

By Legislators Dondorfer and Delehanty

Intro. No. _____

RESOLUTION NO. _____ OF 2022

**ACCEPTING GRANT FROM NEW YORK STATE OFFICE OF INDIGENT LEGAL SERVICES
FOR OFFICES OF PUBLIC DEFENDER AND CONFLICT DEFENDER FOR PROVISION OF
INDIGENT LEGAL SERVICES**

BE IT RESOLVED BY THE LEGISLATURE OF THE COUNTY OF MONROE, as follows:

Section 1. The County Executive, or his designee, is hereby authorized to accept a \$1,592,379 grant from, and to execute a contract and any amendments thereto with, the New York State Office of Indigent Legal Services for the Office of the Monroe County Public Defender and the Office of the Monroe County Conflict Defender for the provision of indigent legal services for the period of January 1, 2022 through December 31, 2024.

Section 2. The 2022 operating budget of the Office of the Public Defender is hereby amended by appropriating the sum of \$400,650, into general fund 9300, funds center 2601010000, Public Defender Administration.

Section 3. The 2022 operating budget of the Department of Public Safety is hereby amended by appropriating the sum of \$130,143 into general fund 9300, funds center 2402010000, Legal Representation.

Section 4. The County Executive is hereby authorized to appropriate any subsequent years of the grant award in accordance with the grant terms, to reappropriate any unencumbered balances during the grant period according to the grantor requirements, and to make any necessary funding modifications within the grant guidelines to meet contractual commitments.

Section 5. Should funding of this program be modified or terminated for any reason, the County Executive is hereby authorized to terminate or modify the program and, where applicable, to terminate or abolish some or all positions funded under such program. Any termination or abolishment of positions shall be in accordance with New York State Civil Service Law and, when applicable, the terms of any labor agreement affecting such positions.

Section 6. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Public Safety Committee; January 25, 2022 - CV: 9-0
Ways and Means Committee; January 25, 2022 - CV: 11-0
File No. 22-0015

ADOPTION: Date: _____ Vote: _____

ACTION BY THE COUNTY EXECUTIVE

APPROVED: _____ VETOED: _____

SIGNATURE: _____ DATE: _____

EFFECTIVE DATE OF RESOLUTION: _____



Office of the County Executive

Monroe County, New York

Adam J. Bello
County Executive

January 7, 2022

OFFICIAL FILE COPY	
No.	<u>220015</u>
Not to be removed from the Office of the Legislature Of Monroe County	
Committee Assignment	
PUBLIC SAFETY	-L
WAYS & MEANS	

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

Subject: Acceptance of a Grant from the New York State Office of Indigent Legal Services for the Offices of the Public Defender and the Conflict Defender for the Provision of Indigent Legal Services

Honorable Legislators:

I recommend that Your Honorable Body accept a grant from the New York State Office of Indigent Legal Services in the amount of \$1,592,379 for the Office of the Monroe County Public Defender and the Office of the Monroe County Conflict Defender for the provision of indigent legal services for the period of January 1, 2022 through December 31, 2024.

The Office of the Public Defender will use the funding for part or all of the salary costs equivalent to eight (8) existing full-time Assistant Public Defender positions: maintaining three (3) Assistant Public Defenders and one (1) Senior Assistant Public Defender; and upgrading four (4) Assistant Public Defenders to Assistant Public Defender, Grade I. The Office of the Conflict Defender will use the funding for part or all of the salary costs equivalent to three (3) existing full-time Office Clerk positions, expert services, and equipment/training expenses. We have been notified of the funding amounts for the Office of the Monroe County Public Defender (\$1,201,950) and the Office of the Monroe County Conflict Defender (\$390,429) over a three (3) year period. This is the twelfth year the County has received this grant. This year's funding represents the same amount as the last time the County received this grant.

The specific legislative actions required are:

1. Authorize the County Executive, or his designee, to accept a \$1,592,379 grant from, and to execute a contract and any amendments thereto with, the New York State Office of Indigent Legal Services for the Office of the Monroe County Public Defender and the Office of the Monroe County Conflict Defender for the provision of indigent legal services for the period of January 1, 2022 through December 31, 2024.
2. Amend the 2022 operating budget of the Office of the Public Defender by appropriating the sum of \$400,650, into general fund 9300, funds center 2601010000, Public Defender Administration.

3. Amend the 2022 operating budget of the Department of Public Safety by appropriating the sum of \$130,143 into general fund 9300, funds center 2402010000, Legal Representation.
4. Authorize the County Executive to appropriate any subsequent years of the grant award in accordance with the grant terms, to reappropriate any unencumbered balances during the grant period according to the grantor requirements, and to make any necessary funding modifications within the grant guidelines to meet contractual commitments.
5. Should funding of this program be modified or terminated for any reason, the County Executive is hereby authorized to terminate or modify the program and, where applicable, to terminate or abolish some or all positions funded under such program. Any termination or abolishment of positions shall be in accordance with New York State Civil Service Law and, when applicable, the terms of any labor agreement affecting such positions.

This action is a Type II Action pursuant to 6 NYCRR § 617.5(c)(26) ("routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment") and is not subject to further review under the State Environmental Quality Review Act.

This grant is 100% funded by the New York State Office of Indigent Legal Services. No net County support is required in the current Monroe County budget.

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,



Adam J. Bello
Monroe County Executive

AJB:db