United States Army with the 82nd Airborne Division before joining the Mount Vernon Fire Department (MVFD) in 1963, becoming the third African American firefighter to serve within the department; and

**Whereas**, Lieutenant Miles dedicated 25 years of service to the MVFD, retiring in 1988, and throughout his career, he demonstrated an unwavering commitment to the fire service profession, consistently advocating for inclusion, equality, and expanding opportunities for people of color within the department; and

**Whereas**, Lieutenant Miles was instrumental in establishing the Vulcan Society of Westchester, an organization of Black firefighters, and actively participated in a landmark Department of Justice lawsuit, which resulted in the Vulcan Consent Decree and led to fairer hiring practices for minority applicants in the MVFD; and

**Whereas**, Lieutenant Miles’ leadership and dedication to equity increased the representation of Black firefighters in the MVFD by the 1980s and 1990s, contributing significantly to diversity within the department and improving opportunities for future generations of minority firefighters; and

**Whereas**, in addition to his professional accomplishments, Lieutenant Miles was a devoted husband, father, and community leader who exemplified the values of public service and inclusion, positively impacting residents and colleagues alike; and

**Whereas**, renaming Firehouse Station #2 at 435 South Fulton Avenue in his honor will serve as a fitting tribute to his lifelong dedication to the MVFD, the City of Mount Vernon, and his advocacy for fair and equal treatment within the fire service;  
**Now, Therefore, Be It Resolved That**

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

**Section 1. Renaming Firehouse Station #2.** Firehouse Station #2, located at 435 South Fulton Avenue, shall be officially renamed the “**Lieutenant Joseph L. Miles Sr. Firehouse**” in honor of his outstanding service, dedication to public safety, and advocacy for equality in the fire service.

**Section 2. Installation of Commemorative Signage and Plaque.** The City of Mount Vernon shall install appropriate signage and a commemorative plaque at the newly named Lieutenant Joseph L. Miles Sr. Firehouse, detailing his life, achievements, and commitment to the community, ensuring that his legacy is preserved for future generations.

**Section 3. Dedication Ceremony.** The City Council authorizes the Department of Recreation and the MVFD to organize a formal dedication ceremony to honor Lieutenant Miles and celebrate his contributions to the community.

9

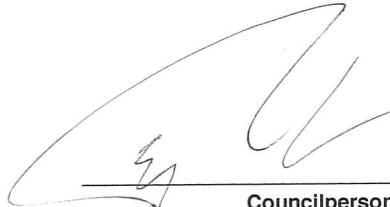
**Section 4. Funding and Implementation.** Necessary funds for signage, plaques, and other commemorative materials shall be allocated from the City budget under the Department of Recreation's provisions.

**Section 5. Effective Date.** This ordinance shall take effect immediately upon its approval by the Board of Estimate & Contract.

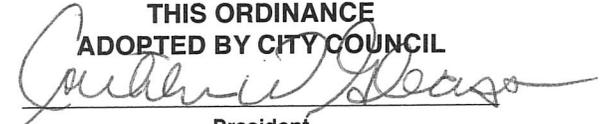
Vote Taken As Follows: 11/13/2024  
Boxhill: Yea Browne: Yea  
Poteat: Yea Thompson: Yea  
Gleason: Yea Ordinance Adopted

**APPROVED AS TO FORM**

  
Assistant Corporation Counsel

  
Councilperson

**THIS ORDINANCE  
ADOPTED BY CITY COUNCIL**

  
President

**ATTEST:**

  
Deputy City Clerk

**APPROVED**

NOV 14 2024

Date

  
Mayor

\_\_\_\_\_  
**APPROVED**  
Dept. \_\_\_\_\_

9

10

**AN ORDINANCE AUTHORIZING THE TECHNOLOGY UPGRADE PROJECT FOR THE FIRE DEPARTMENT**

**Whereas**, by letter dated October 29, 2024, the Commissioner of the Department of Management Services has requested legislation authorizing said Department to proceed with the Fire Department technology upgrade project as outlined, with a total project cost of \$81,383.60; and

**Whereas**, the Department of Management Services has identified the need for essential technology upgrades to enhance the operational effectiveness of the Mount Vernon Fire Department; and

**Whereas**, this upgrade project includes:

- Moving the Fire Department’s RedAlert system to a cloud-based solution for improved data security and access, for \$24,130.00,
- Implementing a new Voice Recorder system with a 3-year, 24x7 support contract, totaling \$30,735.60, and
- Upgrading 18 computer and display systems for Fire Department staff for \$26,518.00; and

**Whereas**, the total project cost is \$81,383.60, with \$54,865.60 covered under the American Rescue Plan Act (ARPA) Budget Code 168.203.C927 and \$26,518.00 under the Management Services budget code A1680.203 (Equipment); and

**Whereas**, the Department of Management Services has consulted with the Finance Department, confirming that this project is ARPA-eligible and that funds are available in both the ARPA and Management Services budget lines; and

**Whereas**, the City Council’s approval will allow the Department of Management Services to enter into agreements with vendors to complete the technology upgrade project, including a yearly renewable agreement with Alpine Software for RedNMX, a 3-year support contract with Eventide NexLog for the Voice Recorder system, and the purchase of necessary equipment; **Now, Therefore, Be It Resolved That**

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

**Section 1. Authorization of Technology Upgrade Project.** The City Council authorizes the Department of Management Services to proceed with the Fire Department technology upgrade project, which will cost \$81,383.60.

**Section 2. Funding Allocation.** Funding for this project shall be allocated as follows:

- ARPA Budget Code 168.203.C927 in the amount of \$54,865.60, and
- Management Services Budget Code A1680.203 (Equipment) in the amount of \$26,518.00.

**Section 3. Vendor Contracts and Agreements.** The Department of Management Services is authorized to enter into agreements with:

- **Alpine Software** for RedNMX cloud-based services, renewable annually,
- **Eventide NexLog** for the purchase and 3-year support of the Voice Recorder system, and
- Additional vendors are needed to procure equipment upgrades as specified in the project plan.

**Section 4. Effective Date.** This ordinance shall take effect immediately upon its approval by the Board of Estimate & Contract.

