

ROCHESTER CITY COUNCIL

REGULAR MEETING

June 20, 2023

Present – President Meléndez, Councilmember Gruber, Harris, Lightfoot, Lupien, Martin, Patterson, Peo, Smith – 9.

President Meléndez requested the Council to pause for a Moment of Silence.

Pledge of Allegiance to the Flag of the United States of America.
Councilmember Lightfoot

THE COUNCIL PRESIDENT --- RECOGNITION CEREMONIES.

Youth Author Recognition

Darrick Dunham and his mother

Crossing Guards:

Alex Alexander
Bernard Daniels
Cheri McKnight
Christina White
David A. King
Joanne Z. Dondorfer
James Caldwell
Patricia A. Ferra
Dawn Marie Smith
Donald W. Jermyn
Hector Maldonado
Dorothy E. Burgess
John S. Griffin
Shirley A. Carter
Etrullia L. Harrison
Jennifer D. Plummer
Inez Mathis
Lorraine Y. Campbell
Sheila A. Finley

Shirley A. Bellenger
Rowena L. Deburgomaster
Yvonne Madison
Tamika Knox
Ralph Stevens, Jr.
Oliver Holmes
Patricia H. McNair
Crystal L. Fleig-Garcia
Kimberly Bennett
Kaniyak L. M. Kimble
Qiana R. Kimble
Douglas Knox
Robin A. Delorm
Dwayne Harris
Matthew R. Murray
Yvonne M. Leege
Denice A. Mattle
Tracy Barnes
Rosa A. Bellenger-Butler

Lawrence Forde
Robert Frasier
Roosevelt Brooks, Jr.
Jerome Lee
Annie Brown
Katha G. Richardson
Tina L. Lee
Lena M. Wilcox
Kenneth D. Lockett
Otha Worth
Victor Richardson
Charles Miller
Kimberly R. Cook
Robert Wright
Frankie M. Crawley
KQan M. Washington
Brenda W. Billups

Rochester Education Justice Initiative (REJI)

James Boyd
Marcus Breault
Dylan Colunio
Sarah Cushman

Jesse Johnston
Joseph LaCross
Miquel Powell
Norman Pryor

Richard Gatti
Lamar Grimes

Amen Ptah
Darrick Sides

World Refugee Day Organizations (in attendance)

Rochester Refugee Resettlement Services
Refugees Helping Refugees
Mary's Place Refugee Outreach
Rochester Rolling Resettlement – Friends of Roc City Skatepark
Bantu Wazigua Community of Rochester Inc.
Catholic Charities Refugee Resettlement
World Relief Coalition
Barakah Muslim Charities
Keeping Our Promise
Rochester International Academy

Joshua Dubler and Precious Beddell – Representing the program

Not In Attendance:

Paul McCrossen	Donna L. O'Leary
Patricia Griffin	Daisy Owens
Janet Courtright	Helen D. Leaner
Colleen Leidecker	Lucy R. Yeomas
Jeffrey Parker	Raul Quinones
Edward S. Soprych	Juan A. Alverio
Tammy L. Tancsik	Tyrone H. Cray

Retirement:

DRHS:

Charles C. Lurry

RFD:

David M. Warren

RPD:

Kyron J. Graham

APPROVAL OF THE MINUTES

By Councilmember Martin

RESOLVED, that the minutes of the Regular Meeting on May 23, 2023 be approved as published in the official sheets of the Proceedings.

Adopted unanimously.

THE CITY CLERK—THE FOLLOWING DOCUMENTS ARE HEREBY DIRECTED TO BE RECEIVED AND FILED

The Mayor submits the following:

Administrative Cancellation or Refund of Erroneous Taxes and Charges for the month of April 2023

NBD Grant Report for the quarterly period ending March 31, 2023

THE CITY CLERK—THE FOLLOWING DOCUMENTS ARE HEREBY DIRECTED TO BE RECEIVED AND FILED:

The Council submits Disclosure of Interest Forms from **President Meléndez** on Int. No. 251; **Vice President Lupien** on Int. Nos. 234, 238, 256, 258; **Councilmember Gruber** on Int. Nos. 226, 241, 242, 251; **Councilmember Harris** on Int. Nos. 230, 238, 256, 258; and **Councilmembers Martin and Smith** on Int. No. 234.

THE COUNCIL PRESIDENT --- PRESENTATION AND REFERENCE OF PETITIONS AND OTHER COMMUNICATIONS

Councilmember Harris presented a Petition with 515 signatures from the Watger Benders, a group of 7th& 8th grade students at School #12, regarding installation of an outside water drinking station.

THE COUNCIL PRESIDENT --- RECEIVED AND FILED.

PUBLIC HEARINGS.

Pursuant to law, a public hearing was held on June 8, 2023 on the following matters:

Adoption of the Budget estimates for municipal purposes for the 2023-24 fiscal year, appropriation of sums set forth therein and approving commercial refuse fees Int. No. 255

20 speakers

Adoption of the Budget estimates for school purposes for the 2023-24 fiscal year and appropriation of sums set forth therein Int. No. 256

5 speakers

Levying taxes for municipal purposes for the fiscal year commencing July 1, 2023 and expiring June 30, 2024 Int. No. 257

No speaker

Local Improvement Ordinance - Street cleaning, street and sidewalk snow removal, and hazardous sidewalk repair commencing July 1, 2023 and expiring June 30, 2024 Int. No. 259

No speaker

Confirming the assessments, amounts and charges to be inserted in the annual tax rolls for the fiscal year commencing July 1, 2023 and expiring June 30, 2024 Int. No. 260

One speaker

THE COUNCIL PRESIDENT-- INTRODUCTION OF AND ACTION UPON LOCAL LAWS, ORDINANCES AND RESOLUTIONS

By President Meléndez

President Meléndez introduced a motion to consider Int. No. 264 without referring to a committee. Moved by Councilmember Patterson; 2nd by Councilmember Martin
Motion to consider passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Resolution No. 2023-15

Re: Resolution of Budgetary Intent - Public Utility Study

Transmitted herewith for your approval is a Resolution of Budgetary Intent requesting to commit up to \$500,000 of fund balance from the Budget of the City Council and Clerk available at the end of the 2022-23 fiscal year for the purposes of a public utility feasibility study.

Rochester Gas & Electric (RG&E) utility has been besieged with customer service and billing issues over the past 18 months, while the New York State Public Service Commission (PSC) has yet to take any action to address or correct these shortcomings.

While the City needs to strongly advocate for the PSC to initiate a full rate and billing study of the Rochester Gas & Electric Corporation, locally we can look at the provision of energy and can entertain a feasibility study of how best to provide power to our citizens. This type of feasibility study needs to include the possible creation of a municipally owned utility, but should also potentially look at other options that could include exploring the potential for improving the existing utility, with the goal of more stable service provision while ensuring fair and affordable energy rates.

Rochester City Council believes this a regional issue that affects municipalities in every County within RG&E's current service area, which means Monroe County and/or New York State would be the optimal levels of government to explore energy provision in our local region.

The Council would commit the City to contribute an amount toward this effort proportional to the City population within the proposed service area under the provision that the County (Counties) and/or the State should take full control of a process for a feasibility study including any corresponding Request for Proposal (RFP) that might be issued to do so.

Resolution No. 2022-50 approved on December 20, 2022 resolved that any funds appropriated to the Budget of the City Council & Clerk - PAB that remain unspent at the end of the fiscal year can only be appropriated to the following four community need categories: Housing & Homelessness; Substance Abuse Treatment; Mental Health; and Public Safety & Violence.

In this resolution, City Council requests the following action:

1. The Council will commit no more than \$500,000 of fund balance from the Budget of the City Council and Clerk available at the end of the 2022-23 fiscal year for the purposes of a public power utility feasibility study, this will only occur if, and only if, partners at the State and/or County level initiate a feasibility study of this nature.
2. The City will not independently engage in any study and would only take part financially in a State and/or County initiated study. The City will not contribute more funds nor initiate a study on its own.
3. The City contribution will only be proportionate to the City population within the service area, based on the 2020 census, and will be calculated based upon the total contribution to the study by the State and/or the County.
4. The Mayor shall enter into an intermunicipal agreement with Monroe County, and potentially other counties among the Finger Lakes region, to contribute to the cost of a State and/or County-run feasibility study process.
5. The Mayor shall present such intermunicipal agreement for the approval of the Council and upon approval of the agreement; the corresponding committed fund balance will be appropriated for this purpose.

6. If no action is taken prior to the end of the fiscal year, these dollars be repurposed through an act of Council for identified Council priorities.

Respectfully submitted,
Miguel A. Meléndez Jr.
City Council President

Resolution. No. 2023-15
(Int. No. 264)

Resolution of Budgetary Intent – Public Utility Study

WHEREAS, Rochester Gas & Electric (RG&E) utility has been besieged with customer service and billing issues over the past 18 months, and

WHEREAS, the New York State Public Service Commission (PSC) has yet to take any action to address or correct these shortcomings, and

WHEREAS, the City needs to strongly advocate for the PSC to initiate a full rate and billing study of the Rochester Gas & Electric Corporation, and

WHEREAS, locally we can look at the provision of energy and can entertain a feasibility study of how best to provide power to our citizens – including the creation of a municipally owned utility, but also other options that could include exploring the potential for improving the existing utility, with the goal of more stable service provision while ensuring fair and affordable energy rates, and

WHEREAS, the Council believes this a regional issue that affects municipalities in every County within RG&E's service area, and

WHEREAS, Monroe County and New York State would be the optimal levels of government to explore this in our local area, and as such, should take full control of the process for a feasibility study and conduct any corresponding Request for Proposal (RFP), and

WHEREAS, the Council would commit the City to contribute an amount toward this effort proportional to the City population within the proposed service area, and

WHEREAS, Resolution No. 2022-50 approved on December 20, 2022 resolved that any funds appropriated to the Budget of the City Council & Clerk - PAB that remain unspent at the end of the present fiscal year can only be appropriated to the following four community need categories (Community Needs) in amounts and shares to be determined and approved by the Council in subsequent legislation, and

WHEREAS, the community needs identified were Housing & Homelessness; Substance Abuse Treatment; Mental Health; and Public Safety & Violence; and

WHEREAS, Council would like to commit these funds to such purposes,

BE IT THEREFORE RESOLVED, by the Council of the City of Rochester as follows:

Section 1. The Council will commit no more than \$500,000 of fund balance from the Budget of the City Council and Clerk available at the end of the 2022-23 fiscal year for the purposes of a public power utility feasibility study, this will only occur if, and only if, partners at the State and/or County level initiate a feasibility study of this nature.

Section 2. The City will not independently engage in any study and would only take part financially in a State and/or County-initiated study. The City will not contribute more funds nor initiate a study on its own.

Section 3. The City contribution will only be proportionate to the City population within the service area, based on the 2020 census, and will be calculated based upon the total contributions to the study by the State and the County.

Section 4. The Mayor shall enter into an intermunicipal agreement with Monroe County, and potentially other counties among the Finger Lakes region, to contribute to the cost of a County run feasibility study process.

Section 5. The Mayor shall present such intermunicipal agreement for the approval of the Council and upon approval of the agreement; the corresponding committed fund balance will be appropriated for this purpose.

Section 6. If no action is taken within the fiscal year, these dollars should be repurposed through an act of Council for identified Council priorities.

Section 7. This resolution shall take effect immediately.

Adopted unanimously.

President Meléndez introduced a motion to consider Int. No. 265 without referring to a committee. Moved by Councilmember Patterson; 2nd by Councilmember Peo
Motion to consider passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Resolution No. 2023-16

Re: Resolution of Budgetary Intent – Neighborhood Service Center Evaluation

Transmitted herewith for your approval is a Resolution of Budgetary Intent requesting to commit up to \$150,000 of fund balance from the Budget of the City Council and Clerk available at the end of the 2022-23 fiscal year for the purposes of an evaluation of the Neighborhood Service Centers.

The City's Neighborhood Service Centers (NSCs) are an important resource for residents and employers, which include and coordinate with Code Enforcement Officers and other staff resources from the Neighborhood and Business Development Department as well as the Rochester Police Department.

All NSCs do not operate consistently from one quadrant to another, which can include disparities in staffing, public usage, public access, and services provided. Council believes the NSCs are vital and require greater investment of resources as well as an alignment of NSC coverage areas with City Council Districts to reduce confusion and to be more consistent.

Council is also interested in an external study to explore the future of the NSCs and to answer: if the services provided at the NSCs are in fact those services the public wants; are there additional services citizens would want to use at the NSCs; are the offices physically located in the appropriate places; should other city services be collocated with the NSCs; should the role of the police be expanded/reduced; are the current office hours optimal for community need; can the Director of Policy and Strategic Initiatives position added in the Department related to the Neighbors Building Neighborhoods program oversee or have a role in administering the NSC; among other questions,

Resolution No. 2022-50 approved on December 20, 2022 resolved that any funds appropriated to the Budget of the City Council & Clerk - PAB that remain unspent at the end of the fiscal year can only be appropriated to the following four community need categories: Housing & Homelessness; Substance Abuse Treatment; Mental Health; and Public Safety & Violence.

In this resolution, City Council requests the following action:

1. The Council will commit up to \$150,000 of fund balance from the Budget of the City Council and Clerk available at the end of the 2022-23 fiscal year for the purposes of the aforementioned study.
2. The Mayor is hereby requested to engage a consultant to study the NSCs, to evaluate performance to date, and to recommend future directions for NSCs taking into account the aforementioned issues and other relevant areas to study.
3. The Council requests that City Council play a role in assisting the Mayor's office in the crafting of the parameters of the study.
4. The Council requests such a report be completed and submitted to them for review during the first quarter of the 2024 calendar year.

Respectfully submitted,
Miguel A. Meléndez Jr.
City Council President

Resolution 2023-16
(Int. No. 265)

Resolution of Budgetary Intent – Neighborhood Service Center Evaluation

WHEREAS, the City's Neighborhood Service Centers (NSCs) are an important resource for residents and employers, and

WHEREAS, the NSC Offices often include and coordinate with Code Enforcement Officers and other staff resources from the Neighborhood and Business Development Department and

WHEREAS, the Rochester Police Department also maintain a presence in the NSCs, and

WHEREAS, all NSCs do not operate consistently from one quadrant to another which includes disparities in staffing, public usage, public access, and services provided, and

WHEREAS, NSCs are vital and require greater investment of resources, and

WHEREAS, an alignment of NSC coverage areas with City Council Districts will reduce confusion and be more consistent, and

WHEREAS, Council is also interested in an external study to explore the future of the NSCs and to answer if the services provided at the NSCs are in fact those services the public wants; are there additional services citizens would want to use at the NSCs; are these important sector resources physically located in the appropriate places; should other city services be collocated with the NSCs; should the role of the police be expanded/reduced; are the current office hours optimal for community need; can the Director of Policy and Strategic Initiatives position added in the Department related to the Neighbors Building Neighborhoods program oversee or have a role in administering the NSC; among other questions,

WHEREAS, Resolution No. 2022-50 approved on December 20, 2022 resolved that any funds appropriated to the Budget of the City Council & Clerk - PAB that remain unspent at the end of the present fiscal year can only be appropriated to the following four community need categories

(Community Needs) in amounts and shares to be determined and approved by the Council in subsequent legislation, and

WHEREAS, the community needs identified were Housing & Homelessness; Substance Abuse Treatment; Mental Health; and Public Safety & Violence; and

WHEREAS, Council would like to commit these funds to such purposes, and

BE IT THEREFORE RESOLVED, by the Council of the City of Rochester as follows:

Section 1. The Council will commit up to \$150,000 of fund balance from the Budget of the City Council and Clerk available at the end of the 2022-23 fiscal year for the purposes of the aforementioned study.

Section 2. The Mayor is hereby requested to engage a consultant to perform such study of the NSCs, to evaluate performance to date, and to recommend future directions for NSCs taking into account the aforementioned issues and other relevant areas to study.

Section 3. The Council requests that City Council play a role in assisting the Mayor's office in the crafting of the parameters of the study.

Section 4. The Council requests such a report be completed and submitted to them for review during the first quarter of the 2024 calendar year.

Section 5. This resolution shall take effect immediately.

Adopted unanimously.

President Meléndez introduced a motion to consider Int. No. 266 without referring to a committee. Moved by Councilmember Patterson; 2nd by Councilmember Peo Motion to consider passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Resolution No. 2023-17

Re: Resolution - Rochester Police Department Workflow Plan

Transmitted herewith for your approval is a Resolution requesting that the Mayor authorize the Rochester Police Department to engage in a workflow plan.

City Council has been interested in the Rochester Police Department's staffing levels and staffing models for some time. National staffing shortages across the field of law enforcement have made these issues more pressing.

In order to best address this, City Council would like the Mayor to initiate a process to conduct and complete a workflow study of the Rochester Police Department. It has been the Rochester City Council's desire to see a formal and comprehensive workflow study conducted for the Rochester Police Department for some time.

This resolution seeks that:

1. The Mayor authorize the Rochester Police Department to engage in this study and to recommend options for future direction of the Department.
2. This report be completed and submitted to Council for review in the first quarter of the 2024 calendar year.

Council's objective is to gain a better understanding of police deployments based on the current model, which would be helpful to identify a correct staffing model and to challenge the current model. The study should address all Police Department realignment including location and placement of section offices.

Council would like this study conducted with a crime-data driven staffing model as the end goal. The study should evaluate the output of the Office of Business Intelligence to understand what data is recorded, and what data is available to the public to ultimately make recommendations to fill existing information gaps on the Open Data Portal. The current Brady Gun Trace Data Report highlighted such missing data.

Council would like this study to pay attention to departmental overtime, to analyze response times and the closing of jobs against priority categories - using GPS data to determine actual response times and the length of time spent on calls.

Respectfully submitted,
Miguel A. Meléndez
City Council President

Resolution No. 2023-17
(Int. No. 266)

Resolution – Rochester Police Department Workflow Plan

WHEREAS, Council would like the Mayor to initiate a process to conduct and complete a workflow study of the Rochester Police Department, and

WHEREAS, the Rochester Police Department is a large and critically important Department within City government, and

WHEREAS, staffing levels and staffing models have been a focus of attention, particularly in the last few years which have seen national staffing shortages across the law enforcement field, with Rochester being no exception, and

WHEREAS, a better understanding of police deployments based on the current model would be helpful to identify a correct staffing model and challenge the current model, which would be instrumental in conducting an effective workflow study for the Department, and

WHEREAS, it has been the Rochester City Council's desire to see a formal and comprehensive workflow study conducted for the Rochester Police Department, and

WHEREAS, Council would like this study conducted with a crime-data driven staffing model as the end goal, and

WHEREAS, the study needs to address all Police Department realignment including location and placement of section offices, and

WHEREAS, Council would like this study to pay attention to departmental overtime, and

WHEREAS, the study must evaluate the output of the Office of Business Intelligence to understand what data is recorded and what data is available to the public to ultimately make recommendations to fill existing information gaps on the Open Data Portal, which was recently shown in the current Brady Gun Trace Data Report, and

WHEREAS, the study must analyze response times and the closing of jobs once completed against priority categories and GPS data to determine actual response times and the length of time spent on calls, and

BE IT THEREFORE RESOLVED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby requested to authorize the Rochester Police Department to engage in the aforementioned study and to recommend options for future direction of the Department.

Section 2. The Council requests that this report be completed and submitted to Council for review in the first quarter of calendar year 2024.

Section 3. This resolution shall take effect immediately.

Adopted unanimously.

President Meléndez introduced a motion to consider Int. No. 267 without referring to a committee. Moved by Councilmember Patterson; 2nd by Councilmember Peo Motion to consider passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Resolution No. 2023-18

Re: Resolution of Budgetary Intent - Affordable Housing and Social-Emotional Wellness

Transmitted herewith for your approval is a Resolution of Budgetary Intent requesting to commit up to \$750,000 of fund balance available at the end of the 2022-23 fiscal year from the 2022-2023 Budget of the City Council & Clerk for the purposes of affordable housing projects and socialemotional support programs.

Under Resolution No. 2022-50, approved on December 20, 2022, City Council resolved that any funds appropriated to the Budget of the City Council & Clerk - PAB that remain unspent at the end of the present fiscal year can only be appropriated to the following four community need categories.

