ROCHESTER CITY COUNCIL

REGULAR MEETING

July 19, 2022

Present –President Meléndez, Councilmembers Gruber, Harris, Lupien, Martin, Patterson, Peo, Smith – 8.

Absent – Councilmember Lightfoot – 1.

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 Patterson

**Retirement:**

**DES:**

Edwin Santiago Sr.

**FIN:**

Barbara Duttinger

**IT:**

Eric Logan

**LIBRARY:**

Jerome Tevels

**NBD:**

Ronald Penders

**RFD:**

Thomas Dorrer

Stephen Ersteniuk

**RPD:**

Tito Batson

Brian Cannon

Brent Newpher

Michael Nicholls

Robert Snow

**APPROVAL OF THE MINUTES**

By Councilmember Peo

RESOLVED, that the minutes of the Regular Meeting on June 14, 2022 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:

Delinquent Receivables - June 30, 2022

Grant Quarterly Report

January 1 – March 31, 2022

**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. 231, 255, 283; **Councilmember Gruber** on Int. No. 233, 256, 258 and 259.

**THE COUNCIL PRESIDENT** --- RECEIVED AND FILED.

PUBLIC HEARINGS.

**Pursuant to law, a public hearing was held on July 14, 2022 on the following matters:**

Approving the 2022-23 Annual Action Plan Int. No. 236

No speakers

Amending the Official Map by abandoning the Guerney Street right-of-way Int. No. 263

No speakers

Amending the Official Map by abandoning the Holly Avenue right-of-way Int. No. 264

No speakers

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

By President Meléndez

President Meléndez introduced a motion to consider Introductory No. 291 without referring to a committee.

Motion passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Resolution No. 2022-35

Re: Endorsing a Grant Application-

George Eastman House Chimney and

Parapet Restoration

Council Priority: Creating and Sustaining a

Culture of Vibrancy

Rochester 2034 Initiative Area:

Fostering Prosperity & Opportunity

Transmitted herewith for your approval is a resolution related to the George Eastman House Chimney and Parapet Restoration project. The George Eastman Museum is applying to the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) for a $500,000 grant to fund a portion of the project. The grant application requires the endorsement of City Council as the governing body of the municipality in which the restoration project is located.

In recent weeks the Museum’s architectural consultant discovered that the George Eastman House’s 11 chimneys and extensive roof parapets are in poor condition. The deteriorated condition of those chimneys and parapets has already allowed water leakage that has damaged some of the House’s interior walls and ceilings. If the masonry is not repaired, the chimney’s and parapet’s bricks may fall to the ground, jeopardizing the safety of the Museum’s employees and visitors.

The House and Museum are a great historic, cultural and economic asset to the community. The House has been designated as a National Historic Landmark, one of only two properties in Monroe County that have been so honored. The Museum drew nearly 150,000 visitors in 2019, more than 65% having traveled from outside the region.

The estimated cost of the project is $700,000. The Museum has committed to raise matching funds of $200,000 in order to complete the project within one year of notification of the grant award. The grant from New York State, paired with the Museum’s matching funds, will assure that the restoration project is completed as soon as practicable so that the Museum and all areas of George Eastman’s historic mansion remain open and publicly accessible.

Respectfully submitted,

Patrick Cunningham

Deputy Mayor

Resolution No. 2022-35

(Int. No. 291)

**Resolution endorsing an application for a State historic preservation grant for the George Eastman House Chimney and Parapet Restoration project**

WHEREAS, the George Eastman Museum (Museum) is located in the George Eastman House (House) at 900 East Avenue, a designated National Historic Landmark that was designed by noted architect J. Foster Warner and constructed in 1905 as the residence for George Eastman, the founder of the Eastman Kodak Company;

WHEREAS, together, the House and Museum are a great historic, cultural and economic asset to the community, drawing nearly 150,000 visitors in 2019, more than 65% having traveled from outside the region;

WHEREAS, Bero Architecture PLLC’s recent survey revealed that the House’s 11 chimneys and extensive roof parapets are in poor condition;

WHEREAS, moisture seepage from the chimneys and parapets has already damaged indoor plaster walls and ceilings and, if the masonry is not repaired, the chimney’s and parapet’s bricks may fall to the ground, putting at risk the safety of those who visit or work at the Museum;

      WHEREAS, the Museum has submitted an application to the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) for a grant of $500,000 to fund a portion of the costs of restoring the chimneys and parapets of the historic House, a project that is estimated to cost $700,000;

WHEREAS, the Museum has committed to raise matching funds of $200,000 for the restoration project within one year of notification of the grant award;

WHEREAS, the grant funding would assure that the restoration project is completed as soon as practicable and that the Museum and all areas of George Eastman’s historic mansion home remain open and publicly accessible; and

WHEREAS, the rules of the OPRHP grant program require that the George Eastman Museum, as a not-for-profit entity, obtain the approval and endorsement of the governing body of the municipality in which the restoration project would be located.

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

       Section 1.  The Council hereby does approve and endorse the application of the George Eastman Museum for a grant under Title 9 of the Environmental Protection Act of 1993 for a historic preservation project known as the George Eastman House Chimney and Parapet Restoration project located within this community.

       Section 2.  This resolution shall take effect immediately.

Adopted unanimously.

REPORTS OF STANDING COMMITTEES

AND ACTION THEREON

By Councilmember Gruber

July 19, 2022

To the Council:

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

Int. No. 231 Authorizing an agreement relating to the Kiva Rochester One Million Dollar Celebration

Int. No. 232 Authorizing an agreement and amending the 2022-23 Budget for the Financial Empowerment Center

Int. No. 233 Authorizing funding and the acquisition of

308-310 Augustine Street

Int. No. 234 Appropriating American Rescue Plan Act of 2021 funds for accounting and compliance consultant services

Int. No. 286 Amending Ordinance No. 2022-43 relating to an amendatory agreement for legal services

Int. No. 290 Authorizing an agreement for securities litigation services

Respectfully submitted,

Mitch Gruber *(absent)*

Michael A. Patterson

Kimberly Smith

Mary Lupien

Miguel Meléndez *(abstained on Int. No. 231)*

FINANCE COMMITTEE

Received, filed and published.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2022-178

Re Agreement – Ibero American Action

League Inc.

Council Priority: Jobs and Economic

Development

Comprehensive Plan 2034 Initiative Area:

Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation related to the Kiva Rochester “One Million Dollar Celebration.” This event will celebrate Kiva Rochester administering one million dollars in 0% interest crowdfunded micro loans to Rochester area businesses. This legislation will establish $9,000 maximum compensation for an agreement with Ibero American Action League, Inc. (Angelica Perez-Delgado, 817 East Main St, Rochester, NY) to coordinate the One Million Dollar Celebration at the International Plaza. The agreement will have a term of three months and will be funded from the 2022-23 Budget of the Office of the Mayor.

Kiva provides 0% interest microloans crowdfunded $25 at a time. The Kiva Rochester program launched in 2016 and has since helped over 160 Rochester area businesses access nearly $1 million in interest free Kiva loans. Over 75% of Kiva Rochester loan recipients are minority-owned businesses, 52% are women-owned businesses, and 71% have credit scores below 650. The Kiva Rochester One Million Dollar Celebration at the International Plaza will showcase the products, services, and food of Kiva Rochester loan recipients and provide an opportunity to highlight the Kiva Rochester program.

Respectfully submitted,

Malik D. Evans

Mayor

Ordinance No. 2022-178

(Int. No. 231)

**Authorizing an agreement relating to the Kiva Rochester One Million Dollar Celebration**

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 Ibero-American Action League, Inc. to coordinate the One Million Dollar Celebration (Event). The agreement term shall extend for three months. The maximum compensation for the agreement shall be $9,000, which shall be funded by the 2022-23 Budget of the Office of the Mayor.

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

Section 3. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes – Vice President Lupien, Councilmembers Gruber, Harris, Martin, Patterson, Peo, Smith – 7.

Nays – None – 0.

President Meléndez abstained due to a professional relationship.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2022-179

Re Agreement-Cities for Financial

Empowerment

Council Priority: Jobs and Economic

Development

Comprehensive Plan 2034 Initiative Area:

Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation related to the Financial Empowerment Centers. This legislation will:

1) Authorize a grant agreement with the Cities for Financial Empowerment Fund, Inc. (CFE) (Jonathan Mintz, 55 Wall Street, New York, NY) for receipt and use of a $170,000 Financial Empowerment Cities Grant. The agreement will have a term of two years.

2) Amend the 2022-23 Budget of the Office of the Mayor by $100,000 for the funding from the Cities for Financial Empowerment Fund, Inc

3) The remaining $70,000 will be anticipated and included in the 2023-24 Budget of the Office of the Mayor.

As part of the two-year Financial Empowerment Cities Grant, the City of Rochester will develop a strategic plan and launch an Office of Financial Empowerment (OFE). In addition to the $170,000 in grant funding, the CFE will deliver direct technical assistance, including regular staff time and at least one site visit to support the City in launching an OFE.

Respectfully submitted,

Malik D. Evans

Mayor

Ordinance No. 2022-179

(Int. No. 232)

**Authorizing an agreement and amending the 2022-23 Budget for the Financial Empowerment 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 Cities for Financial Empowerment Fund, Inc. for the receipt and use of a grant in the amount of $170,000 for the establishment of the Office of Financial Empowerment (OFE). The agreement shall have a term of two years.

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 Office of the Mayor by $100,000 to reflect receipt of the grant funds authorized herein, which is hereby appropriated for the establishment of the OFE.

Section 3. The agreement shall have 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. 2022-180

Re  Maplewood Community Library 

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 following:

1. Authorizing the receipt and use of Dormitory Authority of the State of New York (DASNY) State and Municipal Program funds in the amount of $175,000; and

1. Acquisition of real property by negotiation. The vacant residential property, located at 308-310 Augustine St, is contiguous to City-owned property at 1113 Dewey Ave. The property summary and acquisition amount are as follows:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Address** | **Reputed Owner** | **SBL No.** | **Type** | **Maximum Acquisition Amount** |
| 308-310  Augustine St | Turnkey Property Management of Rochester Inc (Richard Giancursio, Sole Proprietor) | 090.66-2-50 | Single Family | $140,000 |

The maximum acquisition amount is supported through an independent appraisal performed by Bruckner, Tillet, Rossi, Cahill and Associates in September 2021. The price does not include any consideration for environmental or geotechnical conditions and assumes environmentally clean sites.

Funding through the DASNY program was solicited through Assemblymember Sarah Clark in support of the Maplewood Expansion Project. The parcel was considered the best available for expansion after outreach to adjacent property owners. Subsequent legislation for project design services and the appropriation of federal ARPA funding will be submitted for future Council consideration.

The vacant structure will be demolished and the resulting vacant lot will be combined with City Owned land at 1111 Dewey Ave (Maplewood Community Library, address of 1111 Dewey Ave) to create a larger site sufficient for future expansion of the Library. Purchase price and closing costs (deed recording fees and contingencies) will be paid from the DASNY SAM appropriations. A property map is included.

Pursuant to the requirements of the New York State Environmental Quality Review Act (SEQRA), a determination regarding the environmental significance of this acquisition will be made prior to City Council approval.

Respectfully submitted,

Malik D. Evans

Mayor

Attachment No. AV-100

Ordinance No. 2022-180

(Int. No. 233)

**Authorizing funding and the acquisition of 308-310 Augustine Street**

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 Dormitory Authority of the State of New York (DASNY) for the receipt and use of $175,000 through the State and Municipal Facilities Grant program to fund the Maplewood Library Expansion project. The agreement shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 2. The Council hereby authorizes the acquisition by negotiation of the parcel described below for a maximum purchase price of $140,000. The purchase price as well as necessary closing costs shall be funded from the DASNY funds appropriated in Section 1 above.

|  |  |  |  |
| --- | --- | --- | --- |
| Address | Reputed Owner | SBL # | Type |
| 308-310 Augustine Street | Turnkey Property Management of Rochester Inc. | 090.66-2-50 | 2-Family |

Section 3. Upon the date of closing, any City taxes and other charges owed against said parcel shall be canceled.  Any taxes levied after the date of closing, while the City owns the parcel, shall also be cancelled.  The property shall be conveyed to the City with no other outstanding liens.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2022-181

Re Appropriation – American Rescue Plan

Act, Accounting and Compliance

Consultant Services

Transmitted herewith for your approval is legislation appropriating $75,000 in American Rescue Plan Act (ARPA) funds relating to Accounting and Compliance services. The funds appropriated herein will be utilized for a renewal agreement with Capital Markets Advisors, LLC (Richard Tortora, President, Buffalo, NY 14127) for accounting and compliance administrative services related to the City’s management of its ARPA allocation.  The original agreement and renewal periods were previously authorized by City Council Ordinance No. 2021-26.  This service is an eligible use of ARPA funding under Final Rule Expenditure Category 7.1 Administrative Expenses.

Capital Markets Advisors, LLC (CMA) was selected through a request for proposals process described in the attached summary. Capital Market Advisors LLC currently functions as the city’s fiscal advisor, rendering them familiar with the City’s finances and capital programming.  CMA will continue to assist the City with coordination and strategic use of the $202.1 million in ARPA funds, develop and implement strategies to maximize various federal and state funding sources, provide compliance and technical assistance, and assist with cost recovery and fiscal reporting. To date, CMA has provided the City with more than 330 hours of ARPA-related technical assistance under the current agreement.

Respectfully submitted,

Malik D. Evans

Mayor

Attachment No. AV-101

Ordinance No. 2022-181

(Int. No. 234)

**Appropriating American Rescue Plan Act of 2021 funds for accounting and compliance consultant services**

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

Section 1. The Council hereby appropriates the sum of $75,000 provided by the United States Treasury pursuant to the American Rescue Plan Act of 2021 (ARPA) to fund accounting and compliance consultant services related to the City’s management of its ARPA fund allocation (Services). The Mayor is hereby authorized to execute any grant agreement or to provide such other documentation as may be necessary to fund the Services as authorized herein. Any such agreements and documents shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2022-182

Re: Amending Ordinance No. 2022-43

Relating to Legal Services for

Charter Franchise Renewal

Council Priority: Jobs and Economic

Development

Comprehensive Plan 2034 Initiative Area:

Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation amending Ordinance No. 2022-43 relating to amount of funding and funding source for an amendatory Professional Services Agreement with Cohen Law Group.

Ordinance No. 2022-43 authorized an amendatory Professional Services Agreement with Cohen Law Group for assistance with cable franchise fee collection, related legal proceedings, and assistance with the renewal of the City’s cable franchise agreement with Spectrum Northeast, LLC. Since the time that the amendatory agreement was authorized, the Law Department has concluded that additional funding is required, and that an error was made with respect to funding source. The amendatory agreement will increase compensation by $75,000 (and not $50,000), and will be funded from the 2022-23 Budget of Undistributed Expenses.

Respectfully submitted,

Malik D. Evans

Mayor

Ordinance No. 2022-182

(Int. No. 286)

**Amending Ordinance No. 2022-43 relating to an amendatory agreement for legal services**

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

Section 1. Ordinance No. 2022-43, authorizing an amendatory agreement for legal services, is hereby amended as follows:

Section 1. The Mayor is hereby authorized to enter into an amendatory

professional services agreement with the Cohen Law Group to provide additional

legal representation of the City with regard to cable television franchise issues. The amendment shall increase the maximum compensation of the present agreement dated July 17, 2020 and amended by Ordinance No. 2021-64 by ~~$50,000~~ $75,000 to total of ~~$100,000~~ $125,000. The increase in compensation shall be funded from the ~~2020-21~~ 2022-23 Budget of Undistributed Expenses.

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. 2022-183

Re: Professional Services Agreement with

Harter, Secrest & Emery LLP

Transmitted herewith for your approval is legislation authorizing an agreement with Harter Secrest

& Emory LLP, to provide legal services with regard to securities litigation. The term of the

agreement shall extend to the conclusion of a pending case. The maximum compensation for the

agreement shall be $50,000, which shall be funded from the 2022-23 Budget of Undistributed

Expenses.

Respectfully submitted,

Malik D. Evans

Mayor

Attachment No. AV-102

Ordinance No. 2022-183

(Int. No. 290)

**Authorizing an agreement for securities litigation 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 Harter Secrest & Emery LLP to provide legal services with regard to securities litigation. The term of the agreement shall extend to the conclusion of a pending case. The maximum compensation for the agreement shall be $50,000, which shall be funded from the 2022-23 Budget of Undistributed Expenses.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Patterson

July 19, 2022

To the Council:

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

Int. No. 235 Authorizing the sale of real estate

Int. No. 237 Appropriating funds and authorizing agreements relating to the 2022-23 Street Liaison Program

Int. No. 238 Appropriating funds and authorizing agreements for the Emergency Solutions Grant program

Int. No. 239 Appropriating funds and authorizing agreements for the Homebuyer Assistance Program

Int. No. 240 Appropriating funds and authorizing amendatory agreements for the Homebuyer Training Program

Int. No. 241 Appropriating funds and authorizing agreements for the Business Development Financial Assistance Program

Int. No. 242 Appropriating funds and authorizing agreements for the Neighborhood Commercial Assistance Program

Int. No. 243 Appropriating funds and authorizing an agreement for the Aging in Place program

Int. No. 244 Appropriating funds and authorizing an agreement for a Legal Services for Seniors program

Int. No. 245 Appropriating funds and authorizing agreements for the Housing Opportunities for Persons with AIDS program

Int. No. 246 Appropriating funds and authorizing agreements for the Foreclosure Prevention Program

Int. No. 247 Appropriating funds and authorizing agreements for HOME Rochester Program Management and for the Community Housing Development Organization Reserve program

Int. No. 248 Appropriating funds and authorizing an agreement for Tenant and Landlord Services

Int. No. 249 Appropriating funds for the Demolition Program

Int. No. 250 Appropriating funds for the Emergency Assistance Program

Int. No. 251 Appropriating funds and authorizing agreements for the Housing Rehabilitation Program

Int. No. 252 Appropriating funds and authorizing agreements for Lead Hazard Control Program

Int. No. 253 Appropriating funds and authorizing an agreement for the Project Phoenix Program

Int. No. 254 Authorizing an intermunicipal agreement with the County of Monroe to fund Lead Paint Poisoning Prevention Inspection Services

Int. No. 256 Authorizing grant applications to the Dormitory Authority of the State of New York for the ~~Rundel Library Structural Terrace Improvements Phase IV~~ **Neighborhood Signage** Project, **as amended**

Int. No. 287 Authorizing loan and payment in lieu of taxes agreement for the Federal Street and Scattered Sites Affordable Housing Project

Int. No. 288 Authorizing a grant application to fund lead-based paint hazard remediation

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

Int. No. 236 Approving the 2022-23 Annual Action Plan

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

Int. No. 255 Resolution authorizing the preparation of a plan for a Downtown Business Improvement District

Respectfully submitted,

Michael A. Patterson

LaShay D. Harris

Kimberly Smith

Mary Lupien

Miguel Meléndez

NEIGHBORHOOD & BUSINESS DEVELOPMENT COMMITTEE

Received, filed, and published.

Councilmember Patterson introduced a motion to return Introductory No. 235 to Committee;

2nd by Councilmember Peo.

Motion passed unanimously. Introductory No. 235 returned to Committee.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2022-184

Re: 2022-23 Annual Action Plan, Consolidated

Community Development Plan

Council Priority: Rebuilding and Strengthening

Neighborhood Housing; Jobs and Economic

Development

Comprehensive Plan 2034 Initiative Area:

Reinforcing Strong Neighborhoods;

Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation related to the acceptance and programming of the City’s annual allocation of funding from the U.S. Department of Housing and Urban Development (HUD). This legislation will:

1. Approve the 2022-23 Annual Action Plan;

1. Authorize the submission of this document to HUD;

1. Authorize agreements with HUD for the receipt and use of HUD funds to implement the plan.

The Plan addresses HUD’s planning and application requirements for their formula grant programs, which include the Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), Emergency Solutions Grants (ESG), and Housing Opportunities for Persons with AIDS (HOPWA) programs. HUD requires jurisdictions to prepare multi-year strategic plans and annual action plans to guide use of HUD funds.

In June 2020, the City adopted a five-year strategic plan, the 2020-24 Consolidated Plan, that identifies priority needs and goals for community and economic development. It covers the period from July 1, 2020 through June 30, 2025.

The Annual Action Plan, which covers the period from July 1, 2022 to June 30, 2023, describes specific projects and activities that will be undertaken in the third program year of the Comprehensive Plan to address priority needs and goals.