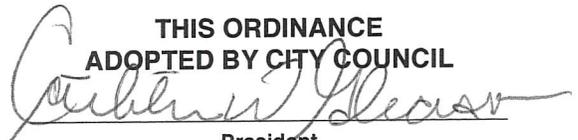
Vote Taken As Follows: 11/13/2024  
 Boxhill: Yea    Browne: Yea  
 Poteat: Yea    Thompson: Yea  
 Gleason: Yea    Ordinance Adopted

**APPROVED AS TO FORM**

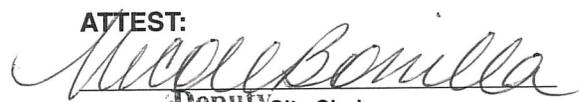
  
 \_\_\_\_\_  
 Assistant Corporation Counsel

  
 \_\_\_\_\_  
 Councilperson

**THIS ORDINANCE ADOPTED BY CITY COUNCIL**

  
 \_\_\_\_\_  
 President

**ATTEST:**

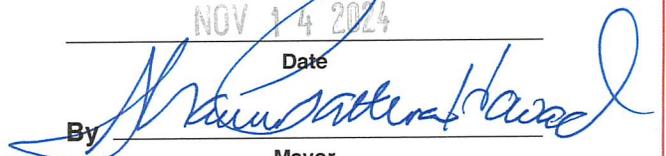
  
 \_\_\_\_\_  
 Deputy City Clerk

**APPROVED**

NOV 14 2024

Date

By

  
 \_\_\_\_\_  
 Mayor

Dept. \_\_\_\_\_  
 \_\_\_\_\_  
 APPROVED

11

**AN ORDINANCE AUTHORIZING THE TEMPORARY SUSPENSION AND ENFORCEMENT OF PARKING METERS IN DESIGNATED MUNICIPAL GARAGES AND LOTS TO PROMOTE HOLIDAY SHOPPING**

**Whereas**, by letter dated October 22, 2024, the Commissioner of the Department of Public Safety has requested legislation authorizing the temporary suspension of parking meter enforcement in the metered areas of the following municipal garages and lots listed below from December 9, 2024, through December 24, 2024, between the hours of 8:00 a.m. and 8:00 p.m., and on December 31, 2024, for the entire day; and

**Whereas**, the Department of Public Safety has requested that the City Council authorize a temporary suspension of parking meter enforcement in specified municipal garages and lots within the City of Mount Vernon during the holiday season to promote local shopping; and

**Whereas**, the City Council finds that temporarily suspending parking meter enforcement in these areas will encourage increased patronage of local businesses, thereby supporting economic growth during the holiday season; **Now, Therefore, Be It Resolved That**

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

**Section 1. Suspension of Parking Meter Enforcement.** Parking meter enforcement shall be suspended in the metered areas of the following municipal garages and lots from December 9, 2024, through December 24, 2024, between the hours of 8:00 a.m. and 8:00 p.m., and on December 31, 2024, for the entire day:

1. Lot No. 1 – South 5th Avenue
2. Lot No. 8 – North 3rd Avenue
3. Lot No. 9 – Roosevelt Square
4. Lot No. 11 – East Prospect Avenue

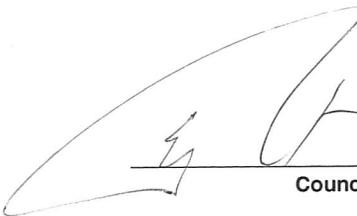
**Section 2. Public Notification.** The Department of Public Safety shall take appropriate steps to notify the public of this temporary suspension of parking meter enforcement, including placing signage at the affected parking locations.

**Section 3. Effective Date.** This ordinance shall take effect immediately upon its approval by the City Council.

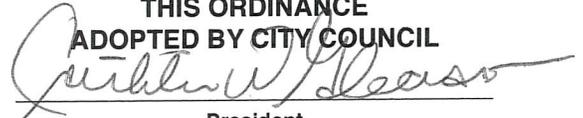
Vote Taken As Follows: 11/13/2024  
Boxhill: Yea    Browne: Yea  
Poteat: Yea    Thompson: Yea  
Gleason: Yea    Ordinance Adopted

**APPROVED AS TO FORM**

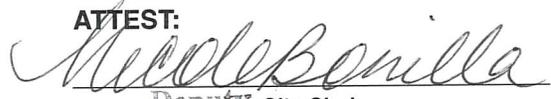
  
Assistant Corporation Counsel

  
Councilperson

**THIS ORDINANCE ADOPTED BY CITY COUNCIL**

  
President

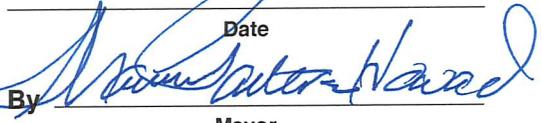
**ATTEST:**

  
Deputy City Clerk

**APPROVED**

NOV 14 2024

Date

  
By Mayor

**APPROVED**

Dept. \_\_\_\_\_

11

**AN ORDINANCE AUTHORIZING THE  
DEPARTMENT OF PUBLIC SAFETY  
TO SOLICIT COMPETITIVE BIDS  
FOR CITY TOWING SERVICES**

**Whereas**, by letter dated October 28, 2024, the Commissioner of the Department of Public Works (“DPW”) has requested legislation authorizing the Department of Public Safety to initiate a solicitation process for competitive bids from qualified towing service providers to serve the City of Mount Vernon; and

**Whereas**, the City of Mount Vernon has not had an active contract for towing services since 2005, and an established towing service agreement is necessary to ensure efficient handling of vehicles related to law enforcement and public safety operations; and

**Whereas**, the Department of Public Safety requires a reliable and competitively priced towing provider to expedite the removal of vehicles categorized as evidence, scofflaw vehicles, impounded vehicles, and illegally parked vehicles; and

**Whereas**, a contract based on competitive bidding will allow the City to secure the best rates and services available in the marketplace, ensuring a high standard of towing service at an equitable cost; and

**Whereas**, the solicitation for competitive bids will cover an initial period of ninety (90) days, during which bids will be evaluated and a towing service provider selected to enter into a formal agreement with the City; **Now, Therefore, Be It Resolved That**

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

**Section 1. Authorization to Solicit Bids.** The City Council hereby authorizes the Department of Public Safety to initiate a solicitation process for competitive bids from qualified towing service providers to serve the City of Mount Vernon.

**Section 2. Scope of Services.** The scope of the services to be provided under this contract shall include, but is not limited to:

- Remove and tow vehicles that are classified as evidence in investigations.
- Towing and storage of scofflaw vehicles in accordance with city regulations.
- Impounding vehicles as required by law.
- Towing vehicles illegally parked on city streets or city property.