The community needs categories are: Housing & Homelessness; Substance Abuse Treatment; Mental Health; and Public Safety & Violence. Council would like to commit funds from the 2022-2023 Budget of the City Council & Clerk the purposes of affordable housing projects and social-emotional support programs.

This resolution would:

1. Commit up to \$750,000 of fund balance from the 2022-23 Budget of the City Council & Clerk available at the end of the 2022-23 fiscal year for the purposes of affordable housing projects and social-emotional support programs.
2. The Mayor is hereby requested to develop a plan to spend the funds with the goals of reducing homelessness & increasing affordable housing options; and providing additional mental health resources & social-emotional wellness programs in the City of Rochester.
3. The Mayor shall draft such plan with input of the Neighborhood and Business Development Committee and the Recreation and Human Services Committee of City Council.
4. Upon presentation of the plan by the Mayor to City Council, the corresponding committed fund balance will be appropriated for this purpose.

Respectfully submitted,
Miguel A. Meléndez Jr.
City Council President

Resolution of Budgetary Intent – Affordable Housing and Social-Emotional Wellbeing

WHEREAS, Resolution No. 2022-50 approved on December 20, 2022 resolved that any funds appropriated to the Budget of the City Council & Clerk - PAB that remain unspent at the end of the present fiscal year can only be appropriated to the following four community need categories (Community Needs) in amounts and shares to be determined and approved by the Council in subsequent legislation, and

WHEREAS, the community needs identified were Housing & Homelessness; Substance Abuse Treatment; Mental Health; and Public Safety & Violence; and

WHEREAS, Council would like to commit these funds to such purposes,

BE IT THEREFORE RESOLVED, by the Council of the City of Rochester as follows:

Section 1. The Council will commit up to \$750,000 of fund balance from the Budget of the City Council and Clerk available at the end of the 2022-23 fiscal year for the purposes of affordable housing projects and social-emotional support programs.

Section 2. The Mayor is hereby requested to develop a plan to spend the funds with the goals of reducing homelessness & increasing affordable housing options; and providing additional mental health resources & social-emotional wellness programs in the City of Rochester.

Section 3. The Mayor shall draft such plan with input of the Neighborhood and Business Development Committee and the Recreation and Human Services Committee of City Council.

Section 4. Upon presentation of the plan by the Mayor to City Council, the corresponding committed fund balance will be appropriated for this purpose.

Section 5. This resolution shall take effect immediately.

Adopted unanimously.

REPORTS OF STANDING COMMITTEES
AND ACTION THEREON

By Councilmember Lightfoot
June 20, 2023

To the Council:

The **PARKS & PUBLIC WORKS COMMITTEE** recommends for **ADOPTION** the following entitled legislation:

Int. No. 216 Authorizing agreements and appropriations for the 2025 Preventive
Maintenance Project

- Int. No. 217 Resolution authorizing the implementation, and funding in the first instance 100% of the federal-aid and State "Marchiselli" Program-aid eligible costs, of the Culver Road and University Ave PM transportation federal-aid project, and appropriating funds therefor
- Int. No. 218 Authorizing agreements and appropriations for the Inner Loop North Transformation Project
- Int. No. 219 Authorizing the implementation, and funding in the first instance of the State-aid Program eligible costs, of a capital project entitled Inner Loop North Transformation Project, and appropriating funds therefor
- Int. No. 220 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$1,684,000 Bonds of said City to finance the 2023 Annual Parking Garage Repair & Reconstruction Project
- Int. No. 221 Amending Ordinance 2020-66 relating to the Brewery Line Trail Project
- Int. No. 222 Authorizing an amendatory agreement for the Durand Eastman Park Beach site improvements
- Int. No. 223 Authorizing an agreement for the Blue Cross Arena Lobby Floor Replacement
- Int. No. 224 Authorizing an agreement for an annual repair and renovation program for the Honorable Loretta C. Scott Center for Human Services
- Int. No. 225 Authorizing an agreement for relocating the Office of Training and Safety
- Int. No. 226 Appropriating American Rescue Plan Act of 2021 funds and authorizing an amendatory agreement for the Maplewood Branch Library Expansion Project
- Int. No. 227 Authorizing an agreement for an assessment of the Special Operations/K-9 Tactical facility on Child Street

Respectfully submitted,
 Willie J. Lightfoot
 Mitch Gruber (*absent*)
 Jose Peo
 Mary Lupien (*voted against Int. No. 227*)
 Miguel A. Meléndez, Jr.

PARKS & PUBLIC WORKS COMMITTEE

Received filed and published

TO THE COUNCIL
 Ladies and Gentlemen:

Ordinance No. 2023-191
 Resolution No. 2023-19
 Re: 2025 Preventive Maintenance Project Culver Road (Monroe Avenue to Atlantic Avenue),
 University Avenue (North Goodman Street to Culver Road)

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation related to the 2025 Preventive Maintenance Project. This legislation will:

1. Authorize the Mayor to enter into an agreement with the New York State Department of Transportation (NYSDOT) necessary to participate in and administer the project; and, Appropriate \$396,000 in anticipated reimbursements from the Federal Highway
2. Administration (FHWA) to finance a portion of engineering design and construction administration services for the project; and,
3. Appropriate \$74,250 in anticipated reimbursements from the New York State (NYS) Marchiselli Aid Program to finance a portion of engineering design and construction administration services for the project; and,
4. Establish \$540,000 as maximum compensation for a professional services agreement with Joseph C. Lu Engineering, P.C. (Cletus Ezenwa, C.E.O., 280 East Broad Street Rochester, New York) for engineering design and construction administration services related to the project. The cost of the agreement will be funded as shown in the table below; and,
5. Approve a resolution, in a form that is required by NYSDOT, that will confirm the City’s prior authorizations of the project, commit the City to pay for the State-funded portion of the project in the first instance before seeking reimbursement from the State, and if applicable, commit the City Council to meet promptly to consider appropriating money to make up any cost overruns.

The agreement will be funded as follows:

Source of Funds	Amount
FHWA funds appropriated herein	\$396,000
NYS Marchiselli Aid funds appropriated herein 2022-23 Cash Capital	\$74,250
	\$69,750
Total	\$540,000

This is a Federal Aid project administered by the City under agreement with NYSDOT.

The project includes, but is not limited to milling and resurfacing of the pavement, spot curb and hazardous sidewalk replacements, installation or upgrade of sidewalk curb ramps, replacement of traffic pavement markings, and adjustment and repair of manholes, catch basins and water valve castings. The addition of on-street bicycle facilities will be evaluated during preliminary design. These improvements will enhance the surface drainage and riding quality of the roadway, improve accessibility for all users, and expand the useful life of the pavement structure.

Joseph C. Lu Engineering, P.C. was selected to provide engineering design and construction administration services through a request for proposals process from the NYSDOT list of pre-approved regional engineering firms, which is described in the attached summary.

Design services will begin in summer 2023. Construction is anticipated to begin in spring 2025.

The agreement shall extend a term of six (6) months after final acceptance of the project.

Respectfully submitted,
 Malik D. Evans
 Mayor

Attachment No. AW-119

Ordinance No. 2023-191
(Int. No. 216)

Authorizing agreements and appropriations for the 2025 Preventive Maintenance Project

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Department of Transportation to participate in, administer, receive and use Federal Highway Administration (FHWA) funding for the 2025 Preventive Maintenance Project – Culver Road (Monroe Avenue to Atlantic Avenue) and University Avenue (North Goodman Street to Culver Road) (Project).

Section 2. The Council hereby appropriates \$396,000 in anticipated reimbursements from the FHWA to fund a portion of the engineering design and construction administration services for the Project.

Section 3. The Council hereby appropriates \$74,250 in anticipated reimbursements from the NYS Marchiselli Aid Program to fund a portion of the engineering design and construction administration services for the Project

Section 4. The Mayor is hereby authorized to enter into a professional services agreement with Joseph C. Lu Engineering, P.C. to provide engineering design and construction administration services for the Project. The maximum compensation for the agreement shall be \$540,000, which shall be funded in the amounts of \$396,000 from the FHWA funds appropriated in Section 2 hereof, \$74,250 from the Marchiselli Aid appropriated in Section 3 hereof and \$69,750 from 2022-23 Cash Capital. The term of the agreement shall continue until 6 months after final acceptance of the Project.

Section 5. The agreements authorized herein shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

Resolution No. 2023-19
(Int. No. 217)

Resolution authorizing the implementation, and funding in the first instance 100% of the federal-aid and State "Marchiselli" Program-aid eligible costs, of the Culver Road and University Ave PM transportation federal-aid project, and appropriating funds therefor

WHEREAS, a project for the Culver Road and University Ave PM, P.I.N. 4CR0.21 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, the City of Rochester desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of engineering design and construction administration services.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Rochester as follows:

THAT the Council hereby approves the above-subject Project;

THAT the Council hereby authorizes the City of Rochester to pay in the first instance 100% of the federal and non-federal share of the costs of engineering design and construction administration services for the Project or portions thereof;

THAT the sum of \$540,000 is hereby appropriated pursuant to Ordinance No. 2023-191 and made available to cover the cost of participation in the above described phase of the Project.

THAT in the event the full federal and non-federal share costs of the Project exceed the amount appropriated above, this Council shall convene as soon as possible to appropriate said excess amount immediately upon notification by the City Engineer thereof;

THAT the Mayor of the City of Rochester be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the City of Rochester with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of Project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefor that are not so eligible;

THAT a certified copy of this resolution shall be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and

THAT this Resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No 2023-192

Resolution No. 2023-20

Re: Inner Loop North Transformation Project

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation related to the Inner Loop North (ILN) Transformation Project. This legislation will:

1. Authorize the Mayor to enter into an agreement with the New York State Department of Transportation (NYSDOT) necessary to participate in and administer the Project; and
2. Appropriate \$4,500,000 in anticipated reimbursements from NYSDOT to finance preliminary engineering design services related to the Project; and
3. Establish \$4,500,000 as maximum compensation for a professional services agreement with Stantec Consulting Services Inc. (James R. Hofmann, Principal, 61 Commercial Street, Suite 100 Rochester, New York) for preliminary engineering design services related to the Project. The cost of the agreement will be funded from with the NYSDOT funds appropriated herein; and
4. Approve a resolution, in a form that is required by NYSDOT, that will confirm the City's prior authorizations of the Project, commit the City to pay for the State-funded portion of the Project in the first instance before seeking reimbursement from the State, and if applicable, commit the City Council to meet promptly to consider appropriating money to make up any cost overruns.

This is a State Aid project administered by the City under agreement with NYSDOT. Preliminary design is State-funded. Final design, Right of Way, and construction support services are anticipated to be State-funded. Construction and construction inspection services are anticipated to be federally-funded.

The project includes the transformation of the remaining segment of the Inner Loop Expressway into an accessible and multi-modal boulevard within a restored urban street grid.

The City completed the ILN Transformation Planning Study in September 2022 and identified a preferred design concept for the ILN corridor that best meets the community's vision and needs. The preferred concept will guide the design of a preferred alternative. Overall, the project seeks to consolidate ILN's travel lanes, parallel service roads, and on- and off-ramps into at-grade, traffic calmed streets incorporating auxiliary turn lanes and on-street parking as appropriate, with safety-focused, dedicated pedestrian and bicycle facilities throughout the corridor. The project will provide a transportation network that better meets the needs of all users; reconnects neighborhoods to Rochester's downtown; and opens parcels for equitable redevelopment and green space.

Stantec Consulting Services Inc. was selected to provide preliminary engineering design services through a request for proposals process, which is described in the attached summary.

Design services will begin in summer 2023. Final design services are anticipated to begin in summer 2025. Construction is anticipated to begin in spring of 2027. The agreement will result in the creation and/or retention of the equivalent of 48.9 jobs.

The term of the agreement will be until six (6) months after final acceptance of the project.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AW-120

Ordinance No. 2023-192
(Int. No. 218)

Authorizing agreements and appropriations for the Inner Loop North Transformation Project

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Department of Transportation (NYSDOT) to participate in, administer, receive and use State funding for the Inner Loop North Transformation Project (Project).

Section 2. The Council hereby appropriates \$4,500,000 in anticipated reimbursements from the NYSDOT to fund preliminary engineering design services for the Project.

Section 3. The Mayor is hereby authorized to enter into a professional services agreement with Stantec Consulting Services Inc. to provide preliminary engineering design services for the Project. The maximum compensation for the agreement shall be \$4,500,000, which shall be funded from the NYSDOT reimbursements appropriated in Section 2 hereof. The term of the agreement shall continue until 6 months after final acceptance of the Project.

Section 4. The agreements authorized herein shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

Resolution No. 2023-20
(Int. No. 219)

Authorizing the implementation, and funding in the first instance of the State-aid Program eligible costs, of a capital project entitled Inner Loop North Transformation Project, and appropriating funds therefor

WHEREAS, a Project for Inner Loop North Transformation Project, City of Rochester, Monroe County, P.I.N. 4CR0.17 (the "Project") is eligible for funding under a New York State Program administered by the New York State Department of Transportation (NYSDOT);

WHEREAS, a sum not to exceed \$4,500,000 in Program funding is available to progress the Project; and

WHEREAS, the City of Rochester desires to advance the Project by making a commitment of 100% of the State share of the costs of the preliminary engineering phase.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Rochester as follows:

THAT the Council of the City of Rochester hereby authorizes the City of Rochester to pay in the first instance 100% of the cost of preliminary engineering work for the Project or portions thereof;

THAT the sum of \$4,500,000 appropriated pursuant to Ordinance No. 2023-192 is hereby made available to cover the cost of participation in the above described phase of the Project;

THAT in the event that the full state share costs of the Project exceed the amount appropriated above, the Council of the City of Rochester shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the City Engineer thereof;

THAT the Mayor of the City of Rochester be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for State Aid on behalf of the City of Rochester with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the Municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefor that are not so eligible;

THAT a certified copy of this Resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project between the City of Rochester and the State of New York; and

THAT this Resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2023-193
Re: 2023 Annual Parking Garage Repair and Reconstruction Project

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation related to the 2023 Annual Parking Garage Repair & Reconstruction Project. This legislation will authorize the issuance of bonds totaling \$1,684,000 and the appropriation of the proceeds thereof to partially finance the construction of the project.

The 2023 Annual Parking Garage Repair & Reconstruction Project will consist primarily of repairs and supplemental structural support within the South Avenue and Stone Street Wings of the South Avenue Garage for preserving the safety, structural integrity and service life of the garage. Construction work will include, but is not limited to, strategic repair and reconstruction of concrete decks, concrete beams and columns, supplemental post-tensioning systems, waterproofing, and expansion joints. Repairs to the stair towers at the High Falls Garage will also be included.

Bids for construction were received on April 18, 2023. The apparent low bid of \$2,793,948 was submitted by Crane-Hogan Structural Systems Inc. (Daniel Hogan, C.E.O., 3001 Brockport Road, Spencerport, New York).

The project was designed under the City’s Annual Parking Garage Evaluation and Repair Program by T.Y. Lin International Engineering & Architecture, P.C. (T.Y. Lin) as authorized in Ordinance No. 2020-224. T.Y. Lin shall provide resident project representation (RPR) services for the project as authorized in Ordinance No. 2021-154.

The costs for the project will be funded as follows:

Source of Funds	Design	Construction	RPR	Contingency	Total
2020-21 Parking Cash Capital	272,000	0	300,000	0	\$572,000
2022-23 Parking Cash Capital	0	892,323	0	300,000	\$ 1,192,323
Bonds authorized herein	0	1,684,000	0		\$ 1,684,000
Total	\$272,000	\$2,576,323	\$300,000	\$ 300,000	\$3,448,323

Construction is anticipated to begin in summer 2023 with completion in summer 2024. The project will result in the creation and/or retention of the equivalent of 39.8 full-time jobs.

Respectfully submitted,
 Malik D. Evans
 Mayor

Attachment No. AW-121

Ordinance No. 2023-193
 (Int. No. 220)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$1,684,000 Bonds of said City to finance the 2023 Annual Parking Garage Repair & Reconstruction Project

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the costs of the 2023 Annual Parking Garage Repair & Reconstruction Project for preserving the safety, structural integrity and service life at the South Avenue Garage located at 36-70 South Avenue, including but not limited to repair and reconstruction of concrete decks, concrete beams and columns, supplemental post-tensioning systems, waterproofing, and expansion joints in both the South Avenue and Stone Street wings of said Garage (the "Project"). The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs

incidental thereto and the financing thereof, is \$3,448,323. The plan of financing includes the issuance of \$1,684,000 bonds of the City, which amount is hereby appropriated for the Project, \$572,000 in 2020-21 Cash Capital, \$1,192,323 in 2022-23 Cash Capital, and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$1,684,000 are hereby authorized to be issued pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$1,684,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said class of objects or purposes described in Section 1 of this Ordinance, within the limitations of 11.00 a.12.a.3. of the Law, is ten (10) years.

Section 5. Each of the bonds authorized by this Ordinance and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the City, payable as to both principal and interest by an ad valorem tax upon all the taxable real property within the City without limitation as to rate or amount. The faith and credit of the City are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the City by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 6. Subject to the provisions of this Ordinance and of said Law, and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of Sections 50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the City Council relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, and relative to providing for substantially level or declining debt service, prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, as well as to executing agreements for credit enhancement, are hereby delegated to the Director of Finance, as the Chief Fiscal Officer of the City.

Section 7. The validity of the bonds authorized by this Ordinance and of any notes issued in anticipation of the sale of said bonds may be contested only if:

(a) such obligations are authorized for an object or purpose for which the City is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such Ordinance are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty (20) days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This Ordinance shall take effect immediately, and the City Clerk is hereby authorized and directed to publish a summary of the foregoing Ordinance, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in "The Daily Record," a

newspaper published in Rochester, New York, having a general circulation in the City and hereby designated the official newspaper of said City for such publication.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2023-194
Re: Brewery Line Trail Project RG&E Commercial Corridor/Main Street Revitalization Assistance Program

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation amending Ordinance No. 2020-66 Section 1 which authorized the receipt and use of \$128,000 in award funding from the Rochester Gas and Electric Corporation (RG&E) Commercial Corridor/Main Street Revitalization Assistance Program. This amendment increases the amount of funding by \$39,583 to be received from RG&E for the project to reflect the actual amount awarded per their award letter dated March 2021. Actual lighting costs were higher than originally estimated and we are able to request the full amount of the grant as originally offered for this project. Ordinance No. 2020-66 Section 1 should be amended to read “The Council hereby authorizes the receipt and use of \$167,583 in award funding from the Rochester Gas & Electric (RG&E) Commercial Corridor/Main Street Revitalization Assistance Program for development of the Brewery Line Trail extending along the west side of the Genesee River from the Pont de Rennes Bridge to a High Falls Overlook (the Project)”.

The project was designed by McCord Landscape Architecture, PLLC (Douglas McCord R.L.A., Principal, 2129 Five Mile Line Road, Penfield, New York) authorized in Ordinance No. 2018-63 and amended in Ordinance No. 2019-87.

The project runs between the Pont de Rennes Bridge and the High Falls Overlook includes improvements to the existing trail, trail furnishings, river railing, shoring the gorge edge, opening views by clearing scrub growth, and lighting.

Construction started in spring summer 2022 with substantial completion summer 2023. This additional funding will result in the creation and/or retention of the equivalent of 0.4 full-time jobs.

Respectfully submitted,
Malik D. Evans
Mayor

Ordinance No. 2023-194
(Int. No. 221)

Amending Ordinance 2020-66 relating to the Brewery Line Trail Project

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. Section 1 of Ordinance No. 2020-66, Authorizing funding for the Brewery Line Trail project, is hereby amended as follows:

Section 1. The Council hereby authorizes the receipt and use of ~~\$128,000~~ \$167,583 in award funding from the Rochester Gas and Electric Corporation (RG&E) Commercial Corridor/Main

Street Revitalization Assistance Program for development of the Brewery Line Trail extending along the west side of the Genesee River from the Pont de Rennes Bridge to a High Falls Overlook (the Project).

