



City of Rochester

City Hall Room 308A, 30 Church Street
Rochester, New York 14614-1290
www.cityofrochester.gov

FINANCE

INTRODUCTORY NO.

97

RECEIVED
CITY OF ROCHESTER
CLERK/COUNCIL OFFICE

2018 MAR 29 AM 11:30

5
Lovely A. Warren
Mayor

March 29, 2018

TO THE COUNCIL

Ladies and Gentlemen:

Re: Reappointment and Appointment – Civil Service
Commission

Council Priority: Jobs and Economic Development

Transmitted herewith for your approval is legislation confirming the reappointment of Sarah Farrell Partner, 76 Vassar Street, Rochester, New York 14607 and the appointment of Serina M. Brown, 59 Second Street, Rochester, New York 14605, to the Civil Service Commission.

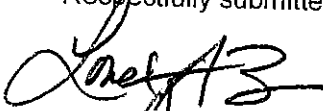
Ms. Partner was appointed in February 2010 to complete the term of a commissioner who resigned and was reappointed in June 2012 to a six year term. Of the 72 regular meetings held during her current six year term, Ms. Partner attended 58 or 81%. Ms. Partner is a Democrat whose current term expires on May 31, 2018. Her new term will extend to May 31, 2024.

Ms. Brown will replace Leslie B. Smith who resigned from the Commission on April 21, 2016. Ms. Brown is a Democrat and will serve the remainder of Ms. Smith's term, which will extend to May 31, 2022.

Resumes for Ms. Partner and Ms. Brown are available for review in the City Clerk's Office.

A summary description of the Commission and its current membership is attached.

Respectfully submitted,


Lovely A. Warren
Mayor



CURRENT CIVIL SERVICE COMMISSION

	First Appointed	Current Appointment	Current Term Ends	Ethnicity	Political Party
Caine, Alan	7/1/1990	6/1/2014	5/31/2020	African American	Republican
Farrell Partner, Sally	2/3/2010	6/1/2012	5/31/2018	Caucasian	Democrat
Feola, John*	11/14/2011	6/1/2016	5/31/2022	Caucasian	Democrat
Cepero, Fernan	6/1/2015	6/1/2015	5/31/2021	Hispanic	Republican
Brown, Serina**				African American	Democrat

*Chair until 5/31/2018

**Contingent upon City Council Approval

Responsible Department

Department of Human Resource Management

Description and Duties

The Civil Service Commission administers Civil Service Law for City government and the Rochester Housing Authority and prescribes rules governing various personnel transactions. In addition, the Civil Service function classifies all positions, develops and administers civil service examinations, establishes lists of eligible job applicants, and hears appeals. The Commission shall perform all the duties which may be conferred or imposed upon it by or pursuant to law.

Membership Requirement and Length of Term

- Five (5) members, must be City residents per Public Officers Law
- One (1) of the five (5) Members shall serve as Chairperson each year.
- Not more than three (3) shall at any time be adherents of the same political party.
- Six (6) year terms

Executive Secretary to the Civil Service Commission

- There shall be a position of Executive Secretary to the Civil Service Commission, who shall be appointed by the Mayor.
- The Executive Secretary shall, on behalf of and under the supervision of the Commission, have the responsibility for the administration of the Civil Service Law and the establishment of a merit system, including competitive examination for positions in the classified service under the jurisdiction of the Civil Service Commission of the City of Rochester.
- The Executive Secretary may appoint, with the approval of the Mayor, and to the extent provided within the operating budget such subordinates and assistants as may be required to perform the responsibilities of the office, and with the approval of the Commission, such examinations proctors as may be necessary for the conducting of examinations. The Executive Secretary shall perform such additional functions as determined by the Mayor.

Appointment Process

- **Members are appointed by the Mayor and subject to confirmation by City Council.**
- The Chair of the Commission shall be elected annually by majority vote of the Members
- The Members shall not be removed from office, except for cause determined after public hearing as required by law.

Additional information: City Charter Article 12-11 (Municipal Civil Service Commission)

Resolution No.

Resolution approving reappointment and appointment to the Rochester Civil Service Commission

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

Section 1. The Council hereby approves the reappointment of Sarah Farrell Partner, 76 Vassar Street, Rochester, NY 14607, to the Rochester Civil Service Commission for a term which shall expire on May 31, 2024.