The total funds available for 2022-23 is $13,314,665 from the following sources:

|  |  |
| --- | --- |
| **Community Development Block Grant (CDBG)** | $8,175,063 |
| **Home Investment Partnerships Program (HOME)** | $2,755,981 |
| **Emergency Solutions Grant (ESG)** | $704,815 |
| **Housing Opportunities for Persons with AIDS (HOPWA)** | $1,028,806 |
| **CDBG Program Income** | $450,000 |
| **HOME Program Income** | $200,000 |
| **TOTAL** | **$13,314,665** |

The draft Annual Action Plan is available to download for review here:

<https://www.cityofrochester.gov/ConsolidatedPlan2020/>

Significant highlights of the 2022-23 Annual Action Plan include:

|  |  |  |
| --- | --- | --- |
| **2022-23 Annual Action Plan Project** | **HUD Grant Funding Type** | **Annual Budget** |
| Affordable Housing Fund | HOME | $1,766,985 |
| Demolition Program | CDBG | $1,269,163 |
| Housing For Persons with AIDS | HOPWA | $997,942 |
| DRHS Play Apparatus Enhancements | CDBG | $781,023 |
| Emergency Solutions Grants | ESG | $704,815 |
| Housing Repair/Rehab Program | CDBG | $561,870 |
| DRHS Job Creation / Youth Development Programming | CDBG | $488,139 |
| Homebuyer Assistance | HOME | $450,000 |
| Business Development Financial Assistance Program | CDBG | $439,325 |
| Residential Street Rehabilitation | CDBG | $390,511 |
| Lead Hazard Control Program | CDBG | $219,662 |
| Neighborhood Commercial Assistance Program | CDBG | $195,255 |

Community input to inform the development of this plan was solicited in a live virtual public hearing with the public via Zoom and a dial-in phone conference on March 3, 2022. An additional public hearing to review the draft plan was held on June 22, 2022.

A final public hearing on the 2022-2023 Annual Action Plan is required and will be held on July 14, 2022.

Respectfully submitted,

Malik D. Evans

Mayor

Ordinance No. 2022-184

(Int. No. 236)

**Approving the 2022-23 Annual Action Plan**

WHEREAS, there is pending before this Council a 2022-23 Annual Action Plan (the Action Plan) to be funded with $13,314,665 available to the City of Rochester from the federal Community Development Block Grant (CDBG), Home Investment Partnerships Program (HOME), Emergency Solutions Grant (ESG), Housing Opportunities for Persons with AIDS (HOPWA), CDBG Program Income, and HOME Program Income;

WHEREAS, the five-year Five Year Consolidated Plan/2020-2024 approved in June, 2020 by Ordinance No. 2020-153 (Consolidated Plan) identifies the priority needs and goals for community and economic development, and the Action Plan, which covers the period from July 1, 2022 to June 30, 2023, describes the projects and activities that will be taken to pursue those needs and goals during the Consolidated Plan’s third program year;

WHEREAS, the Action Plan has been prepared according to an approved Citizen Participation Plan, as modified upon public notice to conform to the exigencies created by the coronavirus pandemic, and the Action Plan reflects the public comments received and the consultations that were conducted;

WHEREAS, the City conducted an initial round of citizen participation activities in March 2022 to inform the development of the Action Plan, which included the hosting of a virtual public question and answer session conducted via Zoom on March 3, 2022;

WHEREAS, the City published the draft Action Plan for public review and invited public comments during a period extending to from June 13 to July 14, 2022;

WHEREAS, on June 22, 2022, the City hosted a virtual public meeting via Zoom to receive additional public comments regarding the Action Plan;

WHEREAS, on June 23, 2022, a final draft of the Action Plan was presented to the City Council and posted on-line through the City’s Consolidated Community Development Plan Information webpage;

WHEREAS, on July 14, 2022, the City Council conducted a public hearing to allow members of the public to present to their comments regarding the Action Plan;

WHEREAS, the City Council has reviewed with City staff the needs, strategies and proposed actions that are set forth in the Action Plan; and

WHEREAS, the City Council has reviewed the public comments and recommendations.

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

Section 1. The Council hereby approves the 2022-23 Annual Action Plan.

Section 2. The Council hereby authorizes the submission of said Action Plan to the United States Department of Housing and Urban Development (HUD).

Section 3. The Council hereby authorizes the Mayor to enter into such agreements and to execute such documents as HUD shall require to allow the City to receive and use the funds necessary to implement the programs and projects set forth in the Action Plan.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2022-185

Re: 2022-23 Annual Action Plan,

Consolidated Community Development

Plan, Agreements – Street Liaison

Services

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 Quadrant Planning Support Program.  This legislation will:

1. Appropriate $90,000 from the Street Liaison allocation of the 2022-2023 Annual Action plan for the City’s use to operate the program.

1. Establish agreements with the following entities for the amounts listed as maximum compensation to provide business development street liaison services for each of the city’s quadrants. This program will be funded from the appropriation listed in number 1 above.

Northeast Quadrant

* Action for a Better Community, Incorporated, $20,000 (CEO: Jerome Underwood)

Serving: Portland Avenue/Joseph Avenue/Hudson Avenue/Public Market

* Isla Housing and Development Corporation, $5,000 (Executive Director: Sonia Nuňez)

Serving: North Clinton Avenue

Northwest Quadrant

* Highland Planning LLC, $20,000 (Principal: Tanya M. Zwahlen)

Serving: Lyell Avenue/Dewey Avenue/West Ridge Road/Lake Avenue

Southeast Quadrant

* Highland Planning LLC, $20,000 (Principal: Tanya M. Zwahlen)

Serving: South Avenue/South Clinton Avenue/Monroe Avenue/East Main (Goodman to Culver)

Southwest Quadrant

* 19th Ward Community Association of Rochester, New York, Inc., $25,000 (President: Karen Emerson)

Serving: West Main/Thurston/Genesee Street/Mt Hope Avenue/Jefferson Avenue

The mission of the Street Liaison is to function as a liaison between the City of Rochester Business Development Team, Neighborhood Service Center (NSC) Administrator and neighborhood businesses; provide detailed reports of business activities and concerns faced by businesses to City of Rochester staff; work collaboratively with business associations, neighborhood groups, residents and City of Rochester staff to attract and populate business corridors with products and services that meet the consumer needs of the local and greater community. The requested funding will serve at least 200 businesses.  The Street Liaison Program was transferred to the NSCs in 2017 and has served over 849 businesses.

The above agencies were selected through an RFQ that was completed June in 2019.  All selected agencies provided a satisfactory performance.  To maintain their services, a new RFQ was not initiated.  A Justification Statement for not issuing an RFP is attached.

Action for a Better Community and Highland Planning have been contracted to serve the City in this capacity as far back as 2014. 19th Ward Community Association began contracting in 2017, and Isla Housing and Development Corporation began in 2019.

The agreements will be in effect from July 1, 2022 through June 30, 2023.

Respectfully submitted,

Malik D. Evans

Mayor

Attachment No. AV-103

Ordinance No. 2022-185

(Int. No. 237)

**Appropriating funds and authorizing agreements relating to the 2022-23 Street Liaison Program**

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

Section 1. The sum of $90,000 is hereby appropriated from the Street Liaison project allocation of the 2022-23 Annual Action Plan (Plan) to implement the Street Liaison Program, contingent upon approval of the Plan.

Section 2. The Mayor is hereby authorized to enter into professional services agreements to obtain business development Street Liaison services for each of the City’s four quadrants for the maximum compensation amounts as follows:

1. for the Northeast Quadrant: with Action for a Better Community, Incorporated for $20,000 and with Isla Housing and Development Corporation for $5,000;
2. for the Northwest Quadrant: with Highland Planning LLC for $20,000;
3. for the Southeast Quadrant: with Highland Planning LLC for $20,000; and
4. for the Southwest Quadrant: with 19th Ward Community Association of Rochester, New York, Inc. for $25,000.

The agreements shall be funded from the appropriation in Section 1 herein, and the term for each agreement shall be from July 1, 2022 to June 30, 2023.

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 by the following vote:

Ayes – President Meléndez, Councilmembers Gruber, Harris, Lupien, Martin, Patterson, Smith – 7.

Nays – Councilmember Peo – 1.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2022-186

Re: 2022-23 Annual Action Plan,

Consolidated Community Development

Plan – Emergency Solutions (ESG)

Grants Program

Council Priority:  Rebuilding and Strengthening

Neighborhood Housing

Comprehensive Plan 2034 Initiative Area:

Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the City of Rochester’s Emergency Solutions Grants (ESG) Program as described in the 2022-23 Annual Action Plan, for the continuation and expansion of services for homeless or at-risk of homelessness populations. This legislation will:

1. Appropriate a total of $651,954 in ESG funding from the Emergency Solutions Grants allocation in the 2022-23 Annual Action Plan to fund the program; and,

1. Authorize new professional services agreements and establish maximum compensation for those agreements for the organizations as listed below, to implement the program.

|  |  |  |
| --- | --- | --- |
| **Organization** | **Principal** | **Award** |
| Spiritus Christi Prison Outreach, Inc. | Jim Smith | $45,000 |
| Family Promise of Greater Rochester, Inc. (formerly the    Rochester Area Interfaith Hospitality Network, Inc.) | Kim Hunt-Uzelac | $45,000 |
| Volunteers of America of Western New York, Inc. | Lynn Sullivan | $40,000 |
| The Salvation Army of Greater Rochester | Major Deborah Burr | $16,954 |
| Catholic Charities of the Diocese of Rochester dba Catholic Charities Family and Community Services (formerly          Catholic Charities of the Diocese of Rochester, dba          Catholic Family Center) (Homelessness Prevention) | Lori VanAuken | $65,000 |
| Coordinated Care Services, Inc. (Coordinated Entry) | Anne Wilder | $20,000 |
| The Center for Youth Services, Inc. | Elaine Spaull | $45,000 |
| The Young Women’s Christian Association of Rochester and Monroe County, N.Y. | Myra Henry | $40,000 |
| Coordinated Care Services, Inc. (Rapid ReHousing) | Anne Wilder | $150,000 |
| Veteran's Outreach Center, Inc. | Laura Stradley | $40,000 |
| Saving Grace Ministries of Rochester, Inc. | James Crowley | $30,000 |
| Person Centered Housing Options Inc. | Nicholas Coulter | $25,000 |
| Catholic Charities of the Diocese of Rochester dba Catholic Charities Family and Community Services (formerly Catholic Charities of the Diocese of Rochester, dba Catholic Family Center) (Emergency Shelter Operations) | Lori VanAuken | $40,000 |
| Providence Housing Development Corporation | Mark Greisberger | $50,000 |
| **TOTAL** |  | **$651,954** |

This program was last authorized by City Council on June 16, 2021 via Ordinance No. 2021-200. 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 Homeless Emergency Assistance and Rapid Transition to Housing Act (HEARTH) Emergency Solution Grants Program require that grantees (City and County) collaborate with the community of homelessness service providers.  To that end, funding priorities were jointly determined with Partners Ending Homelessness (formerly Rochester/Monroe County Continuum of Care - CoC).

ESG Program Year 2022-23 providers were selected through a Request for Proposal (RFP) process.  The RFP development and funding distribution decisions were conducted jointly with Monroe County.  The RFP was issued February 24, 2022.  A Vendor Selection Form is attached.

HUD’s Emergency Solutions Grants (ESG) funding was established in 2012, as a modification to the Emergency Shelter Grants funding.  The City of Rochester and Monroe County have provided approximately $3 million in ESG funding for these programs over the last five program years, during which time grantees have served the needs of over 11,500 persons (2016-2021).  Of those, approximately 40% were children, 6% were chronically homeless individuals, and just over 5% were veterans.  It is anticipated that approximately 1,250 people will be served through ESG funded programs during program year 2022-23.

The City will enter into agreements for this program only with organizations that are in compliance with federal regulations.

Attached are summaries of the RFP process and agency services.  This legislation supports the City Housing Policy’s Section 4: Promote Housing Choice.

If funds are different, not available, or less than anticipated, agreement amounts and terms will be adjusted accordingly.  Agreement terms will be for one year, with the option to extend for one additional year if funds remain in the original appropriation.

Respectfully submitted,

Malik D. Evans

Mayor

Attachment No. AV-104

Ordinance No. 2022-186

(Int. No. 238)

**Appropriating funds and authorizing agreements for the Emergency Solutions Grant program**

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

Section 1. The sum of $651,954 is hereby appropriated from the Emergency Solutions Grants (ESG) project allocation of the 2022-23 Annual Action Plan (Plan) to implement an Emergency Solutions Grant program (ESG Program), contingent upon approval of the Plan.

Section 2. The Mayor is hereby authorized to enter into professional service agreements with 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 $651,954 with the maximum compensation for each agreement being as follows:

|  |  |
| --- | --- |
| **Organization (Purpose)** | **Maximum Compensation** |
| Spiritus Christi Prison Outreach, Inc. | $45,000 |
| Family Promise of Greater Rochester, Inc. | $45,000 |
| Volunteers of America of Western New York, Inc. | $40,000 |
| The Salvation Army of Greater Rochester | $16,954 |
| Catholic Charities of the Diocese of Rochester (for Homelessness Prevention) | $65,000 |
| Coordinated Care Services, Inc. (for Coordinated Entry) | $20,000 |
| The Center for Youth Services, Inc. | $45,000 |
| The Young Women’s Christian Association of Rochester and Monroe County, N.Y. | $40,000 |
| Coordinated Care Services, Inc. (for Rapid Rehousing) | $150,000 |
| Veterans Outreach Center, Inc. | $40,000 |
| Saving Grace Ministries of Rochester, Inc. | $30,000 |
| Person Centered Housing Options Inc. | $25,000 |
| Catholic Charities of the Diocese of Rochester (for  Emergency Shelter Operations) | $40,000 |
| Providence Housing Development Corporation | $50,000 |
| **TOTAL** | **$651,954** |

Section 3. The compensation for the agreements shall be funded from the appropriation in Section 1 herein. If funds are not available or are less than anticipated, the agreement amounts and terms shall be adjusted accordingly. The term of the agreements shall be for one year, with an option to extend for an additional year if funds remain in the original appropriation.

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:

Re: Ordinance No. 2021-187

2022-23 Annual Action Plan, Consolidated

Community Development Plan – Homebuyer

Assistance Program

Council Priority: Rebuilding and Strengthening

Neighborhoods

Comprehensive Plan 2034:

Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the City of Rochester’s Homebuyer Assistance Program as described in the 2022-23 Annual Action Plan.  This legislation will:

1. Appropriate a total of $450,000 in HOME Investment Partnership Program (HOME) funds from the Homebuyer Assistance Allocation in the 2022-23 Annual Action Plan to fund the program;

1. Authorize agreements necessary to implement the program with the recipients of Homebuyer Assistance Funds for up to $8,000 to purchase houses through the City’s housing initiatives; and

1. Authorize the Director of Finance to record all transfers herein and to make adjustments to the amounts set forth below which may have changed prior to the date of this ordinance.

The Homebuyer Assistance Program has been directly administered by the City of Rochester since 2005, and provides financial assistance to eligible homebuyers who purchase houses through the City’s housing initiatives, as described in the 2022-23 Annual Action Plan.  The financial assistance provided by the Buyer Assistance Program is for closing costs and down payment and varies by program type and Federal regulations. In the past five years 341 households have closed on a home with this assistance.

Homebuyer eligibility is based on income, ability to qualify for a conventional mortgage loan for which payments will not exceed 30% of the gross monthly income, and payment of personal funds of a minimum of $1,500 towards the purchase of the home.  Each buyer must complete a pre-purchase education class before closing and attend post-purchase classes. Information about some of the City’s purchase programs is available on the City’s website at <https://www.cityofrochester.gov/homebuyer/> or <https://www.cityofrochester.gov/employerassisted.aspx>.

The 2022-23 HOME allocation will serve approximately 57 eligible homebuyers with incomes of no more than 80% median family income (MFI).  The program supports the City Housing Policy objective to promote the rehabilitation, redevelopment and new construction of housing.

Respectfully submitted,

Malik D. Evans

Mayor

Ordinance No. 2022-187

(Int. No. 239)

**Appropriating funds and authorizing agreements for the Homebuyer Assistance Program**

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

Section 1. The sum of $450,000 is hereby appropriated from the Homebuyer Assistance project allocation of the 2022-23 Annual Action Plan (Plan) to implement a Homebuyer Assistance Program (Program), contingent upon approval of the Plan.

Section 2. The Mayor is hereby authorized to enter into an agreement with each recipient of Program funds in an amount up to $8,000, to be funded from the appropriation in Section 1 herein. The agreements shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 3. The Director of Finance is hereby authorized to record all transfers of Program funds and to make adjustments to the income eligibility, homebuyer’s matching contribution and anticipated number of Program recipients based on any changes that have occurred prior to the date of this ordinance.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2022-188

Re: 2022-23 Annual Action Plan,

Consolidated Community Development

Plan – Homebuyer Training Program

Council Priority:  Rebuilding and Strengthening

Neighborhoods

Comprehensive Plan 2034: Reinforcing Strong

Neighborhoods

Transmitted herewith for your approval is legislation related to the City of Rochester’s Homebuyer Training Program as described in 2022-23 Annual Action Plan.  This legislation will:

1. Appropriate a total of $50,000 in HOME Investment Partnership Program (HOME) funds from the Homebuyer Training Allocation in the 2022-23 Annual Action Plan to fund the program; and

1. Amend agreements with the following agencies authorized in Ordinance No. 2020-179 by increasing aggregate funding by the amount appropriated herein to continue to provide pre-and post-purchase training to recipients of City closing cost grants.  The additional funds will allow at least 100 additional households to receive homebuyer training.

* Neighborhood Housing Services of Rochester, Inc. DBA NeighborWorks Community Partners Rochester
* Consumer Credit Counseling Service of Rochester, Inc.
* The Housing Council at PathStone, Inc.
* The Home Store at the Urban League of Rochester, NY, Inc.

The Homebuyer Training Program supports the City Housing Policy objective to promote the rehabilitation, redevelopment and new construction of housing.  These providers were selected through a request for proposals process in March 2020.  A new RFP will be issued in 2025 in conjunction with preparation of the next five-year Consolidated Community Development Plan.  The City enters into agreements with organizations that are in compliance with federal regulations.  A Justification Statement for not issuing a Request for Proposals is attached.

Respectfully submitted,

Malik D. Evans

Mayor

Attachment No. AV-105

Ordinance No. 2022-188

(Int. No. 240)

**Appropriating funds and authorizing amendatory agreements for the Homebuyer Training Program**

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

Section 1. The sum of $50,000 is hereby appropriated from the Homebuyer Training project allocation of the 2022-23 Annual Action Plan (Plan) to implement a Homebuyer Training Program (Program), contingent upon approval of the Plan.

Section 2. The Mayor is hereby authorized to enter into amendatory professional services agreements with the following organizations to continue to provide homebuyer training services pursuant to the Program to recipients of City closing cost grants:

Neighborhood Housing Services of Rochester, Inc.

Consumer Credit Counseling Service of Rochester, Inc.

The Housing Council at PathStone, Inc.

Urban League of Rochester, NY, Inc.

The professional services agreements with these four organizations authorized in Ordinance No. 2020-179 are hereby authorized to be amended so as to increase their maximum aggregate compensation by $50,000 to a new total of $356,270.56. The amendatory compensation shall be funded from the appropriation in Section 1 herein.

Section 3. The amendatory 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. 2022-189

Re 2022-23 Annual Action Plan,

Consolidated Community Development

Plan – Business Development Financial

Assistance Program

Council Priority: Jobs and Economic

Development

Comprehensive Plan 2034 Initiative Area:

Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation related to the City of Rochester’s Business Programs as described in the 2022-23 Annual Action Plan. This legislation will:

1. Appropriate a total of $439,325 in CDBG funds from the Business Development Financial Assistance Program allocation in the 2022-23 Annual Action Plan to fund the program.

1. Authorize agreements with recipient businesses necessary to implement the program.

The majority of businesses who received funding are found within Low to Moderate Income (LMI) census tracts. All businesses who utilize CDBG funding are required to meet CDBG LMI job requirements. Businesses not found within LMI census tracts, are still required to meet CDBG LMI job requirements.

Funding will be utilized to provide low-interest loans and grants to business through the Business Development Financial Assistance Program. It is anticipated 12 businesses will be assisted and 150 jobs created/retained as a result of these funds. The Business Development Financial Assistance Program provided a total of 45 loans and grants over the past five years. In 2007, all programs were consolidated into one program called the Economic Development Department Financial Assistance Program. In 2015, the name was changed to the Business Development Financial Assistance Program.

Respectfully submitted,

Malik D. Evans

Mayor

Attachment No. AV-106

Ordinance No. 2022-189

(Int. No. 241)

**Appropriating funds and authorizing agreements for the Business Development Financial Assistance Program**

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

Section 1. The sum of $439,325 is hereby appropriated from the Business Development Financial Assistance Program (the Program) allocation of the 2022-23 Annual Action Plan (the Plan) to implement the Program, contingent upon approval of the Plan.