Section 2. This ordinance shall take effect immediately.
Strikeout indicates deleted text, new text is underlined

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2023-195
Re: Amendatory Agreement – Popli Architecture Engineering & L.S., D.P.C. dba Popli Design Group-Durand Eastman Park Beach House

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation related to the Durand Eastman Park Beach House project. This legislation will authorize an amendatory agreement with Popli Architecture + Engineering & L.S., D.P.C. dba Popli Design Group (Om P. Popli, C.E.O., 555 Penbrooke Drive, Penfield, New York) for the design of site improvements. The original agreement for \$300,000 was authorized in Ordinance No. 2021- 297 and amended by Ordinance No. 2022-214 to \$485,000. This amendment shall increase compensation by \$200,000 to a maximum total of \$685,000. The amendment will be funded with American Rescue Plan Act (ARPA) funds as appropriated in Ordinance No. 2022-79.

The original agreement with Popli Design Group, includes the design of a beach house to support the public swimming beach and staff and creation of a Master Plan of improvements for the entire length of the beach. The beach currently operates under a variance and temporary permit due to a lack of permanent facilities. The beach house concept includes, but is not limited to, restrooms, changing rooms, a lifeguard office and first aid facilities, storage, fully accessible beach access, and other site improvements.

The amendatory agreement will provide preliminary design, SEQR review, final design, bid and award and construction administration services for site improvements. The final design of project improvements shall not commence until such time as an environmental impact review of the Project, under the State Environmental Quality Review Act, is completed.

The site improvements will focus on drainage, stormwater management and erosion control; restoration of eroded slopes and trail; beach access; and, site amenities that may include picnic shelters, picnic tables, grills, trash receptacles, benches, bike amenities, and signage. Completion of the design, bid and award of the construction contract is critical to meet the ARPA requirements of all funds being encumbered in a contract(s) by the end of 2024 and expended by the end of 2026.

The design agreement is funded as follows:

Source of Funds	Amount
NYS DOS Grant appropriated Ordinance No. 2021-297	\$225,000
2020-21 Cash Capital	\$75,000
ARPA funds appropriated Ordinance No. 2022-79	\$385,000
Total	\$685,000

This proposed legislation was developed by the Department of Environmental Services in collaboration with the Department of Recreation and Human Services.

The amendatory agreement will result in the creation and/or retention of the equivalent of 2.0 fulltime jobs. The term of the agreement shall be changed to extend until three (3) months after the completion of the two (2) year guarantee inspection of the project.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AW-122

Ordinance No. 2023-195
(Int. No. 222)

Authorizing an amendatory agreement for the Durand Eastman Park Beach site improvements

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an amendatory professional services agreement with Popli Architecture + Engineering & L.S., D.P.C. to provide preliminary design, environmental impact review pursuant to the State Environmental Quality Review Act (SEQR), final design, bid and award and construction administration services for site improvements to the Durand Eastman Park Beach. The amendment shall add these additional services to the scope of services for the existing agreement for the Beach House and Beach master plan, as authorized in Ordinance No. 2021-297 and amended in Ordinance No. 2022-214, shall increase the maximum compensation by \$200,000 to a new total of \$685,000, and shall extend the agreement term to three months after completion of the two year guarantee inspection. The amendatory amount shall be funded from the American Rescue Plan Act of 2021 appropriation authorized in Ordinance No. 2022-79. The final design of the site improvements shall not commence until such time as the SEQR review is complete.

Section 2. The amendatory agreement shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2023-196
Re: Agreement – CPL Architects, Engineers, Landscape Architect and Surveyor, D.P.C. d/b/a CPL – Blue Cross Arena Lobby Floor Replacement

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity and Opportunity

Transmitted herewith for your approval is legislation establishing \$90,000 as maximum compensation for a professional services agreement with CPL Architects, Engineers, Landscape Architect and Surveyor, D.P.C. d/b/a CPL (Todd M. Liebert, C.E.O., 255 Woodcliff Drive, Suite 200, Fairport, New

York) for design and construction administration services for the Blue Cross Arena Lobby Floor Replacement. The cost of the agreement will be financed from 2022-23 Cash Capital.

The project includes, but is not limited to, investigations, design, bid and award, and construction administration services for replacement of the existing floor tile in the main entrance lobby (Arena Level - Northwest), stairs to the concourse level, and the North and South ends of the concourse level. The replacement of the recessed floor mats in the main entry vestibule will also be evaluated for potential inclusion in the project.

CPL Architects, Engineers, Landscape Architect and Surveyor, D.P.C. was selected for design and construction administration services through a request for proposal process which is described in the attached summary.

Construction is anticipated to begin in summer 2024 with estimated completion in summer 2025. The professional service agreement will result in the creation and/or retention of the equivalent of 0.9 full-time jobs.

The term of the agreement shall extend until three (3) months after the completion of the two (2) year guarantee inspection of the project.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AW-123

Ordinance No. 2023-196
(Int. No. 223)

Authorizing an agreement for the Blue Cross Arena Lobby Floor Replacement

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with CPL Architects, Engineers, Landscape Architect and Surveyor, D.P.C. to provide design and construction administration services for the Blue Cross Arena Floor Replacement (Project). The maximum compensation for the agreement shall be \$90,000, which shall be funded from 2022-23 Cash Capital. The term of the agreement shall continue to three months after completion of the two year guarantee inspection of the Project.

Section 2. The agreement shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2023-197
Re: Agreement – Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors
D.P.C.– The Honorable Loretta C. Scott Center for Human Services Renovations

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Sustaining Green and Active Systems

Transmitted herewith for your approval is legislation establishing \$500,000 as maximum annual compensation for a professional services agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. (Joseph Dopico, C.E.O., 280 East Broad Street, Suite 200, Rochester, New York), for architectural and engineering planning and design services for an annual program of renovations and repairs to The Honorable Loretta C. Scott Center for Human Services. The agreement shall have a maximum compensation of \$500,000 per year. The cost of the agreement will be financed from 2021-22 Cash Capital and any renewals shall be funded from Cash Capital and/or Bond adopted and appropriated for said purpose in subsequent budgets, contingent upon the adoption of said budgets.

The Consultant will provide inspection and planning services that include comprehensive inspection and evaluation of all building systems and development of a five-year capital plan for phased implementation of prioritized capital repairs and renovations. In addition to the larger capital planning strategy, the Consultant will provide design, bidding, award, and construction administration services for the first semi-annual / annual repair project for the facility. The Project will include, but is not limited to, water infiltration remediation and related repairs within the basement and sub-basement of the building.

Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors D.P.C. was selected for design, bidding, award, and construction administration services through a Request for Proposal process, which is described in the attached summary.

Planning and design is anticipated to begin in summer 2023. Construction is anticipated to begin in fall 2024. This legislation will result in the creation and/or retention of the equivalent of 5.4 full-time jobs.

The agreement will have an initial term of one year with a provision for four yearly renewals for a total of five years.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AW-124

Ordinance No. 2023-197
(Int. No. 224)

Authorizing an agreement for an annual repair and renovation program for the Honorable Loretta C. Scott Center for Human Services

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. to provide architectural and engineering planning and design services to establish an annual program of renovations and repairs to the Honorable Loretta C. Scott Center for Human Services located at 55-57 St. Paul Street. The agreement shall have a term of one year with the option to extend up to four additional periods of one year each. The maximum annual compensation shall be \$500,000, which shall be funded from 2021-22 Cash Capital for the initial term. The compensation for any optional extended term shall be funded from Cash Capital or bond proceeds appropriated for the purpose in subsequent budgets or ordinances, contingent upon the approval thereof.

Section 2. The agreement shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2023-198

Re: Agreement - C & S Engineers, Inc. – Office of Training and Safety Relocation to The Honorable Loretta C. Scott Center for Human Services

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Planning for Action

Transmitted herewith for your approval is legislation establishing \$200,000 as maximum compensation for a professional services agreement with C & S Engineers, Inc., (Aileen Maguire Meyer, C.E.O., 150 State Street, Suite 120, Rochester, New York) for design, bidding, award, and construction administration services for the relocation of the City of Rochester Office of Training and Safety. The cost of the agreement will be financed from 2019-20 Cash Capital.

The Office of Training and Safety will be relocated from their existing location within Maplewood Park (107 Bridge View Drive) to the fourth floor of The Honorable Loretta C. Scott Center for Human Services (57 St. Paul Street) to allow for the conversion of the Maplewood building to a nature center. The fourth floor renovation of The Honorable Loretta C. Scott Center for Human Services will include modifications for conference rooms, training, office and storage. The Project will also include all related mechanical, electrical and plumbing modifications.

C & S Engineers, Inc. was selected for services based on their experience with developing programming for the Office of Training and Safety as a part of a parallel project. A full justification for not issuing a request for proposals is attached.

This proposed legislation was developed by the Department of Environmental Services (DES) in collaboration with the Department of Human Resource Management (DHRM).

Design is anticipated to begin in summer 2023. Construction is anticipated to begin in fall 2023 with substantial completion in spring 2024. This legislation will result in the creation and/or retention of the equivalent of 2.2 full-time jobs.

The term of the agreement shall extend until three (3) months after the completion of the two (2) year guarantee inspection of the project.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AW-125

Ordinance No. 2023-198
(Int. No. 225)

Authorizing an agreement for relocating the Office of Training and Safety

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with C & S Engineers, Inc. to provide design, bidding, award and construction administration services for relocating the Office of Training and Safety from Maplewood Park to the Honorable Loretta C. Scott Center for Human Services located at 55-57 St. Paul Street (Project). The maximum compensation for the agreement shall be \$200,000, which shall be funded from 2019-20 Cash Capital. The term of the agreement shall continue to three months after the completion of the two year guarantee inspection of the Project.

Section 2. The agreement shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2023-199
Re: Maplewood Branch Library Expansion Project

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the Maplewood Branch Library Expansion Project. This legislation will:

1. Appropriate \$5,350,000 of American Rescue Plan Act (ARPA) funding to finance a portion of the design and construction of the project; and,
2. Authorize an amendatory professional services agreement with Hunt Engineers, Architects, Land Surveyors & Landscape Architect D.P.C. (Christopher Bond, C.E.O., 4 Commercial Street, Suite 300 Rochester, New York) to provide final design and construction administration services for the Project. The original agreement for \$160,000 was authorized in Ordinance No. 2022-207. This amendment shall increase the compensation by \$450,000 to a maximum total of \$610,000. The amendatory agreement shall be funded from ARPA funding appropriated herein.

The City of Rochester received a \$202.1 million award from the Coronavirus State and Local Fiscal Recovery Fund established by the American Rescue Plan Act (ARPA). This project is an eligible use of ARPA funding under the Final Rule Expenditure Category 6.1 Provision of Government Services.

The original agreement included programming and schematic design services for the project. The amendatory agreement will be for final design, construction documents, and construction administration services.

The Maplewood Branch Library was constructed in 1959. In collaboration with library staff, the project will address the current high volume of patron use and classroom sessions that are now part of the library's core operations. The project will include a renovation of the existing library, an expansion on the West side of the facility to address overcrowding through the addition of program spaces, and additional parking on the site.

This proposed legislation was developed by the Department of Environmental Services (DES) in collaboration with the Rochester Public Library (RPL).

Construction is anticipated to begin in spring 2024 with anticipated completion in late 2025. The project will result in the creation and/or retention of the equivalent of 58.2 full-time jobs.

The term of the agreement shall extend until three (3) months after the completion of the two (2) year guarantee inspection of the project.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AW-126

Ordinance No. 2023-199
(Int. No. 226)

Appropriating American Rescue Plan Act of 2021 funds and authorizing an amendatory agreement for the Maplewood Branch Library Expansion Project

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Council hereby appropriates the sum of \$5,350,000 provided by the United States Treasury pursuant to the American Rescue Plan Act of 2021 (ARPA) to fund a portion of the design and construction of the Maplewood Branch Library Expansion Project (Project).

Section 2. The Mayor is hereby authorized to enter into an amendatory professional services agreement with Hunt Engineers, Architects, Land Surveyors & Landscape Architect D.P.C. to add final Project design and construction administration to the scope of services for the existing agreement authorized in Ordinance No. 2022-207 and to increase the maximum compensation by \$450,000 to a new total of \$610,000. The amendatory compensation shall be funded from the ARPA funds appropriated in Section 1 herein. The term of the amendatory agreement shall continue to three months after the completion of the two year guarantee inspection of the Project.

Section 3. The amendatory agreement shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2023-200
Re: Agreement- Hunt Engineers, Architects, Land Surveyors, & Landscape Architect D.P.C. -
Rochester Police Department Special Operations K-9 Tactical Child Street Assessment

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation establishing \$120,000 as maximum compensation for a professional services agreement with Hunt Engineers, Architects, Land Surveyors, & Landscape

Architect D.P.C. (Christopher Bond, C.E.O., 4 Commercial Street, Suite 300, Rochester, New York) for architectural and engineering services for the Rochester Police Department (RPD) Special Operations K-9 Tactical Child Street Renovation Assessment. The cost of the agreement will be financed from 2022-23 Cash Capital.

The RPD Special Operations/K-9 Tactical unit is located at 261 and 293 Child Street. The 7,360 square foot, two story facility has not been renovated since the late 1990s and is too small for its current operations. Along with the renovation of the existing building, the construction of a separate storage building is being explored as part of the assessment.

This project will provide a full building condition assessment incorporating RPD operations programming for both the existing facility and the new storage building, and develop a schematic design with preliminary construction estimates.

This proposed legislation was developed by the Department of Environmental Services (DES) in collaboration with the Rochester Police Department (RPD).

Hunt Engineers, Architects, Land Surveyors, & Landscape Architect, D.P.C. was selected for design services through a Request for Proposal process, which is described in the attached summary.

The assessment will take place through the spring of 2024. The professional services agreement will result in the creation and/or retention of the equivalent of 1.3 full-time jobs.

The term of the agreement shall extend (6) months past the acceptance of the final schematic design report.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AW-127

Ordinance No. 2023-200
(Int. No. 227)

Authorizing an agreement for an assessment of the Special Operations/K-9 Tactical facility on Child Street

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with Hunt Engineers, Architects, Land Surveyors & Landscape Architect D.P.C. to provide a full building condition assessment, schematic design and preliminary cost estimates for improvements to the Police Department's Special Operations/K-9 Tactical facility located at 261 and 293 Child Street. The maximum compensation shall be \$120,000, which shall be funded from 2022-23 Cash Capital. The term of the agreement shall continue to six months after acceptance of the final schematic design report.

Section 2. The amendatory agreement shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Patterson
June 20, 2023

To the Council:

The **NEIGHBORHOOD & BUSINESS DEVELOPMENT COMMITTEE** recommends for **ADOPTION** the following entitled legislation:

- Int. No. 228 Authorizing agreements for appraisal services
- Int. No. 229 Authorizing the lease of space at 232 Mill Street
- Int. No. 230 Authorizing the acceptance of real estate by donation
- Int. No. 233 Authorizing a lease agreement for the Southeast Neighborhood Service Center
- Int. No. 235 Authorizing a lease agreement with UGI Energy Services, LLC
- Int. No. 236 Appropriating 2019-20 Annual Action Plan funds and authorizing agreements for additional Emergency Solutions Grant program services
- Int. No. 237 Authorizing an agreement for economic development services

The **NEIGHBORHOOD & BUSINESS DEVELOPMENT COMMITTEE** recommends the following entitled legislation to be **HELD** in Committee

- Int. No. 231 Authorizing lease agreement for downtown Police Department offices
- Int. No. 232 Authorizing parking agreement for downtown Police Department offices
- Int. No. 234 Authorizing an amendatory purchase option agreement for the development of 1 and 2-12 Clarence Park

Respectfully submitted,
Michael A. Patterson
LaShay D. Harris (*absent*)
Kimberly Smith
Mary Lupien
Miguel A. Meléndez, Jr.

NEIGHBORHOOD & BUSINESS DEVELOPMENT COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2023-201
Re: Appraisal Services

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Comprehensive Plan 2034 Initiative Area: Strong Neighborhoods

Transmitted herewith for your approval is legislation establishing maximum compensation in the amount of \$300,000 for agreements related to appraisal services. This legislation will authorize three separate Professional Term Service Agreements with the following firms:

- 1) Bruckner, Tillett & Rossi, Inc. d/b/a Bruckner, Tillett, Rossi, Cahill & Associates (Kevin L. Bruckner, Principal, 500 Linden Oaks, Suite 130, Rochester, NY)
- 2) Midland Appraisal Associates, Inc. (Jay J. Loson, Principal, 349 W. Commercial St, Suite 2290, East Rochester, NY)
- 3) Rynne, Murphy & Associates, Inc. (John P. Rynne, Principal, 205 St. Paul St, Suite 305, Rochester, NY)

The agreements will be financed from the 2023-24, 2024-25 and the 2025-26 annual budgets of the Department of Neighborhood and Business Development. The cost for services will be provided utilizing pre-specified billing rates within the agreements. The agreements will have a term of three years.

The appraisal services are necessary for commercial, industrial and residential property related to acquisitions, sales, easements, leases and other property transactions.

These firms were selected through a Request for Qualifications process which is described in the attached Vendor Selection Form. The RFQ was issued January 12, 2023 and posted on the City website and mailed directly to firms.

The selection of firms was based on experience with the typical and specialized work required for the City and their familiarity with and location within the Rochester Metropolitan Statistical Area.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AW- 128

Ordinance No. 2023-201
(Int. No. 228)

Authorizing agreements for appraisal services

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into professional services agreements with the following firms for appraisal services as needed by the Department of Neighborhood and Business Development (NBD) for a term of three years and for a total aggregate compensation not to exceed \$300,000:

Firm

Bruckner, Tillett & Rossi, Inc.
Midland Appraisal Associates, Inc.
Rynne, Murphy & Associates, Inc.

Section 2. The cost of the agreements shall be funded from the 2023-24, 2024-25 and 2025-26 year Budgets of NBD, contingent upon approval.

Section 3. The agreements shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2023-202

Re: Lease Agreement - 232 Mill Street, Asset One, LLC

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing a lease agreement between the City and Asset One, LLC, (John August, Member, David Dworkin, Member, 415 Park Avenue, Rochester, NY). Asset One, LLC will lease from the City, approximately 750 square feet of space at 232 Mill Street for storage of trash receptacles.

Asset One, LLC has leased this parcel from the City for 22 years. The current agreement expired in September, 2022, and was approved by City Council Ordinance No. 2012-359 as a 5-year lease with one, 5-year extension. An amendment to the lease was put in place while Asset One, LLC made an application with the City's Preservation Board to seek approval to replace the existing fence with a new fence design to enclose their receptacles. The application was approved by the Preservation Board at their December 7, 2022 meeting.

The new agreement will commence July 1, 2023 and end June, 30, 2026, for a period of three years. There is one available renewal of three years.

The cost for the lease is \$125.00 per month, and has been established by an appraisal prepared in January, 2023, by Bruckner, Tillet, Rossi, Cahill & Associates. This \$125.00 monthly cost represents an increase from the prior rate which was \$120.00 per month.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AW-129

Ordinance No. 2023-202
(Int. No. 229)

Authorizing the lease of space at 232 Mill Street

WHEREAS, the City of Rochester has received a proposal for the lease of space at 232 Mill Street to Asset One, LLC for storage of trash receptacles for a term of three years, with one three-year option to renew; and

WHEREAS, pursuant to Section 21-23 of the Municipal Code, the Council is required to follow additional procedures due to the length of the proposed lease; and

WHEREAS, the term of the lease is reasonable and necessary in light of its intended purpose and the public will benefit throughout the term of the lease.

NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an agreement with Asset One, LLC for the lease of approximately 750 square feet of space at 232 Mill Street for storage of trash receptacles. The agreement shall extend for a term of three years, with one three-year option to renew.

Section 2. The lease agreement shall obligate the lessee to pay monthly rent to the City in the amount of \$125.

