



Legislation Text

File #: 20-0976, Version: 1

AMENDING ORDINANCE 6PSF-f(S), ADOPTED ON AUGUST 20, 2019, ESTABLISHING A NEW SUBSECTION ENTITLED, LOVE YOUR BLOCK MINI-GRANTS PROGRAM, TO FUND NEIGHBORHOOD BEAUTIFICATION AND REVITALIZATION INITIATIVES THAT PREVENT OR ELIMINATE BLIGHT IN BOTH PUBLIC AND PRIVATE PROPERTIES, CITY-OWNED PARKS AND OPEN SPACES, AND OTHER AREAS OF COMMUNITY SIGNIFICANCE THROUGHOUT THE CITY OF NEWARK, TO ADDRESS THE PUBLIC HEALTH, SAFETY, AND WELFARE OF THE CITIZENS OF THE CITY OF NEWARK IN ORDER TO PROVIDE THEM WITH A BETTER QUALITY OF LIFE, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF NEWARK, NEW JERSEY, 2000, AMENDING TITLE 2, CHAPTER 4, SUBSECTION 22H, BY ADDING LANGUAGE TO ALLOW FOR AN ADVERTISED APPLICATION PROCESS.

WHEREAS, on August 20, 2019, the Municipal Council adopted Ordinance 6PSF-F(s) approving the establishment of the Love Your Block Mini-Grants Program (the “LYB Grant”); and

WHEREAS, it has been determined that further amendments to the LYB Grant are needed to establish an alternate approval process for the LYB Grant; and

WHEREAS, if funding for the LYB Grant is below the Qualified Purchasing Agents Threshold then the grant can be issued through an Advertised Application Process.

NOW, THEREFORE, BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:

[Strikeout will be deleted and **bold underlined** are to be added.]

Section 1. The Revised General Ordinances of the City of Newark, New Jersey, 2000, Title 2, Chapter 4, Subsection 22H is hereby amended as follows:

2:4-22H. LOVE YOUR BLOCK MINI-GRANTS PROGRAM.

a. Program Established; Applications; Eligibility; Disbursement of Grant.

1. Establishment. The City’s Office of Sustainability under the direction of the Business Administrator is hereby authorized to establish and administer a Love Your Block Mini-Grants Program in order to reimburse up to \$5,000 for eligible projects, as defined in this Section, pursuant to the minimum requirements set forth herein. The recipient shall not be reimbursed for any eligible project associated with any project work exceeding \$5,000. Modification of these minimum requirements may only be made by the Municipal Council.

2. Purpose. The purpose of these grant funds shall be used to enable individuals, resident groups and/or community-based organizations to partner with City agencies to beautify and revitalize neighborhoods through projects that prevent and eliminate blight, including but not limited to projects that: reduce litter, or improve recycling and waste management throughout the City of Newark; repurpose underutilized properties and parcels to increase community benefits surrounding underused and vacant buildings and lots; and/or create a sense of pride of ownership around residential facilities, City-owned parks and open spaces, and other areas of community significance.

3. Application for Funding. The City shall make Love Your Block Mini-Grants Program funds available to eligible individuals, resident groups and/or community-based organizations who apply for them **in by the following:**

a. **A response to a formal Request for Proposal issued by the City of Newark, pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq. Applicant(s) are encouraged to submit proposals designed to beautify and revitalize neighborhoods through projects that prevent and eliminate blight. All proposals for the Love Your Block Mini-Grants Program shall be subject to review, approval and comment by the Business Administrator and/or his designee; OR**

b. **If funding for the program is at or below the Qualified Purchasing Agents threshold, the City may issue an advertisement for Application, the Application must be submitted with a proposal(s) to beautify and revitalize neighborhoods through projects that prevent and eliminate blight. All applications for the Love Your Block Mini-Grants Program shall be subject to review, approval and comment by the Business Administrator and/or his designee.**

4. Definitions. Unless specified otherwise herein, the following terms shall have the designated meanings throughout this Ordinance:

a. Applicant: generally, shall mean individuals, resident groups and/or community-based organizations who apply for a grant under the Love Your Block Mini-Grants Program.

b. Department: shall mean the City of Newark's Office of the Business Administrator.

c. Grant Administrator(s): shall mean the Business Administrator or the designee(s) of the Business Administrator who shall, inter alia, generally administer the Love Your Block Mini-Grants Program and shall be the primary City contact for Applicants.

d. Individual: shall refer to one (1) person or more than one (1) person if the persons are applying for a grant under the Love Your Block Mini-Grant Program together, except as otherwise expressly stated herein.

e. Municipal Council: shall mean the Municipal Council of the City of Newark.