Section 2. The Mayor is hereby authorized to enter into agreements with recipient businesses as necessary to implement the Program. The agreements 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. 2022-190

Re 2022-23 Annual Action Plan,

Consolidated Community Development

Plan – Neighborhood Commercial

Assistance Program

Council Priority: Jobs and Economic

Development

Comprehensive Plan 2034 Initiative Area:

Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation related to the City of Rochester’s Business Programs as described in the 2022-23 Annual Action Plan. This legislation will:

1. Appropriate a total of $195,255 in CDBG funds from the Neighborhood Commercial Assistance Program allocation in the 2022-23 Annual Action Plan to fund the program.

1. Authorize agreements with recipient businesses necessary to implement the program.

The majority of businesses who received funding are found within Low to Moderate Income (LMI) census tracts. All businesses who utilize CDBG funding are required to meet CDBG LMI job requirements. Businesses not found within LMI census tracts, are still required to meet CDBG LMI job requirements.

Funding will be utilized to provide small business grants to businesses through the Neighborhood Commercial Assistance Program. It is anticipated 27 businesses will be assisted and 55 jobs created/retained as a result of these funds.  A total of 117 grants were provided over the past five years. The current program began operating in 2007.

Respectfully submitted,

Malik D. Evans

Mayor

Attachment No. AV-107

Ordinance No. 2022-190

(Int. No. 242)

**Appropriating funds and authorizing agreements for the Neighborhood Commercial Assistance Program**

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

Section 1. The sum of $195,255 is hereby appropriated from the Neighborhood Commercial Assistance Program (the Program) allocation of the 2022-23 Annual Action Plan (the Plan) to implement the Program, contingent upon the approval of the Plan.

Section 2. The Mayor is hereby authorized to enter into agreements with recipient businesses as necessary to implement the Program. The agreements 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. 2022-191

Re: 2022-23 Annual Action Plan,

Consolidated Community Development

Plan - Aging in Place

Council Priority:  Rebuilding and Strengthening

Neighborhood Housing

Comprehensive Plan 2034 Initiative Area:

Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the City of Rochester Aging in Place Home Modification Program as described in the 2022-23 Annual Action Plan.  This legislation will:

1. Appropriate $39,051 in Community Development Block Grant funds from the 2022-23 Annual Action Plan, Aging in Place Program allocation to fund the following agreement; and,

1. Establish $39,051 as maximum compensation for Lifespan of Greater Rochester, Inc. (Ann Marie Cook, President/CEO, 1900 S. Clinton Avenue, Brighton) to provide aging-in-place services.

Home modification is a key and economical method for helping older residents with changing needs to remain independent and safe at home. It is anticipated that this program will serve 126 seniors.  This program has been in effect since 2006 and has served 859 households in the past five years.  Elderly City homeowners at 80% or less than the median area income as established and updated by the U.S. Department of Housing and Urban Development are eligible for the program.

The Aging in Place Home Modification Program conducts residential safety evaluations to identify adaptations needed to support continued residence in a safe and comfortable environment.  Further, the program provides selected home modifications and/or repairs, which directly increase livability options in one’s own home.

The term of the agreement will be for one year with an option to extend for one additional year if funds remain in the agreement.  If funds are different, not available, or are less than anticipated, the agreement amounts and terms will be adjusted accordingly.  A Justification Statement for Awarding a Professional Services Agreement without a Request for Proposals is enclosed.

Respectfully submitted,

Malik D. Evans

Mayor

Attachment No. AV-108

Ordinance No. 2022-191

(Int. No. 243)

**Appropriating funds and authorizing an agreement for the Aging in Place program**

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

Section 1. The sum of $39,051 is hereby appropriated from the Aging in Place allocation of the 2022-23 Annual Action Plan (Plan) to implement an Aging in Place program, contingent upon the approval of the Plan.

Section 2. The Mayor is hereby authorized to enter into an agreement with Lifespan of Greater Rochester, Inc. to provide aging-in-place services. The maximum compensation for the agreement shall be $39,051, which amount shall be funded from the appropriation in Section 1 herein. The term for the agreement shall be one year with the option to extend the term for one additional year if appropriated funds remain.

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. 2022-192

Re 2022-23 Annual Action Plan,

Consolidated Community Development

Plan - Legal Services for Seniors

Council Priority: Rebuilding and Strengthening

Neighborhood Housing

Comprehensive Plan 2034 Initiative Area:

Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the City of Rochester’s Legal Services for Seniors Program. This legislation will:

1. Appropriate $29,288 of Community Development Block Grant funds from 2022-23 Annual Action Plan, Legal Services for Seniors allocation; and,

1. Establish $29,288 as maximum compensation for an agreement with the Volunteer Legal Services Project of Monroe County, Inc. (VLSP) now doing business as JustCause (Tina M. Foster, Executive Director, 1 West Main Street, Rochester) to administer and manage the program.

JustCause, through the Helping Elders Law Project (HELP Project), utilizes pro bono services of local attorneys.  The program will deliver services to elderly low-income city residents on-site at Rochester Housing Authority developments and other senior-centered meeting spaces in order to create wills, healthcare proxies / living wills, powers of attorney and funerary plans.

JustCause has participated in this program since 2016 and has served over 200 participants. It is anticipated that 39 seniors will be assisted through this program.

The term of the agreement will be for one year with an option to extend for one additional year if funds remain in the agreement.  If funds are different, not available, or are less than anticipated, the agreement amounts and terms will be adjusted accordingly.  A Justification Statement for Awarding a Professional Services Agreement without a Request for Proposals is enclosed.

Respectfully submitted,

Malik D. Evans

Mayor

Attachment No. AV-109

Ordinance No. 2022-192

(Int. No. 244)

**Appropriating funds and authorizing an agreement for a Legal Services for Seniors program**

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

Section 1. The sum of $29,288 is hereby appropriated from the Legal Services for Seniors project allocation of the 2022-23 Annual Action Plan (Plan) to implement a Legal Services for Seniors program (Program), contingent upon approval of the Plan.

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with the Volunteer Legal Services Project of Monroe County, Inc., dba JustCause, for a maximum amount of $29,288 to administer and manage the Program. The compensation for said agreement shall be funded from the appropriation in Section 1 herein. The agreement shall be for a term of one year, with the option to extend for one additional year if appropriated funds remain.

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. 2022-193

Re: 2022-23 Annual Action Plan,

Consolidated Community Development

Plan - Housing Opportunities for Persons

with AIDS (HOPWA)

Council Priority: Rebuilding and Strengthening

Neighborhood Housing

Comprehensive Plan 2034 Initiative Area:

Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the City of Rochester’s Housing Opportunities for Persons with AIDS (HOPWA) Program as described in the 2022-23 Annual Action Plan.  This legislation will:

1. Appropriate $997,942 of Housing Opportunities for Persons with AIDS (HOPWA) funds from the 2022-23 Annual Action Plan to implement the program and fund the following agreements;

1. Establish $610,580.82 as maximum compensation for an agreement with Trillium Health, Inc. (Andrea DeMeo, CEO, 259 Monroe Avenue, Rochester) to provide HOPWA services which includes unspent funds from prior years, as follows:

1. 2022-2023 Annual Action Plan HOPWA $548,868;
2. 2017-2018 Annual Action Plan HOPWA (Ord. No. 2017-209) $18,727.12;
3. 2018-2019 Annual Action Plan HOPWA (Ord. No. 2018-190) $18,119.54;
4. 2019-2020 Annual Action Plan HOPWA (Ord. No. 2019-181) $24,866.16; and

1. Establish $499,566.30 as maximum compensation for an agreement with Catholic Charities of the Diocese of Rochester d/b/a Catholic Charities Community Services (Lori VanAuken, Executive Director, 79 N. Clinton Ave, Rochester) to provide HOPWA services which includes unspent funds from prior years, as follows:

1. 2022-2023 Annual Action Plan HOPWA $449,074;
2. 2017-2018 Annual Action Plan HOPWA (Ord. No. 2017-209) $15,322.18;
3. 2018-2019 Annual Action Plan HOPWA (Ord. No. 2018-190) $14,825.08;
4. 2019-2020 Annual Action Plan HOPWA (Ord. No. 2019-181) $20,345.04.

HOPWA provides housing assistance and services to prevent homelessness for individuals with HIV/AIDS and related complications, and their families.  Assistance includes long-term (over 21 weeks) and short-term service, and financial assistance in the form of payments of mortgage, rent, and utilities.  Both Trillium Health, Inc. and Catholic Charities Community Services maximize HOPWA assistance through the coordination of other funding sources and service providers.

These two organizations are uniquely qualified to provide services for this special needs population.  Both receive additional State and Federal HIV/AIDS targeted funds, which provide for additional case management, housing placement, and other critical services.  Both are active within the Rochester Area Task Force on AIDS that involves medical and support service providers, and have long-standing, close working relationships with each other.

The proposed funding will allow Trillium Health, Inc. to serve approximately 108 households, and Catholic Charities Community Services to serve approximately 85 households. Trillium Health, Inc. has participated in this program since the 1990’s and has served 619 households over the last five years. Catholic Charities Community Services has also participated in this program since the 1990’s and has served 363 households over the last five years.

The term of each agreement will be for one year with the option to extend for one additional year if funds remain in the original appropriation. If funds are different, not available, or are less than anticipated, the agreement amounts and terms will be adjusted accordingly.  A Justification Statement for Awarding a Professional Services Agreement without a Request for Proposals is enclosed.

Respectfully submitted,

Malik D. Evans

Mayor

Attachment No. AV-110

Ordinance No. 2022-193

(Int. No. 245)

**Appropriating funds and authorizing agreements for the Housing Opportunities for Persons with AIDS program**

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

Section 1. The sum of $997,942 is hereby appropriated from the Housing Opportunities for Persons with AIDS (HOPWA) project allocation of the 2022-23 Annual Action Plan (Plan) to implement a HOPWA program, contingent upon approval of the Plan.

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with Trillium Health, Inc. to provide HOPWA program services. The maximum compensation for the agreement shall be $610,580.82, which shall be funded in the amounts of: $548,868 from the appropriation in Section 1 herein; $18,727.12 from the unspent HOPWA funds appropriated in Ordinance No. 2017-209; $18,119.54 from unspent HOPWA funds appropriated in Ordinance No. 2018-190; and $24,866.16 from unspent HOPWA funds appropriated in Ordinance No. 2019-181. The term of the agreement shall be one year, with an option to extend for one additional year if funds from the original appropriations remain.

Section 3. The Mayor is hereby authorized to enter into a professional service agreement with Catholic Charities of the Diocese of Rochester to provide HOPWA program services. The maximum compensation for the agreement shall be $499,566.30, which shall be funded in the amounts of: $449,074 from the appropriation in Section 1 herein; $15,322.18 from the unspent HOPWA funds appropriated in Ordinance No. 2017-209; $14,825.08 from unspent HOPWA funds appropriated in Ordinance No. 2018-190; and $20,345.04 from unspent HOPWA funds appropriated in Ordinance No. 2019-181. The term of the agreement shall be one year, with an option to extend for one additional year if funds from the original appropriations remain.

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. 2022-194

Re: 2022-23 Annual Action Plan,

Consolidated Community Development

Plan – Foreclosure Prevention Program

Council Priority: Rebuilding and Strengthening

Neighborhood Housing

Comprehensive Plan 2034 Initiative Area:

Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the City of Rochester’s Foreclosure Prevention services described in the 2022-23 Annual Action Plan.  This legislation will:

1. Appropriate $122,327 of Community Development Block Grant funds from the 2022-23 Annual Action Plan, Foreclosure Prevention allocation for implementation of the program and to fund the following agreements;

1. Establish $108,077 as maximum compensation for The Housing Council at PathStone, Inc. (Principal: Mary Leo, 75 College Avenue, Rochester, New York) to provide foreclosure prevention services; and

1. Establish $14,250 as maximum compensation for Empire Justice Center (Principal: Kristin Brown, 1 West Main Street, Rochester, New York) to provide legal services related to foreclosure prevention.

These two organizations are uniquely qualified and have been providing this service for two decades.  The Housing Council at PathStone, Inc. is a U.S. Housing and Urban Development-approved Housing Counseling Agency with the capacity to handle a large volume of cases.  The Housing Council’s services include the review of households’ financial circumstances and negotiation with lenders to resolve mortgage arrears.  The Empire Justice Center is a leader in developing statewide standards for foreclosure prevention legal services.  The Empire Justice Center will provide legal advice and litigation services when required by analysis of clients’ circumstances. In the past five years 740 households have been served, and 107 households are anticipated to be served with the above funding.

The term of these agreements will be for one year.  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 are less than anticipated, the agreement amounts and terms will be adjusted accordingly.

 A Justification Statement for not issuing a Request for Proposals is attached.

Respectfully submitted,

Malik D. Evans

Mayor

Attachment No. AV-111

Ordinance No. 2022-194

(Int. No. 246)

**Appropriating funds and authorizing agreements for the Foreclosure Prevention Program**

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

Section 1. The sum of $122,327 is hereby appropriated from the Foreclosure Prevention project allocation of the 2022 Annual Action Plan (Plan) to implement a Foreclosure Prevention Program, contingent upon approval of the Plan.

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with The Housing Council at PathStone, Inc. in the maximum amount of $108,077 to provide foreclosure prevention services.

Section 3. The Mayor is hereby authorized to enter into a professional services agreement with Empire Justice Center in the maximum amount of $14,250 to provide legal services related to foreclosure prevention.

Section 4. The agreements shall be for a term of one year, with the option to extend for one additional year.

Section 5. The amounts of said agreements, or so much thereof as may be necessary, shall be funded from the appropriation in Section 1 herein. If funds are not available or are less than anticipated, the agreement amounts and terms shall be adjusted accordingly.

Section 6. The agreements shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 7. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2022-195

Re 2022-23 Annual Action Plan,

Consolidated Community Development

Plan – HOME Rochester Program and

Community Housing Development

Organization (CHDO) Reserve

Council Priority: Rebuilding and Strengthening

Neighborhood Housing

Comprehensive Plan 2034 Initiative Area:

Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the City of Rochester’s HOME Rochester Program Management and Community Housing Development Organization Reserve (CHDO) programs described in the 2022-23 Annual Action Plan. This legislation will:

1. Appropriate a total of $594,986 from the 2022-23 Annual Action Plan as follows:

|  |  |  |
| --- | --- | --- |
| Amount | Source | Purpose |
| $181,588 | 2022-23 Community Development Block Grant (CDBG), HOME Rochester Program Management allocation | Program Operation |
| $413,398 | 2022-23 HOME Investment Partnership Program (HOME) Funds, Community Housing Development Organization (CHDO) Reserve allocation | Development subsidies – incomes no more than 80% of Median Family Income (MFI) |

1. Establish $181,588 as maximum compensation for an agreement with Rochester Housing Development Fund Corporation (RHDFC; Theodora Finn, President, 16 East Main Street, Suite 601, Rochester, New York) for operation of the HOME Rochester program.  The cost of the agreement will be financed from the CDBG funds appropriated herein;

1. Establish $413,398 as maximum compensation for an agreement with RHDFC, a qualified CHDO, for the administration of development subsidies for families whose incomes are no more than 80% of MFI. The cost of the agreement will be financed from the HOME funds appropriated herein;

1. Establish $125,000 as maximum compensation for an agreement with RHDFC for the administration of development subsidies for families whose incomes are no more than 120% of MFI. The cost of the agreement will be financed from 2022-23 Cash Capital funds; and

1. Amend Ordinance No. 2019-173 to extend the term of the existing agreement with RHDFC for one additional year for a total of four years, funded with 2019-20 Cash Capital dollars for the administration of development subsidies for families whose incomes are no more than 120% of MFI.

The City is required to reserve at least 15% of its annual HOME award to fund the development of affordable housing by non-profit CHDOs that must demonstrate to the City that they continue to meet U.S. Department of Housing and Urban Development (HUD) requirements pertaining to CHDOs.

The HOME Rochester Program provides for the acquisition and rehabilitation of vacant, single-family houses for resale to income-eligible households.  RHDFC operates the HOME Rochester Program in partnership with the City, the Greater Rochester Housing Partnership, Inc. (GRHP; Theodora Finn, President, 16 East Main Street, Suite 601, Rochester, New York), and neighborhood based, non-profit developers.  RHDFC buys vacant homes and oversees home rehabilitation for sale to low-moderate income first-time homebuyers.  Since its inception in 2001, more than 800 properties have been rehabilitated and sold to first-time homebuyers; in the past five years, 65 houses have been completed.  Rehabilitation includes efforts to provide and improve ‘green’ and energy efficiency activities to promote sustainability and cost savings for the low-moderate income households who reside in the home.

The total of $413,398 HOME dollars and $125,000 of Cash Capital dollars proposed for development subsidies will provide an average of $45,000 each for the acquisition and rehabilitation of approximately 12 vacant structures or parcels.  The funds are a required match for the City’s agreement with HUD for its Asset Control Area program, as well as NYS’s Affordable Housing Corporation subsidy program, both of which are used to mitigate the costs of acquisition and rehabilitation and reduce blight in the City of Rochester.

Properties rehabilitated through HOME Rochester are eligible for purchase by households approved through the City’s Homebuyer Services Program.  All purchasers are required to attend pre- and post-purchase homebuyer training classes and to reside in the properties for a minimum of 15 years, or sell the property to another City of Rochester-approved income eligible household.

The term for the operating agreement will be for one year.  The term for the subsidy agreements will be for two years, with an option to extend for an additional year if funds remain in the original appropriation.

These programs support the Housing Development Fund objective of the City Housing Policy. 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 are less than anticipated, the agreement amounts and terms will be adjusted accordingly.  A Justification Statement for not issuing a Request for Proposals is attached.

Respectfully submitted,

Malik D. Evans

Mayor

Attachment No. AV-112

Ordinance No. 2022-195

(Int. No. 247)

**Appropriating funds and authorizing agreements for HOME Rochester Program Management and for the Community Housing Development Organization Reserve program**

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

Section 1. The sum of $594,986 is hereby appropriated from the following fun project allocations of the 2022-23 Annual Action Plan (Plan), contingent upon the approval of said Plan, for HOME Rochester Program Management and to subsidize Community Housing Development Organization (CHDO) development projects as follows:

|  |  |  |
| --- | --- | --- |
| **Amount** | **2022-23 Action Plan project allocation** | **Purpose** |
| $181,588 | HOME Rochester Program Management | Program Operation |
| $413,398 | CHDO Reserve | Development subsidies – incomes no more than 80% of the Median Family Income (MFI) |

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with Rochester Housing Development Fund Corporation (RHDFC) in the maximum amount of $181,588 to operate the HOME Rochester Program. The agreement shall be funded from the HOME Rochester Program Management funds appropriated in Section 1 and shall have a term of one year.

Section 3. The Mayor is hereby authorized to enter into an agreement with RHDFC, a qualified CHDO, for the administration of housing development subsidies totaling $413,398 for families whose incomes are no more than 80% of MFI. The agreement shall be funded from the CHDO Reserve funds appropriated in Section 1. The term of the agreement shall be two years with the option to extend for up to one additional year if funds remain from the allocation provided for herein.

Section 4. The Mayor is hereby authorized to enter into a professional services agreement with RHDFC in the maximum amount of $125,000 to administer housing development subsidies for families whose incomes are no more than 120% of MFI. The compensation for the agreement shall be funded from 2022-23 Cash Capital, contingent upon approval of the 2022-23 Budget. The term of the agreement shall be two years with the option to extend for up to one additional year if funds remain from the allocation provided for herein.

Section 5. The Mayor is hereby authorized to enter into an amendatory agreement with RHDFC to continue its administration of housing development subsidies for families whose incomes are no more than 120% of MFI. The amendatory agreement shall amend the existing agreement authorized by Section 4 Ordinance No. 2019-173 to extend the term for one additional year for a total of up to 4 years.

Section 6. The agreements authorized herein shall contain such additional terms and conditions as the Mayor deems appropriate. If a specified funding source should be unavailable or provide less funds than anticipated herein, the agreement amounts and terms may be adjusted accordingly. The City and RHDFC shall enter into the agreements only with organizations that are in compliance with federal regulations.

Section 7. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2022-196

Re 022-23 Annual Action Plan,

Consolidated Community Development

Plan – Tenant and Landlord Services

Council Priority: Rebuilding and Strengthening

Neighborhood Housing

Comprehensive Plan 2034 Initiative Area:

Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the City of Rochester’s Tenant and Landlord Services program described in the 2022-23 Annual Action Plan. This legislation will:

1. Appropriate $78,102 of Community Development Block Grant funds from the 2022-23 Annual Action Plan, Tenant Landlord Services allocation to implement the program; and

1. Establish $78,102 as maximum compensation for an agreement with The Legal Aid Society of Rochester, New York (Principal: Carla Palumbo, 1 West Main Street, Rochester, New York) to implement the program. The term of the agreement will be for one year.