Section 3. The lease agreement shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 4. This ordinance shall take effect immediately

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2023-203

Re: Acceptance of Donation of Real Estate

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Comprehensive Plan 2034 Initiative Area: Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the acceptance by donation of certain real property from the owner, Rochester Land Bank Corporation (RLBC). RLBC acquired the properties by purchase at the City of Rochester Tax Foreclosure Auction on November 10, 2022. Council authorization is needed to accept the following 18 parcels:

Address	ZIP Code	SBL #
38 Agnes St	14621	091.73-2-45
275 Avenue A	14621	106.22-4-6
201 Bay St	14605	106.51-1-4
519 Bay St	14609	106.52-3-3.001
31 Cameron St	14606	105.66-1-39
501 Campbell St	14611	120.25-1-51
262 Champlain St	14608	120.60-2-80
1730 Clifford Av	14609	107.29-1-34
58 Eiffel Pl	14621	091.80-4-54
39 Essex St	14611	120.42-2-25
98 Flower St	14621	106.30-1-40
240 Fourth St	14605	106.59-2-17
114 Lexington Av	14613	105.27-2-12
1021 North St	14621	106.25-3-71
179 Reynolds St	14608	120.60-2-43
181 Reynolds St	14608	120.60-2-44
20-22 Short St	14609	106.60-2-53
159 Spencer St	14608	105.68-1-51

The opportunity to inspect the interior of these properties has revealed that the structures are significantly deteriorated or unsafe in their current condition and require demolition. Demolition of properties acquired by the Land Bank is accomplished by their inclusion in the City's demolition process through the Shared Services Agreement between the City and RLBC. Accepting these

donations will allow the City to combat the blighting impact of these vacant properties on their neighborhoods. The resulting vacant lands can then be evaluated for future projects/programs to revitalize those neighborhoods. The Rochester Land Bank Board approved the transfer of the properties to the City at its April 2023 Board Meeting.

Upon acquisition by the City, any taxes or charges levied after the date of closing shall be canceled. The properties are to be conveyed with no other outstanding liens or encumbrances.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AW-130

Ordinance No. 2023-203
(Int. No. 230)

Authorizing the acceptance of real estate by donation

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Council hereby authorizes the acceptance of the donation of real estate parcels from the Rochester Land Bank Corporation as follows:

Address	ZIP Code	SBL #
38 Agnes St	14621	091.73-2-45
275 Avenue A	14621	106.22-4-6
201 Bay St	14605	106.51-1-4
519 Bay St	14609	106.52-3-3.001
31 Cameron St	14606	105.66-1-39
501 Campbell St	14611	120.25-1-51
262 Champlain St	14608	120.60-2-80
1730 Clifford Av	14609	107.29-1-34
58 Eiffel Pl	14621	091.80-4-54
39 Essex St	14611	120.42-2-25
98 Flower St	14621	106.30-1-40
240 Fourth St	14605	106.59-2-17
114 Lexington Av	14613	105.27-2-12
1021 North St	14621	106.25-3-71
179 Reynolds St	14608	120.60-2-43
181 Reynolds St	14608	120.60-2-44
20-22 Short St	14609	106.60-2-53
159 Spencer St	14608	105.68-1-51

Section 2. Upon transfer of title to the City, any City taxes and any other City charges, liens or encumbrances against said property are hereby cancelled.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2023-204
Re: Lease Agreement - Southeast Neighborhood Service Center
Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation approving the renewal of a lease agreement between the City of Rochester and Gary and Marcia Stern Family Limited Partnership (Allan Stern, President, 274 N. Goodman St, Rochester, NY) for the use of approximately 3,800 square feet of office space at 320 North Goodman Street for use as a Neighborhood Service Center. The Southeast Neighborhood Service Center (SE NSC) has been located at this site since 2013. The term of the new lease will be for one year with two, one-year renewal options and will commence on July 1, 2023. Five parking spots are reserved for Police vehicles in the parking lot.

The annual lease amount is \$60,800 calculated at \$16.00 per square foot (3,800 sq. ft. x \$16.00 per sq. ft.), and each additional year the cost per square foot will increase by a fixed \$0.50 annual escalator. The appraisal was prepared by Bruckner, Tillet, Rossi, Cahill and Associates in March 2023. The City will be responsible for utilities, information technology, telephones, security, furniture and janitorial services. The previous rate for the expiring lease was \$8.50 per square foot annually; however, the City entered into that lease with the knowledge that it was considerably below market rate. Alternate sites were considered but none fit the criteria with any cost savings.

The annual cost of this lease will be funded through the 2023-24 Department of Neighborhood and Business Development operating budget and subsequent budgets, contingent upon their approval.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AW-131

Ordinance No. 2023-204
(Int. No. 233)

Authorizing a lease agreement for the Southeast Neighborhood Service Center

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an agreement with the Gary and Marcia Stern Family Limited Partnership for the lease of approximately 3,800 square feet of office space at 320 North Goodman Street for the Southeast Neighborhood Service Center. The lease shall also include the reservation of five parking spaces for Police Department vehicles nearby. The agreement shall commence on July 1, 2023 with a term of one year, with the option to renew for up to two additional one-year periods. The total annual rent for the initial term shall be \$60,800, calculated at the rate of \$16 per square foot, which shall be funded from the 2023-24 Budget of the Department of Neighborhood and Business Development (NBD), contingent upon approval. The annual rent for each of the two optional term extensions shall increase by an annual escalator of \$1,900, calculated at the escalation rate of \$0.50 per square foot, which shall be funded from future years' Budgets of NBD, contingent upon their approval.

Section 2. The lease agreement shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen

Ordinance No. 2023-205
Re: UGI Lease Agreement - Port Terminal Building

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation authorizing a lease agreement between the City and UGI ENERGY SERVICES, LLC, (Shaun Hart, VP Commodity Marketing, 835 Knitting Mills Way, Wyomissing, PA 19610). The applicant will lease approximately 2,651 square feet of space in the Port Terminal Building (Suite 201). The term of the lease will be for one year with two, optional one-year renewals. The monthly rental amount will be \$2,210 calculated at a rate of \$10 per square foot annually which was established through an independent appraisal performed by Bruckner, Tillett, Rossi, Cahill & Associates, Inc. as of January 2023.

A subsidiary of UGI Corporation (a publicly traded fortune 500 company), UGI Energy Services supplies and markets natural gas, liquid fuels, and electricity to 40,000 customer locations across the Mid-Atlantic and Northeastern US.

UGI has leased this space in the Port of Rochester Terminal Building since 2018 when it relocated to this facility from Irondequoit. It has brought five full-time jobs into the city while creating a small regional hub for their offsite sales personnel.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AW-132

Ordinance No. 2023-205
(Int. No. 235)

Authorizing a lease agreement with UGI Energy Services, LLC

WHEREAS, the City of Rochester has received a proposal for the lease of space in the Port Terminal Building located at 1000 North River Street;

WHEREAS, pursuant to Section 21-23 of the Municipal Code, the Council is required to follow additional procedures due to the length of the proposed lease; and

WHEREAS, the Council affirmatively finds that the term of such proposed lease, which is three years, is reasonable and necessary in light of the lease's intended purpose and that the public will benefit throughout that term.

NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into a lease agreement with UGI Energy Services, LLC for use of 2,651 square feet of space in Suite 201 of the Port Terminal Building. The agreement shall have a term of one year with the option to extend for up to two additional one-year periods.

Section 2. The monthly rental amount shall be \$2,210.

Section 3. The lease agreement shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2023-206

Re: 2019-20 Annual Action Plan, Consolidated Community Development Plan, Emergency Solutions Grants CARES Act (ESG-CV) Program

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the Emergency Solutions Grants CARES Act (ESG-CV) Program as found in the 2019-2020 Annual Action Plan, for the continuation and expansion of services for homeless or at-risk of homelessness populations. This legislation will:

- 1) Appropriate \$333,000 in ESG-CV funds from the Emergency Solutions Grants CARES Act allocation of the 2019-20 Annual Action plan to fund the program.
- 2) Authorize new or amend existing professional services agreements and establish as maximum compensation for those agreements for the organizations as listed below, to implement the program. The cost of the agreements will be funded from the appropriation authorized herein.

Organization	Principal	Award
Catholic Charities of the Diocese of Rochester dba Catholic Charities Family and Community Services	Lori VanAuken	\$36,000
Coordinated Care Services, Inc. (Coordinated Entry)	Anne Wilder	28,000
Coordinated Care Services, Inc. (Rapid ReHousing)	Anne Wilder	15,000
House of Mercy, Inc.	Dr. Tammy Butler	40,000
Person Centered Housing Options Inc.	Charles Albanese	25,000
REACH Advocacy, Inc. (MC Collaborative)	Andy Carey	75,000
The Center for Youth Services, Inc. (Emergency Shelter Operations)	Elaine Spaul	15,000
The Center for Youth Services, Inc. (Street Outreach)	Elaine Spaul	17,500
The Salvation Army of Greater Rochester	Major Deborah Burr	8,000
The Young Women's Christian Association of Rochester and Monroe County, N.Y.	Dr. Myra Henry	15,000
Veteran's Outreach Center, Inc.	Laura Stradley	40,000
Volunteers of America of Western New York, Inc.	Dr. Junior Dillion	18,500

TOTAL		\$333,000
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City Council last authorized the ESG program on July 20, 2022 via Ordinance No. 2022-23, and the ESG 2023-24 award recommendations are to be reviewed by Council during the June 2023 session. The ESG-CV awards included here will augment many ESG 2023-24 awards and programs and fund some additional programs that did not qualify for regular ESG assistance. By using the ESG-CV funding in this way, the City is able fund a greater portion of the funding requests submitted in response to the ESG 2023-24 RFP, and ultimately assist a greater number of people and households and provide a higher level of service to the community.

ESG provides housing and support services for individuals and families who are homeless or at risk of homelessness. Eligible activities include case management, support services, service coordination, shelter operations (staffing and operating costs) and addition of beds, financial assistance and related services for prevention of homelessness and rapid re-housing. The appropriation will fund street outreach, essential services and emergency shelter operations, homelessness prevention, and rapid rehousing.

The City received \$5.3 million in ESG-CV funding as part of the CARES Act, and spent over \$4.5 million of that funding on services and housing assistance for our community’s homeless and at risk of homelessness populations. This appropriation of ESG-CV funding allows the City to attempt to spend down what remains of the City’s ESG-CV allocation. Council approved the Emergency Solutions Grants CARES Act program on several occasions between 2020 and 2022, which resulted in the creation of numerous pilot programs and early stage interventions for our community. The City used ESG-CV to support and fund crucial programs, including; the Tenant Defense Project; Eviction and Homelessness Prevention Assistance; expanded street outreach and engagement at Peace Village; and the Illegal Eviction Rapid Response Task Force.

The City is working with the grantees listed here to award and expend unspent dollars from prior awards. The window to spend remaining ESG-CV funding is closing, and the City must expend all ESG-CV funding by September 30, 2023. The City is working closely with grantees to help ensure funding is fully expended between July 1, 2023 and September 30, 2023. These providers were selected through a Request for Proposal (RFP) process; the RFP was issued February 27, 2023. The RFP development and funding distribution decisions were conducted jointly with Monroe County.

The City will enter into agreements for this program only with organizations that are in compliance with federal regulations. If funds are different, not available, or less than anticipated, agreement amounts and terms will be adjusted accordingly. Agreement terms will be for three months, ending September 30, 2023. If grantees have existing ESG-CV agreements with the City, those agreements may be amended to add these ESG-CV funds and extend the contract. This will reduce administrative burden and costs for the agencies and the City.

Attached are summaries of the RFP process and agency services, and a table showing the total funding from ESG 2023-24 allocation and this round of ESG-CV. This legislation supports the City Housing Policy’s Section 4: Promote Housing Choice.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment AW-133

Ordinance No. 2023-206
(Int. No. 236)

Appropriating 2019-20 Annual Action Plan funds and authorizing agreements for additional Emergency Solutions Grant program services

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The sum of \$333,000 is hereby appropriated from the coronavirus relief funds provided to the City pursuant to the Coronavirus Aid, Relief, and Economic Security Act of 2020 (CARES Act) that were allocated to the Emergency Solutions Grants (ESG) project allocation of the 2019-20 Annual Action Plan by Ordinance No. 2020-130 (ESG-CV funds) to provide additional services to individuals and families who are homeless or at risk for homelessness.

Section 2. The Mayor is hereby authorized to enter into professional service agreements with each of the following organizations to provide ESG program services to individuals and families who are homeless or at risk for homelessness. The agreements shall obligate the City to pay an aggregate amount not to exceed \$333,000 with the maximum compensation for each agreement being as follows:

Organization (Purpose)	Maximum Compensation
Catholic Charities of the Diocese of Rochester	\$36,000
Coordinated Care Services, Inc. (Coordinated Entry)	28,000
Coordinated Care Services, Inc. (Rapid ReHousing)	15,000
House of Mercy, Inc.	40,000
Person Centered Housing Options Inc.	25,000
REACH Advocacy, Inc. (MC Collaborative)	75,000
The Center for Youth Services, Inc. (Emergency Shelter Operations)	15,000
The Center for Youth Services, Inc. (Street Outreach)	17,500
The Salvation Army of Greater Rochester	8,000
The Young Women's Christian Association of Rochester and Monroe County, N.Y.	15,000
Veteran's Outreach Center, Inc.	40,000
Volunteers of America of Western New York, Inc.	18,500
TOTAL	\$333,000

In lieu of a separate professional services agreement, the Mayor may enter into an amendatory professional service agreement to add the services and compensation provided for herein to an existing agreement with an organization that is providing ESG program services under an existing agreement.

Section 3. The compensation for the agreements shall be funded from the appropriation authorized in Section 1 herein. If funds are not available or are less than anticipated, the agreement amounts and terms may be adjusted accordingly. The term of the agreements, or the amendatory parts of existing agreements, shall extend to September 30, 2023.

Section 4. The agreements shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2023-207

Re: Agreement – Greater Rochester Enterprise Economic Development Services

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation establishing \$25,000 as maximum compensation for an agreement with Greater Rochester Enterprise (GRE) (100 Chestnut Street, Suite 1910, Rochester; Matthew Hurlbutt, President and Chief Executive Officer) to provide services related to business attraction and retention in the City of Rochester. The agreement will be financed from the City's 2022-23 Undistributed funds and have a term of one year beginning July 1, 2023 and ending June 30, 2024.

Efforts continue to attract businesses to the Eastman Business Park as well as other sites found within our community. GRE collaborates with government leaders, businesses, universities, as well as not-for-profit organizations through a team approach to economic development in the City and the Greater Rochester/Finger Lakes region. GRE acts as an ambassador to promote the City, and to connect businesses to City resources.

Terms of the agreement include the following goals:

- Work with the City of Rochester Economic Development Department to attract businesses located outside the region to the city of Rochester;
- Deliver at least 15 out-of-region business attraction opportunities that include sites located within the city of Rochester, and City's Science and Industrials parks;
- Include and actively promote the City of Rochester prominently in all marketing content it develops to promote the Greater Rochester Finger Lakes region, including but not limited to www.RochesterBiz.com, quarterly newsletters, presentations delivered to local business groups, and capstone presentations delivered to out-of-region companies;
- GRE will assist the City of Rochester with activities designed to increase business retention, expansion and acceleration of startup businesses. This involves collaboration with colleges and universities, Nextcorps and others to promote the City of Rochester as an outstanding entrepreneurial location. A closer collaboration for business retention may include meetings with existing employers as well as the provision of comprehensive data analysis to identify opportunities for loss and/or expansion of businesses currently located in the City of Rochester. The focus on this effort may begin with companies headquartered out of the region or other large employers as agreed to by the City of Rochester and GRE.

The most recent annual agreement was authorized by City Council on December 17, 2019 (Ordinance No. 2019-363).

Respectfully submitted,
Malik D. Evans
Mayor

Ordinance No. 2023-207
(Int. No. 237)

Authorizing an agreement for economic development services

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with Greater Rochester Enterprise, Inc. to provide services related to business attraction and retention in the City of Rochester. The maximum compensation for the agreement shall be \$25,000, which shall be funded from the 2022-23 Budget of Undistributed Expense. The term of the agreement shall be one year, from July 1, 2023 through June 30, 2024.

Section 2. The agreement shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

President Melendez introduced a motion to discharge Int. No. 231.
Moved by Councilmember Patterson; 2nd by Councilmember Harris.
Motion to discharge passed by the following vote:

Ayes - President Meléndez, Councilmembers Gruber, Harris, Lightfoot, Lupien, Patterson, Peo, Smith - 8.

Nays – Councilmember Martin - 1.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2023-208

Re: Rochester Police Department Lease Agreement - Sibley Building

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing a lease agreement between the City and Sibley Redevelopment Limited Partnership, (Lawrence H. Curtis, President, One Washington Mall, Suite 500, Boston, MA). The City will lease approximately 7,500 square feet of space in the Sibley Building (250-UN100 E. Main St) for the continued use by the Rochester Police Department (RPD). The term of the lease will be five years with one optional five-year renewal. The initial year rental amount will be \$131,250, payable monthly at \$10,937.50 (calculated at a rate of \$17.50 per square foot annually) which was established through an independent appraisal performed by Bruckner, Tillett, Rossi, Cahill & Associates, Inc. as of November 2022. Electric charges will be billed separately. The rent will adjust annually by the lesser of an annual Consumer Price Index or 1.5%.

The Rochester Police Department has occupied this space since 2013. There were no previous rental payments due for this space as the City paid for improvement upgrades at a total cost of \$993,750 in 2013, and that amount was amortized annually as lease credits toward that total. The most recent years credits were at \$17 per square foot. There is no remaining debt on that balance; therefore, the City will now have to pay market rate.

The annual cost of this lease will be funded through the 2023-24 RPD operating budget and subsequent budgets, contingent upon their approval.

Respectfully submitted,
Malik D. Evans
Mayor

Authorizing lease agreement for downtown Police Department offices

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an agreement with the Sibley Redevelopment Limited Partnership for the City to lease approximately 7,500 square feet of space in the Sibley Building at 30 North Clinton Avenue (SBL # 106.80-1-31.002/100 and address 250-UN100 E Main St) to house downtown Rochester Police Department (RPD) offices for a term of five years, with the option to renew for an additional term of five years. The total rent payments for the initial year shall be \$131,250, which amount may be increased each year thereafter by the lesser of the change in the Consumer Price Index or 1½ percent. The annual cost of the lease shall be funded from the 2023-24 and subsequent years' Budgets of the Police Department, contingent upon their approval.

Section 2. The lease agreement shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 3. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Meléndez, Councilmembers Gruber, Harris, Lightfoot, Lupien, Patterson, Peo, Smith - 8.

Nays – Councilmember Martin - 1.

President Melendez introduced a motion to discharge Int. No. 232.
Moved by Councilmember Patterson; 2nd by Councilmember Harris.
Motion to discharge passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2023-209
Re: Rochester Police Department Parking Agreement - St. Joe's Garage

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing an agreement between the City and SJ Parking LLC, (Bill Sondericker, President, 259 Alexander St, Rochester, NY) for the use of 30 parking spots by the Rochester Police Department (RPD) in St. Joe's Garage (72 N. Clinton Ave). The term of the agreement will be for five years with one optional five-year renewal. The initial amount will be \$75 per space per month for a total of \$27,000 annually, payable in monthly installments of \$2,250.00. The amount will adjust annually by 3%. The price was supported via an independent appraisal performed by Bruckner, Tillett, Rossi, Cahill & Associates, Inc. as of April 2023.

The Rochester Police Department has leased parking in St. Joe's since 2013. The City has paid \$70 per spot since 2015.

The annual cost of this lease will be funded through the 2023-24 RPD operating budget and subsequent budgets, contingent upon their approval.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AW-135

Ordinance No. 2023-209
(Int. No. 232)

Authorizing parking agreement for downtown Police Department offices

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an agreement with SJ Parking LLC to reserve 30 parking spaces in the St. Joe's Garage located at 58-72 North Clinton Avenue for use by the Rochester Police Department. The agreement shall have a term of five years, with an option to renew for an additional five years. The total of the parking payments for the initial year shall be \$27,000 payable monthly, which amount may be increased by three percent each year thereafter. The annual cost of the agreement shall be funded from the 2023-24 and subsequent years' Budgets of the Police Department, contingent upon their approval.