Section 2. The Council hereby approves the appointment of Serina M. Brown, 59 Second Street, Rochester, NY 14605, to the Rochester Civil Service Commission for a term which shall expire on May 31, 2022.

Section 3. This resolution shall take effect immediately.



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Mayor

RECEIVED
CITY OF ROCHESTER
CLERK/COUNCIL OFFICE

2018 MAR 29 AM 11:33

March 29, 2018

TO THE COUNCIL

Ladies and Gentlemen:

Re: Special Assessment District Parking Lots
Council Priority: Jobs and Economic Development

Transmitted herewith for your approval is legislation authorizing special district assessment for the neighborhood commercial and residential parking lots appropriating \$64,191.00 for operation and maintenance of the parking areas during 2018-19.

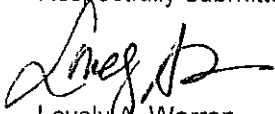
Special Assessment District parking lots established by City Council in 1979 include: Culver/Merchants, Monroe Avenue/Oxford Square Lot, North Street, Lyell Avenue and Woodside Street/Goodwill Street. A sixth lot was created in 2011-12 for Mt. Hope in the College town district. Annual operating and maintenance costs of the areas are assessed against all properties within the district according to their respective parking space requirements.

The assessments reflect the cost of snow plowing, cleaning, landscaping, maintenance, lighting and parking regulation enforcement. These services are provided either by City personnel, by private companies under contract to the City or by the property owners themselves. The total assessments required and total appropriation for 2018-19 is:

Lot Name	18/19 Budget	17/18 Budget	Variance	Reason
Lyell Avenue	\$11,221.00	\$11,221.00	\$0.00	N/A
Monroe/Oxford	\$16,200.00	\$16,200.00	\$0.00	N/A
Woodside/Goodwill	\$13,060.00	\$13,360.00	-\$300.00	Decrease in contingency fund and beautification
Culver/Merchants	\$10,010.00	\$9,980.00	\$30.00	Increase in lot maintenance
North Street	\$13,700.00	\$10,000.00	\$3,700.00	Increase in lot maintenance and repairs (more cleaning, repairs to lot pot holes, pavement crack filling and sealant)
Mt Hope	\$1,000.00	\$1,000.00	\$0.00	N/A
Sub-total	\$65,191.00	\$61,761.00	\$3,430.00	
Rollover Untaxed				
Monroe/Oxford	-\$1,000.00	\$0.00	-\$1,000.00	Prior years carry over
Total	\$64,191.00	\$61,761.00	\$2,430.00	

A public hearing is required for these local improvements.

Respectfully submitted,


Lovely A. Warren,
Mayor



Local Improvement Ordinance No.

Local Improvement Ordinance - Establishing the operating and maintenance costs of neighborhood commercial and residential parking areas

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

Section 1. The 2018-19 assessment for operation and maintenance of the special assessment district parking lots listed below shall be \$64,191. The following amounts are hereby authorized and appropriated and shall be allocated and levied against the properties benefited by the special assessment district parking lots, as follows:

Lot Name	2018-19 Assessment
Lyell Avenue	\$11,221
Monroe/Oxford	\$15,200
Woodside/Goodwill	\$13,060
Culver/Merchants	\$10,010
North Street	\$13,700
Mt. Hope	\$1,000

Section 2. The 2018-19 budget for the operation and maintenance of the special assessment district parking lots shall be \$65,191, comprised of the assessed amounts specified in Section 1 herein, plus \$1,000 in funds for the Oxford/Monroe district that are left over from that district's prior assessments.

Section 3. This ordinance shall take effect on July 1, 2018.



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Lovely A. Warren Mayor

FINANCE
INTRODUCTORY NO. RECEIVED
CITY OF ROCHESTER
CITY/COUNCIL OFFICE
99
March 29, 2018 2018 MAR 29 AM 11:45

TO THE COUNCIL

Ladies and Gentlemen:

Re: Amendatory Agreement - Market Driven
Community Corporation – Business Development
Services
Council Priority: Jobs and Economic Development

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with the Rochester Market Driven Community Corporation dba OWNROchester (MDCC) for additional community cooperative business development services. The original agreement authorized in November 2016 (Ordinance No. 2016-354), established maximum compensation of \$50,000 for a term of one year with an optional one-year renewal term. The City and MDCC intend to exercise the one-year renewal option. This amendment will increase the maximum compensation by \$50,000 for a maximum total contract value of \$100,000. The additional cost will be funded from the Job Development Fund.