**Section 3. Bid Period and Evaluation.** The Department of Public Safety shall oversee the bidding process for ninety (90) days. All bids received shall be evaluated for cost-effectiveness, provider reliability, and compliance with city towing requirements.

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**Section 4. Contract Award.** Upon completion of the bid evaluation process, the Department of Public Safety shall present its recommendation to the Board of Estimate and Contract for final approval of the selected towing service provider.

**Section 5. Effective Date.** This ordinance shall take effect immediately upon passage by the City Council.

**APPROVED AS TO FORM**

Assistant Corporation Counsel

**APPROVED**

Dept. \_\_\_\_\_

Councilperson

**THIS ORDINANCE  
ADOPTED BY CITY COUNCIL**

President

**ATTEST:**

Deputy City Clerk

**APPROVED**

NOV 14 2024

Date

By \_\_\_\_\_

Mayor

Vote Taken As Follows: 11/13/2024  
Boxhill: Yea Browne: Yea  
Poteat: Yea Thompson: Yea  
Gleason: Yea Ordinance Adopted

13

**A RESOLUTION OF THE CITY COUNCIL OF  
THE CITY OF MOUNT VERNON ADOPTING A  
NEGATIVE DECLARATION AND LOCAL LAW  
NO. \_\_ - 2024 AMENDING THE CITY CODE TO  
ENACT BAMBOO LEGISLATION**

**WHEREAS**, the City Council of the City of Mount Vernon proposes to amend the Code of the City of Mount Vernon (“Code”) to enact Chapter 90 entitled “Bamboo;” and

**WHEREAS**, the City Council finds that it is necessary and desirable, as a matter of public policy, to regulate bamboo in the City of Mount Vernon by banning running bamboo within the City; and

**WHEREAS**, the City Council, in conjunction with its Staff, prepared a draft “A Local Law to Enact Chapter 90 (Bamboo) of the Code of the City of Mount Vernon to Ban Running Bamboo” (“Code Amendment”), a copy of which is annexed to this Resolution; and

**WHEREAS**, the Code Amendment is classified as an Unlisted Action under the New York State Environmental Quality Review Act and its implementing regulations, 6 N.Y.C.R.R. Part 617 (“SEQRA”); and

**WHEREAS**, at a meeting of the City Council held October 10, 2024, the City Council designated itself Lead Agency for the uncoordinated review of the Code Amendment under SEQRA pursuant to 6 N.Y.C.R.R. Section 617.6(b)(1), and scheduled a Public Hearing on the Code Amendment for October 23, 2024; and

**WHEREAS**, the City Council duly published notice of a Public Hearing for the Code Amendment in three issues of the official newspaper for the City on October 15, 2024, October 17, 2024, and October 21, 2024; and

**WHEREAS**, the Public Hearing was duly held at City Hall on October 23, 2024, at 7:00 P.M., and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to the Code Amendment, and written comments were accepted for 10 days thereafter; and

**WHEREAS**, the City Council, after due deliberation, and having carefully considered the comments made at the Public Hearing and in written comments, finds that it is in the best interest of the City of Mount Vernon to adopt the Code Amendment as proposed; **NOW, THEREFORE, BE IT**

**RESOLVED**, that pursuant to Section 617.7 of SEQRA’s implementing regulations, the City Council considered the impacts which may be reasonably expected to result from the Code Amendment by comparing them against the applicable criteria in said Section, and finds that:

1. The Code Amendment will not result in a substantial adverse change to existing air quality, ground or surface water quality and quantity, traffic or noise levels; a substantial increase in solid waste production; nor generate a substantial increase in potential for erosion, flooding, leaching or drainage problems.

2. The Code Amendment will not result in the removal or destruction of large quantities of vegetation or fauna; will not substantially interfere with the movement of a resident or migratory fish or wildlife species; will not significantly impact habitat area; and will not result in any substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such a species, or other significant adverse effects to natural resources.

3. The Code Amendment will not impair the environmental characteristics of a Critical Environmental Area.

13

13

4. The Code Amendment will not result in the creation of a material conflict with the City’s current plans or goals, or the Zoning Code.

5. The Code Amendment will not result in the impairment of a character or quality of important historical, archeological, architectural or aesthetic resources or of existing community or neighborhood character.

6. The Code Amendment will not significantly impact the use of either the quantity or type of energy.

7. The Code Amendment will not create a hazard to human health.

8. The Code Amendment will not result in a substantial change in the use, or intensity of use, of land, including agricultural, open space, or recreational resources, or in its capacity to support existing uses.

9. The Code Amendment by itself will not encourage or attract a substantially larger number of people to a place compared to the number of people who would come to such place absent the action.

10. The Code Amendment will not create a material demand for other actions which would result in one of the above consequences.

11. The Code Amendment will either result in changes in two or more elements of the environment, no one of which has a significant impact on the environment, nor when considered together, result in a substantial adverse impact on the environment.

12. The Code Amendment will neither result in two or more related actions undertaken, funded or approved by an agency, none of which has or would have a significant impact on the environment, nor when considered cumulatively, meet one or more of the criteria in Section 617.7 of SEQRA’s implementing regulations, and that the City Council considered possible long-term, short-term and cumulative impacts and found no significant effects which would result as a consequence of the proposed action.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the City Council adopts Parts 1, 2 and 3 of the Short Environmental Assessment Form, and determines under SEQRA that the Code Amendment will not result in any significant adverse environmental impacts; **be it further**

**RESOLVED**, that the City Council adopts a Negative Declaration with respect to this “Unlisted” action under SEQRA, and determines that a Draft Environmental Impact Statement need not be prepared; **be it further**

**RESOLVED**, that this Negative Declaration was prepared in accordance with Article 8 of the New York Environmental Conservation Law and its implementing regulations at 6 N.Y.C.R.R. Part 617; **be it further**

**RESOLVED**, that the City Clerk is directed to (i) file a copy of this Resolution and Negative Declaration with the City pursuant to 6 N.Y.C.R.R. Section 617.12, (ii) file a copy of this Resolution and Negative Declaration with the Planning Board, and (iii) file a copy of this Resolution and Negative Declaration with the Westchester County Planning Board pursuant to GML Section 239-m within seven (7) days hereof; **be it further**

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NOV 13 2024

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**RESOLVED**, the City Council hereby adopts and enacts the Code Amendment (Local Law No. \_\_-2024) entitled "A Local Law to Enact Chapter 90 (Bamboo) of the Code of the City of Mount Vernon to Regulate Bamboo," a copy of which is attached hereto and made a part hereof; **be it further**