The Tenant and Landlord Services program provides housing stabilization services to both tenants and landlords.  The Legal Aid Society of Rochester New York will serve as lead agency in partnership with Legal Assistance of Western New York, Inc. (Principal: C. Kenneth Perri, 1 West Main Street, Rochester, New York) and The Housing Council at PathStone, Inc. (Principal: Mary Leo, 75 College Avenue, Rochester, New York). The programs have been ongoing for over a decade. In the past five years, the program has assisted 1,484 tenants and 3,603 landlords, and anticipates serving 174 tenants and 300 property owners. Services include:

• Training for landlords on operating rental property as a business and compliance with fair

   housing quality standards; and,

• Eviction prevention services for tenants to re-establish or maintain stable housing.

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 are less than anticipated, the agreement amounts and terms will be adjusted accordingly.  A Justification Statement for not issuing a Request for Proposals is attached.

Respectfully submitted,

Malik D. Evans

Mayor

Attachment No. AV-113

Ordinance No. 2022-196

(Int. No. 248)

**Appropriating funds and authorizing an agreement for Tenant and Landlord Services**

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

Section 1. The sum of $78,102 is hereby appropriated from the Tenant and Landlord Services allocation of the 2022-23 Annual Action Plan (Plan) to implement a Tenant and Landlord Services program (Program), contingent upon approval of the Plan.

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with The Legal Aid Society of Rochester, New York in the maximum amount of $78,102 to coordinate and provide Program services to tenants and landlords. The agreement shall be funded from the appropriation in Section 1 herein. The agreement shall be for a term of one year. If funds are not available or are less than anticipated herein, the agreement amount and term may be adjusted accordingly.

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. 2022-197

Re 2022-23 Annual Action Plan,

Consolidated Community Development

Plan – Demolition Program

Council Priority: Creating and Sustaining a

Culture of Vibrancy; Rebuilding and

Strengthening Neighborhood Housing

Comprehensive Plan 2034 Initiative Area:

Reinforcing Strong Neighborhoods; Public

Safety

Transmitted herewith for your approval is legislation related to the City of Rochester’s Demolition Program as described in the 2022-23 Annual Action Plan. This legislation will:

1. Appropriate a total of $1,269,163, in Community Development Block Grant funds from the Demolition Program allocation in the 2022-23 Annual Action Plan to fund the program.

1. Authorize agreements necessary to implement the program.

The funds will allow the City to continue its demolition program which removes vacant, derelict and fire damaged structures that are a public safety hazard and/or blight to surrounding properties.  Demolition contracts are awarded based on the City’s public bid process. The funds will remove approximately 50 City-owned and privately-owned structures over the next twelve months.

Since calendar year 2017, a total of 458 properties have been demolished.

Respectfully submitted,

Malik D. Evans

Mayor

Attachment No. AV-114

Ordinance No. 2022-197

(Int. No. 249)

**Appropriating funds for the Demolition Program**

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

Section 1. The sum of $1,269,163 is hereby appropriated from the Demolition Program allocation of the 2022-23 Annual Action Plan (Plan) for the Demolition Program (Program) to remove vacant, derelict and fire damaged structures in the City of Rochester, contingent upon the approval of the Plan.

Section 2. The Mayor is hereby authorized to enter into agreements with contractors to implement the Program. All such agreements 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. 2022-198

Re 2022-23 Annual Action Plan,

Consolidated Community Development

Plan – Emergency Assistance Program

Council Priority: Rebuilding and Strengthening

Neighborhood Housing

Comprehensive Plan 2034 Initiative Area:

Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the City of Rochester’s Emergency Assistance Program as described in the 2022-23 Annual Action Plan. This legislation will:

1. Appropriate a total of $97,627 in Community Development Block Grant funds from the Emergency Assistance Program allocation in the 2022-23 Annual Action Plan to fund the program.

1. Authorize agreements necessary to implement the program.

The program provides financial assistance to eligible owner-occupants to address emergencies related to furnaces/boilers, hot water tanks and other emergency repairs.  The funds will assist approximately 19 households.  The City will continue to use its existing term agreements with the service providers to perform the necessary work.  Contracts are awarded based on the City’s public bid process.

Owners must be current with City and Monroe County property taxes and not be subject to tax or mortgage foreclosure.  Household incomes must be at or below 80% of the Housing and Urban Development (HUD) area median income to be adjusted annually.

Since the beginning of the current fiscal year (July 1, 2021 - April 30, 2022), 30 furnaces and 31 hot water heaters have been replaced.  Over the past five years, a total of 341 furnaces and 186 hot water heaters have been replaced.

Respectfully submitted,

Malik D. Evans

Mayor

Ordinance No. 2022-198

(Int. No. 250)

**Appropriating funds for the Emergency Assistance Program**

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

Section 1. The sum of $97,627 is hereby appropriated from the Emergency Assistance Program allocation of the 2022-23 Annual Action Plan (Plan) for the Emergency Assistance Program (Program) to assist eligible owner-occupant households to address emergencies related to heating furnaces/boilers, hot water tanks and other emergency repairs, contingent upon the approval of the Plan.

Section 2. The Mayor is hereby authorized to enter into agreements with service providers to implement the Program. All such agreements 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. 2022-199

Re: 2022-23 Annual Action Plan,

Consolidated Community Development

Plan – Housing Rehabilitation Program

Council Priority: Rebuilding and Strengthening

Neighborhood Housing

Comprehensive Plan 2034 Initiative Area:

Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the City of Rochester’s Housing Rehabilitation Program as described in the 2022-23 Annual Action Plan. This legislation will:

1. Appropriate a total of $561,870 in Community Development Block Grant funds from the Housing Rehabilitation Program allocation in the 2022-23 Annual Action Plan to fund the program.

1. Authorize $32,275 as maximum compensation for an agreement with HUNT Engineers, Architects, Land Surveyors & Landscape Architect, DPC., Christopher Bond, President, 4 Commercial St., Rochester, NY 14614 to provide architectural services.  This agreement shall be funded from the appropriation made in 1) above.  The term of this agreement will be for one year with the option to extend for one additional year if funding remains.

1. Authorize $300,000 as maximum aggregate compensation for term agreements to provide lead hazard evaluation services with the following Consultants:

1. Environmental Testing & Consulting, Inc., Dave P. Majewski, Owner, PO Box 466, Batavia, NY 14021
2. Environmental Education Associates, Inc. dba UNYSE, LLC., Andrew J. McLellan, President, 346 Austin St., Buffalo, NY 14207

These agreements shall be funded from the appropriation made in 1) above.  The term of these agreements will be for two years with the option to extend for two additional years.

1. Authorize program agreements with property owners for the remaining $229,595, funded from the appropriation made in 1) above, to assist with the cost of the actual repair work.

The City issued a Request for Proposal for architectural services on January 28, 2022.  The purpose of the RFP was to solicit firms to provide residential architectural services for homes located in the “Buy the Block” project area.  The central focus will be to provide architectural renderings for the exterior façade for properties located on Quamina Drive.  A total of four firms responded to the RFP and are listed on the attached evaluation form.  Based on ranking and scoring results, with HUNT Engineers, Architects, Land Surveyors & Landscape Architect, DPC., was selected to provide the services.

The City also issued a Request for Proposal (RFP) for lead hazard evaluation services on April 4, 2022.  The purpose of the RFP was to solicit firms to provide lead based paint evaluation services to support the City’s Housing Rehabilitation Program.  The firms will provide a combined lead based paint inspection and risk assessment report for each unit assisted.  The reports are used by City staff to identify lead based paint hazards required for remediation.  A total of two responses were received, Environmental Testing & Consulting, Inc. Environmental Education Associates dba UNYSE, LLC.  Both firms currently provide this service and their performance has been satisfactory.  Firms will provide lead hazard evaluation services at an average of $670 for a single-family residential property.

The Housing Rehab program provides financial assistance to eligible property owners who own a 1-4 family residential structure.  To be eligible, property owners must be current with City and Monroe County property taxes and not be subject to tax or mortgage foreclosure.  Household incomes must be at or below 80% of the Housing and Urban Development (HUD) area median income to be adjusted annually.  The funds are available citywide in areas that support other city investment.  Eligible repairs include:  addressing lead based paint hazards, health and safety hazards, code violations, and eliminating blight. The total funds appropriated will assist approximately 21 properties.

Respectfully submitted,

Malik D. Evans

Mayor

Attachment No. AV-115

Ordinance No. 2022-199

(Int. No. 251)

**Appropriating funds and authorizing agreements for the Housing Rehabilitation Program**

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

Section 1. The sum of $561,870 is hereby appropriated from the Housing Rehabilitation Program allocation of the 2022-23 Annual Action Plan (Plan) to operate a Housing Rehabilitation Program (Program), contingent upon approval of the Plan.

Section 2. 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 architectural services for the Program. The maximum compensation for the agreement shall be $32,275, which shall be funded from the appropriation authorized in Section 1 herein. The agreement shall have a term of one year, with the option to extend for one additional year if funding remains.

Section 3. The Mayor is hereby authorized to enter into a professional services agreement with each of Environmental Testing & Consulting, Inc. and Environmental Education Associates, Inc. to provide lead hazard evaluation services for the Program. Each agreement shall have a term of two years, with the option to extend for one additional period of up to 2 years. The two agreements shall have a maximum aggregate compensation of $300,000, which shall be funded from the appropriation authorized in Section 1 herein.

Section 4. The Mayor is hereby authorized to enter into Program agreements with eligible owners of 1-4 family residential buildings to assist with the costs of Program rehabilitation work. The aggregate maximum amount for those agreements shall be $229,595, which shall be funded from the appropriation authorized in Section 1 herein. All such agreements shall be contingent on compliance with federal regulations.

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.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2022-200

Re: 2022-23 Annual Action Plan,

Consolidated Community Development

Plan – Lead Hazard Control Program

Council Priority: Rebuilding and Strengthening

Neighborhood Housing

Comprehensive Plan 2034 Initiative Area:

Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the City of Rochester’s Lead Hazard Control Program as described in the 2022-23 Annual Action Plan. This legislation will:

1. Appropriate a total of $219,662 in Community Development Block Grant funds from the Lead Hazard Control Program allocation in the 2022-23 Annual Action Plan to fund the program.

1. Authorize program agreements with property owners to assist with the cost of remediating lead hazards.

In 2019, City Council, authorized the receipt and use of $5,600,000 from the U.S. Department of Housing and Urban Development (HUD) to fund the City’s 2019 Lead Hazard Control Program through Ordinance No. 2019-361.

The appropriation in 1) above represents the City’s contribution to support the Lead Hazard Control Program by offering financial assistance to eligible property owners who own a 1-4 family residential structure.

To be eligible, property owners must be current with City and Monroe County property taxes and not be subject to tax or mortgage foreclosure.  Household incomes must be at or below 80% of the Housing and Urban Development (HUD) area median income to be adjusted annually.

The funds are available citywide to households that have children under the age of six residing in the home.  Eligible repairs include:  window and/or door replacement, siding, porch repair or replacement, painting and soil remediation and minor repair work associated with the lead hazard control work.  The funds will assist approximately 19 properties.    

Respectfully submitted,

Malik D. Evans

Mayor

Ordinance No. 2022-200

(Int. No. 252)

**Appropriating funds and authorizing agreements for Lead Hazard Control Program**

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

Section 1. The sum of $219,662 is hereby appropriated from the Lead Hazard Control Program allocation of the 2022-23 Annual Action Plan (Plan), contingent upon the approval of the Plan, to implement the City’s Lead Hazard Control Program (Program).

Section 2. The Mayor is hereby authorized to enter into Program agreements with eligible owners of 1-4 family residential buildings to assist with the costs of remediating lead paint hazards. All such agreements shall be contingent on compliance with federal regulations and 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. 2022-201

Re: 2022-23 Annual Action Plan,

Consolidated Community Development

Plan – Project Phoenix

Council Priority: Rebuilding and Strengthening

Neighborhood Housing; Jobs and Economic

Development

Comprehensive Plan 2034 Initiative Area:

Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the Project Phoenix Program as described in the 2022-23 Annual Action Plan. This legislation will:

1. Appropriate a total of $48,813 in Community Development Block Grant funds from the Project Phoenix Program allocation in the 2022-23 Annual Action Plan to fund the program.

1. Authorize $98,813 as maximum compensation for an agreement with Multi-Craft Apprenticeship Preparation Program, Inc., Kereem Berry, Executive Director, 40 Humboldt Street, Suite 112, Rochester, NY 14609 for the Project Phoenix Program.

The agreement shall be funded as follows: $48,813 from the appropriation made in 1) above and $50,000 from 2022-23 Cash Capital.

Project Phoenix offers an opportunity for on-the-job training in the construction industry.  It engages City of Rochester residents to consider pursuing a career in the construction and building trades.  The goal is to help facilitate viable employment opportunities and positively address the City of Rochester’s critical housing needs.  Participants receive a small stipend while in the program, but from a different source of funds.  These funds will be used to purchase materials, supplies, tools and other items to run the program.

Since the program’s inception in 2017, 98 people have been enrolled; 57 have successfully completed the program, and all 57 have found employment in the field.  More information about the program can be found on their website: <https://www.mappinc.org/our-work.html#project_phoenix>.

The term of the agreement will be for one year with the option to extend for one additional year if funds remain in the agreement.

Respectfully submitted,

Malik D. Evans

Mayor

Attachment No. AV-116

Ordinance No. 2022-201

(Int. No. 253)

**Appropriating funds and authorizing an agreement for the Project Phoenix Program**

BE ITORDAINED, by the Council of the City of Rochester as follows:

Section 1. The sum of $48,813 is hereby appropriated from the Project Phoenix Program allocation of the 2022-23 Annual Action Plan (Plan), contingent upon the approval of the Plan, to implement the Project Phoenix Program for providing on-the-job training in the construction industry (the Program).

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with Multi-Craft Apprenticeship Preparation Program, Inc. to implement the Program. The maximum compensation for the agreement shall be $98,813, which shall be funded in the amounts of $48,813 appropriated in Section 1 herein and $50,000 from 2022-23 Cash Capital. The term of the agreement shall be one year with the option to extend for one additional year if appropriated funds remain.

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. 2022-202

Re: Inter-Municipal Agreement - Monroe

County, Lead Paint Poisoning

Prevention Inspection Services

Council Priority: Rebuilding and Strengthening

Neighborhood Housing

Comprehensive Plan 2034 Initiative Area:

Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing $310,000 as maximum compensation for an inter-municipal agreement with Monroe County for lead paint poisoning prevention inspection services. The agreement will provide reimbursement to the City for expenses related to the enforcement of the City’s lead-based paint poisoning prevention ordinance during the period from October 1, 2021 – September 30, 2022.  The grant covers a retroactive reimbursement period due to delays in Monroe County receiving the source grant from New York State.  Of the $310,000 total in reimbursement from this agreement, $232,500 was previously budgeted and anticipated as revenue in the 2021-22 Budget of the Department of Neighborhood and Business Development (NBD), while $77,500 is budgeted and anticipated as revenue in the 2022-23 Budget of NBD. The agreement will include an option to renew for four additional one year periods.

These funds are part of the New York State Department of Health’s Lead Poisoning Primary Prevention Grant program provided to Monroe County.  The $310,000 covers visual inspections for lead hazards, lead dust wipe sampling tests and clerical and IT support provided by the City of Rochester.  A series of comparable agreements have been in place with Monroe County since

October 1, 2007.  A chart showing the history of the past eight years of the grant is attached.

Respectfully submitted,

Malik D. Evans

Mayor

Attachment No. AV-117

Ordinance No. 2022-202

(Int. No. 254)

**Authorizing an intermunicipal agreement with the County of Monroe to fund Lead Paint Poisoning Prevention Inspection 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 intermunicipal agreement with the County of Monroe for the City’s receipt and use of New York State funding in the maximum amount of $310,000 to provide Lead Paint Poisoning Prevention Inspection Services. The maximum compensation shall be funded from anticipated reimbursements budgeted in the amounts of $232,500 in the 2021-22 Budget of the Department of Neighborhood and Business Development (NBD) and $77,500 through the 2022-23 Budget of NBD. The term of the agreement shall be from October 1, 2021 through September 30, 2022, with the option to extend for up to four additional periods of one-year each.

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. 2022-203

Re: Grant Agreement - Dormitory Authority

of the State of New York, Neighborhood

Signage Project

Council Priority: Rebuilding and Strengthening

Neighborhood Housing

Comprehensive Plan 2034 Initiative Area:

Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation authorizing an agreement with the Dormitory Authority of the State of New York (DASNY) for the receipt and use of $50,000 through the State and Municipal Facilities Grant (“SAM”) program to provide funding to implement the Neighborhood Signage Project. The DASNY grant was secured through sponsorship of New York State Senator, Jeremy A. Cooney.  The term of the agreement will be for up to three years.

This is a downtown revitalization and beautification initiative.  Several downtown Rochester neighborhoods have lightpole banners that act as welcome signs along key commercial corridors.  Many of the existing banners are aging and in need of replacement, while some of our most historic downtown communities do not currently have banners.  The project will install and/or replace approximately 181 banners with the goals of strengthening neighborhood identities and attracting business and tourism to downtown Rochester.

Specific project sites have not yet been determined and will be finalized after a comprehensive audit of the existing banners.  However, the banners will be focused on notable neighborhoods within downtown Rochester (see attached map).  The City’s Neighborhood Service Centers (NSC) will facilitate the neighborhood engagement, design, and overall grant implementation. The Department of Environmental Services (DES) will oversee the installation of the banners by City staff and coordinate the permitting process.  The estimated project budget is detailed below:

|  |  |  |  |
| --- | --- | --- | --- |
| **Project Component** | **Cost Per Banner** | **Cost Borne by DASNY Grant** | **In-Kind Cost Born by City of Rochester** |
| Graphic Design | $27.62 | $5,000 | $0 |
| Printed Banners  (181 pieces) | $150.00 | $27,150 | $0 |
| Banner Mounting Hardware | $98.62 | $17,850 | $0 |
| Installation Labor  (City Staff) | $90.00 | $0 | $16,290 |
| **TOTAL** | **$366.24** | **$50,000** | **$16,290** |

Respectfully submitted,

Malik D. Evans

Mayor

Attachment No. AV-118

Ordinance No. 2022-203

(Int. No. 256, as amended)

**Authorizing grant applications to the Dormitory Authority of the State of New York for the ~~Rundel Library Structural Terrace Improvements Phase IV~~ Neighborhood Signage 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 Dormitory Authority of the State of New York (DASNY) for the receipt and use of $50,000 through the State and Municipal Facilities Grant program to implement the Neighborhood Signage Project (the Project). The term of the agreement shall be up to 3 years.

Section 2. The Mayor or his designee is hereby authorized to negotiate, execute, deliver and/or approve such other agreements and documents in connection with performance of the Project and the financing of the costs thereof, as necessary to abide by the DASNY requirements for providing the funding authorized herein.

Section 3. The funding agreement, as well as any other agreements and documents authorized herein, shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 4. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2022-204

Re: Agreement – Federal Street and

Scattered Sites Affordable Housing

Project

Council Priority: Rebuilding and Strengthening

Neighborhood Housing

Comprehensive Plan 2034 Initiative Area:

Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the Federal Street and Scattered Site rehabilitation project (the “Project”), an affordable development project being undertaken by Rochester Housing Authority (RHA) (Shawn Burr, Executive Director, 675 West Main Street, Rochester) in the Beechwood, EMMA, and Marketview Heights neighborhoods.

This legislation will:

1. Authorize a loan agreement for a $250,000 construction/permanent loan with RHA or an affiliated partnership or housing development fund corporation to be formed by RHA, and appropriate the same amount from the Affordable Housing Fund allocation of the 2020-21 Housing Development Fund to fund the loan.

The loan will serve initially as a 2% construction loan payable annually. The permanent loan includes a 30-year term, and 2% interest-only, cash flow dependent payments due annually, with the outstanding principal balance and any accrued interest due at the end of the 30-year term.