MDCC is a non-profit holding company that develops, incubates, and supports for-profit worker-owned businesses, including performing market analysis and business planning, leveraging fundraising for operational budget and capitalization costs for the businesses, and supporting business site selection and development activities. The MDCC mission is to develop businesses in distressed and disinvested neighborhoods to create living wage job opportunities for residents and build community wealth.

MDCC will continue to provide cooperative business development services to support the development, launch, and growth of one additional worker-owned businesses. Via the renewal term and increased compensation, MDCC will support the development of one additional worker-owned business that will provide floor care services to local retailers and anchor institutions.

Under the initial term of the agreement, MDCC helped launch and support ENEROC LLC, a for-profit subsidiary of the MDCC that provides LED lighting installation and retrofitting services for large commercial and institutional customers, as well as subcontract labor for larger contractors. ENEROC has completed several large scale retrofitting projects including two parking garages and other facilities at Rochester Regional Health campuses. ENEROC is currently installing LED strip lighting on the roof of 3 City Center, the new home of M&T Bank, and has several large institutional contracts in the pipeline. MDCC continues to grow and build capacity, having fundraised over \$300,000 in support from local philanthropy that will help it increase its impact and sustainability. ENEROC currently employs three full-time workers and has achieved self-sustaining revenue.

The MDCC was incorporated as a fully independent non-profit corporation in September 2016 and received 501c3 status in June 2017.

Respectfully submitted,


Lovely A. Warren
Mayor

99

Ordinance No.

Authorizing an amendatory agreement with Rochester Market Driven Community Corporation

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 Rochester Market Driven Community Corporation, dba OWNROchester, to provide additional community cooperative business development services. The amendment shall increase the maximum compensation of the existing agreement, which was authorized by Ordinance No. 2016-354, by \$50,000 to a new total of \$100,000. The amendatory amount shall be funded from the Job Development Fund.

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.



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FINANCE
INTRODUCTORY NO. 100

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CITY OF ROCHESTER
CITY/COUNCIL OFFICE

2018 MAR 29 AM 11:47

30
Lovely A. Warren
Mayor

TO THE COUNCIL

March 29, 2018

Ladies and Gentlemen:

Re: Agreement – Expert Witness Services

Transmitted herewith for your approval is legislation authorizing a professional services agreement with Legal Med, LLC (General Manager, Christine Wintringer) to provide expert witness services necessary to defend the City in lawsuits involving personal injury claims. The maximum amount of the agreement shall be \$40,000. Said amount shall be funded from the 2017-18 Budget of the Law Department.

The agreement will allow the Law Department to obtain the services of expert physicians to review treatment and therapy records and examine and report on the physical and psychological condition of personal injury plaintiffs. The City lawyers have more than 12 years of experience with the professionals provided by Legal Med, including under a previous professional services agreement in the amount of \$40,000 authorized in Ordinance No. 2016-264, as amended by Ordinance No. 2016-255. Legal Med has provided highly credentialed, practicing physicians in the relevant medical disciplines, including an orthopedic surgery, neurology and psychology, who also excel at explaining the facts on the witness stand.

The Law Department anticipates that it may require up to \$40,000 for the experts' services for pending lawsuits if they proceed through to trials and verdicts. The term of the agreement may extend until completion of those lawsuits.

A justification for not conducting a Request for Proposal process is attached.

Respectfully submitted,

Lovely Warren
Mayor



JUSTIFICATION STATEMENT

Awarding a Professional Services Agreement Without a Request for Proposals

The Procurement of Professional Services Policy (Ord. No. 2012-318) requires an RFP to be issued under most circumstances. If it is determined that an RFP will not be issued, this form must be completed, signed by the Department Head, and kept on file (electronically or hard copy). It must also be submitted:

1. To City Council as an attachment to the transmittal letter for any PSA that exceeds \$10,000, and
2. To the contract record when entered in Munis.

Department: Law

Services(s): *Provision of medical experts for personal injury lawsuits*

Vendor/Consultant selected: *Legal Med, LLC*

How was the vendor selected? *By lead attorneys in cases requiring personal injury medical experts*

Why was no RFP issued for this service?

(Your rationale should include the following information when applicable)

- Is there **previous experience** with the vendor? Describe why it is in the City's best interest to continue with them and not solicit others.