Section 2. The agreements shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

President Melendez introduced a motion to discharge Int. No. 234
Moved by Councilmember Patterson; 2nd by Councilmember Harris.
Motion to discharge passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2023-210
Re: Amendment - Land Purchase Option Agreement, Ordinance No. 2022-373

Council Priority: Rebuilding and Strengthening Neighborhoods

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation approving an amendment to a purchase option agreement for the redevelopment of 1 and 2-12 Clarence Park (SBL No. 105.43-2-54 and SBL No. 105.43-2-50.002) into a pocket neighborhood consisting of approximately 12 Tiny House style dwelling units and supporting amenities for residents with extremely low incomes (the Project). This amendment will change the option entity from City Roots Community Land Trust, Inc. to REACH Advocacy, Inc., or an affiliated Housing Development Fund Corporation formed for the Project (Peter Peters, Co-Director, 720 W. Main St, Rochester, NY).

The Present Option agreement grants a purchase option to City Roots Community Land Trust to conduct preliminary activities necessary to allow City Roots to purchase the Project properties at the price of \$8,360.00 and enter into a renewable 99-year land lease with REACH or affiliate to build the Project. City Roots subsequently informed the City that it is not able to complete the option conditions, take title and lease the Project land to REACH or affiliate. Therefore, it has now become necessary to change the structure of the Project and REACH Advocacy has agreed to assume the rights and obligations of the option agreement, so that it can take title to the Project site rather than leasing it from City Roots. The revised agreement will still require the Project's dwelling units to be affordable to tenants with incomes that do not exceed 30% of the Area Median Income (AMI).

The purchase price of \$8,360.00 was established via independent appraisal by Bruckner, Tillet, Rossi, Cahill & Associates in July, 2022. The applicant has raised a substantial portion of funding for three construction phases, but needs site control to apply for additional funding sources. The Option Agreement will give them adequate site control for their final fundraising. The funding for the first phase will include all infrastructure costs and soft costs involved with the project.

In order for the applicant to exercise its option to purchase the properties, they will be required to submit evidence to the City of commitment of funds necessary to finish Phase I of their project, and any variances or special permits required from Zoning or the City Planning Commission. Upon receipt of this evidence, the City will complete the closing.

Pursuant to the requirements of the New York State Environmental Quality Review Act (SEQRA), A Negative Declaration was issued in November 2022 requiring no further review.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AW-136

Ordinance No. 2023-210
(Int. No. 234)

Authorizing an amendatory purchase option agreement for the development of 1 and 2-12 Clarence Park

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an amendatory purchase option agreement that transfers from City Roots Community Land Trust, Inc. (City Roots) to REACH Advocacy, Inc. (REACH) the purchase option and all other rights and obligations relating to the development of a special pocket neighborhood on the Clarence Park properties that were assumed by City Roots under the existing agreement authorized in Ordinance No. 2022-373.

Section 2. The amendatory agreement shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 3. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Meléndez, Councilmembers Gruber, Harris, Lightfoot, Patterson, Peo - 6.

Nays - None - 0.

Vice President Lupien, Councilmembers Martin and Smith abstained due to a professional relationship.

By Councilmember Harris
June 20, 2023

To the Council:

The **RECREATION & HUMAN SERVICES COMMITTEE** recommends for **ADOPTION** the following entitled legislation:

Int. No. 238 Authorizing funding and agreements for the 2023 Summer Food Service Program

Int. No. 262 Authorizing agreements for the Youth Summer Growth and Development Program, **as amended**

Respectfully submitted,
LaShay D. Harris (*absent*)
Willie J. Lightfoot (*absent*)
Stanley Martin
Mary Lupien
Miguel A. Meléndez, Jr.

RECREATION & HUMAN SERVICES COMMITTEE

Received filed and published

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2023-211
Re: Summer Food Service Program

Council Priority: Support the Creation of Effective Educational Systems

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the 2023 Summer Food Service Program. This legislation will:

1. Authorize a grant agreement with the New York State Department of Education for the receipt and use of \$190,000 in anticipated reimbursements for the 2023 Summer Food Service Program (SFSP) operated by the City of Rochester. The funds will be used for the procurement and delivery of meals, the salaries of City summer staff consisting of one coordinator, three monitors, and a clerk; refuse pickup; mileage; outreach; and supplies. These funds were anticipated and included in the proposed 2023-24 budget of the Department of Recreation and Human Services.
2. Establish \$135,000 as maximum compensation for an agreement with the Rochester City School District (District) for the preparation and delivery of breakfasts and lunches. The term of the agreement will not exceed one year and the cost of this agreement will be funded by 2023-24 Budget of Department of Recreation and Human Services (DRHS), contingent upon approval and the grant funds authorized herein.

SFSP provides free breakfast and lunch to city children aged 18 and under. The program is administered by the City and reimbursed by the State Education Department, using federal funding. This year, the City's SFSP will operate from July 5, 2023 through August 25, 2023 and meals will be served at City R-Centers, camps, and special programs.

The federal reimbursement rates and projected numbers of meals for this year are as follows:

	<u>Meals</u>	<u>Rate per Meal</u>	<u>Reimbursement</u>
Breakfast	24,320	\$2.7725	\$67,427.20
Lunch	25,080	\$4.8700	<u>\$122,139.60</u>
			\$189,566.80

In addition to the City's Summer Meals program. The City continues to partner with the Summer Meals Collaborative to promote the program and increase the number of meals served each year.

The 2022 program was authorized via City Council Ordinance No. 2022-174.

Respectfully submitted,
Malik D. Evans
Mayor

Ordinance No. 2023-211
(Int. No. 238)

Authorizing funding and agreements for the 2023 Summer Food Service Program

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Department of Education for the receipt and use of funds in the amount of \$190,000, which is hereby appropriated to implement the 2023 Summer Food Service Program (Program).

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with the Rochester City School District for the preparation and delivery of meals for the Program. The maximum compensation for the agreement shall be \$135,000, which shall be funded by the 2023-24 Budget of the Department of Recreation and Human Services, contingent upon its approval.

Section 3. The term of each agreement shall not exceed one year.

Section 4. The agreements shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2023-212
Re: Youth Summer Growth and Development Program

Council Priority: Support the Creation of Effective Educational Systems

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity and Opportunity

Transmitted herewith for your approval is legislation related to the Summer Growth and Development Program. This legislation will:

Establish \$71,457 as maximum annual compensation for agreements as summarized below for services related to the Summer Program. These agreements will be funded from the 2023-24, and the 2024-2025 Budgets of the Department of Recreation and Human Services (DRHS), contingent upon approval. This funding is a part of the ARPA funded DRHS workforce development expansion, previously appropriated on November 16, 2022 via Council Ordinance 2022-355. The term of the agreements will be for one year.

- 1) Authorize \$26,667 as maximum compensation for an agreement with Realizing Others Outstanding Talents, LLC, (Chris Cuby, 109 South Union Street, Rochester, NY) to provide two, 2-week sessions of Ready for Roots: Character, Ability and Reputation (C.A.R.) building program services to up to 50 youth. This program will provide youth participants foster empathy, build assets and protective factors, build self-esteem, and self-motivation, and encourage you the dream big. The cost of the agreement will be funded from the appropriation authorized herein.
- 2) Authorize \$19,790 as maximum compensation for an agreement with Nature Never Lie, LLC (Kechiera Marshall-Hosier, 15 Henry Street, Rochester, NY) to provide social-emotional programming and health education services. This program will provide skill-building and healthy expression of youth growth and development in for up to 50 youth. Key skill development areas include emotional, mental, physical, social and nutritional health. The cost of the agreement will be funded from the appropriation authorized herein.
- 3) Authorize \$25,000 as maximum compensation for an agreement with Community Resource Collaborative, Inc. (Tina Paradiso, 100 College Avenue Suite 130, Rochester, NY) to provide Untrapped Ministies Full Circle Curriculum to up 50 youth. This program will engage youth in social-emotional, social and civic engagement, leadership and job development lessons through experiential learning and restorative practices. Untrapped Ministries was a partner of the 2022 MBK Youth Employment Program. The cost of the agreement will be funded from the appropriation authorized herein.

The Summer Growth and Development Request for Proposals seeks to collaborate with agencies to provide programming through curricula that addresses social-emotional, leadership, job, financial literacy, social justice and/or civic engagement skill development for youth to address their social and emotional needs. The 2023 Summer Growth and Development Program will operate between for 4-weeks (July 17th - August 12th). The term of the agreement shall commence on July 1, 2023 for a term of one year, with an option to renew for an additional one-year period, beginning on July 1, 2024.

Respectfully submitted,
Malik D. Evans
Mayor

Ordinance No. 2023-212
(Int. No. 262)

Authorizing agreements for the Youth Summer Growth and Development Program, as amended

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into a professional service agreement with each of the following organizations to provide services in support of the Youth Summer Growth and Development Program (Program). Each agreement shall have a term of one year, with the option to extend the term for one additional year. The maximum annual compensation for the agreements, a total of \$71,457 per year, shall be funded from American Rescue Plan Act of 2021 (ARPA) funds

appropriated for the expansion of youth and adult workforce development services in Section 1 of Ordinance No. 2022-355 and included in the 2023-24 Budget of the Department of Recreation and Human Services (DRYS) for the initial term or included in the 2024-25 Budget of DRHS for the optional second year, contingent upon approval. The agreements shall engage:

- A. Realizing Others Outstanding Talents, LLC to provide Program services that include presenting two, 2-week training sessions entitled Ready for Roots: Character, Ability and Reputation for up to 50 youth, for a maximum annual compensation of \$26,667;
- B. Nature Never Lie LLC to provide Program services that include social-emotional programming and health education services for up to 50 youth, for a maximum annual compensation of \$19,790; and
- C. Community Resource Collaborative, Inc. to provide Program services that include presenting an Untrapped Ministries Full Circle Curriculum for up to 50 youth, for a maximum annual compensation of \$25,000.

Section 2. The agreements authorized herein shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 3. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

By Councilmember Gruber
June 20, 2023

To the Council:

The **FINANCE COMMITTEE** recommends for **ADOPTION** the following entitled legislation:

- Int. No. 239 Authorizing an agreement for workers' compensation case management and medical claims services
- Int. No. 240 Authorizing an amendatory agreement for budget software and services
- Int. No. 241 Authorizing an agreement for the Clarissa Street Uprooted Exhibit
- Int. No. 242 Amending Ordinance 2022-296 relating to the Public Library's Rundel Building Air Quality Improvements
- Int. No. 243 Authorizing an agreement for Undoing Racism/Community Organizing Workshops
- Int. No. 244 Authorizing an agreement for Managed Security Operations Center service, **as amended**
- Int. No. 245 Authorizing an agreement for fireworks displays

- Int. No. 246 Authorizing an agreement for the 2023 Puerto Rican Festival
- Int. No. 247 Authorizing an agreement related to the 2023 Roc Holiday Village event
- Int. No. 248 Authorizing an agreement to implement a Cloud-Based Internal Audit Management Solution
- Int. No. 249 Amending the 2022-23 Budget by appropriating unanticipated revenue to the operating budget of the Police Department
- Int. No. 250 Authorizing competitive grant applications
- Int. No. 251 Resolution approving the 2023-24 debt limit for general municipal purposes
- Int. No. 252 Authorizing funding and amending the 2022-23 Budget in relation to the New York State Health Care and Mental Hygiene Worker Bonus Program
- Int. No. 253 Authorizing a professional services agreement with WXXI Public Broadcasting Council for broadcasting City Council Meetings
- Int. No. 254 Authorizing an agreement with General Code, LLC for publication of the City Charter and Code

The **FINANCE COMMITTEE** recommends the following entitled legislation to be **HELD** in Committee

- Int. No. 255 Adoption of the Budget estimates for municipal purposes for the 2023-24 fiscal year, appropriation of sums set forth therein and approving commercial refuse fees
- Int. No. 256 Adoption of the Budget estimates for school purposes for the 2023-24 fiscal year and appropriation of sums set forth therein
- Int. No. 257 Levying taxes for municipal purposes for the fiscal year commencing July 1, 2023 and expiring June 30, 2024
- Int. No. 258 Levying taxes for school purposes for the fiscal year commencing July 1, 2023 and expiring June 30, 2024
- Int. No. 259 Local Improvement Ordinance - Street cleaning, street and sidewalk snow removal, and hazardous sidewalk repair commencing July 1, 2023 and expiring June 30, 2024
- Int. No. 260 Confirming the assessments, amounts and charges to be inserted in the annual tax rolls for the fiscal year commencing July 1, 2023 and expiring June 30, 2024
- Int. No. 261 Amending the Municipal Code with respect to water rates
- Int. No. 263 Appropriating funds and amending the 2022-23 Budget to support the Public Library's Mifi Program

Respectfully submitted,
 Mitch Gruber
 Michael A. Patterson
 Kimberly Smith

Mary Lupien
Miguel A. Meléndez, Jr.
FINANCE COMMITTEE

Received, filed and published

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2023-213
Re: Agreement – Triad Group, LLC, Administration of Workers’ Compensation
Case Management and Medical Claims Services

Council Priority: Deficit Reduction and Long Term Financial Stability

Transmitted herewith for your approval is legislation establishing \$189,000 as maximum compensation for an agreement with Triad Group, LLC (Victoria E. Manes, Owner, Troy NY) for administration of workers’ compensation case management and medical claims services. The agreement will have a term of three years with the option of two one-year renewals, and will be funded from the 2023-24, 2024-25, and 2025-26 Budgets for Undistributed Expenses in the annual amounts of \$62,000, \$62,000, and \$65,000, respectively, contingent upon approval of future budgets. The optional renewals will be funded from the 2026-27 and 2027-28 Budgets for Undistributed Expenses in the annual amounts of \$65,000, and \$65,000, respectively, contingent upon approval of future budgets.

Triad Group, LLC has provided this service for City employees since 2018, which was approved by Ordinance No. 2018-110 and later amended by Ordinance No. 2021-228, and was selected for this contract through a request for proposal process described in the attached summary.

Triad Group, LLC provides third party worker’s compensation case management and medical claim services that partners with clients to control risk and claims management costs. Through their professional management staff, claims staff and in-house workers’ compensation counsel, Triad Group, LLC coordinates all aspects of an organizations worker’s compensation case management and medical claim services into one program that addresses total risk exposure, coordinates claims management, and addresses managed care issues. Triad Group, LLC case management model places their trained medical professionals in facilitator roles to enhance the communication between the physician, employer and injured worker to promote speedy case resolution with attendant cost savings. Triad Group, LLC currently administers claims programs for a number of New York State governmental entities with self-insured worker’ compensation programs, similar to the City of Rochester.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AW-137

Ordinance No. 2023-213
(Int. No. 239)

Authorizing an agreement for workers’ compensation case management and medical claims services

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with Triad Group, LLC for the management of workers' compensation cases and medical claims services. The term of the agreement shall be three years with the option to extend for up to two one-year renewals.

Section 2. The maximum compensation for the agreement's initial term of three years shall be \$189,000, which shall be funded in the amounts of \$62,000 from the 2023-24 Budget of Undistributed Expenses (Undistributed), \$62,000 from 2024-25 Undistributed, and \$65,000 from 2025-26 Undistributed Expenses, contingent on approval of those budgets. The maximum compensation for the first optional renewal period shall be \$65,000 funded from 2026-27 Undistributed and \$65,000 for the second optional renewal period funded from the 2027-28 Undistributed, contingent on approval of those budgets.

Section 3. The agreement shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2023-214
Re: Amendatory Agreement – OpenGov, Inc., Budget Software Solution

Council Priority: Deficit Reduction and Long Term Financial Stability

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation amending the total maximum compensation established for an agreement with OpenGov, Inc., (Zac Bookman, CEO, San Jose, California) to \$381,160. The agreement was originally authorized by City Council Ordinance No. 2022-119 with a total maximum compensation of \$374,425 to provide a budget preparation and budget book software solution and services. The increase of \$6,735 is related to enhancements for the Capital Improvement Program (CIP) budget development process and will be funded from the 2020-21 Cash Capital (\$1,560) and the 2022-23, 2023-24, and 2024-25 budgets of the Office of Management and Budget (\$5,175), contingent upon their approval.

The City is currently utilizing OpenGov's software solution for the City's budget preparation process to improve the efficiency of budget submissions, analysis of departmental requests, and subsequent budget development. Under the amended agreement, OpenGov will build out an online request and screening tool for use by departments and the Capital Improvement Program committee during the City's Capital budget development process. The capital request process is currently utilizing an internally developed form developed as a temporary replacement for an aging Access database and pdf forms. This OpenGov solution will streamline the capital funding request process for departmental users, allow for multiple reviewers, and store all of the capital request information within one modern system.

OpenGov was selected through a request for proposal process described in the attached summary.

Respectfully submitted,
Malik D. Evans
Mayor

Authorizing an amendatory agreement for budget software and services

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an amendatory agreement with OpenGov, Inc. to provide enhancements for the Capital Improvement Program (CIP) budget development process. The existing agreement authorized in Ordinance No. 2022-119 shall be amended to add the CIP enhancements to the scope and to increase the agreement's maximum compensation by \$6,735 to a new total of \$381,160. The amendatory compensation shall be funded with \$1,560 from 2020-21 Cash Capital and with \$1,725 from each of the 2022-23, 2023-24 and 2024-25 Budgets of the Office of Management and Budget, contingent upon the approval of the latter two years' budgets.

Section 2. The amendatory agreement shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2023-215
Re: Agreement – Teen Empowerment, Clarissa Street Uprooted Exhibit

Council Priority: Support the creation of effective educational systems

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods – Historic Preservation

Transmitted herewith for your approval is legislation authorizing an Agreement with Teen Empowerment (392 Genesee Street, Doug Ackley, Executive Director) for \$40,000 for the Clarissa Street Uprooted exhibit. The cost of this agreement will be funded from the 2022-23 Budget of the Mayor's Office.

More than 3,000 people visited the initial Clarissa Uprooted exhibit for the seven weeks presented at RIT City Art Space and its online exhibit had more than 15,600 visits during that period (<https://www.clarissauprooted.org/>). Based on community and stakeholder feedback Clarissa Uprooted is seeking to develop a permanent exhibit.

Under the agreement the Central Library will provide temporary exhibit space on the second floor of the Rundel Memorial Building, as well as in-kind support for network connections, A/V set up, exhibit promotion and complimentary programming. The downtown exhibit will allow for continued access of this community resource while planning for permanent exhibit placement developed in partnership with the Clarissa Street Legacy (formerly Clarissa Street Reunion Committee). Costs associated with the agreement include Teen Empowerment purchase of digital display equipment, exhibit installation, development of school-age and adult continuing education curricula, signage and promotional materials. Equipment utilized for the temporary exhibit would be redeployed to its future location.

The temporary space at the Central Library will be available through December 31, 2024.

Respectfully submitted,
Malik D. Evans
Mayor

Ordinance No. 2023-215
(Int. No. 241)

Authorizing an agreement for the Clarissa Street Uprooted Exhibit

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an agreement with The Center for Teen Empowerment, Inc. to support of the Clarissa Street Uprooted Exhibit (the Exhibit) by providing up to \$40,000 in funding, use of space in the Library’s Rundel Memorial Building as temporary display space through December 31, 2024, and in-kind staff assistance with the set-up, promotion and programming for the Exhibit. The cost of the agreement shall be funded from the 2022-23 Budget of the Mayor’s Office.

Section 2. The agreement shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2023-216
Re: Library Construction Grants – Amended

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing the receipt and use of New York State Education Department, Division of Library Development (NYSED) construction grant funds in the additional amount of \$104,131 for the Rundel Building Air Quality Improvement Project.

This would amend Ordinance No. 2022-296 increasing the NYSED award for the Rundel project to \$622,263 and the total awards under the grant program for the fiscal year from \$1,343,848 to \$1,447,979.

As part of the procedure for State Aid for Library Construction projects, additional funding becomes available when not all public library systems have spent their allocated funds. Funding is reapportioned to those systems that have spent their full allocation and not all eligible projects have been funded at the maximum allowable amount. The Rundel project met these criteria for the Monroe County Library System.

The grant will continue to be matched with up to \$500,000 as identified in the 2023-24 Capital Improvement Program; construction is anticipated in spring 2024.