1. Authorize property tax exemptions and payment-in-lieu of taxes agreements for the Project, which will provide a 30-year exemption for an annual in-lieu payment equal to 10% of the project shelter rents (gross rents minus utility costs). The parcels, all currently owned by RHA, are listed here:

|  |  |  |  |
| --- | --- | --- | --- |
| **Street #** | **Street Name** | **Tax Number/SBL** | **Current Owner** |
| 55-89 | Federal Street | 107.70-1-1.001 | RHA |
| 91-99 | Federal Street | 107.70-1-1.002 | RHA |
| 147 | Ackerman | 107.45-1-68 | RHA |
| 172 | Baldwin Street | 107.61-1-50 | RHA |
| 665 | Bay Street | 107.45-1-20.001 | RHA |
| 128 | Bowman | 122.22-1-29 | RHA |
| 1629 | Clifford Avenue | 107.29-3-1 | RHA |
| 16 | Denver Street | 107.62-2-48 | RHA |
| 1302 | E. Main Street | 107.69-1-69 | RHA |
| 37 | Garnet Street | 106.36-2-40 | RHA |
| 406-408 | Garson Avenue | 107.61-2-57 | RHA |
| 54-66 | Garson Avenue | 106.67-1-36 | RHA |
| 671-673 | Garson Avenue | 107.62-3-28 | RHA |
| 134-138 | Hayward Avenue | 106.67-1-50 | RHA |
| 393-395 | Hayward Avenue | 106.76-1-28 | RHA |
| 385 | Hazelwood Terrace | 107.55-2-8.001 | RHA |
| 134 | High Street | 107.29-3-62 | RHA |
| 37 | Iroquois Street | 107.46-2-27 | RHA |
| 102 | Melville Street | 107.53-2-63 | RHA |
| 184 | Melville Street | 107.54-2-72 | RHA |
| 510 | Melville Street | 107.55-2-36 | RHA |
| 751 | N. Goodman Street | 106.60-2-20 | RHA |
| 43 | Peck Street | 106.68-1-28 | RHA |
| 156 | Seventh Street | 106.52-2-49 | RHA |
| 31 | Stunz Street | 107.45-3-47 | RHA |
| 314-318 | Webster Avenue | 107.53-2-88 | RHA |

1. Authorize the Mayor to execute such agreements and other documents as may be necessary to effectuate the agreement authorized herein; and

1. Authorize the Director of Finance to adjust the interest rate and other terms and conditions of the loan in order to conform to legal and other requirements for the Project.

The Project involves building and/or preserving 53 affordable and workforce housing units at RHA’s Federal Street site (55-99 Federal Street) and 24 scattered sites located in the surrounding neighborhoods, and is a noted component of the Connected Communities Beechwood Neighborhood Comprehensive Plan.  The Project includes the Rental Assistance Demonstration (RAD) conversion of public housing units to Project-Based Voucher-supported units (while still managed by RHA), preservation, and new construction.  On Federal Street this includes demolition of vacant and blighted structures and new construction of two low-rise buildings and one single-family home for a total of 18 units, an increase of 2 units.  The Scattered Site component consists of the demolition and new construction replacement of 4 units and the rehabilitation of the remaining 31 units.  Altogether, the Project will encompass 53 total units comprised of 2-, 3-, and 4-bedroom units.  At least 6 of the replacement/new units will now be fully accessible to those with mobility concerns and at least 3 units will have modifications for audio/visual impairments. Spiritus Christi Prison Outreach (SCPO) will provide Empire State Supportive Housing Initiative (ESSHI) funded supportive services to 9 units.  The Project designs will enhance the existing character of the respective neighborhoods while applying modern technology to achieve energy efficiency, universal design, and sustainable construction. Construction will meet or exceed requirements for NYSERDA’s New Construction – Housing Program 3 standards, committing to a 20% energy use reduction, while rehabilitation will comply with 2020 Enterprise Green Communities criteria.  The Project will also feature community space, laundry hookups/facilities, parking, exterior green space, and a playground.

The Federal Street/Scattered Site project will continue to maintain its units as affordable for a minimum of 30 years.  Currently 23 of the existing 35 tenants in the Scattered Site units earn less than 30% MFI.  The majority of the units will receive Project-Based Voucher rental assistance and 52 will be affordable to persons earning up to 30, 50, or 60% of MFI. To accommodate the current resident household, one unit will remain eligible for those earning up to 90% of MFI.

The Project is consistent with the City of Rochester’s Housing Policy and complements the City’s housing goals by addressing barriers identified by the Rochester-Monroe Anti-Poverty Initiative (RMAPI) in a focused effort.  The Project will additionally complement significant development and interest that has occurred over the past decade and is currently underway in these City neighborhoods, and will continue to provide housing for a range of incomes and household types.  Funding for the Project includes Tax Credits through NYS Office of Housing and Community Renewal (NYS HCR), Public Housing Preservation (PHPP) and Office of Temporary Disability Homeless Housing Assistance (OTDA HHAP) Program assistance, a CPC Loan, RHA Contribution, and New York State Energy and Research Development Authority (NYSERDA) Incentives, as well as deferred developer fees and expenses.

The sources and uses for the Project are summarized below:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Uses** |  |  | **Permanent Sources** |  |
| Acquisition | $10,000 |  | NYS HCR (tax credits) | $11,036,691 |
| Hard Costs | $16,135,500 |  | PHPP Loan | $7,030,124 |
| Soft Costs and Working Capital | $3,092,162 |  | CPC Loan | $2,065,000 |
| Development Fee | $2,291,823 |  | RHA Contribution and Reserves | $351,168 |
| Contingency | $806,775 |  | NYSERDA | $77,000 |
| Reserves | $313,011 |  | OTDA HHAP | $1,627,884 |
|  |  |  | City of Rochester | $250,000 |
|  |  |  | Deferred Developer Fee | $211,404 |
| **TOTAL** | **$22,649,271** |  | **TOTAL** | **$22,649,271** |

The PILOT was recommended for approval by the PILOT review committee on June 13, 2022.  The Project will include workforce goals of 6.9% women and 20% minority hours worked, as well as an obligation of 30% M/WBE contracts and a goal of 25% city residents working on the Project. Both the National Environmental Policy Act or NEPA and SEQR reviews have been completed.

Respectfully submitted,

Malik D. Evans

Mayor

Attachment No. AV-119

Ordinance No. 2022-204

(Int. No. 287)

**Authorizing loan and payment in lieu of taxes agreements for the Federal Street and Scattered Sites Affordable Housing Project**

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

Section 1. The Mayor is hereby authorized to enter into a loan agreement with the Rochester Housing Authority (RHA), or with an affiliated partnership or housing development fund corporation formed for the project (collectively, the Developer) to provide construction and permanent financing for the Federal Street and Scattered Sites Affordable Housing Project consisting of the construction or rehabilitation of approximately 53 affordable and workforce housing units on RHA-owned parcels located at 55-89 and 91-99 Federal Street and 24 scattered parcels located in the surrounding neighborhoods (collectively, the Project).

Section 2. The loan shall be in the amount of $250,000, which shall be funded by, and is hereby appropriated from, the Affordable Housing Fund allocation of the 2020-21 Annual Action Plan. The loan agreement shall have a term that extends to 30 years following completion of Project construction. The loan shall function as a construction loan with an interest rate of 2% payable annually until construction is complete, whereupon it shall convert to permanent financing with a term of 30 years that is subject to an annual interest rate of 2% payable annually if the Developer has sufficient cash flow. Repayment of the loan principal and any unpaid interest shall come due at the end of the loan term. The Director of Finance is hereby authorized to adjust the loan interest rate and other terms and conditions in order to conform to requirements for Project tax credits and other legal requirements.

Section 3. The Mayor is hereby authorized to enter into a payment in lieu of taxes (PILOT) agreement with the Developer for the following parcels to effectuate the Project:

|  |  |
| --- | --- |
| **Street Address** | **Tax Number/SBL** |
| 55-89 Federal Street | 107.70-1-1.001 |
| 91-99 Federal Street | 107.70-1-1.002 |
| 147 Ackerman | 107.45-1-68 |
| 172 Baldwin Street | 107.61-1-50 |
| 665 Bay Street | 107.45-1-20.001 |
| 128 Bowman | 122.22-1-29 |
| 1629 Clifford Avenue | 107.29-3-1 |
| 16 Denver Street | 107.62-2-48 |
| 1302 East Main Street | 107.69-1-69 |
| 37 Garnet Street | 106.36-2-40 |
| 406-408 Garson Avenue | 107.61-2-57 |
| 54-66 Garson Avenue | 106.67-1-36 |
| 671-673 Garson Avenue | 107.62-3-28 |
| 134-138 Haywood Avenue | 106.67-1-50 |
| 393-395 Hayward Avenue | 106.76-1-28 |
| 385 Hazelwood Terrace | 107.55-2-8.001 |
| 134 High Street | 107.29-3-62 |
| 37 Iroquois Street | 107.46-2-27 |
| 102 Melville Street | 107.53-2-63 |
| 184 Melville Street | 107.54-2-72 |
| 510 Melville Street | 107.55-2-36 |
| 751 N. Goodman Street | 106.60-2-20 |
| 43 Peck Street | 106.68-1-28 |
| 156 Seventh Street | 106.52-2-49 |
| 31 Stunz Street | 107.45-3-47 |
| 314-318 Webster Avenue | 107.53-2-88 |

This PILOT agreement shall provide that said parcels shall remain entitled to a real property tax exemption, provided that the Developer makes annual payments in lieu of taxes to the City of Rochester equal in total to no less than 10% of the Project’s annual "shelter rent," a phrase which refers to the amount of gross rents less utility costs.

Section 4. The term of the PILOT Agreement shall run for 30 years, provided that said agreement and the associated real property tax exemption shall cease prior to that date if and when the Project is no longer operated for the purpose of providing affordable rental housing in accordance with the conditions for maintaining low-income housing tax credits and financing as well as other legal requirements.

Section 5. The agreements authorized herin shall contain such additional terms and conditions as the Mayor deems appropriate. The Mayor is hereby authorized to execute such other agreements and documents as may be necessary to effectuate the Project and the agreements authorized herein.

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2022-205

Re HUD Lead Grant Application

Submission

Council Priority: Rebuilding and Strengthening

Neighborhood Housing

Comprehensive Plan 2034 Initiative Area:

Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the submission of a funding application to the U.S. Department of Housing and Urban Development (HUD).

In response to a Notice of Funding Availability (NOFA) that was recently released by HUD, the City is proposing to submit an application to HUD’s Office of Lead Hazard Control and Healthy Homes for an award of up to $5,700,000.

The funds will be used to remediate lead-based paint hazards and other environmental health hazards in privately owned, 1-4 unit, residential structures in targeted neighborhoods where the incidence of child lead poisoning is greatest.  If a grant award is made, the City will be obligated to contribute 10% matching funds over the 4-year term of the program.

The application is due on August 8, 2022, and we expect the funding award announcement to be made in September 2022.

Respectfully submitted,

Malik D. Evans

Mayor

Ordinance No. 2022-205

(Int. No. 288)

**Authorizing a grant application to fund lead-based paint hazard remediation**

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

Section 1. The Mayor is hereby authorized to submit an application to the United State Department of Housing and Urban Development Office of Lead Hazard Control and Healthy Homes for an award of up to $5,700,000 to remediate lead-based paint hazards and other environmental health hazards in privately owned, 1- to 4-unit residences (the Program) for a term of up to four years and subject to a matching fund requirement of 10%.

Section 2. If the application is granted and to proceed with the Program, the Mayor shall obtain City Council approval to enter into a grant agreement to receive the funding and implement the Program, to appropriate the necessary matching funds, and to enter into any professional services agreements necessary to implement the Program.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

By President Meléndez

July 19, 2022

To the Council:

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

Int. No. 257 Authorizing an agreement related to the Bridge and Structural Engineering Services program

Int. No. 258 Authorizing an agreement for the Maplewood Branch Library Expansion Schematic Design

Int. No. 259 Authorizing an amendatory agreement for the Rundel Memorial Library Exterior Building Repairs project

Int. No. 260 Authorizing an agreement related to the 2024 Preventive Maintenance project

Int. No. 261 Authorizing an amendatory agreement related to the South Avenue and Elmwood Avenue Street Improvement project

Int. No. 262 Authorizing an amendatory agreement for the Aqueduct Reimagined and Riverfront Promenades Project

Int. No. 265 Authorizing Consolidated Funding Grant applications and agreements

Int. No. 266 Amending Ordinance No. 2022-52 relating to the Brooks Landing Revitalization project

Int. No. 267 Authorizing an amendatory agreement for the Durand Eastman Park Beach House project

Int. No. 268 Authorizing an amendatory agreement and appropriating funds related to the Erie Harbor Enhancements Phase II project

Int. No. 269 Bond Ordinance of the City of Rochester, New York authorizing the issuance of $4,000,000 Bonds of said City to finance costs of the replacement of ten solid waste collection vehicles

Int. No. 270 Authorizing amendatory agreements related to the Transitional Job Training and Placement program

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

Int. No. 263 Amending the Official Map by abandoning the Guerney Street right-of-way

Int. No. 264 Amending the Official Map by abandoning the Holly Avenue right-of-way

Respectfully submitted,

Miguel Meléndez

Mitch Gruber *(absent)*

Willie J. Lightfoot *(absent)*

Jose Peo

Mary Lupien

PARKS & PUBLIC WORKS COMMITTEE

Received filed and published.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2022-206

Re: Agreement – Joseph C. Lu Engineering,

PC, Bridge and Structural Engineering

Services Program

Council Priority: Jobs and Economic

Development

Comprehensive Plan 2034 Initiative Area:

Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation authorizing a professional services agreement with Joseph C. Lu Engineering, PC (Cletus Ezenwa, C.E.O., 339 East Avenue, Suite 200, Rochester, New York) for inspection and engineering services for the Bridge and Structural Engineering Services Program.  The agreement shall have a maximum annual compensation of $225,000 per year.  The cost of the agreement shall be funded from the 2021-22 Bridges Standard Cash Capital allocation, and any renewals shall be funded from the Bridges Standard Cash Capital allocation in subsequent budgets, contingent upon the adoption of said budgets.

The Bridge and Structural Engineering Services Program, created in 1981, is an annual bridge inspection and repair program for preserving the safety, structural integrity and service life of 60 bridges.  The City of Rochester wholly owns forty (40) bridges and ten (10) tunnels.  The City also has secondary maintenance responsibilities for an additional twenty (20) bridges owned by the New York State Department of Transportation (NYSDOT).

Joseph C. Lu Engineering, PC will perform bridge inspections and evaluations and prepare inspection reports in accordance NYSDOT requirements, develop prioritized short and long term capital planning and repair strategies, and design and prepare annual construction documents for the City’s bridge repair contracts.

Joseph C. Lu Engineering, PC was selected through a Request for Proposal process which is described in the attached summary.

Inspection and design services will begin in summer 2022, with construction of the 2023 annual repair contract anticipated to begin early 2023.  The agreement will result in the creation and/or retention of the equivalent of 2.4 full-time jobs.

The agreement shall have a term of one (1) year with four (4) optional one year renewals.

Respectfully submitted,

Malik D. Evans

Mayor

Attachment No. AV-120

Ordinance No. 2022-206

(Int. No. 257)

**Authorizing an agreement related to the Bridge and Structural Engineering Services 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 Joseph C. Lu Engineering, PC for inspection and engineering services related to the Bridge and Structural Engineering Services program. The term of the agreement shall extend for one year with an option to extend for up to four additional one-year renewals. The maximum annual compensation for the agreement shall be $225,000, which shall be funded from 2021-22 Cash Capital for the first year, and any renewal terms shall be funded from future budget years’ Cash Capital allocations, contingent upon approval of said budgets.

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. 2022-207

Re: Agreement- Hunt Engineers, Architects,

Land Surveyors, & Landscape Architect,

D.P.C. – Maplewood Branch Library

Expansion Schematic Design

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 $160,000 as maximum compensation for a professional service agreement with Hunt Engineers, Architects, Land Surveyors, & Landscape Architect, D.P.C. (Christopher Bond, C.E.O.,100 Hunt Center, Horseheads, New York) for programming and schematic design architectural and engineering services for the Maplewood Branch Library Expansion Schematic Design.  The cost of the agreement will be financed from 2021-22 Cash Capital.

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, now part of Maplewood’s core operations. The project will include expansion of the facility to address overcrowding with the addition of program spaces as well as additional parking.

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

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 agreement will result in the creation and/or retention of the equivalent of 1.73 full-time jobs.

The term of the agreement shall extend until six (6) months after acceptance of the schematic design report.

Respectfully submitted,

Malik D. Evans

Mayor

Attachment No. AV-121

Ordinance No. 2022-207

(Int. No. 258)

**Authorizing an agreement for the Maplewood Branch Library Expansion Schematic Design**

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 programming and schematic design architectural and engineering services for the Maplewood Branch Library Expansion Schematic Design. The maximum compensation for the agreement shall be $160,000, which shall be funded from 2021-22 Cash Capital. The term of the agreement shall extend to 6 months after the acceptance of the schematic design report.

Section 2. The agreement authorized herein 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. 2022-208

Re: Amendatory Agreement – Bero

Architecture, PLLC, Runde Library

Exterior Building Repairs Proj

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 an amendatory professional services agreement with Bero Architecture, PLLC, (Jennifer Ahrens, C.E.O., 32 Winthrop Street, Rochester, New York) to provide additional architectural and structural engineering design services for the Rundel Memorial Library Exterior Building Repairs project. This amendment shall increase the maximum compensation provided under the existing agreement, which was authorized in Ordinance No. 2020-80 (March 2020), and amended by Ordinance No. 2021-408 (December 2021) by $550,000 to a new total of $875,000. The increase in compensation shall be funded from the American Rescue Plan Act (ARPA) funding appropriated to the project in Ordinance No. 2022-75.

The original project included evaluating existing conditions and extent of deterioration, creating a comprehensive plan for the overall long-term preservation and care of the building exterior envelope, and the repairs for the building’s west façade. The overall project includes repair, reconstruction and restoration of the limestone and brick masonry, parapets, flashings, original metal windows, and structural steel framing, for the building’s facades, penthouses, and skylight court.  Designs will meet the Secretary of Interior’s Standards for historic rehabilitation.

The Rundel Memorial Library is a three-story, 120,000 square foot, architecturally significant building located adjacent to the Genesee River and the historic second Erie Canal aqueduct. The library and adjoining elevated terraces were completed in 1936 as a Federal Public Works Administration (PWA) project. It was listed in the National Register of Historic Places in 1985. Repair and rehabilitation of this important structure is a critical to the overall revitalization of Rochester’s downtown Genesee River corridor.

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 summer 2023 with anticipated completion in late 2024.

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

Respectfully submitted,

Malik D. Evans

Mayor

Attachment No. AV-122

Ordinance No. 2022-208

(Int. No. 259)

**Authorizing an amendatory agreement for the Rundel Memorial Library Exterior Building Repairs 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 amendatory professional services agreement with Bero Architecture, PLLC to provide additional architectural and structural engineering design services for the Rundel Memorial Library Exterior Building Repairs project (Project). The amendatory agreement shall increase the maximum compensation provided under the existing agreement, which was authorized in Ordinance No. 2020-80 and amended by Ordinance No. 2021-408, by $550,000 to a new total of $875,000. The increase in compensation shall be funded from a portion of the American Rescue Plan Act of 2021 appropriation for the Project in Ordinance No. 2022-75.

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. 2022-209

Re: Agreement- C & S Engineers, Inc.-

2024 Preventive Maintenance Project

State Street (Inner Loop to Lyell

Avenue), Exchange Boulevard (Ford

Street to Basin Street), Ford Street

(South Plymouth Avenue to Ford Street

Bridge)

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 2024 Preventive Maintenance Project.  This legislation will establish $559,900 as maximum compensation for a professional services agreement with C & S Engineers, Inc. (John D. Trimble, C.E.O., 150 State Street, Suite 120, Rochester, New York) for engineering design and construction administration services related to the project.

The agreement will be funded as follows:

|  |  |
| --- | --- |
| **Source of Funds** | **Amount** |
| FHWA funds appropriated Ordinance No. 2022-105 | $447,920 |
| 2021-22 Cash Capital | $111,980 |
| **Total** | **$559,900** |

This is a Federal Aid project administered by the City under agreement with the New York State Department of Transportation (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, adjustment and repair of manholes, receiving basins, water valve castings, and replacement of traffic pavement markings.  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.

C & S Engineers, Inc. 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 2022.  Construction is anticipated to begin in spring 2024.

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

Respectfully submitted,

Malik D. Evans

Mayor

Attachment No. AV-123

Ordinance No. 2022-209

(Int. No. 260)

**Authorizing an agreement related to the 2024 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 C & S Engineers, Inc. for engineering design and construction administration services related to the 2024 Preventive Maintenance project for State Street (Inner Loop to Lyell Avenue), Exchange Boulevard (Ford Street to Basin Street), Ford Street (South Plymouth Avenue to Ford Street Bridge) (Project). The maximum compensation for the agreement shall be $559,900, which shall be funded in the amounts of $447,920 from Federal Highway Administration funds appropriated for the Project in Ordinance No. 2022-105, and $111,980 from 2021-22 Cash Capital. The term of the agreement shall extend until six months after final acceptance 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. 2022-210

Re Amendatory Agreement - Erdman,

Anthony and Associates, Inc. - South

Avenue (Elmwood Avenue to Bellevue

Drive) and Elmwood Avenue (Mt Hope

Avenue to South Avenue) Street

Improvement 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 South Avenue and Elmwood Avenue Street Improvement Project.  This legislation will authorize an amendatory agreement with Erdman, Anthony and Associates, Inc. (Curt Helman, C.E.O., 145 Culver Road, Suite 200, Rochester, New York) to provide additional design services related to the project.  The original agreement for $850,000 was authorized in June 2019 (Ordinance No. 2019-200).  This amendment will increase maximum compensation by $80,000 to a maximum total of $930,000.  The amendment will be funded with 2021-22 Cash Capital.