Yes. The Law Department has worked with Law Med for over 12 years and it has an established track record of providing excellent defense experts to the Law Department. Legal Med has unique, national experience, a network of highly skilled practitioners and a staff that is familiar with the needs of law offices.

- Are there unique or **emergency circumstances**? Describe how an RFP process would jeopardize the success of the project.

Legal Med has already been retained under a prior professional service agreement to assist with certain cases wherein its continuing service under this proposed agreement will be required. Court deadlines leave little time for conducting an RFP process between the time that the type of needed expertise is identified and the time that the expert's services are required.

- Is the service **specialized and unique**? Is the number of **qualified providers limited**? Describe the Department's experience with and knowledge of the market and why an RFP would not produce additional qualified consultants.
- Does the project include **multi-year State or Federal funding**? Explain why it is in the best interest of the project and the City to continue with the same consultant (e.g. where the design consultant on a project is retained for resident project representation services).

Compensation

Amount: \$40,000 maximum

How was this determined? Explain how it is a reasonable and best value for the City. *The experts' standard hourly rates are reasonable. The maximum cost is based on the Law Department's estimate of the maximum number of hour of services that would be required for completing pending personal injury cases.*


Signature: Department Head.

3/26/18
Date

Ordinance No.

Authorizing a professional services agreement for expert witness services for the Law Department

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 Legal Med, LLC to provide expert witness services in conjunction with personal injury litigation.

Section 2. The maximum cost of the agreement shall be \$40,000, which cost shall be funded from the 2017-18 Budget of the Law Department. The term of the agreement may extend until completion of the cases for which the expert services are requested.

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

Section 4. This ordinance shall take effect immediately.



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FINANCE
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101

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2018 MAR 29 AM 11:49

33
Lovely A. Warren Mayor

March 29, 2018

TO THE COUNCIL

Ladies and Gentlemen:

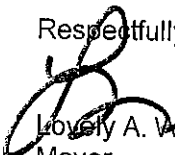
Re: Amendatory Agreement - CEB, SHL Talent
Measurement Solutions Occupational Personality
Testing Services

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with CEB, SHL Talent Measurement, Alpharetta, Georgia, for administration of an occupational personality test to supplement the Civil Service Testing regimen for entry level positions at the 911 Call Center. The original agreement authorized in December 2014 (Ordinance No. 2014-365), established maximum compensation of \$19,990 for a term of two years with two optional one-year renewal term. The City and CEB, SHL Talent Measurement intends to exercise the second one-year renewal option. Last year DHRM mistakenly believed that the prior ordinance authorized funding for the subsequent year and that, therefore, \$9,995 of the funding that would be authorized under this ordinance would cover fees and expenses already incurred by the consultant. This amendment will increase the maximum compensation by \$19,990 or a maximum total contract value of \$39,980. The additional cost will be funded from the 2017-18 (\$9,995) and 2018-19 (\$9,995) Budget of the Department of Human Resource Management, contingent upon the adoption of the subsequent budget.

The Consultant will continue to provide the City with an occupational personality test which has been administered in conjunction with the Civil Service Examination for the two entry level positions at the 911 Call Center, 911 Dispatcher and 911 Telecommunicator, since 1993.

Respectfully submitted,


Lovely A. Warren
Mayor



101

Ordinance No.

Amending Ordinance No. 2014-365 and authorizing an amendatory agreement with CEB, SHL Talent Measurement Solutions

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 CEB, SHL Talent Measurement Solutions to amend the professional services agreement related to administration of occupational personality tests, as authorized in Ordinance No. 2014-365, which is now amended so as to increase the total maximum compensation under the agreement by \$19,990 for a total maximum compensation of \$39,980. Of the increase in funds, \$9,990 funded from the 2017-18 Budget of the Department of Human Resource Management (DHRM) shall pay for expenses incurred under the first renewal term of the agreement. The additional \$9,990 shall fund the second and final renewal term and shall be funded from the 2018-19 Budget of DHRM, contingent upon approval.

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

Section 3. This ordinance shall take effect immediately.