Respectfully submitted,
Malik D. Evans
Mayor

Ordinance No. 2023-216
(Int. No. 242)

Amending Ordinance 2022-296 relating to the Public Library’s Rundel Building Air Quality Improvements

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. Section 1 of Ordinance No. 2022-296, authorizing receipt and use of a construction grant to fund improvements to Rochester Public Library facilities, is hereby amended as follows:

Section 1. The Council hereby authorizes the receipt and use of ~~\$1,343,848~~ \$1,447,979 from the New York State Education Department, Division of Library Development as a construction grant to fund improvements to Rochester Public Library facilities as follows:

Bausch & Lomb Building Roof Replacement	\$ 522,408
Rundel Building Air Quality Improvements	\$ 518,132 <u>622,263</u>
Lincoln Library Branch Parking Lot	\$ 217,444
Branch Library Access Card System	\$ 85,864
TOTAL	\$1,343,848 <u>1,447,979</u>

The Mayor is hereby authorized to enter into a grant agreement with the funding agency or its designee if it is necessary to effectuate the City’s receipt and use of this grant. If there is an agreement, it shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 2. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2023-217
Re: Agreement – The Peoples Institute for Survival and Beyond – Undoing Racism / Community Organizing Workshops

Council Priority: Support the Creation of Effective Educational Systems

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation establishing \$80,000 as maximum compensation for an agreement with The Peoples Institute for Survival and Beyond (Ronald Chisom, Co-Founder) of New Orleans, Louisiana for conducting Undoing Racism / Community Organizing Workshops. The term of this agreement will be for one year and will be funded from the 2022-23 Budget of Undistributed Expenses.

One million dollars in City funds were allocated in the 2022-23 Budget of Undistributed to assist with implementation of RASE Commission recommendations and \$80,000 of the funds allocated for this contract are from that allocation. The RASE report included the recommendation that City government undertake a series of steps to increase and sustain the cultural competence of their entire workforces. This includes providing training for staff on racism, implicit bias, and cultural and linguistic competency tied to their job roles and responsibilities.

The People's Institute for Survival and Beyond, is a national and international collective of antiracist, multicultural community organizers and educators dedicated to building an effective movement for social transformation. The People's Institute believes that racism is the primary barrier preventing communities from building effective coalitions and overcoming institutionalized oppression and inequities. Over the last 39 years, they have provided training, consultation, and leadership development to more than 200,000,000 people nationally and internationally.

In this agreement, The Peoples Institute for Survival and Beyond will provide their signature Undoing Racism / Community Organizing workshops for roughly 120 City staff and community members. These workshops will involve dialogue, reflection, role-playing, strategic planning and presentations, and is deigned to challenge participants to analyze the structures of power and privilege that hinder social equity and prepares them to be effective organizers for justice.

A justification for not issuing a request for proposals is attached.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AW-139

Ordinance No. 2023-217
(Int. No. 243)

Authorizing an agreement for Undoing Racism/Community Organizing Workshops

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with the People's Institute for Survival and Beyond, Inc. to conduct Undoing Racism/Community Organizing Workshops for City staff and community members. The agreement shall have a term of one year. The maximum compensation shall be \$80,000, which shall be funded from the 2022-23 Budget of Undistributed Expenses.

Section 2. The agreement shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 3. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Meléndez, Councilmembers Gruber, Harris, Lightfoot, Lupien, Martin, Patterson, Smith - 8.

Nays - Councilmember Peo - 1.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2023-218
Re: Agreement – Upstate Wholesale Supply, Inc. dba Brite, Managed Security Operations Center Services

Transmitted herewith for your approval is legislation establishing \$688,559 as maximum compensation for an agreement with Upstate Wholesale Supply, Inc. Dba as Brite for Managed Security Operation Center services.

The Information Technology Department sought a qualified vendor to improve the City of Rochester’s cybersecurity. This agreement will provide a software solution and related services to enhance the City’s cyber security position through the implementation of a fully managed Security Operations Center (SOC) that combines elements of security information event management (SIEM); security orchestration, automation, and response (SOAR); and extended detection response (XDR) solutions. Upstate Wholesale Supply, Inc. dba Brite was selected through a request for proposal process described in the attached summary.

The total maximum cost of this agreement will be \$\$688,559, if the parties choose to extend the term for all three optional renewals. First year costs will be \$165,000. Each subsequent year the base subscription cost and additional storage subscription will increase by seven percent. Annual costs are detailed in the table below. The agreement will be for one (1) year, with the option of three (3) one-year renewals.

This agreement will use \$64,000 to fund a portion of the first-year services from the Coronavirus State and Local Fiscal Recovery Fund that was awarded to the City pursuant to the American Rescue Plan Act (ARPA). American Rescue Plan Act funds were previously appropriated for this project by City Council Ordinance No. 2022-327.

Description	Budget Source	Amount
Year One – One-time Set-Up	2022-23 Department of Information Technology	\$20,000*
Year One – Subscription and Services	2022-23 Department of Information Technology	\$44,000*
Year One – Subscription and Services	2022-23 Department of Information Technology	\$101,000
Year Two – Subscription and Services	2023-23 Department of Information Technology	\$162,854
Year Three – Subscription and Services	2023-23 Department of Information Technology	\$174,254
Year Four – Subscription and Services	2024-25 Department of Information Technology	\$186,452
*ARPA funds totaling \$64,000 appropriated to the 2022-23 IT Budget by Ordinance No. 2022-327.		

Respectfully submitted,
 Malik D. Evans
 Mayor

Attachment No. AW-140

Ordinance No. 2023-218
 (Int. No. 244)

Authorizing an agreement for Managed Security Operations Center service, as amended

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with Upstate Wholesale Supply, Inc. to provide a software solution and related services for implementing a Managed Security Operations Center that enhances the City’s cyber security position. The term of the

agreement shall be one year with the option to extend for up to three additional one-year periods. The maximum compensation for the initial term shall be ~~\$167,700~~ \$165,000, which shall be funded from the 2022-23 Budget of the Department of Information Technology (IT). The maximum annual compensation for each subsequent optional one-year extension shall be ~~\$152,200, which shall be funded in that amount~~ \$162,854, \$174,254 and \$186,452 for years two, three and four, which shall be funded from the 2023-24, 2024-25 and 2025-26 Budgets of IT, respectively, contingent on their approval.

Section 2. The agreement shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 3. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2023-219
Re: Agreement - Young Explosives Corp., Fireworks Displays

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation establishing \$30,000 as maximum annual compensation for an agreement with Young Explosives Corp. (Jim Young, Principal, Brighton, New York), to provide fireworks displays. The cost will be funded from the 2023-24 and 2024-25 Budgets of the Bureau of Communications, contingent upon adoption of said budgets.

The agreement will allow Young Explosives, Corp. to provide the City's July 4 fireworks display and also provide a contingency for a smaller-scale show if new programming requires.

Young Explosives Corp. will be responsible for obtaining the necessary permits from the Fire Department and for acquiring the necessary liability insurance. To be licensed in the United States, all fireworks manufacturers and dealers must meet state and federal regulations stating that no persons under the age of 18 are employed; Young Explosives Corp. does not employ any persons below the age of 18. The company also has assured us that their domestic purchases come solely from licensed vendors.

An agreement with the company for the same amount was authorized by Ordinance 2022-114 in May 2022.

A justification for not issuing a request for proposals is attached.

The term of the agreement is two (2) years.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AW-141

Authorizing an agreement for fireworks displays

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an agreement with Young Explosives Corp. to provide fireworks displays for a term of two years. The maximum annual compensation shall be \$30,000, which shall be funded from the 2023-24 and 2024-25 Budgets of the Bureau of Communications, contingent on their approval.

Section 2. The agreement shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 3. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Meléndez, Councilmembers Gruber, Harris, Lightfoot, Lupien, Patterson, Peo, Smith - 8.

Nays - Councilmember Martin - 1.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2023-220
Re: Agreement - Puerto Rican Festival, Inc

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation establishing \$80,000 as maximum compensation for an agreement with the Puerto Rican Festival, Inc., (Orlando Ortiz, President, Rochester, New York), for sponsorship of the 2023 Puerto Rican Festival. The cost of the agreement will be funded from the 2023-24 (\$80,000) Budget of the Bureau of Communications, contingent on the approval.

The Puerto Rican Festival Inc. was established in 1969 for the express purpose of celebrating and recognizing the culture of Puerto Ricans. The Puerto Rican Festival is the longest-running cultural festival in Monroe County. Puerto Ricans continue to be one of the largest growing Hispanic populations in New York State.

In 2022, more than 20,000 people attended as the festival returned to its regular format after finding creative ways to hold smaller events under the post-Covid regulations of 2021. This year, the 53rd edition of the festival will be Thursday, Friday, and Saturday August 3-5 at Innovative Field's VIP Parking Lot.

The City's support will allow for free admission on Thursday, as well as two hours of free admission on Saturday, the event's busiest day. All 3 days will feature music, food, free children's activities, a vendor fair, and cultural programming. The festival also offers a dominoes tournament, a popular and nostalgic pastime in Puerto Rican culture, with more than 25 teams registered to play.

City Council approved the same amount of funding for last year’s festival via Ordinance 2022-117. The Puerto Rican Festival is a City-sponsored event that applied for support through the annual Special Events Funding Application (or SEFA) process. New this season, the City will enhance its cash sponsorship for all events receiving SEFA funding with in-kind equipment rental from the Department of Environmental Services.

The term will be for one year.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AW-142

Ordinance No. 2023-220
(Int. No. 246)

Authorizing an agreement for the 2023 Puerto Rican Festival

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an agreement with Puerto Rican Festival, Inc. for sponsorship of the 2023 Puerto Rican Festival. The maximum compensation for the agreement shall be \$80,000, which shall be funded from the 2023-24 Budget of the Bureau of Communications, contingent on its approval. The term of the agreement shall be one year.

Section 2. The agreement shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2023-221
Re: Agreement – Jolly Roc, LLC– Roc Holiday Village event

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing \$60,000 as maximum compensation for an agreement with Jolly Roc, LLC (principals: Jenna Knauf, Kelli Marsh, Sean McCarthy) for the 2023 Roc Holiday Village event. The cost of the agreement will be funded from the 2023-24 Budget of Communications, pending its approval.

The Village began in 2018 with the goal of capturing the nostalgia many of us remember from holiday seasons past in Downtown Rochester and turning it into a new experience of holiday shopping, programming, and activities for Rochesterians to the city during the winter season. The Roc Holiday Village transforms Dr. Martin Luther King, Jr. Park into a holiday shopping and entertainment destination complex that will feature a wide range of activities, including large, indoor tents that will house a magical “Santaland,” alternating pop-up restaurants, holiday performances and local merchants, holiday craft classes, and more.

City sponsorship will continue to help defray operational costs and keep admission free to the Village as well as bolstering a diverse and culturally inclusive slate of holiday programming at the event, including Kwanzaa, Three Kings Day, Christmas, and Hanukah. In addition to admission, City support, along with the help of other community partners like Wegmans, will allow for the continuation of free ice skating, free skate rentals, free visits and photos with Santa, and free crafts.

In 2022, the festival saw record-setting attendance of 140,000 people over 15 days. Tens of thousands of people took advantage of the free ice skating, 2,000 took photos with Santa, 6,000 made a free craft, more than 900 wrote letters to Santa, more than 50 retail businesses sold wares, and 27 food and beverage vendors were present.

Roc Holiday Village's grand opening coincides with the City's popular Liberty Pole Lighting event. This year, the fifth Roc Holiday Village at Dr. Martin Luther King, Jr. Park will take place from December 2-23 and will be open 17 days.

In 2022, an agreement for \$55,000, was authorized by Ord. No 2022-148. The Roc Holiday Village is a City-sponsored event that applied for support through the annual Special Events Funding Application (or SEFA) process. New this season, the City will enhance its cash sponsorship for all events receiving SEFA funding with in-kind equipment rental from the Department of Environmental Services.

The term of the agreement will be one year.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AW-143

Ordinance No. 2023-221
(Int. No. 247)

Authorizing an agreement related to the 2023 Roc Holiday Village event

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an agreement with Jolly Roc, LLC for sponsorship of the 2023 Roc Holiday Village event. The maximum compensation for the agreement shall be \$60,000, which shall be funded from the 2023-24 Budget of the Bureau of Communications, contingent on approval. The term of the agreement shall be one year.

Section 2. The agreement shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2023-222
Re: Agreement – Vertosoft, LLC, Cloud- Based Internal Audit Management Solution

Council Priority: Deficit Reduction/Financial Stability

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity & Opportunity – Smart City Innovations

Transmitted herewith for your approval is legislation establishing \$84,000 as maximum compensation for an agreement with Vertosoft, LLC for a cloud-based Internal Audit Management Solution to automate and streamline the City’s internal audit process. Vertosoft, LLC is a GSA reseller of Workiva Inc. software solutions and service. The term of this agreement will be a one-year subscription with the option to renew annually. The one-time implementation cost of \$44,000 will be funded from the 2022-23 Budget of the Mayor’s Office and licensing cost of \$40,000 will be funded in the 2023-24 Budget and subsequent annual budgets of the Mayor’s Office contingent upon approval.

Workiva, Inc. has been providing customers with cloud-based solutions since 2010. Since that time, they have been used by over 5,900 customers worldwide including over 75% of the Fortune 500 market. Workiva, Inc. currently provides software as a service to over 385 State and Local government customers.

Under the agreement, services will include, but are not limited to, the following:

Workiva’s Wdesk Government Audit Management Solution

Subscription, Support & Maintenance includes:

- Unlimited User licenses
- U.S. Based Hosting – FedRamp Moderate Security Certified
- Dedicated Customer Success Manager
- Unlimited online training for all users via LearningHub
- 24/7/365 phone support
- In platform chat support
- All software maintenance, upgrades, and new features throughout relationship.

Workiva, Inc. was selected based on the capabilities of their product and their prior experience supporting the City’s Department of Finance. A full justification for not issuing a request for proposal is attached.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AW-144

Ordinance No. 2023-222
(Int. No. 248)

Authorizing an agreement to implement a Cloud-Based Internal Audit Management Solution

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with Vertosoft, LLC to provide and service a Cloud-Based Internal Audit Management Solution for streamlining the City’s internal audit process. The agreement shall have a term of one year with the option to extend the term an additional year each year thereafter. The maximum compensation for the initial term shall be \$84,000, consisting of a one-time implementation fee of \$44,000 to be funded from the 2022-23 Budget of the Office of the Mayor (Mayor’s Budget) and a \$40,000 annual license fee to be

funded from the 2023-24 Mayor's Budget, contingent upon approval. The maximum annual compensation for each optional one-year extension of the agreement shall be \$40,000, which shall be funded from a subsequent year's Mayor's Budget, contingent upon approval.

Section 2. The agreement shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2023-223
Re: Amending the 2022-23 Budget – Use of Unanticipated Revenue and Additional Overtime Expenditures

Council Priority: Deficit Reduction and Long Term Financial Stability

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation amending the 2022-23 Budget to reflect updated financial projections by the Office of Management and Budget (OMB) to address a potential operating deficit in the Police Department. The proposed amendment will increase revenue estimates from departmental income by \$650,000 and sales tax estimates by \$1,600,000. These revenue adjustments will be used to increase appropriations to the Police Department by \$2,250,000 which has been impacted by significant personnel shortages throughout the fiscal year and additional need for overtime details.

Vacancies in the Police Department continue to require the use of overtime to cover personnel shortage. While there are significant salary savings from these vacancies, the amount of overtime required to cover current operations will exceed the budgeted savings from vacancies for 2022- 23. In addition, unbudgeted overtime has occurred through special events, private details, and other reimbursable overtime for which departmental income from the reimbursement is expected to exceed budget allocations by approximately \$650,000.

Sales tax estimates for 2022-23 continue to exceed budgeted expectations due to inflation and increased consumer spending providing the additional funds needed to cover this shortfall.

City Charter Section 6-16 prohibits expenditures in excess of appropriations at the departmental level. Quarterly estimates prepared by OMB identified potential excess expenditures for overtime in the Police Department 2022-23 budgets.

Respectfully submitted,
Malik D. Evans
Mayor

Ordinance No. 2023-223
(Int. No. 249)

Amending the 2022-23 Budget by appropriating unanticipated revenue to the operating budget of the Police Department

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. Ordinance No. 2022-157, the 2022-23 Budget of the City of Rochester, as amended, is hereby further amended by:

- A. increasing the revenue estimate for Police Fees by \$650,000;
- B. increasing the revenue estimate for Sales Tax by \$1,600,000; and
- C. increasing the Budget of the Police Department by \$2,250,000, which amount is hereby appropriated from the unanticipated revenues accounted for in clauses 1(A) and 1(B) herein.

Section 2. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Meléndez, Councilmembers Gruber, Harris, Lightfoot, Patterson, Peo - 6.

Nays - Vice President Lupien, Councilmembers Martin and Smith - 3.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2023-224

Re: Competitive Grant Applications – Fiscal Year 2023-24

Council Priority: Deficit Reduction and Long Term Financial Stability

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation authorizing certain competitive grant applications for the 2023-24 fiscal year. This legislation helps streamline the application process. Council has approved such grant applications annually since 2007.

There are hundreds of federal, state, regional, and private grant opportunities that the City qualifies for as a municipality. Frequently, granting agencies require City Council endorsement as part of the application process. Providing this “up front” approval will enable staff to respond to funding opportunities more quickly.

Grant applications will continue to require individual Council endorsement when:

- The City is required to pay more than \$250,000 of the cost of the project;
- The award exceeds \$1,000,000; or
- For capital projects, completion is required in one calendar year or less.

Respectfully submitted,
Malik D. Evans
Mayor

Ordinance No. 2023-224
(Int. No. 250)

Authorizing competitive grant applications

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to submit applications to Federal, State, and regional governments, agencies and authorities, as well as private foundations and other funding sponsors, for funding that will support City programs, services and capital operations.

Section 2. For successful award applications, the Mayor shall obtain City Council approval to enter into agreements for receipt of the funding, to appropriate the funds, and for necessary professional services agreements for performance of work.

Section 3. The applications shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 4. Grant applications which obligate the City of Rochester to pay more than \$250,000 in City funding shall require City Council authorization.

Section 5. Applications for grants exceeding \$1,000,000 and for awards for capital projects that require project completion in one calendar year or less shall require City Council authorization.

Section 6. The Director of Finance shall submit quarterly reports to Council for grants received through applications authorized herein, detailing dollar amounts received and expended.

Section 7. This ordinance shall be in effect for the 2023-24 fiscal year.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Resolution No. 2023-21

Re: 2023-24 Debt Limit

Council Priority: Deficit Reduction and Long Term Financial Stability

Comprehensive Plan 2034 Initiative Area:Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation establishing the Debt Limit and Debt Rollover and Debt Extension amounts for the 2023-24 Budget.

2023-24 Debt Limit

The City's self-imposed Debt Limit for tax supported borrowing is equal to the amount of principal on outstanding debt to be redeemed during the fiscal year for which the limit is established. The calculation excludes the redemption of principal on any borrowing approved as an exception to the Debt Limit and is further reduced by specific revenues attributable to bonded debt. The resulting Debt Limit for 2023-24 is \$22,805,500. Attached is the 2023-24 Debt Authorization Plan that calls for borrowing of \$31,104,000 in tax supported funds. This includes an exception to the debt limit for \$8,298,500 related to the ROC the Riverway Initiative and additional funding needs related to projects primarily funded by the American Rescue Plan Act. The exceptions are as follows: West River Wall/Former Vacuum Oil Brownfield Cleanup Project (\$2,500,000), Vacuum Oil Refinery Cleanup (\$3,000,000), Broad & Allen Firehouse Renovation (\$800,000), Goodman Firehouse Renovation (\$1,600,000), and the Maplewood Community Library Renovation (\$398,500).

Furthermore, the Debt Authorization Plan includes an additional \$5,940,000 supported by the City's Local Works Fund, \$4,100,000 supported by the City's Refuse Fund, and \$18,172,000 supported by the City's Water Fund.