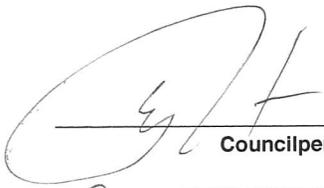
**RESOLVED**, that the City Clerk is further directed to enter Local Law No. \_\_-2024 in the minutes of this meeting, and to give due notice of the adoption of Local Law No. \_\_-2024 to the New York Secretary of State; **be it further**

**RESOLVED**, that this Resolution shall take effect immediately.

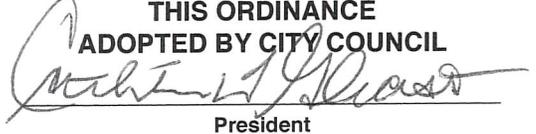
Vote Taken As Follows: 11/13/2024  
Boxhill: Yea    Browne: Yea  
Poteat: Yea    Thompson: Yea  
Gleason: Yea    Ordinance Adopted

**APPROVED AS TO FORM**

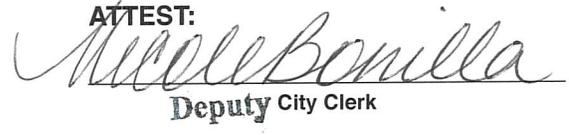
  
Assistant Corporation Counsel

  
Councilperson

**THIS ORDINANCE  
ADOPTED BY CITY COUNCIL**

  
President

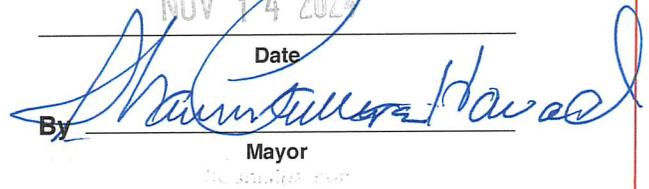
**ATTEST:**

  
Deputy City Clerk

**APPROVED**

NOV 14 2024  
Date

APPROVED  
Dept. \_\_\_\_\_

  
Mayor

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NOV 13 2024

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LOCAL LAW NO. \_\_ OF 2024  
A LOCAL LAW TO ENACT CHAPTER 90  
(BAMBOO) OF THE CODE OF THE CITY OF  
MOUNT VERNON TO BAN RUNNING BAMBOO

Be it Enacted by the City Council of the City of Mount Vernon as follows:

SECTION 1. The Code of the City of Mount Vernon is amended by adding the following (language in **Bold and Underlined** to be added), language in ~~Strikethrough and Bold and Underlined~~ to be deleted):

Chapter 90. BAMBOO

§ 90-1. Title.

This local law is entitled "Bamboo."

§ 90-2. Purpose and Intent.

A. Purpose. The purpose of this chapter is to promote and protect the property, property values, and health and welfare of the residents of the City of Mount Vernon; guests and visitors to the City; and aesthetic qualities of the environment of the City of Mount Vernon.

B. Intent. The City finds that the planting and/ or the growing of certain species of bamboo within the City of Mount Vernon has been, and will continue to be, destructive to the natural environment, including indigenous flora; potentially harmful to human health, in that it can provide a breeding ground for mosquitoes which are vectors for disease; destructive to structures, building foundations, walls, driveways, walkways and other improvements on properties within the City adjoining and neighboring those properties where such bamboo has been planted and/ or permitted to grow; and that, because of these effects, the City declares it necessary to regulate or prohibit the planting and/ or growing of such bamboo within the City.

§ 90-3. Definitions.

RUNNING BAMBOO - Any tropical or semitropical grasses with monopodial (leptomorph) rhizome (root) systems, including but not limited to the following plant genera: Arundinaria, Chimonobambusa, Phyllostachys, Pleioblastus, Pseudosasa, Sasa, Sasaella and Semiarundinaria.

CLUMPING BAMBOO - Any tropical or semitropical grasses with monopodial (leptomorph) rhizome (root) systems or sympodial (pachymorph) grasses, including but not limited to Bambusa, Chusquea, Dendrocalamus, Drepanostachyum, Fargesia, Himalayacalamus, Otatea, Thamnocalamus, Thyrsostachys and Yushania

§ 90-4. Regulation.

A. It shall be unlawful from the effective date of this chapter for an owner or tenant of property, anywhere within the City of Mount Vernon, to plant running bamboo into the ground, or, with respect to existing running bamboo, to cause, permit, cultivate and/or allow such bamboo to be maintained in such a manner that it migrates onto any adjoining property, including any public property and/ or any City right-of-way.

B. All running bamboo which migrates onto adjacent properties shall be deemed a public nuisance, and no property owner shall have any vested or nonconforming right to continue maintenance of such bamboo, even if it preexisted the adoption of this regulation.

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C. Every owner or occupant of property or person or corporation or other entity located within the City of Mount Vernon shall, before taking any action to plant, replant, install or reinstall or cause or permit the planting, replanting, installation or reinstallation of a plant species, upon any property, including but not limited to one-family and two-family residences, commonly considered to be classified as "clumping bamboo," register with the Department of Buildings and obtain a permit for such planting. The fee for such permit shall be \$25.

§ 90-5. Control of Running Bamboo.

Each owner of the property from which the running bamboo originated, or owner or tenant who has maintained bamboo that has spread to adjoining or neighboring properties, is required to take such measures as are reasonably expected to prevent such running bamboo from invading or growing onto adjoining or neighboring properties, including the City's right-of-way. Such measures shall include, but not be limited to, installation of sheathing impenetrable by running bamboo at a sufficient depth, which at a minimum shall be three (3) feet in depth, within the subject property lines where the running bamboo exists, to prevent encroachment upon adjoining or neighboring property, including the City's right-of-way, by such bamboo.

§ 90-6. Removal.

A. In the event that existing running bamboo growing on an owner's or tenant's property invades or grows upon an adjoining or neighboring property, including any public property and/ or any City right-of-way, the City's Building Inspector shall notify in writing, through the issuance of a Notice of Violation, the bamboo property owner that said owner or tenant has planted, caused, or permitted such bamboo to invade or grow upon an adjoining or neighboring property, and that said owner or tenant shall be responsible for the removal of such bamboo, within 30 days from the date of such notice.