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FINANCE

INTRODUCTORY NO RECEIVED
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102

2018 MAR 29 AM 11:49

March 29, 2018

36
Lovely A. Warren
Mayor

TO THE COUNCIL

Ladies and Gentlemen:

Re: Agreement - GASB 45-75 Actuary Services

Transmitted herewith for your approval is legislation establishing \$37,000 as maximum compensation for an agreement with Aquarius Capital (Michael Frank, President, Port Chester NY) for the provision of actuary services necessary to comply with financial reporting requirements. The first year of this agreement will be funded from the 2017-18 Budget of the Finance Department. The cost for subsequent years will be funded from the annual budgets of the department, contingent upon their approval. The costs, by year, are summarized below:

2017-18	\$11,000	2020-21	\$2,000
2018-19	\$2,000	2021-22	\$11,000
2019-20	\$11,000		

In order to comply with Generally Accepted Accounting Principles, the City's annual financial statements must report the accrued liabilities for other post-employment benefit based on actuarial analysis. Compliance with this regulation, GASB Statement No. 45-75, requires us to report the values of such costs, not the funding of it. Thus, no budgetary impact is expected.

The Rochester City School District, a component unit in the City's annual financial reports, must also comply with the GASB 45-75 standards. A request for proposals for these services was jointly issued on February 9th, 2018. On this joint effort, the City of Rochester and the Rochester City School District solicited proposals from nine firms, and received responses from five of those firms.

In addition to Aquarius Capital's, proposals were received from Burke Group (Rochester, NY), Nyhart (Indianapolis, IN), Rudd and Wisdom, Inc. (Austin, TX) and Segal Consulting (New York, NY). A review team representing the City and the District evaluated the proposals, and based on expertise and cost recommend Aquarius Capital. The District will engage under their own agreement and funding.

The proposed five year agreement will provide for the actuarial estimate needed for the June 30, 2018 statements, along with the required biannual updates through June 30, 2022.

Respectfully submitted,

Lovely A. Warren
Mayor

Ordinance No.

Authorizing an agreement for actuarial 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 Aquarius Capital Solutions Group LLC for the provision of actuarial services necessary to comply with financial reporting requirements. The maximum compensation for the agreement shall be \$37,000, which shall be funded from the 2017-18 Budget of the Department of Finance (the "Department")(\$11,000), 2018-19 Budget of the Department (\$2,000), 2019-20 Budget of the Department (\$11,000), 2020-21 Budget of the Department (\$2,000) and 2021-22 Budget of the Department (\$11,000), contingent upon approval of the subsequent budgets. The term of the agreement shall be five years.

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

Section 3. This ordinance shall take effect immediately.



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Mayor

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2018 MAR 29 AM 11:25

NEIGHBORHOOD & BUSINESS DEVELOPMENT INTRODUCTORY NO.

103

March 29, 2018

TO THE COUNCIL

Ladies and Gentlemen:

Re: Sale of Real Estate
Council Priority: Rebuilding and Strengthening
Neighborhood Housing

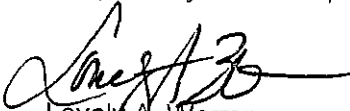
Transmitted herewith for your approval is legislation approving the sale of two properties. City records have been checked to ensure that purchasers (except those buying unbuildable vacant lots) do not own other properties with code violations or delinquent taxes, and have not been in contempt of court or fined as a result of an appearance ticket during the past five years.

Both properties are vacant lots sold by negotiated sale to the adjacent owners. On the first property, the purchaser will combine the lot with his existing lot and utilize it as green space. On the second, the purchasers will put in a driveway and combine the lot with their existing lot within twelve months.

The first year projected tax revenue for these two properties, assuming full taxation, current assessed valuations and current tax rates, is estimated to be \$671.

All City taxes and other charges, except water charges against properties being sold by the City, will be canceled on the first day of the month following adoption of the ordinance because either the City has agreed to convey the properties free of City tax liens and other charges, or these charges have been included in the purchase price.