The amendatory agreement will provide additional design services related to expanded project limits, additional utility coordination, additional traffic signal and water main design, and other additions to the scope of work.

The project will include, but not limited to pavement reconstruction, curbs, sidewalks, curb ramps, catch basins, manhole frames and covers, water main, water services, hydrants, telecommunications conduit, street lighting, signal upgrades, signage, tree plantings, bicycle accommodations, and other various streetscape improvements.  These improvements will enhance traffic safety and efficiency, improve the surface drainage and riding quality of the roadway, improve accessibility, and enhance the streetscape.

Construction began in spring 2022 with substantial completion anticipated in fall 2023.

The amendatory agreement will result in the creation and/or retention of the equivalent of 0.9 full-time jobs.

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

Respectfully submitted,

Malik D. Evans

Mayor

Attachment No. AV-124

Ordinance No. 2022-210

(Int. No. 261)

**Authorizing an amendatory agreement related to the South Avenue and Elmwood Avenue Street Improvement 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 amendatory agreement with Erdman, Anthony & Associates, Inc. to provide additional design services related to the South Avenue and Elmwood Avenue Street Improvement project. The amendatory agreement shall amend the existing agreement that was authorized by Ordinance No. 2019-200 to increase the maximum compensation by $80,000 to a total of $930,000. The amendatory compensation shall be funded by 2021-22 Cash Capital.

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. 2022-211

Re Agreement – Bergmann Associates

Aqueduct Reimagined and Riverfront

Promenades Project

Council Priority: Creating & Sustaining a

Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area:

Fostering Prosperity and Opportunity

Transmitted herewith for your approval is legislation related to the Aqueduct Reimagined and Riverfront Promenades (Aqueduct Reimagined) Project.  The legislation will authorize an amendatory agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. (Kevin L. Haney, C.E.O., 280 East Broad Street, Rochester, New York) to provide final design services for Phase 1 of the project and additional street design and construction administration services related to South Avenue, Stone Street, and the Aqueduct Street Group.  The original agreement, authorized in November 2021 (Ordinance No. 2021-356) established maximum compensation at $4,500,000.  This amendment will increase the compensation by $760,000, to a maximum total of $5,260,000.  The cost of the increase will be funded from 2022-23 Cash Capital allocated for the South Avenue and Stone Street project.

Aqueduct Reimagined, the centerpiece of the ROC the Riverway vision, will create an iconic, context sensitive central gathering place and promote riverfront connectivity along the downtown waterfront.  This project includes removal of the upper vehicular deck of the Broad Street Bridge between South Avenue and Exchange Boulevard and enhancement of the historic 1842 aqueduct below.  In addition, the project will create new riverfront promenades, facilitating seamless connectivity on both sides of the Genesee River.

The City of Rochester was awarded a $5,000,000 grant from New York State to implement an early first phase of construction for Aqueduct Reimagined project in support of the relocation of Constellation Brands’ headquarters into the adjacent Aqueduct Campus complex, located at 50 E. Broad Street.  As a result, the City will implement an accelerated Phase 1 focused on utility relocation and improvements at the western approach of the Broad Street Bridge.  Later phases will include the removal of the remaining portion of roadway deck and converting the historic aqueduct into an iconic public space.

In coordination with the Constellation Brands headquarters construction, and in preparation for the accelerated Aqueduct Reimagined Phase 1 project, additional improvements are being implemented to the surrounding transportation network.  The limits of these additional street improvements include:

1. South Avenue (East Main Street to Court Street)
2. Stone Street (East Main Street to East Broad Street)
3. Aqueduct Street Group:
4. Aqueduct Street (Bank Place to East Main Street)
5. Bank Place (Exchange Boulevard to Aqueduct Street)
6. Basin Street (Exchange Boulevard to Aqueduct Street)
7. Graves Street (Race Street to East Main Street)
8. Race Street (Aqueduct Street to Graves Street)

Through these improvements, South Avenue will be converted to two-way traffic and will include milling and resurfacing of the pavement, spot curb and sidewalk replacement, upgrade of sidewalk curb ramps, adjustment and repair of manholes, receiving basins, and water valve castings, replacement of traffic pavement markings, and other various improvements as funding allows.  All other streets will include pavement reconstruction, sidewalks, curb ramps, catch basins, adjustment and repair of manholes and water valve castings, and other various improvements as funding allows.

These improvements will enhance the surface drainage and riding quality of the roadway, improve ADA accessibility, and expand the useful life of the pavement structure.  The addition of on-street bicycle facilities will be evaluated during preliminary design.

The Aqueduct Reimagined project is currently in preliminary design with construction for Phase 1 anticipated to begin fall 2023.  The supplementary street improvements are anticipated to begin construction spring 2023.

The construction schedule for later phases will be determined as the design is developed and funding becomes available.

The additional design services for the project results in the creation/retention of the equivalent of 8.3 full-time jobs.

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

Respectfully submitted,

Malik D. Evans

Mayor

Attachment No. AV-125

Ordinance No. 2022-211

(Int. No. 262)

**Authorizing an amendatory agreement for the Aqueduct Reimagined and Riverfront Promenades 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 amendatory professional services agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C to provide additional services for the Aqueduct Reimagined and Riverfront Promenades Project (Project). The amendatory agreement shall add the following elements to the scope of services of the existing agreement authorized by Ordinance No. 2021-356: final design services for Phase 1 of the Project focused on utility relocation and improvements at the western approach of the Broad Street Bridge; and additional street design and construction administration services for improvements for the South Avenue, Stone Street and Aqueduct Street groups of roadways. The amendatory agreement also shall increase the maximum compensation by $760,000 to a new total of $5,260,000. The amendatory amount shall be funded from 2022-23 Cash Capital. The term of the amendatory agreement shall continue to 3 months after completion of the two-year guarantee inspection of the Project.

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, Patterson, Peo – 5.

Nays – Vice President Lupien, Councilmembers Martin, Smith – 3.

Councilmember Patterson introduced a motion to return Introductory No. 263 to Committee;

2nd by Councilmember Peo.

Motion passed unanimously. Introductory No. 263 returned to Committee.

Councilmember Patterson introduced a motion to return Introductory No. 264 to Committee;

2nd by Councilmember Peo.

Motion passed unanimously. Introductory No. 264 returned to Committee.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2022-212

Re Consolidated Funding Applications

for 2022-23

Comprehensive Plan 2034 Initiative Areas:

Reinforcing Strong Neighborhoods; Sustaining

Green & Active Systems; Fostering Prosperity

& Opportunity

Transmitted herewith for your approval is legislation related to the 2022-23 New York State Consolidated Funding Application (CFA) process.

This legislation will:

1. Authorize the City’s applications for over $7.75 million in New York State funding through the CFA process; and

1. Authorize any necessary agreements with the State for the receipt of funding.

The CFA is the single point of entry for accessing nearly $500 million in State resources to be made available in 2022 to support the economic development priorities of the regions and spur job creation across the state, including $225 million in grant funds from Empire State Development made available to projects on a continuous and competitive basis.

This year, there are over 30 programs available through 10 state agencies, including Empire State Development; New York State Canal Corporation; New York State Energy Research and Development Authority; Environmental Facilities Corporation; Homes and Community Renewal; New York Power Authority; Office of Parks, Recreation and Historic Preservation; Department of Agriculture & Markets; Department of State; and Department of Environmental Conservation.

City Applications

In spring 2022, an interdepartmental team of City staff worked to review CFA availability as it related to each department and create a citywide CFA application plan.  Projects recommended for City submissions were based on the current stage of project development, ability to complete the projects within the timeframes established by the funding agency, and the ability to obtain matching funds through the City’s Capital Improvement Program.

If State funding is awarded, it is anticipated that any local match amounts not already allocated will be requested in the 2023-24 Capital Improvement Plan.

Applications are due by July 29, 2022.  The City of Rochester intends to submit up to nine applications for the projects listed below:

|  |  |  |  |
| --- | --- | --- | --- |
| **2022 City Applications for CFA** | | | |
| **Project** | **Total Project**  **Cost** | **State  Request** | **Local Match** |
| Bull's Head Plaza Demolition and Environmental Remediation | $2,500,000 | $500,000 | $2,000,000 |
| Genesee Valley Park West Improvements | $600,000 | $450,000 | $150,000 |
| ROC City Skate Park – Phases 2 & 3 | $4,000,000 | $3,000,000 | $1,000,000 |
| Canoe & Kayak Rentals at Genesee Gateway Park | $300,000 | $150,000 | $150,000 |
| Maplewood Nature Center – Energy Performance Initiative | $3,333,333 | $2,000,000 | $1,333,333 |
| Government Operations and Community-wide Climate Action Plan Updates/Fleet Inventory and Fleet Efficiency Policy | $105,000 | $52,500 | $52,500 |
| Martin Luther King Jr. Memorial Park - Phase 4 Improvements | $300,000 | $225,000 | $75,000 |
| Genesee Valley Park Ice Rink Improvements | $500,000 | $375,000 | $125,000 |
| Bus Stop Improvements | $2,000,000 | $1,000,000 | $500,000 (City)  $500,000 (RTS) |

Project descriptions are provided in the attached summary.

Respectfully submitted,

Malik D. Evans

Mayor

Attachment No. AV-126

Ordinance No. 2022-212

(Int. No. 265)

**Authorizing Consolidated Funding Grant applications and agreements**

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

Section 1. The Mayor is hereby authorized to submit applications to, and enter into agreements with, New York State for funding through the 2022-23 New York State Consolidated Funding Application for the following projects:

|  |  |  |  |
| --- | --- | --- | --- |
| **Project** | **Total Project Cost** | **State Request** | **Local Match** |
| Bull's Head Plaza Demolition and Environmental Remediation | $2,500,000 | $500,000 | $2,000,000 |
| Genesee Valley Park West Improvements | $600,000 | $450,000 | $150,000 |
| ROC City Skate Park - Phases 2 & 3 | $4,000,000 | $3,000,000 | $1,000,000 |
| Canoe & Kayak Rentals at Genesee Gateway Park | $300,000 | $150,000 | $150,000 |
| Maplewood Nature Center - Energy Performance Initiative | $3,333,333 | $2,000,000 | $1,333,333 |
| Government Operations and Community-wide Climate Action Plan Updates/Fleet Inventory and Fleet Efficiency Policy | $105,000 | $52,500 | $52,500 |
| Martin Luther King Jr. Memorial Park - Phase 4 Improvements | $300,000 | $225,000 | $75,000 |
| Genesee Valley Park Ice Rink Improvements | $500,000 | $375,000 | $125,000 |
| Bus Stop Improvements | $2,000,000 | $1,000,000 | $500,000 (City), $500,000 (Regional Transit Service) |
|  |  |  |  |

Section 2. City match funding shall be provided through Budget funds already allocated for these project purposes, or through the 2023-24 Capital Improvement Plan, contingent upon approval.

Section 3. The applications and 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. 2022-213

Re: Amending Ordinance No. 2022-52

Brooks Landing Revitalization Project

Comprehensive Plan 2034 Initiative Area:

Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation Amending Ordinance No. 2022-52 which authorized an agreement with Dunwoode Visual LLC (Shawn Dunwoody, Artist, 1500 Plymouth Avenue, Rochester, New York) for a maximum compensation of $150,000 for design, fabrication, transportation, and installation of public art for the Brooks Landing Revitalization Project.

At the request of the Shawn Dunwoody, this amendment will change the entity’s name to be used for the agreement from Dunwoode Visual LLC (Shawn Dunwoody, Artist, 1500 Plymouth Avenue, Rochester, New York) to the following:  Shawn Dunwoody (dba Four Walls Art Gallery, 26 Renwood Street, Rochester, New York).

All other terms of the agreement shall remain unchanged.

Respectfully submitted,

Malik D. Evans

Mayor

Attachment No. AV-127

Ordinance No. 2022-213

(Int. No. 266)

**Amending Ordinance No. 2022-52 relating to the Brooks Landing Revitalization project**

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

Section 1. Ordinance No. 2022-52, authorizing an agreement for public art installation at Brooks Landing, is hereby amended in Section 1 thereof as follows:

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with ~~Dunwoode Visual LLC~~ Shawn Dunwoody to design, fabricate, transport and erect a public art installation at Brooks Landing (Project). The maximum compensation shall be $150,000, which shall be funded from the NYS Department of State Local Waterfront Revitalization Grant appropriated for the Brooks Landing Revitalization Project in Ordinance No. 2007-183. The term of the agreement shall continue until 6 months after completion and acceptance of 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. 2022-214

Re Amendatory Agreement – Popli

Architecture + Engineering & LS, DPC

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 & LS, DPC dba Popli Design Group (Om P. Popli, C.E.O., 555 Pembrooke Drive, Penfield, New York) to provide master plan design services for the project. The original agreement for $300,000 was authorized September 2021 (Ordinance No. 2021- 297). This amendment shall increase maximum compensation by $185,000 to a maximum total of $485,000. The amendment will be funded with American Rescue Plan Act (ARPA) funds as appropriated in Ordinance No. 2022-79.

The initial agreement with Popli Design Group, includes the design of a beach house and site improvements to support the public swimming beach and staff at Durand Eastman Park Beach on Lake Ontario.  The beach currently operates under a variance and temporary permit due to a lack of permanent facilities.  The beach house concept includes restrooms, changing rooms, lifeguard office and first aid facilities, storage, safe fully accessible beach access, and associated site improvements.

The amendatory agreement will develop an updated master plan, phasing plan and estimates for the entire Durand Eastman Beach site.  The 2007 Master Plan focused on the western half of the beach and the development of beach house, parking and site amenity recommendations.  The updated master plan will address the entire length of the beach and will address the following improvements: drainage, stormwater management and erosion control; restoration of eroded slopes and trail; parking; beach access; pedestrian crossing of Lakeshore Boulevard; bus stop and shelter location(s); Lakeshore Boulevard shoulder enhancements; improvements to sight lines and views of the area; vegetation management; landscape enhancements; and, site amenities (picnic shelters; bus stop / shelter; picnic tables; grills; trash receptacles; benches; bike racks and repair stations, signage).

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 | $185,000 |
| **Total** | **$485,000** |

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 full-time jobs.  The term of the agreement shall extend until 6 months after final acceptance of the project.

Respectfully submitted,

Malik D. Evans

Mayor

Attachment No. AV-128

Ordinance No. 2022-214

(Int. No. 267)

**Authorizing an amendatory agreement for the Durand Eastman Park Beach House 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 amendatory professional services agreement with Popli Architecture + Engineering & L.S., D.P.C. to provide additional design services for the Durand Eastman Park Beach House project. The amendment shall add master plan design, a phasing plan and cost estimates for the entire Durand Eastman Beach site to the scope of services of the existing agreement authorized in Ordinance No. 2021-297 and shall increase the maximum compensation by $185,000 to a new total of $485,000. The amendatory amount shall be funded from the American Rescue Plan Act of 2021 appropriation authorized in Ordinance No. 2022-79.

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. 2022-215

Re Amendatory Agreement- Stantec

Consulting Services, Inc. – Erie Harbor

Enhancements Phase II Project

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 Erie Harbor Enhancements Phase II project. This legislation will:

* 1. Appropriate $42,211 in anticipated reimbursements from New York State Department of State (NYSDOS) to partially finance the preliminary design for additional scope to include the creation of a new parking lot and related infrastructure; and,
  2. Authorize an amendatory agreement with Stantec Consulting Services, Inc. (James R. Hofmann, Jr., C.E.O., Rochester, New York), to increase the maximum total compensation by $145,000 to a maximum total of $715,000 for preliminary design and SEQRA for the new parking lot, as well as additional detailed design and construction administration services for the overall project. The amendatory agreement will be funded with the NYSDOS funds appropriated herein, bonds authorized for the project (Ordinance No. 2019-90), and 2022-23 Cash Capital.

The project will rehabilitate Genesee Gateway Park and the Genesee Riverway Trail within the project area to provide sightlines and access to the waterfront and trail system, enhance public recreational use of the parkland, and provide direct public recreational use of the Genesee River for non-motorized hand carried watercraft.

Concurrent with the design of the project the City received an additional grant through the Environmental Protection Fund Local Waterfront Revitalization Program as administered through NYSDOS. The grant will fund the new parking lot and related infrastructure to support the car-top boat launch and park improvements currently under construction. The amendment also includes, but is not limited to, additional design services related to mussel relocation, lighting improvements, and construction administration services.

The project was designed by Stantec and authorized by Ordinance No. 2017-136 and amended by Ordinance No. 2019-89, and Ordinance No. 2022-51.

The project will be funded as follows:

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Source of Funds | Design | Construction | RPR | Contingency | Total |
| NYSDOS Grant appropriated herein | 42,211 | 0 | 0 | 0 | $42,211 |
| 2022-23 Cash Capital | 7,449 | 0 | 0 | 0 | $7,449 |
| ARPA funds appropriated Ordinance No. 2022-76 | 0 | 1,000,000 | 0 | 0 | $1,000,000 |
| Bonds appropriated Ordinance No. 2022-77 | 0 | 1,208,800 | 0 | 41,200 | $1,250,000 |
| RG&E grant appropriated Ordinance No. 2022-51 | 20,000 | 200,000 | 0 | 0 | $220,000 |
| Roc the Riverway/URI funds appropriated Ordinance No. 2019-89 | 350,000 | 1,490,000 | 160,000 | 0 | $2,000,000 |
| 2016-17 Cash Capital | 100,000 | 0 | 0 | 0 | $100,000 |
| NYS DOS Grant appropriated Ordinance 2017-136 | 100,000 | 0 | 0 | 0 | $100,000 |
| NYS DOS Grant Appropriated Ordinance No. 2019-89 | 0 | 726,250 | 123,750 | 0 | $850,000 |
| Bonds appropriated Ordinance No. 2019-90 | 95,340 | 543,750 | 156,250 | 54,660 | $850,000 |
| 2020-21 Cash Capital | 0 | 0 | 60,000 | 340,000 | $400,000 |
| Total | $715,000 | $5,168,800 | $500,000 | $435,860 | $6,819,660 |

The construction of the entire project is anticipated to be completed in summer 2023.

The additional funding for the project will result in the creation and/or retention of the equivalent of 0.5 full-time jobs. The term of the agreement shall extend until six (6) months after completion and acceptance of the construction of the project.

Respectfully submitted,

Malik D. Evans

Mayor

Attachment No. AV-129

Ordinance No. 2022-215

(Int. No. 268)

**Authorizing an amendatory agreement and appropriating funds related to the Erie Harbor Enhancements Phase II project**

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

Section 1. The Council hereby appropriates $42,211 in anticipated reimbursements from the New York State Department of State (NYSDOS) to fund a portion of the preliminary design for additional work to include the creation of a new parking lot and related infrastructure related to the Erie Harbor Enhancements Phase II project (Project).

Section 2. The Mayor is hereby authorized to enter into an amendatory agreement with Stantec Consulting Services, Inc. to increase the maximum total compensation for preliminary design, SEQRA review, and new design and construction administration services related to the Project. The amendatory agreement shall amend the existing agreement that was authorized by Ordinance No. 2017-136 and as amended by Ordinance No. 2019-89 and Ordinance No. 2022-51, to increase the maximum compensation by $145,000 to a total of $715,000. The amendatory compensation shall be funded by $42,211 from the appropriation authorized in Section 1 herein, by $95,340 from bonds authorized for the Project in Ordinance No. 2019-90, and by $7,449 from 2022-23 Cash Capital.

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. 2022-216

Re: Solid Waste Motor Equipment Bonding

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 issuance of $4,000,000 in bonds and appropriating the proceeds thereof to finance the purchase of automated Solid Waste collection vehicles. These bonds will be funded by the Refuse Fund.

The Department of Environmental Services periodically replaces collection vehicles based upon a combination of use and age. The 10 sideload packers being replaced are first line vehicles that operate out of the Solid Waste Division located at 210 Colfax Street. Each of the 10 vehicles are currently 5 years old, and will be 7 years old at time of replacement. The sideload packers are used on a daily basis in the collection of refuse material set out at the curb by residents. Upon replacement, the existing sideload packers will replace reserve vehicles that are currently 13 years old and eligible for disposal through the Purchasing Bureau’s surplus process.