5. No Discrimination: Applications for the Love Your Block Mini-Grants Program shall be

processed without regard to age, color, creed, marital status, national origin, sexual orientation, gender identity, political party affiliation, race or sex of the applicant(s).

6. Eligibility Limitations. Individuals, resident groups and/or community-based organizations may only submit one (1) Application in response to a formal Request for Proposal **or Advertised Application Process** issued by the City of Newark for grant funding under the Love Your Block Mini-Grants Program. Individuals, resident groups and/or community-based organizations who meet the following criteria shall be eligible to receive a Love Your Block Mini-Grant, subject to the terms and conditions set forth in this Ordinance:

- a. Applications for proposed projects must not exceed the funding maximum of \$5,000 per project.
- b. Proposed projects must take place within City of Newark boundaries.
- c. Proposed projects must be volunteer-led, including a minimum of six (6) City of Newark residents that have agreed to volunteer to help implement the proposed project.
- d. Applications must align with the core Purpose of the Love Your Block Mini-Grants Program, namely, to prevent and eliminate blight.
- e. Proposed projects must meet the program purpose and objectives, including criteria such as supporting neighborhood goals, have community benefit, community involvement, public improvements enhancement, visibility of improvement, etc.
- f. Proposed projects should be considerate of neighborhood character and adhere to City of Newark goals and objectives including those articulated in the Newark Forward report, the City of Newark Sustainability Action Plan, the City of Newark Master Plan, and neighborhood redevelopment plans.

7. Eligible Projects. The following is a list of projects that helps address public health, safety and quality of life concerns of the City and that may be eligible for grant funding under the Love Your Block Mini-Grants Program:

- a. Any project that through clean up, beautifies or revitalizes the community to eliminate blight including, but not limited to litter and debris removal and prevention along residential streets, commercial corridors, parks and open spaces, vacant lots, etc.
- b. Any project that helps to improve the curb appeal of the neighborhoods and commercial corridors, including but not limited to the removal of overgrown vegetation and broken fencing, improvements to street lighting, and block-wide beautification projects, etc.
- c. Any project that helps to increase or improve the community's use of existing and newly created green & open spaces including but not limited to repurposing vacant lots to develop gardens, greening barren areas with tree and flower plantings, and improvements in décor, amenities and programming in existing underutilized green and open spaces.

8. Ineligible Projects. The following is a list of projects that are not eligible for grant funding under the Love Your Block Mini-Grants Program:

- a. Projects that do not provide a public benefit and/or are not visible to the community.
- b. Projects that do not comply with any State, or local laws or regulations.
- c. Projects on private property for the sole benefit of the property owner.
- d. Projects for which food and drink exceed 20% of the proposed budget.
- e. Projects requesting funding for salaries or operating expenses.
- f. Projects that may result in a public safety hazard.

9. Approval of the Proposed Project: The Business Administrator or his designee shall review all proposals **or applications** submitted under the Love Your Block Mini-Grants Program to determine eligibility for the Love Your Block Mini-Grants Program and shall score each proposal **or application** pursuant to the criteria set forth in the City-issued Request for Proposal **or Advertised Application Process**. The Business Administrator or his designee has the right to reject any Proposal **or Application** and such rejection shall be final. The issuance of any grant for an approved project shall be subject to the availability of funding. Also, any project that has been approved is conditioned upon receipt of required permits and approvals. Additionally, no payment or reimbursement shall be made for any work that is conducted by an Applicant(s) prior to the approval of the Love Your Block Mini-Grants Program.

10. Access: The Business Administrator or his designee shall be granted access to inspect an approved Project during its implementation and upon completion, prior to any disbursement of grant funding. In the event that the Business Administrator or his designee is denied reasonable access to conduct the inspections herein no disbursement under the Love Your Block Mini-Grants Program shall be made.