B. In the event that new running bamboo is planted or allowed to grow on an owner's or tenant's property, the Building Inspector shall notify in writing, through the issuance of a Notice of Violation, the bamboo property owner that said owner or tenant has planted, caused, or permitted such bamboo to grow upon their property, and that said owner or tenant shall be responsible for the removal of such bamboo from the property and anywhere such bamboo has grown or spread to, within 30 days from the date of such notice. This subsection shall not apply if the Building Inspector issues a Notice of Violation to an adjoining or neighboring property pursuant to 90-6(A) of this chapter, and the property owner on which the bamboo is growing or has spread to permits the removal of said bamboo.

C. Property owners issued a Notice of Violation pursuant to subsections 90-6(A) 90-6(B) shall remove the offending bamboo in its entirety, including stems and roots, and dispose of the bamboo according to the " NYS DEC Guidelines for Disposing of Invasive Plant Material."

§ 90-7. Violations and penalties.

A. Violations. Any owner of the property from which the bamboo originated or owner of property where bamboo has been maintained who violates any of the provisions of this chapter shall be guilty of a violation thereof. Each and every day that a violation of this chapter shall exist shall constitute a separate violation of this chapter.

B. Penalties. Failure to cure a violation of any provision of this chapter within the allotted period of time, as specified within the Notice of Violation, shall be punishable by a fine of not less than \$ 100 and not more than \$ 500, for each violation. A second and subsequent violation for the same offense is punishable by a fine of not more than \$ 1, 000. Each day the violation is committed constitutes a separate offense. If a property owner is issued a second and subsequent violation

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pursuant to subsection 90-6(A), said property owner shall remove all of the existing bamboo on its property as well as the adjacent or neighboring property which caused such violation.

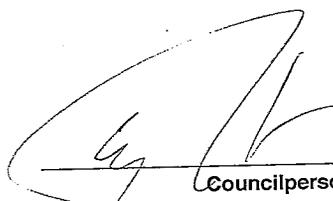
C. Remediation. If, after being issued a Notice of Violation, a property owner demonstrates good faith efforts to the satisfaction of the Building Inspector to remove the offending bamboo but is precluded from immediately doing so due to inclement weather, delays on the part of a bamboo removal service outside of the property owner's control, or issues obtaining access to the adjoining or neighboring property to remove the offending bamboo, the Building Inspector shall have the authority to preclude the involuntary delays from the count of violations.

**SECTION 2.** If any section, subsection, clause, phrase or other portion of this local law is, for any reason, declared invalid, in whole or in part, by any court, agency, commission, legislative body or other authority of competent jurisdiction, the portion of the law declared to be invalid will be deemed a separate, distinct and independent portion and the declaration will not affect the validity of the remaining portions hereof, which will continue in full force and effect.

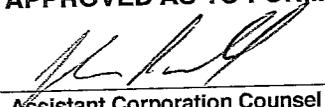
**SECTION 3.** This local law is adopted pursuant to the authority granted by Municipal Home Rule Law § 10. It supersedes the provisions of the City Law to the extent that they are inconsistent with this local law.

**SECTION 4.** This local law will take effect immediately upon its filing in the office of the Secretary of State in accordance with Municipal Home Rule Law § 27.

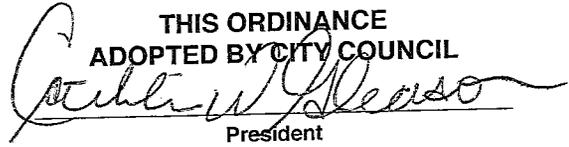
Vote Taken As Follows: 11/13/2024  
Boxhill: Yea Browne: Yea  
Poteat: Yea Thompson: Yea  
Gleason: Yea Ordinance Adopted

  
\_\_\_\_\_  
Councilperson

APPROVED AS TO FORM

  
\_\_\_\_\_  
Assistant Corporation Counsel

THIS ORDINANCE  
ADOPTED BY CITY COUNCIL

  
\_\_\_\_\_  
President

ATTEST:

  
\_\_\_\_\_  
City Clerk

APPROVED

\_\_\_\_\_  
APPROVED  
Dept. \_\_\_\_\_

\_\_\_\_\_  
Date  
By \_\_\_\_\_  
Mayor

13

**AN ORDINANCE AMENDING THE VEHICLE AND TRAFFIC REGULATIONS FOR COMMERCIAL VEHICLES IN CHAPTER 256, SECTIONS 11 AND 23 OF THE CODE OF THE CITY OF MOUNT VERNON**

WHEREAS, by letter dated September 7, 2022, Councilwoman Danielle Browne has requested a new ordinance to amend the Commercial Vehicle Parking Regulations in Chapter 256, Sections 11 and 23 of the Code of the City of Mount Vernon, NOW, THEREFORE,

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

Section 1. Section 11 of Chapter 256 of the Code of the City of Mount Vernon, entitled "Overnight parking of commercial vehicles; penalties for offenses." is hereby amended as follows:

§ 256-11 **Overnight parking of commercial vehicles; penalties for offenses.**  
[Added 12-14-1966, approved 12-15-1966; amended 2-8-1967, approved 2-9-1967; 5-10-1972, approved 5-11-1972; 4-8-1998, approved 4-9-1998; 2-8-2023, approved 2-8-2023]

A. Definitions. As used in this section, the following terms shall have the meanings indicated:

**COMMERCIAL VEHICLE**

Every type of motor vehicle, as defined in the New York State Vehicle and Traffic Law, operated or driven upon a public highway used for business purposes. "Commercial vehicles" shall further include tractor-trailers, tractor-trailer combinations, semitrailers, privately owned military vehicles, backhoes, excavators, rollers, tractor cranes, truck cranes, power shovels, road-building machines, road sweepers, sand spreaders, buses, or any other vehicles being used for a commercial purpose:

[Amended 4-8-1998, approved 4-9-1998]

**PARK or PARKING**

The standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers, except adjacent to a business establishment where vehicles are waiting to load or unload merchandise or passengers in the course of normal business operations where such business is located.

B. Restriction of parking; permit costs; signage

(1) Restriction. No commercial vehicle shall be parked on any street within the City limits between the hours of 7:00 p.m. and 6:00 a.m. unless in an area designated for commercial vehicle parking and the vehicle contains a valid permit for commercial parking issued by the Clerk's Office of the City of Mount Vernon. This shall not apply to vehicles that are in the process of loading or unloading

(2) Cost. The Clerk's Office shall set the cost of daily, monthly, and yearly permits annually. Permits are non-transferable.