Debt Rollover 2021-22 and 2022-23

The Debt Authorization Plans for the current and the two immediately prior fiscal years can remain open contingent upon the approval of the rollover amounts. This provides flexibility in the timing of authorizations that vary depending upon project timing, availability of supporting funds, and the participation of private sector partners. The rollover amounts equal the difference between the debt limit for any fiscal year and the sum of the authorizations made from the debt plan associated with that fiscal year. This sum may be further reduced by the amount of unauthorized items in the debt plan that are no longer necessary. The presentation of the rollover also includes any modifications made to the debt plan. Such rollovers do not result in authorizations exceeding the allowable authorization for any year.

2022-23: The tax supported borrowing request for this year was \$30,032,000. Of that amount, \$15,602,000 has been authorized, leaving a balance of \$14,430,000. Approval of a rollover in that amount is requested. The attached Debt Authorization Plan itemizes projects remaining for this year.

2021-22: The tax supported borrowing request for this year was \$20,986,000. Of that amount, \$14,512,000 has been authorized, leaving a balance of \$6,474,000. Approval of a rollover in that amount is requested. The attached Debt Authorization Plan itemizes projects remaining for this year.

Time Limit Extensions for 2020-21, 2019-20, 2018-19, 2017-18, 2016-17, and 2015-16

Time limit extensions are requested when projects are delayed beyond two years by market forces, significant reprogramming of funds, or other circumstances that justify carrying these authorizations beyond their expected authorization dates. Approval of extensions does not result in exceeding the allowable authorization for any fiscal year but is required by City Council Resolution. Extensions acknowledge the importance of these items as well as the fact that future replacement funds are not likely to be available. One-year extensions are requested for the following items based on programming and timing:

2020-21 Project

	<u>Purpose</u>	<u>Amount</u>
Bridges - Standard Allocation	transportation infrastructure	\$ 200,000
Bull's Head	site improvements	\$ 1,371,000
Former Piehler Pontiac Site	contaminated sites w/in city	\$ 300,000
Gibbs Street and Swan Street Reconstruction	transportation infrastructure	\$ 400,000
Investigation and Remediation	contaminated sites w/in city	\$ 900,000
Lake Riley Lodge	facility improvements	\$ 288,000
Police Section Offices	facility improvements	\$ 3,523,000
Residential Street Rehabilitation	transportation infrastructure	\$ 2,000
River Street Roadway & Trail Connector	site improvements	\$ 80,000
Rochester Riverside Convention Center	facility improvements	\$ 5,000,000
Sister Cities Art	site improvements	\$ 300,000
Youth Sports Training Facility Renovation	facility improvements	\$ 75,000
	Total 2020-21 Extension	\$12,439,000

2019-20 Project

	<u>Purpose</u>	<u>Amount</u>
584 Smith Street	facility improvements	\$ 100,000
Stone Street Garage	facility improvements	\$ 302,000
St. Bernard's Trail Improvements	site improvements	\$ 550,000
	Total 2019-20 Extension	\$ 952,000

2018-19 Project

	<u>Purpose</u>	<u>Amount</u>
Bull's Head	site improvements	\$ 30,000
Fire Fighting Apparatus	public safety equipment	\$ 38,000

Investigation & Remediation - 430 Andrews St.	contaminated sites w/in city	<u>\$ 75,000</u>
	Total 2018-19 Extension	\$ 143,000
<u>2017-18 Project</u>	<u>Purpose</u>	<u>Amount</u>
Investigation & Remediation - Genesee	contaminated sites w/in city	\$ 700,000
Investigation & Remediation - Reynolds	contaminated sites w/in city	\$ 40,000
Investigation & Remediation - Vacuum Oil	contaminated sites w/in city	<u>\$1,000,000</u>
	Total 2017-18 Extension	\$1,740,000
<u>2016-17 Project</u>	<u>Purpose</u>	<u>Amount</u>
Investigation & Remediation - Jefferson Avenue	contaminated sites w/in city	\$ 179,000
Investigation & Remediation - Vacuum Oil Refinery	contaminated sites w/in city	<u>\$ 500,000</u>
	Total 2016-17 Extension	\$ 679,000
<u>2015-16 Project</u>	<u>Purpose</u>	<u>Amount</u>
Vacuum Oil BOA River Trail	contaminated sites w/in city	<u>\$ 100,000</u>
	Total 2015-16 Extension	\$ 100,000

Each of these projects depends upon the partnership of developers and the cooperation of other governments. Like any business venture, delays are inevitable when financial or regulatory obstacles delay implementation. At the same time, the City must continue to demonstrate its good faith by the continued availability of these authorizations.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment AW-145

Resolution No. 2023-21
(Int. No. 251)

Resolution approving the 2023-24 debt limit for general municipal purposes

WHEREAS, an important component of the City’s expense budget and tax levy is debt; and

WHEREAS, the amount of debt outstanding is one of the major factors evaluated by credit agencies in the determination of bond rating; and

WHEREAS, control of the debt service expense and the amount of outstanding debt must necessarily be exercised through restrictions on bond and note authorizations; and

WHEREAS, bond ratings influence the rate of interest which must be paid on indebtedness and therefore the amount of debt service; and

WHEREAS, pursuant to the Debt Authorization Policy adopted by City Council in Resolution No. 81-4, exceptions to the debt limit policy are to be approved only for projects and purposes which could not reasonably be foreseen and, if not approved, would result in an obvious public danger or economic loss.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Rochester, that it is the intent and policy of the City to limit the amount of bonds and notes authorized in fiscal year 2023-24 to \$22,805,500 for general municipal purposes.

BE IT FURTHER RESOLVED, unused authorizations from the debt limits for fiscal years 2021-22 and 2022-23 shall continue to be available, but no authorization included in the debt limit for a prior

fiscal year, if not actually approved by the City Council, shall be carried over and included in the limit for this fiscal year.

BE IT FURTHER RESOLVED, that, by this resolution, the Council specifically approves inclusion for this fiscal year of unused authorizations from the debt limits for:

- A. 2020-21 relating to: bridges; Bull's Head economic development; the former Piehler Pontiac site on Lake Avenue; Gibbs Street and Swan Street reconstruction; environmental site investigation and remediation; Lake Riley Lodge rehabilitation; Police Section Offices facility improvements; residential street rehabilitation; River Street roadway and trail connector; facility improvements at the Rochester Riverside Convention Center; site improvements at the Sister Cities Bridge; and facility improvements at the Rochester Community Youth Sports Complex;
- B. 2019-20 relating to: facility improvements for 584 Smith Street; Stone Street Garage; and St. Bernard's Trail Improvements;
- C. 2018-19 relating to: Bull's Head economic development; 430 Andrews Street environmental site investigation and remediation; and Fire Fighting Apparatus;
- D. 2017-18 relating to environmental site investigation and remediation for Genesee Street, Reynolds Street and the former Vacuum Oil Refinery;
- E. 2016-17 relating to environmental site investigation and remediation of Jefferson Avenue and the former Vacuum Oil Refinery; and
- F. 2015-16 relating to the Vacuum Oil BOA River Trail.

BE IT FURTHER RESOLVED, that exceptions to this policy are to be approved only for projects and purposes which could not reasonably be foreseen and, if not approved, would result in an obvious public danger or economic loss; and for projects and purposes for which the debt issued therefor would be self-supporting.

BE IT FURTHER RESOLVED, that the sum of \$8,298,500 is hereby approved as an exception to the 2023-24 debt limit of the City established herein in order to fund a portion of the costs relating to the ROC the Riverway Initiative for the West River Wall/Former Vacuum Oil Brownfield Cleanup Project (\$2,500,000) and the Vacuum Oil Refinery Cleanup (\$3,000,000) and a portion of the costs of certain projects primarily funded by the American Rescue Plan Act of 2021: Broad & Allen Firehouse Renovation (\$800,000); Goodman Firehouse Renovation (\$1,600,000), and the Maplewood Community Library Renovations (\$398,500).

BE IT FURTHER RESOLVED, that to insure continued awareness of an adherence to this policy, each separate request for authorized debt shall be accompanied by a report in which the amount of debt actually authorized is compared to the amount of debt herein established as a limit.

BE IT FURTHER RESOLVED, that the redemption of any debt issued as an exception to a debt limit shall be excluded from the calculation of subsequent debt limits.

This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2023-225

Re: Budget Amendment for NYS Healthcare Worker Bonus

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation authorizing the receipt and use of \$1,385,455.50 from New York State and amending the 2022-23 Budget of the Fire Department by \$1,287,000 and the budget of Undistributed by \$98,500 to cover FICA expense. These funds represent payments due to certain personnel as part of the NYS Health Care and Mental Hygiene Worker Bonus (HWB) Program.

The Fiscal Year 2023 NYS Executive Budget allocated \$1.2 billion in funding for the payment of bonuses to “recruit, retain and reward health care and mental hygiene workers.” Bonus amounts are commensurate with the number of hours worked during the designated vesting periods up to a total of \$3,000 per employee. A qualified employee can receive a maximum of \$1,500 for each six month vesting period up to the \$3,000 total. There are 5 six month vesting periods that began October 1, 2021 and end March 31, 2024. To date, RFD has submitted requests and received payment for uniformed fire personnel for the first two vesting periods ending September 30, 2022. Requests for the third vesting period ending March 31, 2023 were submitted on behalf of members of the Persons in Crisis (PIC) team in the Department of Recreation and Human Services for the most recently completed vesting period as well as any other fire personnel who have not received the \$3,000 maximum. Those funds have not yet been received.

The payments appropriated herein represent amounts due to fire personnel at this time from the first two vesting periods. The City received these funds on May 8th and is required to disburse the funds within 30 days of receipt. Additional legislation will be submitted to Council upon receipt of the payments representing the third vesting period.

Respectfully submitted,
Malik D. Evans
Mayor

Ordinance No. 2023-225
(Int. No. 252)

Authorizing funding and amending the 2022-23 Budget in relation to the New York State Health Care and Mental Hygiene Worker Bonus Program

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Council hereby authorizes the receipt and use of \$1,385,455.50 in anticipated reimbursements from New York State to pay uniformed Fire Department personnel who are eligible for bonus compensation under the State Health Care and Mental Hygiene Worker Bonus Program (Program) for the Program vesting periods that extend from October 1, 2021 to September 30, 2022.

Section 2. The Mayor is hereby authorized to enter into an agreement with New York State and/or any other party that the Mayor deems necessary or appropriate to implement the Program transactions authorized herein. Any such agreement shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 3. Ordinance No. 2022-157, the 2022-23 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget of the Fire Department by \$1,287,000 and to the Budget of Undistributed Expense by \$98,500, which

amounts are hereby appropriated from the anticipated Program reimbursement authorized in Section 1 herein.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2023-226

Re: Agreement with WXXI to Broadcast City Council Meetings

Transmitted herewith for your approval is legislation establishing \$84,150 as maximum compensation for a three-year professional services agreement with WXXI Public Broadcasting Council to continue to provide technical staff for the live broadcasts of City Council Meetings.

WXXI has been operating the equipment since the inception of live broadcasts in January 2008. These contract services have enabled a seamless feed from the Chambers to the City Channel 12, which is operated by WXXI.

As part of this contract, WXXI staff will set up the City's broadcast equipment prior to each Council session, test the audio/video signal being transmitted to WXXI's State Street studio, and provide technical direction, video recording, master control, and closed captioning services for both in-person or virtual meetings. They will use an A1 system for captioning that provides a reasonable level of accuracy, and caption revisions will be for Committee and City Council meetings. The agreement will provide funding for the broadcast of regular monthly City Council meetings, City Council committee meetings, two full day budget hearings, web streaming, plus an allocation for two organization meetings and contingency. The WXXI agreement will be funded from the 2023-24 budget as well as future budgets of the City Council/City Clerk.

The basic fees for each of the years of the agreement are as follows:

Council meetings	\$600	per meeting
Committee meetins/public hearings	\$600	per meeting
Organization meetins and contingency	\$600	per meeting
All – day budget hearings	\$1,350	per meeting
Web streaming monthly	\$100	per month

Respectfully submitted,
Miguel A. Meléndez Jr.
City Council President

Ordinance No. 2023-226
(Int. No. 253)

Authorizing a professional services agreement with WXXI Public Broadcasting Council for broadcasting City Council Meetings

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with WXXI Public Broadcasting Council to broadcast City Council Meetings for a term of three years. The maximum annual compensation shall be \$28,050, which shall be funded from the 2023-24 and subsequent years' budgets of the City Council and Clerk, contingent upon their adoption.

Section 2. The agreement shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2023-227

Re: Publication of the City Charter and Code

Transmitted herewith for your approval is legislation establishing maximum compensation of \$57,600 for a three-year professional services agreement with General Code, LLC for maintenance and publication of the City Charter and Code in both paper and Internet versions. The cost of the proposed agreement will be funded from the 2023-24 and future budgets of the City Council/City Clerk.

The proposed agreement will provide for continued maintenance of the Charter and Code through the preparation of new sections and amendments as approved by the City Council and signed into law by the Mayor, including both the paper and Internet versions of these volumes. As part of this agreement, General Code will continue to work with the City's Law Department to ensure that both the Internet and paper versions of the City Charter and Code accurately reflect laws as adopted.

The agreement has a provision for the publication of pamphlets, containing reprints of specified sections of the Code, for individual departments and bureaus, the cost to be borne by the offices requesting such pamphlets. In addition, the agreement provides for the printing and delivery to the City, on a quarterly basis, of all revisions to the Charter and Code.

This agreement also includes monthly updates on the Internet version of the Charter and Code. The agreement with General Code will be funded from the 2023-24 budget as well as future budgets of the City Council/City Clerk.

Respectfully submitted,
Miguel A. Meléndez Jr.
City Council President

Ordinance No. 2023-227
(Int. No. 254)

Authorizing an agreement with General Code, LLC for publication of the City Charter and Code

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with General Code, LLC to publish the City Charter and Code and to provide for continued maintenance of the Charter and Code in paper and electronic versions including monthly updates to the electronic version. The agreement shall have a term of three years and a maximum annual compensation of \$19,200, which annual amount shall be funded from each of the 2023-24 and subsequent years' budgets of the City Council and Clerk, contingent upon their adoption.

Section 2. The agreement shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

- Ordinance No. 2023-228
- Ordinance No. 2023-229
- Ordinance No. 2023-230
- Ordinance No. 2023-231
- Local Improvement Ordinance No. 1805
- Ordinance No. 2023-232

Re: 2023-24 Budget

Council Priority: Deficit Reduction and Long Term Financial Stability

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation related to the 2023-24 Budget. This legislation will:

1. Approve appropriations and establish revenue estimates for the City and City School District;
2. Authorize the tax levies required to finance appropriations for the City and City School District;
3. Authorize the budgets and related assessments for the Local Works program;
4. Confirm the assessments required for the following programs:
 - a. Street mall maintenance
 - b. Neighborhood parking lot operation
 - c. Public Market snow removal and security services
 - d. Street lighting and streetscape districts
 - e. Downtown Enhancement District
 - f. High Falls Improvement District
 - g. South Ave. Alexander St. Streetscape
 - h. Mt. Hope Streetscape
 - i. Upper East Alexander Entertainment-Refuse
5. Confirm the addition to the tax roll of various assessments , fees, and unpaid charges; and
6. Authorize certain fee increases and Charter and Code changes.

Details of the above actions related to the 2023-24 proposed budget of the City submitted to City Council on May 12, 2023 are summarized below:

1. Total appropriations of \$1,808,536,948 allocated for the City and the School District:

	<u>Proposed 2023-24</u>	<u>Amended 2022-23</u>	<u>\$ Difference</u>	<u>% Difference</u>
City	\$ 674,686,100	\$ 644,157,050	\$ 30,529,050	4.7
School	<u>1,133,850,848*</u>	<u>1,065,835,104</u>	<u>68,015,744</u>	6.4
Total	\$1,808,536,948	\$1,709,992,154	\$ 98,544,794	5.8

*Total appropriations for the Rochester City School District 2023-24 Budget represent all expenditures from the General Fund, Grants and Special Aid, School Food Service , American Rescue Plan (ARP), and the Coronavirus Response and Relief Supplemental Appropriations Act (CRRSA) program.

Total non-tax revenue distributed between the City and the District:

	<u>Proposed 2023-24</u>	<u>Amended 2022-23</u>	<u>\$ Difference</u>	<u>% Difference</u>
City	\$609,232,883	\$ 578,703,833	\$ 30,529,050	5.3
School	<u>\$1,020,110,348</u>	<u>952,094,604</u>	<u>\$ 68,015,744</u>	<u>7.1</u>
Total	\$1,629,343,231	\$1,530,798,437	\$ 98,544,794	6.4

2. Total tax levies of \$187,637,400 for the City and City School District

	<u>Proposed 2023-24</u>	<u>Amended 2022-23</u>	<u>\$ Difference</u>	<u>%Difference</u>
Tax Revenue	\$179,193,717	\$179,193,717	\$ 0	0.00
Tax Reserve	<u>8,443,683</u>	<u>8,443,683</u>	<u>0</u>	<u>0.00</u>
Tax Levy	\$187,637,400	\$187,637,400	\$ 0	0.00

3. Total appropriations for the Local Works fund of \$25,964,100 and total assessments of \$20,689,000

	<u>Proposed 2023-24</u>	<u>Amended 2022-23</u>	<u>\$ Difference</u>	<u>%Difference</u>
Street Maintenance	\$ 3,287,793	\$ 3,578,224	\$ -290,431	-8.1
Sidewalk Repair	1,568,436	1,878,545	-310,109	-16.5
Roadway Plowing	12,306,189	11,491,406	814,783	7.1
Sidewalk Plowing	<u>3,526,582</u>	<u>3,739,425</u>	<u>-212,843</u>	<u>-5.7</u>
Total	\$20,689,000	\$20,687,600	\$ 1,400	0.0

4. Program Assessments

On April 25, 2023, the following budgets were approved: security and snow removal at the Public Market; street lighting and streetscapes; street malls; East Avenue/Alexander Street Entertainment District; High Falls Business Improvement District; and the Mt. Hope Streetscape. The budget for the special assessment district parking lots, Downtown Enhancement District, and the South Avenue/Alexander Street Open Space District were approved on May 23, 2023. The assessments required are as follows:

	<u>Proposed 2023-24</u>	<u>Amended 2022-23</u>	<u>\$ Difference</u>	<u>% Difference</u>
Street Malls	\$ 31,303	\$35,225	-3,922	-11.1
Parking Lots	70,403	71,862	-1,459	-2.0
Public Market	51,874	51,874	0	0.0
Lighting and Streetscapes	29,996	37,530	-7,534	-20.1
Downtown Enhancement	726,800	703,700	23,100	3.3
High Falls	25,000	25,000	0	0.0
South Ave Alexander Streetscape	8,900	8,900	0	0.0
Mt. Hope Streetscape	20,000	20,000	0	0.0
East/Alexander Entertainment	22,032	21,600	432	2.0

5. Proposed additions to the tax roll consist of the following charges:

	<u>Proposed 2023-24</u>	<u>Amended 2022-23</u>	<u>\$ Difference</u>	<u>% Difference</u>
Delinquent Refuse	\$ 656,899	\$ 587,825	\$ 69,074	11.8
Delinquent Water	5,789,349	5,840,232	-50,883	-0.9
Code Enforcement	104,955	140,775	-35,820	-25.4
Supplemental and Omitted Taxes	248,939	164,855	84,084	51.0
Local Improvements	1,334	1,334	0	0.0
Demolitions	36,552	165,561	-129,009	-77.9

Encroachments	5,015	4,965	50	1.0
Rehabilitation	150,929	148,241	2,688	1.8
Code Violations	1,433,750	1,445,700	-11,950	-0.8
Emergency Abatement	52,783	146,182	-93,399	-63.9

6 Fee increases and Charter and Code changes

6A. A rate increase of 9.5% to base rates and consumption rates is proposed to balance the Water Fund. The proposed increase is expected to result in \$3,230,000 incremental revenue. Proposed increases to specific water service fees contained in § 23-37 B, D and F of the City Code result in incremental revenue of \$55,000.

6B. A commercial refuse rate increase of 3% resulting in \$119,000 in incremental revenue is proposed to balance the Refuse Fund. The proposed rate schedule will be placed on file in the City Clerk's Office. Commercial refuse rates were last changed in 2014.