Respectfully submitted,


Lovely A. Warren
Mayor



Sales to Be Presented to City Council
April 17, 2018

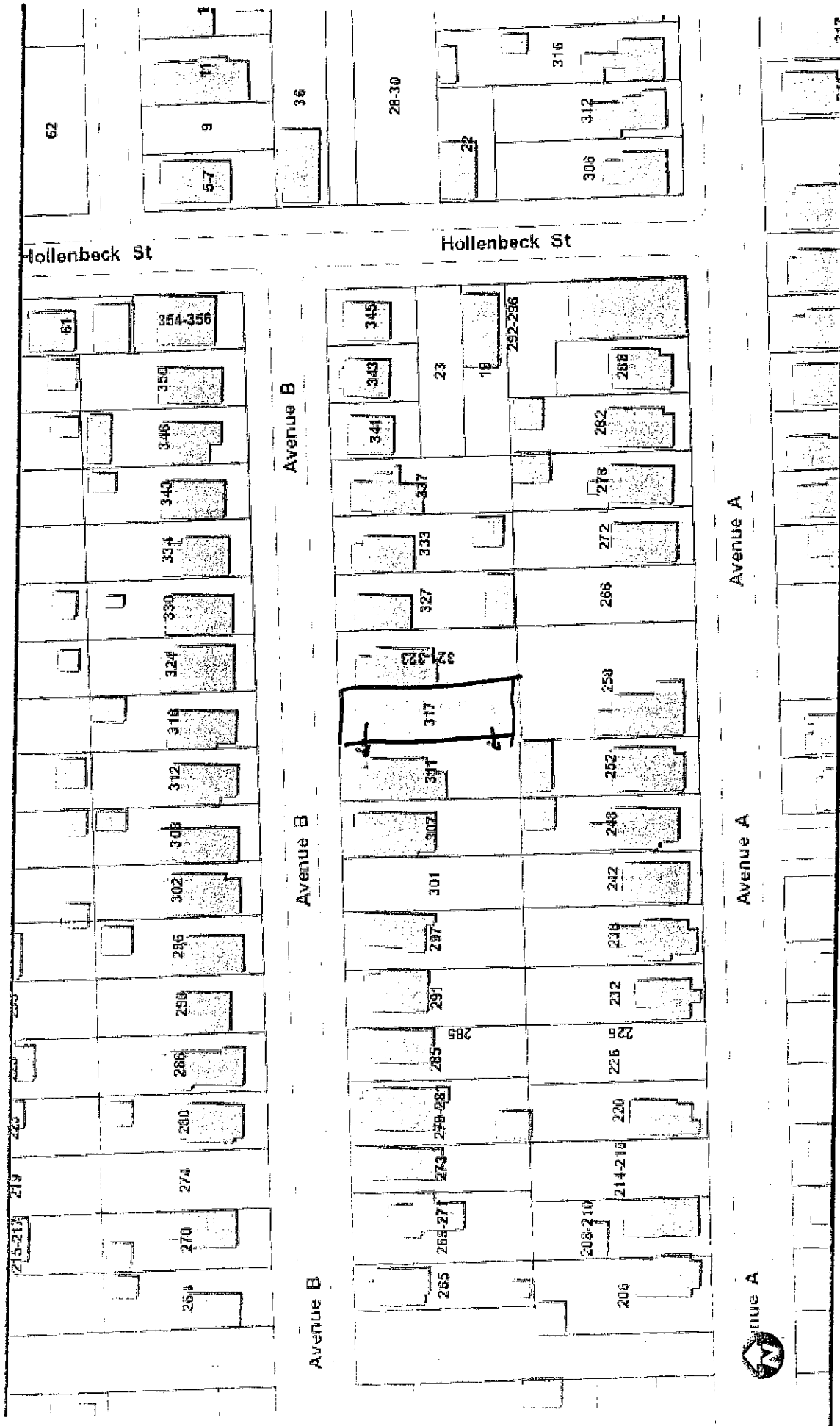
I. Negotiated Sale –Vacant Land with Proposal

<u>Address</u>	<u>S.B.L.#</u>	<u>Lot Size</u>	<u>Sq. Ft.</u>	<u>Price</u>	<u>Purchaser</u>	<u>Zoning/ Legal/ Planning</u>
317 Avenue B	106.22-1-23	40 x 128	5,120	\$450	Chad Council	R-1/Y/Y
64-66 Rialto St	091.78-2-12	37 x 116	4,307	\$50	Rhonda D. Carter Barineka Sampson	R-1/Y/Y

Sales to be presented to Council
April 17, 2018

I. Negotiated Sale - Vacant Land with Proposal									
<u>Address</u>	<u>SBL#</u>	<u>Lot Size</u>	<u>Sq.Ft.</u>	<u>Price</u>	<u>Purchaser</u>	<u>Address</u>	<u>Tax Impact</u>	<u>Zoning/ Legal/ Planning</u>	
317 Avenue B	106.22-1-23	40 x 128	5,120	450	Chad Council	Rochester NY 14615	\$ 346	R-1/Y/Y	
64-66 Rialto St	091.78-2-12	37 x 116	4,307	50	Rhonda D. Carter & Barineka Sampson	Rochester NY 14621	\$ 325	R-1/Y/Y	
						<u>Subtotal</u>	\$ 325		
						<u>Total Tax Impact</u>	\$ 671		