Respectfully submitted,

Malik D. Evans

Mayor

Ordinance No. 2022-216

(Int. No. 269)

**Bond Ordinance of the City of Rochester, New York authorizing the issuance of $4,000,000 Bonds of said City to finance costs of the replacement of ten solid waste collection vehicles**

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 acquisition of ten (10) sideload packer vehicles to be used in the City’s solid waste collection system and to be garaged at 210 Colfax Street (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 $4,000,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of $4,000,000 bonds of the City to finance said appropriation 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 $4,000,000 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 $4,000,000. 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. 29 of the Law, is five (5) 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. 2022-217

Re: Amendatory Agreements – New York

State Department of Corrections and

Community Supervision (DOCCS) /

Center for Employment Opportunities, Inc.

(CEO) for Transitional Job Training and

Placement Program

Council Priority: Jobs and Economic

Development

Comprehensive Plan 2034 Initiative Area:

Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation authorizing amendatory agreements with the New York State Department of Corrections and Community Supervision (DOCCS) and the Center for Employment Opportunities, Inc. (CEO) in continuing partnership with the City for the transitional job training and placement program.

The original agreements authorized in September 2018 by Ordinance No. 2018-301, established maximum annual compensation for a term of one year with five one-year extension options.  The compensation for the first year was $141,500 for 2018-19 and the extension period compensation, if exercised, included $145,800 for 2019-2020, $150,200 for 2020-2021, $154,700 for 2021-2022, $159,400 for 2022-2023 and $164,200 for 2023-2024.

This amendment will increase maximum compensation by $150,000 for a maximum total of $309,400 for 2022-23.  The term of the agreements will remain the same, ultimately expiring on June 30, 2024 if the last two extension periods are exercised.  The cost of the increase for 2022-23 will be funded from the 2022-23 Budget of the Mayor’s Office.

The City has a primary agreement with DOCCS and a secondary agreement with CEO as DOCCS’s subcontractor to provide a work crew under the supervision of DOCCS. While DOCCS requires the City to have an agreement with them to provide the job training program through CEO, DOCCS also requires the City to enter into an agreement with CEO with respect to the latter’s commitment to adhere to the City’s living wage requirements and for CEO to provide insurance requirements commensurate with any agreement into which the City enters.  The terms and conditions of engagement of CEO to perform work in the City are set forth in the DOCCS agreement.

CEO provides employment services to men and women with recent criminal convictions through structured programs that help participants regain the skills needed to successful transitions to stable, productive lives.  Through administration of the program, DOCCS, through its Managing Agent, CEO, supplies laborers to perform hand sweeping and litter collection as weather permits, snow and ice control during the winter months, and other work tasks as determined by the City. CEO is paid directly by DOCCS and the City reimburses DOCCS for the payments they make on the City’s behalf.

Current funding allows for one work crew comprised of six people for 6.5 hours per day Monday through Thursday, excluding State holidays.  Additional funding from the Mayor’s Office will allow for the expansion of the partnership by adding an additional work crew, ultimately helping an additional 25 residents who are under criminal justice supervision transition to employment.

Respectfully submitted,

Malik D. Evans

Mayor

Ordinance No. 2022-217

(Int. No. 270)

**Authorizing amendatory agreements related to the Transitional Job Training and Placement 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 amendatory agreement with the New York State Department of Corrections and Community Supervision (DOCCS) to provide additional programming related to the Transitional Job Training and Placement program (Program). The amendatory agreement shall amend the existing agreement that was authorized by Ordinance No. 2018-301 to increase the maximum compensation for the 2022-23 extension term by $150,000 to a total of $309,400. The amendatory compensation shall be funded by 2022-23 Budget of the Office of the Mayor.

Section 2. The Mayor is hereby authorized to enter into an amendatory agreement with the Center for Employment Opportunities, Inc. to provide work crews under the supervision of DOCCS for the Program agreement for which amendatory compensation has been provided pursuant to Section 1 herein. The agreement shall run concurrently with the term of the DOCCS agreement and contain language regarding the City’s Living Wage and insurance requirements.

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.

By President Meléndez

July 19, 2022

The **PUBLIC SAFETY COMMITTEE** recommends for **ADOPTION** the following entitled legislation:

Int. No. 271 Authorizing an agreement relating to the Tobacco Sales Compliance grant

Int. No. 273 Authorizing an intermunicipal agreement relating to electronic pistol permit records

The **PUBLIC SAFETY COMMITTEE** recommends the following entitled legislation to be **HELD** in Committee**:**

Int. No. 272Amending the 2022-23 Budget to appropriate federal forfeiture funds and authorizing an agreement relating to the Crime Stoppers program

Int. No. 285 Authorizing agreements related to the 2022-23 GIVE grant

Respectfully submitted,

Miguel A. Meléndez, Jr.

Mitch Gruber *(absent)*

LaShay D. Harris

Willie Lightfoot (*absent*)

Stanley Martin (*voted against Int. No. 271 and Int. No. 273)*

Michael Patterson

Jose Peo

Kim Smith

Mary Lupien (*voted against Int. No. 271 and Int. No. 273)*

PUBLIC SAFETY, RECREATION & HUMAN SERVICES COMMITTEE

Received, filed and published.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2022-218

Re: Agreement – Monroe County, Tobacco

Sales Compliance Grant

Council Priority:  Public Safety

Comprehensive Plan 2034 Initiative Area:

Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing an agreement with Monroe County for the receipt and use of $41,000 for a Tobacco Sales Compliance grant. The term of the agreement is April 1, 2022 through March 31, 2023.

Monroe County will reimburse costs of up to $41,000 in overtime and fringe benefits ($30,000 overtime; $11,000 fringe) for compliance checks conducted during the contract term.  This agreement continues the enforcement program begun in April 1998, under which the Police Department conducts inspections of licensed tobacco outlets in the City.  These inspections track compliance with the age restrictions on tobacco sales by using underage "agents" who attempt to buy tobacco products.  Police Officers accompanying the purchasers will record and report any illegal underage sales, and will inspect sellers’ premises for compliance with restrictions on product placement, and the possession of proper documents and certificates.

The $30,000 for overtime was included in the 2022-23 Budget of the Police Department and $11,000 for fringe was included in the 2022-23 Budget of Undistributed Expenses.  RPD has received this grant for over 10 years.

Respectfully submitted,

Malik D. Evans

Mayor

Ordinance No. 2022-218

(Int. No. 271)

**Authorizing an agreement relating to the Tobacco Sales Compliance grant**

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 County of Monroe for the receipt and use of $41,000 for reimbursement of the City’s overtime and fringe benefits costs relating to tobacco sales compliance enforcement. The term of the agreement shall extend for one year.

Section 2. The agreement shall have 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, Patterson, Peo – 5.

Nays – Vice President Lupien, Councilmembers Martin, Smith – 3.

Motion to Discharge Introductory No. 272.

Moved by xx; 2nd by XX.

Motion to Discharge passed by the following vote:

Ayes – President Meléndez, Councilmembers Gruber, Harris, Lupien, Patterson, Peo, Smith – 7.

Nays – Councilmember Martin – 1.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2022-219

Re: Appropriation - Federal Forfeiture

Funds for Crime Stoppers

Council Priority:  Public Safety

Comprehensive Plan 2034 Initiative Area:

Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to federal forfeited property revenues attributable to the Rochester Police Department (RPD).  This legislation will:

1. Appropriate $15,000 in RPD federal forfeiture funds to support Rochester Area Crime Stoppers, Inc. and amend the 2022-23 Budget of the Police Department by said amount.

1. Establish $15,000 as maximum compensation for an agreement with Rochester Area Crime Stoppers, Inc., (Chairperson:  Paul Hawkins) an organization that promotes anonymous crime tips and provides rewards for tips that result in arrests.  The cost of this agreement will be funded from the 2022-23 Budget of the Police Department and have a term of one year.

Rochester Area Crime Stoppers, Inc. also publishes the *Fugitive Flyer* to assist local law enforcement in arresting felony fugitives, and produces public awareness materials geared towards eliminating gun violence.

The appropriations requested this month will result in a balance of approximately $347,900 in the federal forfeiture Treasury fund.

Respectfully submitted,

Malik D. Evans

Mayor

Ordinance No. 2022-219

(Int. No. 272)

**Amending the 2022-23 Budget to appropriate federal forfeiture funds and authorizing an agreement relating to the Crime Stoppers program**

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 increasing the revenue estimates and appropriations to the Budget of the Police Department by the sum of $15,000, which amount is hereby appropriated from Federal funds realized from seized and forfeited assets to support the Crime Stoppers program.

Section 2. The Mayor is hereby authorized to enter into an agreement with Rochester Area Crime Stoppers, Inc. for services relating to the solicitation of anonymous crime tips and the provision of rewards for tips which result in arrests. The maximum compensation for the agreement shall be $15,000, which shall be funded from the 2022-23 Budget of the Police Department. The term of the agreement shall extend for one year.

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 by the following vote:

Ayes – President Meléndez, Councilmembers Gruber, Harris, Patterson, Peo, Smith – 6.

Nays – Vice President Lupien, Councilmember Martin – 2.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2022-220

Re: Inter-municipal Agreement – Monroe County,

Electronic Pistol Permit Records System

Council Priority:  Public Safety

Comprehensive Plan 2034 Initiative Area:

Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing an intermunicipal agreement with Monroe County for the Rochester Police Department’s use of the County’s electronic pistol permit records system at no cost.

Monroe County has an electronic pistol permit records system and is willing to allow the City limited access to this system, provided the City assumes all costs, responsibilities and liabilities of access to this system.  The City will maintain a record of all inquiries and/or searches made in the system and provide copies to the Monroe County Clerk’s office upon request.

The term of this agreement is August 1, 2022 through July 31, 2025, with the option to renew for two additional one-year periods.

Respectfully submitted,

Malik D. Evans

Mayor

Ordinance No. 2022-220

(Int. No. 273)

**Authorizing an intermunicipal agreement relating to electronic pistol permit records**

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

Section 1. The Mayor is hereby authorized to enter into an intermunicipal agreement with the County of Monroe (County) for use of the County’s electronic pistol permit records system at no cost. The term of the agreement shall extend for three years with the option to extend for up to two additional periods of one year each.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

Motion to Discharge Introductory No. 285.

Moved by Councilmember Patterson; 2nd by XX.

Motion to Discharge passed by the following vote:

Ayes – President Meléndez, Councilmembers Gruber, Harris, Lupien, Patterson, Peo – 6.

Nays – Councilmembers Martin, Smith – 2.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2022-221

Re: Agreement – New York State Division

of Criminal Justice Services, 2022-23

GIVE Grant

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area:

Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to a New York State Division of Criminal Justice Services (DCJS) grant.  This legislation will:

1. Authorize an agreement with DCJS for the receipt and use of a Gun Involved Violence Elimination (GIVE) grant in the amount of $828,300 for the term of July 1, 2022 to June 30, 2023;

1. Establish $233,500 as maximum compensation for an agreement with Rochester Institute of Technology (RIT) to employ a GIVE Director, GIVE Analyst, and students to work with the taskforce (approved in Ordinance 2018-251).  The agreement will be funded from the 2022-23 Budget of the Police Department.  The term of this agreement will be July 1, 2022 through June 30, 2023, with the option to renew for three, one-year periods contingent upon receipt of the GIVE grant and each renewal period shall have a maximum compensation of the amount actually awarded for this purpose under the GIVE grant for that year.

1. Establish $168,800 as maximum compensation for an agreement with PathStone Corporation (Principal:  Stuart J. Mitchell) to cover the cost of direct service provider case management and mental health counseling for focused deterrence participants.  The agreement will be funded from the 2022-23 Budget of the Police Department.  The term of this agreement will be July 1, 2022 through June 30, 2023, with the option to renew for three, one-year periods contingent upon receipt of the GIVE grant and each renewal period shall have a maximum compensation of the amount actually awarded for this purpose under the GIVE grant for that year.

This grant will build on the success of previous GIVE funding and support the continued work of a County-wide criminal justice taskforce to reduce violent crime in Rochester.  GIVE strategies are exclusively focused on firearm related crime, primarily shootings and homicides.  Methods of reducing firearm violence will be based upon empirically derived best-practices that focus on violent dispute intervention and resolution; deterring access to illegal firearms; and implementing offender-based tactics and place-based tactics.  Taskforce priorities and activities are based on crime and crime response data.

The grant includes $361,000 in overtime, but does not pay for the associated fringe cost of $132,800.  Overtime details will focus both on known gun offenders and in gun violence hotspots.  The remaining $65,000 will be used to purchase supplies for custom notifications and community engagement, rental cars for undercover details, supplies for a Crime Prevention through Environmental Design (CPTED) project, and training required by DCJS.  No matching funds are required.  This will be the ninth year RPD has received this award.

Justification statements for not issuing a Request for Proposal for both Rochester Institute of Technology and PathStone Corporation are attached.

Respectfully submitted,

Malik D. Evans

Mayor

Attachment No. AV-130

Ordinance No. 2022-221

(Int. No. 285)

**Authorizing agreements related to the 2022-23 GIVE grant**

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 Division of Criminal Justice Services for the receipt and use of a grant of $828,300 to continue programming through the Gun Involved Violence Elimination (GIVE) taskforce to reduce violent crime in the City (Project). The term of the agreement shall be one year.

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with the Rochester Institute of Technology to engage staff and students to work with the GIVE taskforce to implement the Project. The maximum compensation for the agreement shall be $233,500, which shall be funded from the 2022-23 Budget of the Police Department. The term of the agreement shall be one year, with the option to extend for up to three additional periods of one year each.

Section 3. The Mayor is hereby authorized to enter into a professional services agreement with Pathstone Corporation for direct service provider case management and mental health counseling for focused deterrence participants related to the Project. The maximum compensation for the agreement shall be $168,800, which shall be funded from the 2022-23 Budget of the Police Department. The term of the agreement shall be one year, with the option to extend for up to three additional periods of one year each.

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

Section 5. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes – President Meléndez, Councilmembers Gruber, Harris, Patterson, Peo – 5.

Nays – Vice President Lupien, Councilmembers Martin, Smith – 3.

By Councilmember Harris

July 19, 2022

To the Council:

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

Int. No. 274 Authorizing an agreement related to foster care, transfer coordination, and community outreach for Rochester Animal Services

Int. No. 275 Authorizing an agreement and amending the 2022-23 Budget relating to the Petco Love 2022 grant

Int. No. 276 Amending Ordinance No. 2022-92 and amending the 2022-23 Budget for spay and neuter services

Int. No. 277 Authorizing a license agreement for use of real estate

Int. No. 278 Authorizing an agreement and amending the 2022-23 Budget relating to the Erie Canalway Heritage Corridor Event grant

Int. No. 279 Authorizing an agreement and amending the 2022-23 Budget relating to the Flower City Public Health Corps

Int. No. 280 Authorizing an amendatory agreement relating to the Healthcare Workforce Resiliency Program

Int. No. 281 Appropriating funds for the ROCmusic program

Int. No. 282 Appropriating funds for the Roc Paint Division Mural Arts Project

Int. No. 283 Appropriating funds and authorizing an agreement for the International Plaza

Int. No. 284 Appropriating American Rescue Plan Act funds, amending the 2022-23 Budget and authorizing agreements for Youth Employment Services

Respectfully submitted,

LaShay D. Harris

Willie J. Lightfoot *(absent)*

Stanley Martin

Mary Lupien

Miguel A. Meléndez Jr (*abstained from Int. No. 283)*

**RECREATION & HUMAN SERVICES COMMITTEE**

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2022-222

Re: Agreement – Friends of Verona Street

Animal Shelter Inc.

Council Priority:  Creating & Sustaining a

Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area:

Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing $139,526 as maximum compensation for an agreement with the Friends of Verona Street Animal Shelter Inc. (VSAS) (Mary Jones, Executive Director, 184 Verona Street, Rochester, 14608). These funds will be used to support a full-time Foster Care and Transfer Coordinator position and a full-time Community Outreach Specialist position at Rochester Animal Services. These funds were anticipated and included in the 2022-23 Budgets of the Department of Recreation and Human Services and Undistributed Expenses.

VSAS will provide funding for salary and fringe for a full-time Foster Care and Transfer Coordinator and a portion of the salary and fringe for a full-time Community Outreach Specialist at Rochester Animal Services for the term of July 1, 2022 through June 30, 2023. This is the second year VSAS has provided this support.

The Foster Care and Transfer Coordinator position coordinates the recruitment, placement, orientation, training, and monitoring of foster care volunteers and the animals and the activities associated with the Foster Care Program and the Transfer Program for Rochester Animal Services. The Community Outreach Specialist provides supportive services to community members facing barriers in access to resources to support the human-animal bond and keep people and pets together.

Respectfully submitted,

Malik D. Evans

Mayor

Ordinance No. 2022-222

(Int. No. 274)

**Authorizing an agreement related to foster care, transfer coordination, and community outreach for Rochester Animal Services**

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

Section 1. They Mayor is hereby authorized to enter into an agreement with Friends of Verona Street Animal Shelter Inc. (VSAS) to fund the provision of foster care, transfer coordination, and community outreach services. The maximum compensation provided by VSAS for the agreement shall be $139,526. The agreement shall have a term of one year.

Section 2. The agreement shall have 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, Lupien, Martin, Patterson, Smith – 7.

Nays – Peo – 1.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2022-223

Re: Grant Agreement – Petco Love

Council Priority: Creating & Sustaining a

Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area:

Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to Petco Love Animal Sheltering & Adoptions grant.  This legislation will:

1. Authorize an agreement with Petco Love for the receipt and use of the 2021 Petco Love Animal Sheltering & Adoptions grant in the amount of $10,000.

1. Amend the 2022-2023 Budget of the Department of Recreation and Human Services budget by $10,000 to reflect the grant received.

These grant funds will be used to continue subsidizing the Animal Services pet adoption program. Through this program, the City offers free pet adoptions during a series of scheduled events. The grant funds are used to pay for the adoption fees and other costs related to animal play programs while in shelter care.

This is the seventh time the City has received this grant, which has supported 864 pet adoptions. This grant was last authorized via Ordinance No. 2021-174.

The term of this agreement will be for one year.

Respectfully submitted,

Malik D. Evans

Mayor

Ordinance No. 2022-223

(Int. No. 275)

**Authorizing an agreement and amending the 2022-23 Budget relating to the Petco Love 2022 grant**

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 Petco Love for the receipt and use of a grant of $10,000 to subsidize the Rochester Animal Services pet adoption program (Program). The term of the agreement shall extend for one year.

Section 2. The agreement shall have 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 of the Budget of the Department of Recreation and Human Services by the amount of $10,000, which amount is hereby appropriated for the Program.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2022-224

Re: Agreement – Veterinary Services for

Rochester Animal Services

Council Priority: Creating & Sustaining a

Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area:

Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the Animal Services Veterinary Services Agreement.  This legislation will:

1. Amend Ordinance No. 2022-92 that established $68,000 as maximum compensation for a veterinary services agreement with PP-NY Veterinary LLC. The new agreement will be for the same maximum compensation with Pathway Vet Alliance LLC dba Rochester Community Animal Clinic (Stefanie Box, General Counsel, Rochester, NY 14609) as a result of a name change for the business. The term of this agreement will be for one year, and the cost will be funded from an appropriation from the 2022-23 Department of Recreation and Human Services (DRHS) budget, using the grant award from the American Society for the Prevention of Cruelty – Animal Population Control Program.

1. Amend the 2022-23 Budget of the DRHS by $68,000, the amount of the aforementioned grant award.

This grant and veterinary services agreement were originally authorized via Ordinance No. 2022-92, however there were delays related to turnover in the consultant’s contract office followed by a change in the name of the corporate practice.  Those delays prevented the City from receiving and appropriating the grant funds into the 2021-22 Budget. Therefore, the entire award must be added to 2022-23 Budget with this amendment.

These grant funds will be used to continue subsidizing the Animal Services spay-neuter voucher program. Through this program, City residents receive vouchers which can be redeemed for pet spay and neuter services at the Rochester Community Animal Clinic. The grant funds are used to pay for the surgeries which are provided on a monthly basis. Last year, the clinic provided sterilization surgeries to 583 pets of city residents with these grant funds.

Respectfully submitted,

Malik D. Evans

Mayor

Ordinance No. 2022-224

(Int. No. 276)

**Amending Ordinance No. 2022-92 and amending the 2022-23 Budget for spay and neuter services**

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

Section 1. Ordinance No. 2022-92, authorizing agreements and amending the 2021-22 Budget for spay and neuter services, is hereby amended as follows:

Section 3. The Mayor is hereby authorized to enter into a professional

services agreement with ~~PP-NY Veterinary LLC~~ Pathway Vet Alliance LLC to provide spay and neuter services for pets of those who present Program vouchers. The agreement shall have a term of one year with the option to extend for one additional year if the term of the supporting grant agreement authorized herein is so extended. The cost of the agreement shall be funded from the grant proceeds authorized and appropriated for the Program herein.