6C. An increase of 10% is proposed for all Cemetery fees resulting in incremental revenue of approximately \$78,000. Rates are established by the Environmental Services Commissioner in accordance with § 43-14 of the City Code. Rates were last increased in 2013.

Respectfully submitted,
Malik D. Evans
Mayor

President Meléndez introduced a motion to discharge Int. No. 255
Moved by Councilmember Gruber; 2nd by Councilmember Patterson
Motion to discharge passed unanimously.

Motion to amend Int. No. 255
Moved by Councilmember Martin; 2nd by Vice President Lupien
Motion to amend failed by the following vote:

Ayes - Vice President Lupien, Councilmembers Martin and Smith - 3.

Nays - President Meléndez, Councilmembers Gruber, Harris, Lightfoot, Patterson, Peo - 6.

Ordinance No. 2023-228
(Int. No. 255)

Adoption of the Budget estimates for municipal purposes for the 2023-24 fiscal year, appropriation of sums set forth therein and approving commercial refuse fees

BE IT ORDAINED, by the Council of The City of Rochester as follows:

Section 1. The budget estimate for municipal purposes for the fiscal year July 1, 2023 to June 30, 2024, providing for the expenditure of \$674,686,100, is in all respects adopted, confirmed, fixed, and determined.

Section 2. The sums of money designated in the budget estimate for municipal purposes for the fiscal year 2023-24 are hereby authorized to be expended and the sum of \$674,686,100 is hereby appropriated for the current expenses of the departments and agencies; cash capital; debt service; and for the other purposes therein, in the manner provided by law, as listed below:

City Council and Clerk	\$7,359,300
Administration	20,833,300
Neighborhood and Business Development	29,268,700

Environmental Services	99,836,100
Finance	12,928,000
Information Technology	9,306,300
Law	2,908,100
Library	13,451,300
Recreation and Human Services	25,485,800
Emergency Communications	17,130,500
Police	109,534,100
Fire	61,335,000
Undistributed Expenses	171,065,200
Contingency	100,000
Cash Capital	50,741,000
Debt Service	43,403,400
Sub-total	\$674,686,100
Tax Reserve	3,084,183
Total	\$677,770,283

Section 3. The budget estimate of the current revenues and other receipts, other than real estate taxes and the School Tax Relief (STAR) funds, for municipal purposes for the fiscal year 2023-24 is hereby fixed and determined at \$609,232,883 and said sum is appropriated for the purposes set forth in the budget estimate.

Section 4. The budget estimate for the fiscal year 2023-24 providing for raising the sum of \$68,537,400 in taxation on real estate for municipal purposes is hereby adopted.

Section 5. Pursuant to subsection 20-24B(1) of the Municipal Code, the Council hereby approves the fees for collection of commercial refuse and recyclables as proposed by the Mayor for fiscal year 2023-24.

Section 6. This ordinance shall take effect on July 1, 2023.

Passed by the following vote:

Ayes - President Meléndez, Councilmembers Gruber, Harris, Lightfoot, Patterson - 5.

Nays - Vice President Lupien, Councilmembers Martin, Peo and Smith - 4.

President Meléndez introduced a motion to discharge Int. No. 256.
 Moved by Councilmember Gruber; 2nd by Councilmember Lightfoot.
 Motion to discharge passed by the following vote:

Ayes - President Meléndez, Councilmembers Gruber, Lightfoot, Martin and Smith - 5.

Nays - Councilmembers Patterson and Peo - 2.

Vice President Lupien and Councilmember Harris abstained due to the professional relationship.

Int. No. 256

Adoption of the Budget estimates for school purposes for the 2023-24 fiscal year and appropriation of sums set forth therein

BE IT ORDAINED, by the Council of The City of Rochester as follows:

Section 1. The budget estimate for school purposes for the fiscal year July 1, 2023 to June 30, 2024, providing for the expenditure of \$1,133,850,848, is in all respects adopted, confirmed, fixed, and determined.

Section 2. The sums of money designated in the budget estimate for school purposes for the fiscal year 2023-24 are hereby authorized to be expended and the sum of \$1,133,850,848 is hereby appropriated by the Board of Education for the following purposes:

Operations	\$1,035,782,063
Cash Capital	14,117,137
Debt Service	83,951,648
Subtotal	1,133,850,848
Tax Reserve	5,359,500
Total	\$1,139,210,348

Section 3. The budget estimate of the current revenues and other receipts, other than real estate taxes, for school purposes for the fiscal year 2023-24 is hereby fixed and determined at \$1,020,110,348 and said sum is hereby appropriated for the purposes set forth in the budget estimate.

Section 4. The budget estimate for the fiscal year 2023-24 providing for raising the sum of \$119,100,000 in taxation on real estate for school purposes is hereby adopted.

Section 5. This ordinance shall take effect on July 1, 2023.

Int. No. 256 failed by the following vote:

Ayes - Councilmembers Gruber, Martin, Smith - 3.

Nays -President Meléndez, Councilmembers Lightfoot, Patterson, Peo- 4.

Vice President Lupien and Councilmember Harris abstained due to a professional relationship.

President Meléndez introduced to discharge Int. No. 257.

Moved by Councilmember Gruber; 2nd by Councilmember Patterson.

Motion to discharge passed unanimously.

Ordinance No. 2023-229

(Int. No. 257)

Levying taxes for municipal purposes for the fiscal year commencing July 1, 2023 and expiring June 30, 2024

BE IT ORDAINED, by the Council of The City of Rochester as follows:

Section 1. The sum of \$68,537,400, which sum is deemed by the Council sufficient with other revenues to produce from collection during the fiscal year commencing July 1, 2023 and expiring June 30, 2024 the amount required to meet the budget estimates for municipal purposes, is hereby levied on all taxable real property in the City of Rochester, as set forth in the assessment rolls, for the fiscal year commencing July 1, 2023 and expiring June 30, 2024.

Section 2. The Director of Finance shall cause the taxes levied above to be inserted in the assessment rolls for the fiscal year commencing July 1, 2023 and expiring June 30, 2024.

Section 3. This ordinance shall take effect on July 1, 2023.

Passed by the following vote:

Ayes - President Meléndez, Councilmembers Gruber, Harris, Lightfoot, Lupien, Martin, Patterson, Smith - 8.

Nays - Councilmember Peo - 1.

President Meléndez introduced a motion to discharge Int. No. 258
Moved by Councilmember Gruber; 2nd by Councilmember Lightfoot.
Motion to discharge passed by the following vote:

Ayes - President Meléndez, Councilmembers Gruber, Lightfoot, Martin, Patterson, Peo, Smith - 7.

Nays - None - 0.

Vice President Lupien and Councilmember Harris abstained due to a professional relationship.

Ordinance No. 2023-230
(Int. No. 258)

Levying taxes for school purposes for the fiscal year commencing July 1, 2023 and expiring June 30, 2024

BE IT ORDAINED, by the Council of The City of Rochester as follows:

Section 1. The sum of \$119,100,000, which sum is deemed by the Council sufficient with other revenues to produce from collection during the fiscal year commencing July 1, 2023 and expiring June 30, 2024 the amount required to meet the budget estimates for school purposes, is hereby levied on all taxable real property in the City of Rochester, as set forth in the assessment rolls, for the fiscal year commencing July 1, 2023 and expiring June 30, 2024.

Section 2. The Director of Finance shall cause the taxes levied above to be inserted in the assessment rolls for the fiscal year commencing July 1, 2023 and expiring June 30, 2024.

Section 3. This ordinance shall take effect on July 1, 2023.

Passed by the following vote:

Ayes - President Meléndez, Councilmembers Gruber, Lightfoot, Martin, Patterson, Smith - 6.

Nays - Councilmember Peo - 1.

Vice President Lupien and Councilmember Harris abstained due to a professional relationship.

President Meléndez introduced a motion to discharge Int. No. 259 Moved by Councilmember Gruber; 2nd by Councilmember Harris. Motion to discharge passed unanimously.

Local Improvement Ordinance No. 1805 (Int. No. 259)

Local Improvement Ordinance - Street cleaning, street and sidewalk snow removal, and hazardous sidewalk repair commencing July 1, 2023 and expiring June 30, 2024

BE IT ORDAINED, by the Council of The City of Rochester as follows:

Section 1. The Council finds and declares (1) that it is in the public interest to provide street cleaning, snow removal services on the streets and sidewalks, and the repair of hazardous sidewalks in the City of Rochester during the fiscal year from July 1, 2023 to June 30, 2024; (2) that the provision of such service benefits the properties abutting on such streets and sidewalks, and (3) that the cost of providing such services should be borne by the benefitted properties according to the benefit received by such properties.

Section 2. The Commissioner of Environmental Services shall cause the following improvements and work to be provided on streets, sidewalks and lots in the City of Rochester during the fiscal year July 1, 2023 to June 30, 2024:

- A. The removal of snow from such sidewalks and the repair of such hazardous sidewalks as the Commissioner may direct.
- B. The removal of snow and ice from the roadway of such streets as the Commissioner may direct, including the use of sodium chloride, calcium chloride, and other chemicals or abrasives for the treatment of slippery or icy pavement as deemed necessary by the Commissioner.
- C. The cleaning and/or flushing of such streets as the Commissioner may direct, including hand-cleaning, tank flushing, mechanical sweeping, and the collection and removal of brush, leaves, and debris.

Section 3. Such work shall be done by competitive contract, or by the Department of Environmental Services, as the Commissioner of Environmental Services deems appropriate.

Section 4. The cost of providing such street cleaning and street snow removal services for the 2023-24 fiscal year shall be assessed against all parcels of property that abut a street, reflecting the benefit to be derived by such parcels from such services. The cost of providing such sidewalk repair and snow removal services for the 2023-24 fiscal year shall be assessed against all parcels of property that abut a sidewalk, reflecting the benefit to be derived by such parcels from such services.

Section 5. The amount assessed shall be allocated among all benefitted parcels in direct proportion to each parcel's street or sidewalk footage, defined for purposes of this ordinance as the full footage of the parcel along the street or sidewalk upon which it fronts, plus one-third of the footage along any other abutting streets or sidewalks. The Council hereby determines that such street or sidewalk footage represents the relative amount of benefit received by each such parcel.

Section 6. The total cost of such services to be assessed on July 1, 2023 shall be \$20,689,000 consisting of \$3,287,793 for street and lot maintenance, \$1,568,436 for sidewalk repair, \$12,306,189 for roadway snow removal and \$3,526,582 for sidewalk snow removal services. Such total amount constitutes an estimate of the amount necessary to pay contractors to provide services and to cover the costs of providing services with City crews between July 1, 2023 and June 30, 2024, less any miscellaneous revenues estimated to be collected during the same period, plus a reasonable reserve

for uncollected assessments. All assessments collected shall be paid into the Local Works Fund, and all costs incurred shall be paid from such fund. The amounts assessed herein are appropriated for that purpose.

Section 7. The amount assessed on July 1, 2023 shall be billed on the tax bill and shall be due in one installment. Delinquent assessments collected more than 60 days into a fiscal year subsequent to the fiscal year billed shall be credited as revenue in the year collected and applied against costs in that fiscal year.

Section 8. This ordinance shall take effect on July 1, 2023.

Passed unanimously.

President Meléndez introduced a motion to discharge Int. No. 260
Moved by Councilmember Gruber; 2nd by Vice President Lupien.
Motion to discharge passed unanimously.

Ordinance No. 2023-231
(Int. No. 260)

Confirming the assessments, amounts and charges to be inserted in the annual tax rolls for the fiscal year commencing July 1, 2023 and expiring June 30, 2024

BE IT ORDAINED, by the Council of The City of Rochester as follows:

Section 1. The following assessments, amounts and charges, and the allocation of said amounts against properties in the City, as set forth in roll or rolls on file in the City Clerk's Office, to be inserted into the annual tax rolls for the fiscal year commencing July 1, 2023 and expiring June 30, 2024 are hereby in all respects confirmed:

Street and Lot Maintenance	\$ 3,287,793.00
Roadway Snow Removal	12,306,189.00
Sidewalk Snow Removal	3,526,582.00
Hazardous Sidewalk Repair	1,568,436.00
Delinquent Refuse	656,899.08
Delinquent Water Charges	5,789,349.24
Supplemental Taxes	248,938.55
Demolitions	36,551.59
Street Malls	31,303.00
Parking Lots	70,403.00
Code Enforcements	104,955.00
Code Violations	1,433,750.00
Downtown Enhancement	726,800.00
Emergency Abatement	52,783.25
Public Market Plowing	6,237.95
Public Market Security	45,636.24
Encroachment Fees	5,015.00
Rehabilitation Charges	150,929.15
Wilson Blvd. Street Lights	585.84
Norton Street Lights	1,415.14
Cascade Lights	1,288.48
Cascade Streetscape	4,000.00

Lake Avenue Lights	4,200.25
High Falls Business Improvement District	25,000.00
St. Paul Street Lighting	548.24
Upper East Alexander Refuse	22,032.00
Browncroft Lighting	9,508.99
Nunda Boulevard Lighting	8,449.38
Mt. Hope Streetscape	20,000.00
South Avenue Open Space 1	4,847.21
South Avenue Open Space 2	4,052.79
Local Improvements	1,333.96

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

President Meléndez introduced a motion to discharge Int. No. 261
 Moved by Councilmember Gruber; 2nd by Vice President Lupien.
 Motion to discharge passed unanimously.

Ordinance No. 2023-232
 (Int. No. 261)

Amending the Municipal Code with respect to water rates, as amended

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. Section 23-37 of the Municipal Code, relating to fees for water, as amended, is hereby further amended by amending subsections A, B, C, D and F thereof to read in their entirety as follows:

A. Consumption rates.

(1) Consumption Charge; schedule of rates.

Gallons Consumed per Month	Charge per 1,000 Gallons
0 to 300,000	\$3.62 <u>3.96</u>
300,001 to 1,000,000	\$3.25 <u>3.56</u>
1,000,001 to 13,000,000	\$2.53 <u>2.77</u>
Over 13,000,000	\$1.45 <u>1.59</u>

2) Base Charge.

Size of Meter (inches)	Charge per Month
5/8	\$8.66 <u>9.48</u>
¾	\$13.00 <u>14.24</u>
1	\$37.62 <u>41.19</u>
1 ½	\$55.72 <u>61.01</u>
2	\$74.53 <u>81.61</u>
3	\$186.25 <u>203.94</u>
4	\$372.15 <u>407.50</u>
6	\$557.90 <u>610.90</u>
8	\$1,213.07 <u>1,328.31</u>

B. Water meter fees.

(1) Schedule.

Meter Size Type (inches)	Fee	
5/8	\$175 <u>195</u>	
3/4	\$205 <u>220</u>	
1	\$265 <u>275</u>	
1 1/2	\$450 <u>500</u>	
2	\$500 <u>605</u>	
3/Turbo		*
3/Compound		*
4/Compound		*
6/Turbo		*
6/Turbo with fire service strainer		*
6/Compound		*
6/Electrical		*
10/Turbo		*
10/Turbo with fire service strainer		*
10/Electrical		*

*NOTE: The City's purchase cost, plus 10% for administrative and installation costs, for compound and turbo-type water meters.

(2) Meters from 5/8 inch through two inches include connections. Connections for meters from three inches through 10 inches shall be furnished by the property owner.

C. Fire-service charges.

(1) Domestic fire-service charge.

Size of First Check Valve (inches)	Charge per Quarter
Up to 2	\$42 <u>46</u>
4	\$83 <u>91</u>
6	\$164 <u>180</u>
8	\$326 <u>357</u>
10	\$482 <u>528</u>
12	\$693 <u>759</u>

(2) Holly high-pressure fire-service charge.

Size of First Check Valve (inches)	Charge per Quarter
Up to 2	\$115 <u>126</u>
4	\$231 <u>253</u>
6	\$307 <u>336</u>
8	\$612 <u>670</u>
10	\$904 <u>990</u>

(3) Holly high-pressure consumption charge: ~~\$11.07~~ 12.12 per 1,000 gallons.

D. Service connection fees.

**Size of Service
(inches)**

Fee

¾	\$80 <u>85</u>
1	\$90 <u>100</u>
1 ½	\$200
2	\$275
4 through 12	Actual cost plus 10%, but at least \$500

F. Miscellaneous.

- (1) Replacement of broken seal (§ 23-12): ~~\$50~~ 75
- (2) Thawing frozen service:
 - (a) First attempt: ~~\$80~~ 85.
 - (b) Subsequent attempts: ~~\$90~~ 100.
- (3) Service resumption charge: \$50. This fee shall not apply to the renewal of residential water service, less than two inches, to which the fee established in § 40-19B(14) shall apply.
- (4) Meter test charges:
 - (a) Five-eighths-inch through one-inch: \$95
 - (b) One-and-one-half-inch through two-inch: \$150
 - (c) Three-inch and over: ~~\$190~~ 225.
- (5) Service disconnection charges, also known as an “abandonment fee”:
 - (a) Two inches and under: ~~\$1,500~~.
 - i. Requires restoration of tree lawn only: \$1,500.
 - ii. Requires restoration of pavement: \$2,500.
 - (b) Three inches and over: actual cost plus 10%.
- (6) (Reserved)
- (7) (Reserved)
- (8) Backflow prevention devices.
 - (a) Backflow prevention device: \$20.
 - (b) Test backflow prevention device: ~~\$160~~ 165.
- (9) Wholesale rate: ~~\$1.71~~ \$1.87 per 1,000 gallons of water drawn from a City water main connection for Water District 1 of the Town of Lima.

Section 2. This ordinance shall take effect on July 1, 2023.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

President Meléndez introduced a motion to discharge Int. No. 263 Moved by Councilmember Gruber; 2nd by Councilmember Harris. Motion to discharge passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2023-233

Re: 2022-23 Budget Amendment and Agreement - Library MiFis

Council Priority: Culture of Vibrancy; Jobs & Economic Development; Education

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity and Opportunity

Transmitted herewith for your approval is legislation to extend the Rochester Public Library's personal wireless device loaner program (MiFi Program), which currently offers patrons the ability to check out MiFi's from the Reynolds Media Center for free. The legislation appropriates an additional \$150,000 to the Rochester Public Library to acquire and to continue to loan out the MiFi devices.

The funding comes from the transfer \$150,000 to the Budget of the Public Library from unspent funds allocated to the Police Accountability Board (PAB) in the 2022-23 Budget of City Council & Clerk. This transfer is in accord with the policy set forth in Resolution No. 2022-50, approved on December 20, 2022, which called for reallocating and reappropriating a portion of the unspent PAB funds to programs that will address four community need categories.

The Central Library began offering MiFi devices for loan in 2018 as an effort to bridge the digital divide. As part of the COVID pandemic response, the Federal E-rate program expanded to include an Emergency Connectivity Fund (ECF) for 100% of the cost of MiFi subscriptions that the Monroe County Library System participated in 2021, 2022 and 2023. During that period 300 MiFi devices were available to all City and County residents, loaned through the Central Library for a three-week period. Loans averaged 270 check outs per month with roughly 40 "holds" (pending loan requests) during the ECF period.

The ECF program ends June 30, 2023. Continuing and expanding the MiFi Program will provide a crucial service to community members who do not have regular connection to the internet, allowing them to search and apply for job opportunities, access educational and learning tools, secure online banking and financial assistance, and access many more resources that the internet offers. Those opportunities and resources will help address the challenges of housing and homelessness, substance abuse, mental health and violence, consistent with the community needs that we identified in December.

Respectfully submitted,
Miguel A. Meléndez
City Council President

Ordinance No. 2023-233
(Int. No. 263)

Appropriating funds and amending the 2022-23 Budget to support the Public Library's MiFi Program

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The sum of \$150,000 allocated for the Police Accountability Board in the 2022-23 Budget of the City Council & Clerk is hereby appropriated to help fund the Rochester Public Library's "MiFi Program" for acquiring and loaning out personal wireless devices to patrons who lack adequate access to the internet.

Section 2. Ordinance No. 2022-157, the 2022-23 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget of the Public Library by \$150,000 from the funds appropriated in Section 1.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

The meeting was adjourned at 8:39 pm.

HAZEL L. WASHINGTON
City Clerk