



## **Mayor Paul A. Dyster**

### **EXECUTIVE PRONOUNCEMENT ON NEW COMMUNITY BENEFIT AGREEMENT POLICY**

**WHEREAS**, as Mayor of the City of Niagara Falls and a resident of the City of Niagara Falls, I am aware and proud of the diversity of the population within the City of Niagara Falls; and

**WHEREAS**, I understand that diversity is important to the growth and economic development of all communities, including the City of Niagara Falls, which consists of a population which is 22% African-American, and of the City's total population, 29% are members of a minority group; and

**WHEREAS**, as Mayor, I believe that it is important for all residents of the City of Niagara Falls to be afforded the opportunity to be employed, and that this is especially true for the African-American population in the City of Niagara Falls where the poverty rate is 40% of that population; and

**WHEREAS**, I believe that economic development and environmental remediation initiatives in which the City of Niagara Falls participates must be crafted so as to empower all people to achieve improvements in their quality of life, reduce the poverty rate, reduce unemployment and generally create a prosperous economic and cultural environment in the City of Niagara Falls; and

**WHEREAS**, as Mayor, I have supported initiatives to encourage apprenticeship training programs through Laborers Local 91, the Buffalo-Niagara Trades Association, the Niagara

Ministerial Council, Empire State Poverty Reduction Initiative (ESPRI), Niagara Organizing Alliance for Hope (NOAH), and the Isaiah 61 Project; and

**WHEREAS**, as Mayor, I am committed to the growth and development of an effective Minority and Women Owned Business Enterprise (MWBE) Program to promote equality of economic opportunities for all MWBEs, including African American owned MWBEs and members of the African American work force, and eliminate barriers to their participation in qualifying City initiatives and contracts; and

WHEREAS, as used in this pronouncement, “Minority” means: A United States citizen or permanent resident alien who can demonstrate membership in one of the following groups: (a) Black persons having origins in any of the Black African racial groups; (b) Hispanic persons of Mexican, Puerto Rican, Dominican Cuban, Central or South American descent of either Indian or Hispanic origin, regardless of race; (c) Asian and Pacific Islander persons having origins in any of the Far East countries, Southeast Asia, the Indian subcontinent or the Pacific Islands; or (d) Native American or Alaskan Native persons having origins in any of the original peoples of North America. “Minority and Women Owned Business Enterprise (MWBE)” means: a business that is at least fifty-one percent (51%) minority and or women owned; and

WHEREAS, as Mayor, I believe that in development projects in excess of one million dollars where the City of Niagara Falls is a party and the developer is negotiating to receive financial incentives from the City of Niagara Falls in one form or another, it is important to include community benefit agreement provisions which contain, among other benchmarks, employment goals and opportunities for minority groups and local residents.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the City of Niagara Falls continues to be an equal employment opportunity employer.
2. That the City of Niagara Falls include in development agreements in excess of one million dollars to which the City of Niagara Falls is a party and in which a developer will be receiving financial incentives from the City in one form or another, contain community benefit agreement terms and conditions which require MWBE goals, which include a fair representation of the African American population and African American Owned and Operated Business Enterprises, tailored to

the size of the project and the financial incentive provided to the developer by the City of Niagara Falls.

3. That as part of community benefit agreement terms and conditions contained in a development agreement, those terms and conditions include goals for hiring graduates of employment programs under the ESPRI program, and also include goals for local hiring benchmarks specifically drafted for that project.

4. That I, as Mayor, in negotiating development agreements on behalf of the City of Niagara Falls, affirm that I will negotiate development agreements that include community benefit agreement terms and conditions as described herein.

**Date: June 7, 2017**

Signed,

A handwritten signature in black ink, appearing to read "P. A. Dyster", with a stylized flourish at the end.

Paul A. Dyster, Mayor

City of Niagara Falls