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 Department of Recreation and Human Services by $68,000 to reflect the receipt of the grant funds from The American Society for the Prevention of Cruelty to Animals as authorized in Ordinance No. 2022-92, which funds are hereby appropriated to fund no-cost spay/neuter vouchers for the pets of qualifying City residents.

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. 2022-225

Re: Lease Agreement – Kodak, 199 Brown

Street Lot

Council Priority:  Creating & Sustaining a

Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area:

Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing $1,800 as maximum annual compensation for a lease agreement with the Eastman Kodak Company (James V. Continenza, CEO, 343 State St. Rochester NY, 14650) to provide use of the parcel at 199 Brown Street for running the Rochester Animal Services dog playgroup program and mounted patrol.  The cost of this agreement will be funded by 2022-23 Budget of the Department of Recreation and Human Services.  The term of the agreement will be for one year with the option for three additional one-year renewal periods.

Animal Services will use this parcel to continue providing canine playgroups for dogs in the custody of Animal Services.  Ensuring that all dogs are provided out of kennel time, exercise, and socialization are best practice recommendations for shelter enrichment.

The City has maintained a similar agreement with Kodak since 2013. This is the first time that Kodak has required payment for the use of the parcel.

Respectfully submitted,

Malik D. Evans

Mayor

Ordinance No. 2022-225

(Int. No. 277)

**Authorizing a license agreement for use of real estate**

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

Section 1. The Mayor is hereby authorized to enter into a license agreement with Eastman Kodak Company for the use of space at 199 Brown Street to be used by the City for the Rochester Animal Services dog playgroup program and for the mounted patrol. The agreement shall have a term of one year with the option to extend for up to three additional one-year periods.

Section 2. The agreement shall obligate the City to pay an amount not to exceed $1,800 for each one-year period. Said amount shall be funded from the 2022-23 Budget of the Department of Recreation and Human Services (DRHS) for the first year and from subsequent years’ Budgets of DRHS for any subsequent years, contingent upon approval of future 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. 2022-226

Re:  Grant Agreement – Erie Canalway

Heritage Fund, Inc.

Council Priority: Creating & Sustaining a

Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area:

Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to an Erie Canalway National Heritage Corridor Event Grant.  This legislation will:

1. Authorize an agreement with the Erie Canalway Heritage Fund, Inc. (Robert Radliff, Executive Director, and P.O. Box 2019, Waterford, NY) for the receipt and use of $2,000 National Heritage Corridor Event Grant.

1. Amend the 2022-23 Budget of the Department of Recreation and Human Services by $2,000 to reflect the grant received herein.

These grant funds will be utilized to fund a public event on October 2, 2022 as part of the NYS Canal Society’s Annual Conference to be held in Rochester during the City’s ROC the Riverway Weekend. The planned event will highlight ROC the Riverway improvements, both planned and completed, and aid in the activation of the Genesee River in downtown Rochester.

The term of this agreement will be for six months. This is the first time that the City has received this grant for this purpose.

Respectfully submitted,

Malik D. Evans

Mayor

Ordinance No. 2022-226

(Int. No. 278)

**Authorizing an agreement and amending the 2022-23 Budget relating to the Erie Canalway Heritage Corridor Event grant**

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 Erie Canalway Heritage Fund, Inc. for the receipt and use of a grant of $2,000 to fund a public event as part of the New York State Canal Society’s Annual Conference (Event). The term of the agreement shall extend for six months.

Section 2. The agreement shall have 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 of the Budget of the Department of Recreation and Human Services by the amount of $2,000 authorized in Section 1 above, which amount is hereby appropriated for the Event.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2022-227

Re: Grant Agreement – New York State

Office of Children and Family Services,

Flower City Public Health Corps

Council Priority:  Job and Economic

Development; Support the Creation of Effective

Educational Systems

Comprehensive Plan 2034 Initiative Area:

Fostering Prosperity and Opportunity

Transmittal herewith for your approval is legislation related to the New York State Office of Children and Family services for the Flower City Public Health Corps program.  This legislation will:

1. Authorize an agreement with the New York State Office of Children and Family Services (NYS OCFS) for the receipt and use of a grant award from for the Flower City Public Health Corps. The term of the grant is September 1, 2022 to November 30, 2025, and this grant consists of three, overlapping 15-month program periods from September 1, 2022 to November 30, 2023, September 1, 2023 to November 30, 2024, and September 1, 2024 to August 30, 2025.  The City will receive a grant award of $633,600 for the first program period of September 1, 2022 to November 30, 2023.

1. Amend the 2022-2023 Budget of the following departments to reflect a portion of the first program period authorized herein:

Department of Recreation and Human Services $164,900

Undistributed Expenses $312,500

The remaining grant funds will be anticipated and included in future years’ budget, contingent upon approval.

The goal of the Flower City Public Health Corps is to advance more equitable health outcomes and meet the needs of our community by providing needed capacity and support in various community and governmental locations.  Another goal is to provide pathways to public-health related careers by providing exposure through onsite experience, training, and more.  Specifically, 22 full-time AmeriCorps members will provide COVID-19 response and recovery services, assist in establishing neighborhood preventative health clinics, facilitate youth mentoring and trainings in public health, health educational and training programming, mental health education and awareness, community outreach, emotional regulation skill building within high-poverty, urban and marginalized neighborhoods throughout the City.  The list of host sites for this new program is currently being developed with the opportunity for members to serve both within and outside of the City.

AmeriCorps members are volunteers serving full time (40 hours per week) and receive a $16,502 annual “living allowance”.  Upon successful completion of 1,700 hours of service, members are also eligible for the Segal AmeriCorps Education Award provided by the federal government in the amount of $6,895.

This is the first time that the City is receiving this grant award.  However, the City is entering the 8th year of running the successful Flower City AmeriCorps grant program, which was last authorized via City Council Ordinance No. 2021-308.

Respectfully submitted,

Malik D. Evans

Mayor

Ordinance No. 2022-227

(Int. No. 279)

**Authorizing an agreement and amending the 2022-23 Budget relating to the Flower City Public Health Corps**

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 Office of Children and Family Services for the receipt and use of a grant of $633,600 for the initial term of the Flower City Public Health Corps program (Program). The term of the agreement shall extend from September 1, 2022 through November 30, 2023 with the option to extend for up to two additional overlapping periods of 15 month each. Any optional extension of the term shall be contingent upon Council’s acceptance of specified grant amount for the next term.

Section 2. The agreement shall have 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 of the Budget of the Department of Recreation and Human Services by the amount of $164,900 and the Budget of Undistributed Expenses by $312,500, which amounts are hereby appropriated to the Program from the grant funds authorized by Section 1 herein.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2022-228

Re:  Agreement – American Rescue Plan Act,

Healthcare Workforce Resiliency Program

Council Priority: Jobs and Economic

Development

Comprehensive Plan 2034 Initiative Area:

Fostering Prosperity and Opportunity

Transmitted herewith for your approval is legislation amending Ordinance No. 2022-33 that appropriated and established $500,000 in American Rescue Plan Act funding as maximum compensation for a one year agreement with the Center for Healthcare Workforce Development, Inc. (Sandi Vito, New York, NY) to deliver the Healthcare Workforce Resiliency Program.  The agreement will now be with the Healthcare Industry Grant Corporation (Sandi Vito, New York, NY) for an amended term of one year with the option of one additional one–year renewal period.  This different entity is still related to the SEIU Healthcare Employment and Training fund, but better meets the federal requirements about the spending of ARPA funds as outlined in the ARPA Final Rule.

The maximum annual compensation for the amendatory agreement will be $250,000, for a total maximum compensation of $500,000. DRHS is seeking this extension to the agreement to ensure that the Healthcare Industry Grant Corporation has sufficient time to adequately start and administer the program.  Due to the fact that this is a new program, additional time is needed to develop program operations and meet the goal of assisting up to 75 City residents.

The Healthcare Workforce Resiliency Program will provide skills for low-income workers that lead to good jobs that provide decent wages, benefits, and opportunities for career advancement within the healthcare industry; provide training and education that enables entry level health care workers to move into higher paying jobs in the industry; and provide wraparound services to support success and ensure equitable access to healthcare career pathways. To accomplish this, academic assessment services and case management including stipends and wraparound service coordination will be provided throughout the program, based on the individual’s specific needs. The program anticipates supporting up to 75 City residents in achieving licensure and/or certification.

Respectfully submitted,

Malik D. Evans

Mayor

Ordinance No. 2022-228

(Int. No. 280)

**Authorizing an amendatory agreement relating to the Healthcare Workforce Resiliency 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 amendatory professional services agreement with the Center for Healthcare Workforce Development, Inc. to implement the Healthcare Workforce Resiliency Program (Program). The agreement authorized by Section 2 of Ordinance No. 2022-33 may be amended to change the provider to the Healthcare Industry Grant Corporation and to modify the term from one year to a term of one year with the option to extend for one additional year.

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. 2022-229

Re  2022-23 Annual Action Plan

Consolidated Community Development

Plan – STEAM Engine

Council Priority:  Creating and Sustaining a

Culture of Vibrancy; 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 STEAM (Science, Technology, Engineering, Arts, and Math) Engine program as described in the 2022-23 Annual Action Plan.  This legislation will appropriate $25,000 of Community Development Block Grant funds from the 2022-23 Annual Action Plan, STEAM Engine allocation, for the ROCmusic program.

ROCmusic is an after-school and summer community-based music enrichment program that offers tuition-free music instruction, instruments, small-group lessons, and monthly concert performances.  The program includes two tracts – traditional instrumental music instruction with a focus on string and brass instruments and contemporary music instruction with a focus on piano, bass guitar, drums, and production.  All students can also participate in electives such as African Drumming, Choir, Blues Band, Fiddling, recording skills, and sound reinforcement.  In addition to instruction, the students have special access to guest artists and local cultural events, with transportation and meals arranged at no additional cost to the student or their families.

The program will serve up to 140 youth ages 6 and older at the David F. Gantt, The Honorable Willie Walker Lightfoot R-Center for Equity and Justice , Frederick Douglass and Edgerton R-Centers, and will culminate with a music album created in the Gantt R-Center recording studio.  The funds appropriated herein will be used for music instruments and equipment, program supplies, and instructor fees.

The ROCmusic program began in 2012 as a partnership between the City, Hochstein School of Music & Dance, University of Rochester Eastman School of Music, Eastman Community Music School, Rochester Philharmonic Orchestra, and the Rochester City School District.  The program has served 621 students since its inception. The program was last authorized by City Council Ordinance No. 2021-247.

Respectfully submitted,

Malik D. Evans

Mayor

Ordinance No. 2022-229

(Int. No. 281)

**Appropriating funds for the ROCmusic program**

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

Section 1. The sum of $25,000 is hereby appropriated from the STEAM Engine project allocation of the 2022-23 Annual Action Plan (Plan) to fund the ROCmusic enrichment program for youth, contingent upon approval of the Plan.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2022-230

Re: 2022-23 Annual Action Plan Consolidated

Community Development Plan – Job

Creation and Youth Development

Council Priority:  Creating and Sustaining a

Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area:

Fostering Prosperity and Opportunity

Transmitted herewith for your approval is legislation authorizing the appropriation of $14,500 of Community Development Block Grant funds from the Job Creation/Youth Development allocation of the 2022-23 Annual Action Plan for the “Roc Paint Division” Mural Arts project.  The funds will be used for program supplies, artistic training fees, and educational field trip expenses.

The Mural Arts Project, initiated in 2012, in collaboration with the Department of Neighborhood and Business Development, engages Rochester youth to create, develop, and install public art projects to enhance and improve the community.  Each year, a “Roc Paint Division” mural arts team is assembled consisting of two lead artists and ten youth workers.  As in prior years, the youth hired for the 2022-23 project will receive training in employment soft skills, community art development, leadership, and artistic techniques as well as attend arts-related field trips. Following that training, the team will identify opportunities for mural/arts installations at underserved Rochester parks and green spaces (weather permitting), Rochester Public Library branches and community-based non-profit agencies. The team will determine locations through consultation with youth and adult community stakeholders and create opportunities to engage the public during the design and installation process.  This current phase of the project will begin this summer and conclude by June 30, 2023.

Since the program’s inception, murals have been installed at the various locations throughout the City including: Adams Street, Avenue D , Carter, Edgerton, Frederick Douglass, Gantt, Jackson, Lightfoot, Roxie Ann Sinkler and Ryan R-Centers, Maplewood and Lincoln Branch Library, and Jones Square Park.

This program was last approved by Council in November 2021 via Ordinance No. 2021-367 and a sampling of photographs from previous years’ mural installations are attached.

Respectfully submitted,

Malik D. Evans

Mayor

Ordinance No. 2022-230

(Int. No. 282)

**Appropriating funds for the Roc Paint Division Mural Arts Project**

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

Section 1. The sum of $14,500 from the Job Creation/Youth Development project allocation of the 2022-23 Annual Action Plan (Plan) is hereby appropriated for the ROC Paint Division Mural Arts project (Project), contingent upon approval of the Plan. The uses of the appropriation herein shall be allocated for Project supplies, educational field trips, and artistic training.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2022-231

Re: 2022-23 Annual Action Plan/Community

Development Plan – International Plaza –

IBERO-American Development Corporation

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 activation and operation of the International Plaza event space and marketplace described in the 2022-23 Annual Action Plan.  This legislation will:

1. Appropriate $44,908 of Community Development Block Grant funds from the 2022-23 Annual Action Plan, International Plaza allocation, for services related to the engagement, operation, and activation of the International Plaza.

1. Establish $61,000 as maximum compensation for an agreement with the IBERO-American Development Corporation (IBERO) (Eugenio Marlin, Rochester, NY) which will be used to fund a full-time position and the delivery of culturally appropriate entertainment, art, and community events at the International Plaza project site.  The term of the agreement will be from July 1, 2022 through June 30, 2023 and the cost of the agreement will be funded from the appropriation made herein, $2,676 of unspent CDBG funds from the 2020-21 Annual Action Plan International Plaza allocation, and $13,416 from the 2022-23 Budget of the Department of Recreation and Human Services (DRHS).

The International Plaza provides a community gathering space to build on the tremendous arts and cultural assets of the surrounding neighborhood and a market where entrepreneurs and/or existing businesses can locate and sell their products and services in a flexible environment that is envisioned to become an incubator for neighborhood economic development.  The International Plaza is operated by DRHS staff in the Public Market Division with on-site assistance from IBERO.

IBERO was chosen for this agreement based on their long history of community involvement and advocacy in the Northeast Rochester area and their leadership through Project Hope and other initiatives in creating a vision for the area including the International Plaza.  The position funded in this item is housed at IBERO and has the primary responsibility for the day-to-day operation and activation of the site.  This is the third year that the City has had this agreement with IBERO and a full justification for not issuing a request for proposals is attached.  This was last authorized by City Council Ordinance No. 2021-221.

Respectfully submitted,

Malik D. Evans

Mayor

Attachment No. AV-131

Ordinance No. 2022-231

(Int. No. 283)

**Appropriating funds and authorizing an agreement for the International Plaza**

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

Section 1. The sum of $44,908 is hereby appropriated from the International Plaza allocation of the 2022-23 Annual Action Plan (Plan), contingent upon approval of the Plan, to provide services related to the engagement, operation, and activation of the International Plaza.

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with IBERO-American Development Corporation in a maximum amount of $61,000 to fund a full-time position and to deliver entertainment, art, and community events at the International Plaza. The maximum amount for said agreement shall be funded in the amounts of $44,908 from the appropriation in Section 1 herein, $2,676 hereby appropriated from the LaMarketa at the International Plaza allocation of the 2020-21 Annual Action Plan, and $13,416 from the 2022-23 Budget of the Department of Recreation and Human Services. The term of the agreement shall be from July 1, 2022 through June 30, 2023.

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 by the following vote:

Ayes – Vice President Lupien, Councilmembers Gruber, Harris, Martin, Patterson, Smith – 6.

Nays – Councilmember Peo – 1.

President Meléndez abstained due to a professional relationship.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2022-232

Re:  Appropriation and Agreements –

American Rescue Plan Act, Youth

Employment Services

Council Priority: Jobs and Economic

Development

Comprehensive Plan 2034 Initiative Area:

Fostering Prosperity and Opportunity

Transmitted herewith for your approval is legislation relating to the appropriation of American Rescue Plan Act funds.  This legislation will:

1. Appropriate the receipt and use of $150,000 from the American Rescue Plan Act (ARPA) funding for Youth Employment services.

1. Amend the 2022-23 Budget of the Department of Recreation and Human Services by $150,000 to reflect the appropriation authorized herein.

1. Establish $35,000 as maximum compensation for an agreement with Blue Sky Associates of Upstate NY, Inc. dba Dale Carnegie Training of Rochester (Doug Escher, Rochester, New York) for the Preparing Young Leaders for the Real World training program.  The training provides youth participants with the skills they need to reach their goals and live up to their full potential –at school, home, and work.  Approximately 50 youth who expressed interest in the Summer of Opportunity program will attend the professional development training as an alternative.  The term of this agreement will be for one year.

1. Establish $35,000 as maximum compensation for an agreement with Hillside Work Scholarship Connection, Inc. a program of Hillside Family of Agencies (Maria Cristalli, President, Rochester NY, 14609) to provide workforce readiness training to 150 youth, utilizing Youth Employment Training Academy (YETA) curriculum. The term of this agreement will be for one year.

The Remaining $80,000 will be used to cover expenses related to the delivery of workforce development training program such as participant stipends and transportation.

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 was included in the City of Rochester’s Strategic Equity and Recovery Plan, shared with City Council on September 29, 2021, and is an eligible use of ARPA funding under the Final Rule Expenditure Category: 2.10 Assistance to Unemployed or Underemployed Workers.

These training opportunities will be offered to participants who were unable to complete the Summer of Opportunity program application process.  The trainings will be delivered from July to September 2022. A full justification for not issuing a request for proposals is attached.

Respectfully submitted,

Malik D. Evans

Mayor

Attachment No. AV-132

Ordinance No. 2022-232

(Int. No. 284)

**Appropriating American Rescue Plan Act funds, amending the 2022-23 Budget and authorizing agreements for Youth Employment Services**

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

Section 1. The Council hereby authorizes the receipt and use of $150,000 provided by the United States Treasury pursuant to the American Rescue Plan Act of 2021 (ARPA) and appropriates said amount to implement the Youth Employment Services program (Program). The Mayor is hereby further authorized to execute any grant agreement or to provide such other documentation as may be necessary to fund and carry out the Program.

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 Department of Recreation and Human Services (DRHS) by $150,000 to reflect the receipt and appropriation of ARPA funds by Section 1 herein.

Section 3. The Mayor is hereby authorized to enter into a professional services agreement with Blue Sky Associates of Upstate NY, Inc. to provide a Preparing Young Leaders for the Real World training program to approximately 50 eligible youths. The maximum compensation for the agreement shall be $35,000, which shall be funded from the 2022-23 Budget of DRHS. The term of the agreement shall be one year.

Section 4. The Mayor is hereby authorized to enter into a professional services agreement with Hillside Work-Scholarship Connection, Inc. to provide workforce readiness training to approximately 150 eligible youths. The maximum compensation for the agreement shall be $35,000, which shall be funded from the 2022-23 Budget of DRHS. The term of the agreement shall be one year.

Section 5. The agreements authorized herein shall be contingent on compliance with federal regulations and shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

By President Meléndez

July 19, 2022

To the Council:

The **COMMITTEE OF THE WHOLE** recommends for **ADOPTION** the following entitled legislation:

Int. No. 289 Confirming the appointment of Chief Technology Officer

Respectfully submitted,

Miguel A. Meléndez, Jr.

Mitch Gruber *(absent)*

LaShay D. Harris

Willie Lightfoot (*absent*)

Stanley Martin

Michael Patterson

Jose Peo

Kim Smith

Mary Lupien

COMMITTEE OF THE WHOLE

Received, filed and published.

TO THE COUNCIL

Ladies and Gentlemen:

Resolution No. 2022-36

Re: Confirmation of the Chief Technology

Officer

 Transmitted herewith for your approval is legislation confirming, as required by the City Charter, the appointment of William D. Boudreaux as Chief Technology Officer.

Mr. Boudreaux’s resume is on file in the City Clerk’s Office.

Respectfully submitted,

Malik D. Evans

Mayor

Resolution No. 2022-36

(Int. No. 289)

**Resolution confirming the appointment of Chief Technology Officer**

WHEREAS, the Mayor has appointed William D. Boudreaux to the position of Chief Technology Officer, subject to confirmation by the City Council, and

WHEREAS, Council has reviewed the qualifications of the appointee and determined that he has the ability and qualifications to execute the duties and responsibilities of the office,

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Rochester hereby confirms the appointment of William D. Boudreaux as Chief Technology Officer.

This resolution shall take effect immediately.

Adopted unanimously.

The meeting was adjourned at 8:36 p.m.

HAZEL L. WASHINGTON

City Clerk