(3) Signs.

[Amended 10-11-2023, approved 10-12-2023]

(a) The Department of Public Safety is hereby authorized and directed to erect signs at every entrance to the City of Mount Vernon indicating no parking for all vehicles over the weight of 10,000 [5,500] pounds or commercial vehicles on any public highway in the City of Mount Vernon between the hours of 7:00 p.m. and 6:00 a.m.

(b) When official signs prohibiting parking are erected at the entrances to the City of Mount Vernon as authorized herein, no person shall park a vehicle over the weight of 10,000 [5,500] pounds or a commercial vehicle upon any street in the City of Mount Vernon in violation of such signs.

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C. Commercial Vehicle Parking Zones. The Department of Public Safety is hereby authorized and directed to designate commercial vehicle parking zones in the City of Mount Vernon. The Department of Public Safety shall erect signs at each and every lot and/or zone designed for commercial parking.

D. The provisions of this section prohibiting parking of vehicles between the hours of 7:00 p.m. and 6:00 a.m. shall not relieve any person from the duty to observe other and more restrictive provisions prohibiting the parking of vehicles in specified places or at specified times.

E. Penalties.  
[Amended 5-10-1972, approved 5-11-1972]

(1) Any person, firm, partnership, or corporation, or any officer, member, agent, servant, or employee of any firm, partnership, or corporation, violating any of the provisions of this section shall be deemed guilty of a traffic infraction as defined by the Vehicle and Traffic Law of the State of New York.

(2) Any vehicle in violation of any of these provisions may be subject to ticketing, towing, and/or booting. Any person violating any of the provisions of this section may, upon conviction, be punished in accordance with penalties as fixed by the City Judge of the City of Mount Vernon, provided that such penalties are within the limits established as penalties for such offense or infraction.

Section 2. Chapter 256-23 of the Code of the City of Mount Vernon, entitled "Penalties for offenses." is hereby amended as follows:

**§256-23 Penalties for offenses.**  
[Amended 3-12-1986, approved 3-13-1986; 2-8-2023, approved 2-8-2023]

Any person violating any provision of this article, except as otherwise provided herein, or of any other ordinance, order, rule, or regulation adopted pursuant to this article or otherwise, shall, upon conviction, be subject to the following punishment:

A. For the first [conviction] violation, such person shall be punished by a fine of not more than [\$280.00] 150 or by imprisonment for not more than 15 days, or by both such fine and imprisonment. Fines will double after thirty (30) days (for example, \$300.00), and after sixty (60) days, fines will triple (for example, \$450.00) and remain at that level.

[B. For a second such conviction within 18 months thereafter, such person shall be punished by a fine of not more than \$405.00 [150] or by imprisonment for not more than 45 days, or by both such fine and imprisonment.]

[C. Upon a third or subsequent conviction within 18 months after the first conviction, such person shall be punished by a fine of not more than \$675.00 [250] or by imprisonment for not more than 90 days, or by both such fine and imprisonment.]

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

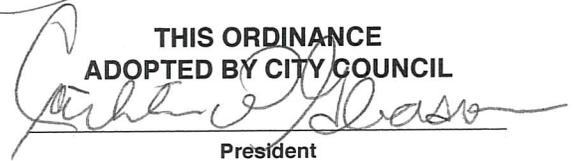
New Matter Underlined  
Deleted Matter in Brackets [ ]

**APPROVED AS TO FORM**

  
\_\_\_\_\_  
Assistant Corporation Counsel

  
\_\_\_\_\_  
Councilperson

**THIS ORDINANCE  
ADOPTED BY CITY COUNCIL**

  
\_\_\_\_\_  
President

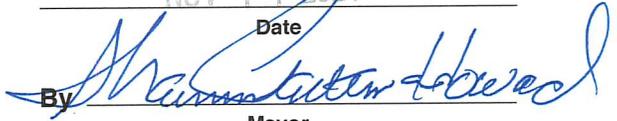
**ATTEST:**

  
\_\_\_\_\_  
Deputy City Clerk

**APPROVED**

NOV 14 2024

Date

  
\_\_\_\_\_  
By Mayor

**APPROVED**

Dept. \_\_\_\_\_

Vote Taken As Follows: 11/13/2024  
Boxhill: Yea    Browne: Yea  
Poteat: Yea    Thompson: Yea  
Gleason: Yea    Ordinance Adopted

AN ORDINANCE AMENDING CHAPTER 243-29 ENTITLED MAXIMUM FEES FOR TOWING AND STORAGE

Chapter 243. Tow Trucks

Article IV Business Operations; Equipment

§ 243-29 Maximum fees for towing and storage.

Section 1. Chapter 243-29 of the Code of the City of Mount Vernon, entitled "Maximum Fees for Towing and Storage" is hereby amended as follows:

- A. It shall be unlawful for any operator or the agent, servant and/or employee of such operator to charge more than [\$65] \$175. [Amended 5-23-1973, approved 5-24-1973; 10-12-1983, approved 10-13-1983; 3-9-1988, approved 3-10-1988; 5-9-2012, approved 5-10-2012]
B. Services to be included in maximum charges. The maximum charges for towing hereinabove set forth shall include the normal services required to prepare the disabled or Impounded motor vehicle for such towing.
C. Charges for additional services. In addition to the maximum towing charges hereinabove set forth, the tow truck operator or the agent, servant and/or employee of such operator is authorized to charge an additional charge, not to exceed \$25, for services necessarily rendered by such operator or his agent, servant and/or employee to prepare a disabled motor vehicle for towing. Such additional fee is to be limited only to those instances where a disabled motor vehicle is in an overturned condition or is in a ditch or where a flatbed truck is utilized. [Amended 3-9-1988, approved 3-10-1988]
D. Storage charges. It shall be unlawful to charge more than [\$5] \$20 for storage of a disabled or impounded motor vehicle for each 24 hours or part thereof of the first five days and [\$10] \$40 for each 24 hours thereafter. No charge shall be made for storage for that period of time during which the tow truck operator is making authorized repairs to a disabled motor vehicle. [Amended 4-25-1973, approved 4-26-1973; 3-9-1988, approved 3-10-1988]

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

New Matter Underlined Deleted Matter in Brackets [ ]

APPROVED AS TO FORM

[Signature] Assistant Corporation Counsel

[Signature] Councilperson

THIS ORDINANCE ADOPTED BY CITY COUNCIL

[Signature] President

ATTEST:

[Signature] Deputy City Clerk

APPROVED

NOV 14 2024

Date

[Signature] Mayor

APPROVED

Dept. \_\_\_\_\_

APPROVED AS TO FORM

THIS ORDINANCE ADOPTED BY CITY COUNCIL

Vote Taken As Follows: 11/13/2024 Boxhill: Yea Browne: Yea Poterat: Yea Thompson: Yea Gleason: Yea Ordinance Adopted

OCT 23 2024

12

NOT ADOPTED

NOV 13 2024

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AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE AN APPLICATION FOR A CORRECTION FOR THE TAX YEARS 2023 AND 2024 FOR CITY, COUNTY AND SCHOOL TAX BILLS AND DIRECTING THE COMPTROLLER TO ISSUE A REFUND/CREDIT TO METRO GREEN REALTY OF WESTCHESTER, LLC / O OAK STREET - (BLOCK 164.68-1055-19) DUE TO A CORRECTION OF ERROR)

Whereas, by letter dated October 8, 2024, the Commissioner of the Department of Assessment advised the City Council that due to a Correction in Error, Metro Green Realty of Westchester, LLC, 0 Oak Street, Mount Vernon, NY 10550 for City, County, and School Tax Assessment for Block – 164.68-1055-19 on the Assessment Rolls for the following years warrants a correction and refund in the following amounts because there was an error in the essential facts and incorrectly assessed valuation, due to the parcel being within two (2) municipalities and the percentage in Mount Vernon was miscalculated on the 2023 final assessment roll for the 2024 tax year, which now warrants a correction in the following amounts for the tax year 2024: \$7,518.90 (City tax), \$2,880.45 (County tax) and \$14,350.50 (School tax); and

Whereas, this refund/credit is due to Metro Green Realty of Westchester, LLC because there was an error in the essential facts and an incorrectly assessed valuation due to the parcel being within two (2) municipalities and the percentage in Mount Vernon was miscalculated on the 2023 final assessment roll for the 2024 tax year; Now, Therefore, Be It Resolved That

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

Section 1. Authorization to Execute Application for Correction. The Mayor is hereby authorized to execute an application for correction to the 2023 Assessment Roll for the City, County, and School Tax Roll for Block - 164.68-1055-19 on the Tax Assessment Map, parcel being owned by Metro Green Realty of Westchester, LLC, 0 Oak Street, Mount Vernon, NY 10550 to indicate the correction herein.

Section 2. Authorization to Issue Refund/Credit. The Comptroller is hereby authorized and directed to issue a refund/credit to be satisfied in Budged Code A1964-492 in the total amount of \$24,749.85 (City, County, and School Tax) to Metro Green Realty of Westchester, LLC, 0 Oak Street, Mount Vernon, NY 10550, Block - 164.68-1055-19, which shall correct the City, County, and School tax bills for the 2024 Tax Years.

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

Vote Taken As Follows: 11/13/2024

Boxhill: Yea Browne: Yea  
Poteat: Yea Thompson: Yea  
Gleason: Abstain Ordinance Adopted

Vote Taken As Follows: 10/23/2024

Boxhill: Yea Browne: Yea  
Poteat: Yea Thompson: Absent  
Gleason: Abstain Ordinance Not Adopted

*[Signature]*  
Councilperson

APPROVED AS TO FORM

*[Signature]*  
Assistant Corporation Counsel

THIS ORDINANCE ADOPTED BY CITY COUNCIL

*[Signature]*  
President

ATTEST:

*[Signature]*  
Deputy City Clerk

APPROVED

NOV 14 2024  
Date

*[Signature]*  
By Mayor

APPROVED  
Dept. \_\_\_\_\_

16

11/13/2024  
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**AN ORDINANCE AUTHORIZING THE  
ESTABLISHMENT OF CUSTODIAL ACCOUNTS  
FOR THE MANAGEMENT OF FUNDS RELATED  
TO SPECIFIC DEVELOPMENT PROJECTS**

**Whereas**, by letter dated November 6, 2024, the City Council President has requested legislation authorizing the establishment of custodial accounts for the properties listed in this ordinance, to be used exclusively for managing funds associated with each respective development project; and

**Whereas**, the City of Mount Vernon seeks to support the financial management of development projects through the establishment of custodial accounts to facilitate fund allocation and oversight; and

**Whereas**, custodial accounts are requested to serve as holding accounts until developers of specific projects successfully complete their presentations to the City Council, submit applications, and address reimbursement of attorney fees related to each development; and

**Whereas**, the following properties have been identified as requiring dedicated custodial accounts:

- 22 North 3rd Avenue
- Grace Church (52 South 6th Avenue)
- 56 South 12th Street
- 222 East 3rd Street (Mastermind); and

**Whereas**, establishing these custodial accounts will streamline the onboarding and fund management processes, ensuring each project aligns with city requirements prior to moving forward with City Council review; **Now, Therefore, Be It Resolved That**

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

**Section 1. Establishment of Custodial Accounts.** The Comptroller hereby authorizes the establishment of custodial accounts for the properties listed in this ordinance, to be used exclusively for managing funds associated with each respective development project.

**Section 2. Conditions for Fund Management.** Funds within each custodial account shall remain in holding until:

1. The developers have completed all the required presentations to the City Council.
2. Necessary applications have been submitted in accordance with city guidelines.
3. Reimbursement for attorney fees associated with each development has been arranged and documented.

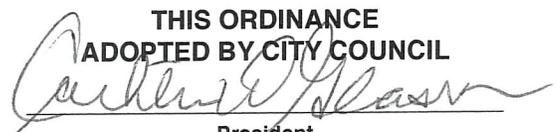
**Section 3. Account Administration.** The City Comptroller's Office shall administer and oversee these custodial accounts, ensuring compliance with all city policies and maintaining accurate financial records for each project.