11. Implementation of the Love Your Block Mini-Grant Project: All work performed in connection with the Love Your Block Mini-Grant Project shall be undertaken in accordance with, and shall not deviate from the Applicant's Proposal **or Application** which was approved by the Business Administrator or his designee. Additionally, all such work shall be implemented in full compliance with all applicable laws, rules, regulations, and City Ordinances, as may be amended from time to time. The Applicant who is awarded a Grant under the Love Your Block Mini-Grants Program shall be responsible for obtaining any permits which are required to carry out their Project. In no way shall approval by the Business Administrator or his designee of a Love Your Block Mini-Grant Proposal **or Application** substitute for appropriate approval by any City Agencies for any permits that may be required. The Love Your Block Mini-Grant Project shall be fully implemented within three (3) months following the award of a Love Your Block Mini-Grant.

12. Disbursement of a Love Your Block Neighborhood Beautification Mini-Grant: In order to obtain a disbursement of the Love Your Block Mini-Grant in any amount, which shall be subject to the availability of funding, the successful Applicant shall submit a written request for payment to the Business Administrator or his designee together with any supporting documentation as the Business Administrator or his designee may require, including but not limited to receipts and photos of completed work. All disbursements of Love Your Block Mini-Grants shall be subject to approval of any work for which any disbursement is sought by the Business Administrator or his designee.

13. Inspection of the Love Your Block Mini-Grants Project: Except as otherwise provided

herein, as a condition precedent to the disbursement of the Love Your Block Mini-Grant, the Project and any work undertaken in connection with same, shall be inspected and approved by the Business Administrator or his designee. The Business Administrator or his designee also has the right to reject, in whole or in part, any request for a project cost disbursement for work performed that is not consistent with Applicant's Proposal or Application.

14. Program Development and Administration: The Business Administrator or his designee is hereby authorized to develop additional procedures and program guidelines consistent with this Ordinance as may be necessary to implement and administer the Love Your Block Mini-Grants Program as set forth herein.

15. Authorization to Enter into Agreements and Execute Documents: The Business Administrator is hereby authorized to enter into such agreements and execute such documents, including but not limited to the Grant Documents, as may be necessary and appropriate to accomplish the purpose of this Ordinance.

16. Annual Report to Municipal Council: The Business Administrator shall provide the Municipal Council with an annual report identifying: a) the number of Grant Agreements entered into during the preceding year; b) the names and addresses of the individuals, resident groups and/or community-based organizations who have received a grant under the Love Your Block Mini-Grants Program during the preceding year together with the amounts of the respective grants; and c) any additional information as may be requested by the Municipal Council.

17. Compliance with All Applicable Laws: The Love Your Block Mini-Grants Program shall be administered in accordance and full compliance with all applicable federal, state and local laws, rules and regulations, including but not limited to, the Local Government Ethics Law, N.J.S.A. 40A:9-22.1, et seq.

18. Release of the City: Grant Recipients shall fully and forever expressly release the City from any and all claims or actions it may have or allege to have against the City arising out of or in relation to the Love Your Block Mini-Grants Program or any project implemented in connection therewith, as may be applicable.

19. Hold Harmless and Indemnification of the City: Each Grant Recipient shall, at its sole cost and expense, indemnify, defend and satisfy all judgments, and hold the City, its officers, employees, agents, servants and representatives, harmless from and against any and all claims, actions judgments, costs, penalties, liabilities, damages, losses and expenses arising out of or resulting from the Love Your Block Mini-Grants Program or any project implemented in connection therewith, as may be applicable.

20. All contracts approved pursuant to the Request For Proposal process under Section 1 Subsection 3a. must be approved by Municipal Council.

Section 2. Prior Ordinances: Any prior Ordinances or parts thereof which are inconsistent with the terms herein are hereby repealed.

Section 3. Severability: If any part of this Ordinance is declared unconstitutional or illegal, the remaining provisions hereof shall continue in full force and effect.

Section 4. Effective Date: This ordinance shall take effect upon final passage and publication in accordance with the laws of the State of New Jersey.

STATEMENT

This Ordinance amends Ordinance 6PSF-f(S), adopted on August 20, 2019, to establish an Advertised Application Process for the Love Your Block Mini-Grants Program, which allows the Business Administrator and/or his designee to receive and review applications in order to disburse the grants.