**Section 3. Effective Date.** This ordinance shall take effect upon its approval by the Board of Estimate & Contract.

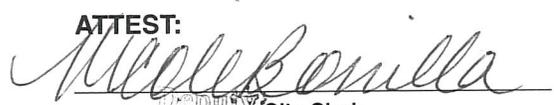
**APPROVED AS TO FORM**

  
\_\_\_\_\_  
Assistant Corporation Counsel

**THIS ORDINANCE  
ADOPTED BY CITY COUNCIL**

  
\_\_\_\_\_  
President

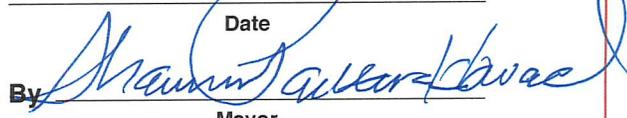
**ATTEST:**

  
\_\_\_\_\_  
Deputy City Clerk

**APPROVED**

NOV 14 2024

Date

  
\_\_\_\_\_  
Mayor

\_\_\_\_\_  
**APPROVED**  
Dept. \_\_\_\_\_

Vote Taken As Follows: 11/13/2024  
Boxhill: Yea    Browne: Yea  
Poteat: Yea    Thompson: Yea  
Gleason: Yea    Ordinance Adopted

APPROVED AS TO FORM

17

NOV 14 2024

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**A RESOLUTION OF THE CITY COUNCIL OF  
THE CITY OF MOUNT VERNON, NEW YORK  
DECLARING ITSELF AS THE LEAD AGENCY FOR  
MOUNT VERNON EAST ZONING AMENDMENTS,  
AND SCHEDULING A PUBLIC HEARING**

**WHEREAS**, the City Council of the City of Mount Vernon is in receipt of an Amended Petition submitted by Alexander Development Group (“Petitioner”) to amend the Zoning Ordinance of the City of Mount Vernon to create a new Mount Vernon East TOD High-Density District (“TOD-1 District”), and to amend the Zoning Map to apply this TOD-1 District to an area of land comprising one city block, bounded by Portugal Place, East Prospect Avenue, Rich Avenue and Elm Avenue (“Zoning Petition”); and

**WHEREAS**, Petitioner is the owner of three adjacent tax lots known as 140, 146, and 152 East Prospect Avenue, totaling approximately 0.828 acres, and designated on the City of Mount Vernon Tax Map as Section 165.63, Block 1141, Lots 9, 10, and 11 (collectively, “Property”); and

**WHEREAS**, the Property is located in an RMF-15 Multifamily Residence District, and within the area of land proposed to be rezoned to the TOD-1 District; and

**WHEREAS**, the purpose of the requested rezoning of the Property is to allow Petitioner’s proposed 21-story mixed-use building, consisting of approximately 288,784 square feet of gross floor area, which would accommodate up to 350 market rate dwelling units, approximately 7,000 sf of retail space, and 201 parking spaces (collectively, “Project”); and

**WHEREAS**, on or about September 17, 2024, Petitioner submitted to the City Council the Zoning Petition, together with a conceptual site plan, floor plans, and renderings, as well as a Full Environmental Assessment Form and associated supplemental studies (collectively, “EAF”); and

**WHEREAS**, as described in the EAF, the Proposed Action includes the requested Zoning Petition and the redevelopment of the Property for the Project as further described in Petitioner’s application materials; and

**WHEREAS**, the Project has been reduced in scale from Petitioner’s prior proposals for a 30-story and 26-story mixed-use building at the Property in 2018 and 2021, respectively; and

**WHEREAS**, Petitioner modified the Project to be consistent with the recommendations outlined in the City Council’s Downtown Vision Report, adopted in January 2024; and

**WHEREAS**, the City Council previously designated its intent to serve as Lead Agency for the prior proposals pursuant to the State Environmental Quality Review Act and its implementing regulations at 6 N.Y.C.R.R. Part 617 (collectively, “SEQRA”); and

**WHEREAS**, the City Council is the approval authority for the Zoning Petition; and

**WHEREAS**, the Proposed Action is a Type I action under SEQRA; and

**WHEREAS**, on October 10, 2024, the City Council re-designated its intent to serve as Lead Agency for the coordinated review of the Proposed Action pursuant to SEQRA; and

**WHEREAS**, the City Council concluded that it is the appropriate agency to serve as the Lead Agency; and

**WHEREAS**, the City Council provided written notice of its intent to serve as Lead Agency to the Involved and Interested Agencies; and

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**WHEREAS**, the City Council has not received any written objections from any Involved or Interested Agency to the Council’s designation as Lead Agency; and

**WHEREAS**, on November 6, 2024, the Planning Board consented to the City Council’s designation as Lead Agency; **NOW, THEREFORE, BE IT**

**RESOLVED**, that the City Council declares itself as the Lead Agency to conduct a coordinated review of the potential environmental impact of the Proposed Action under SEQRA; **BE IT FURTHER**

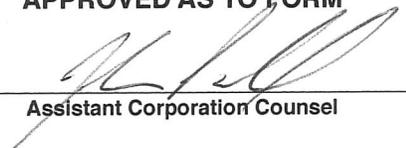
**RESOLVED**, that the City Council shall hold a Public Hearing on the Zoning Petition on December 11, 2024, at 7:00 p.m. in City Hall, Council Chambers – Room 206, 1 Roosevelt Square N., Mount Vernon, New York, 10550, where public comment will be heard regarding the Zoning Petition, and written comments on the Zoning Petition are requested, and will be accepted by the City Council up to ten (10) days following the close of the Public Hearing; **BE IT FURTHER**

**RESOLVED**, that the City Clerk shall arrange to fulfill the notice requirements for the Public Hearing pursuant to Section 267-61 of the Code; **BE IT FURTHER**

**RESOLVED**, that this Resolution shall take effect immediately.

Vote Taken As Follows: 11/13/2024  
Boxhill: Yea    Browne: Yea  
Poteat: Yea    Thompson: Yea  
Gleason: Yea    Ordinance Adopted

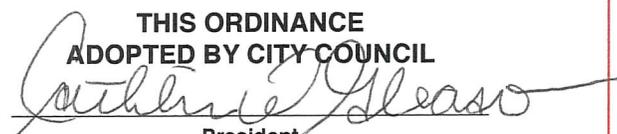
**APPROVED AS TO FORM**

  
Assistant Corporation Counsel

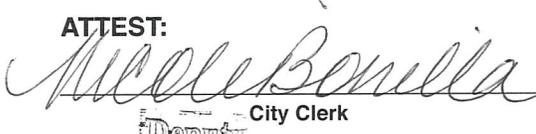
\_\_\_\_\_  
**APPROVED**  
Dept. \_\_\_\_\_

  
Councilperson

**THIS ORDINANCE  
ADOPTED BY CITY COUNCIL**

  
President

**ATTEST:**

  
Deputy City Clerk

**APPROVED**

NOV 14 2024

  
Date  
By \_\_\_\_\_  
Mayor

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