317 AVE B



February 28, 2018

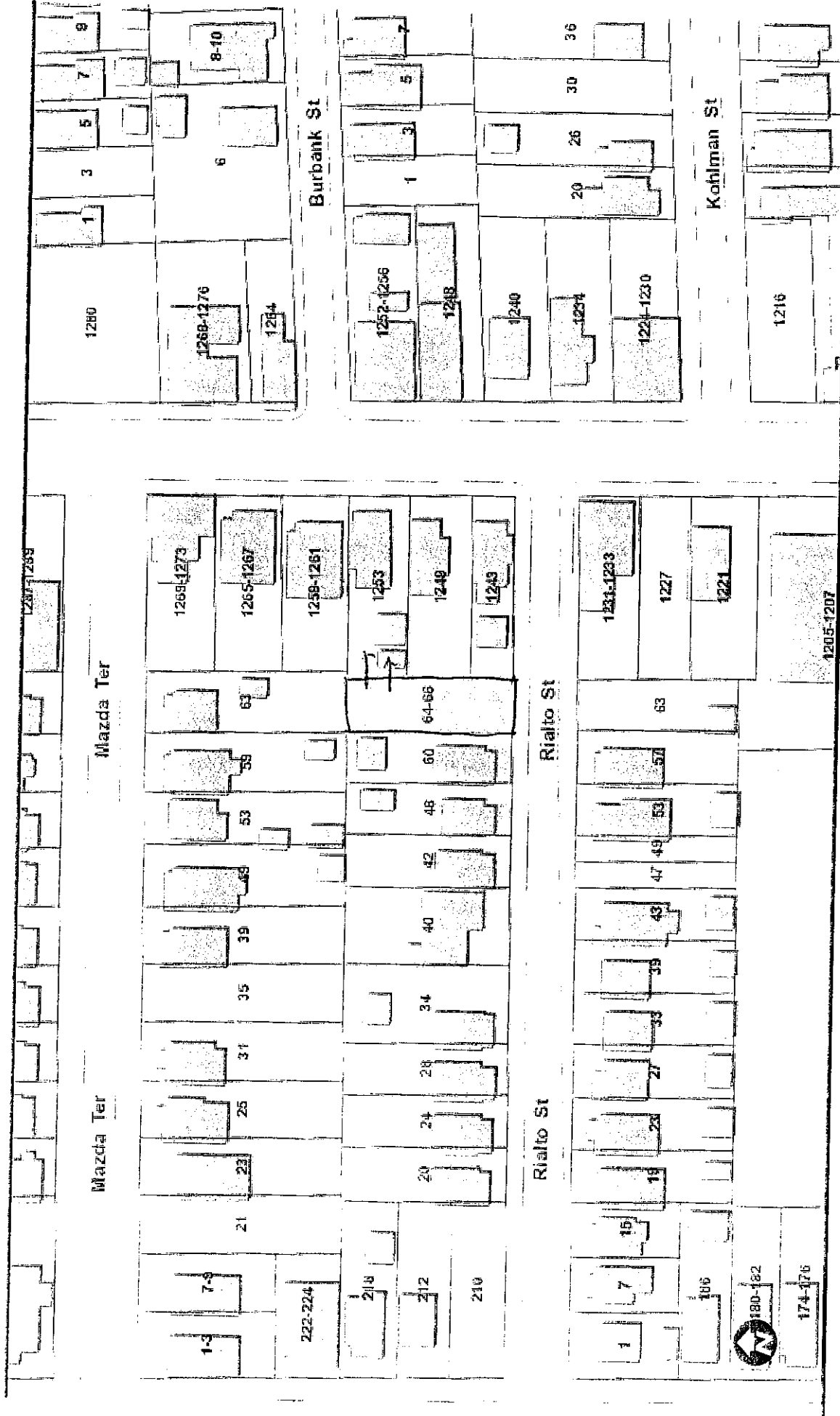
This map is intended for general reference only.
The City of Rochester makes no representation
as to the accuracy or fitness of the data presented.



City of Rochester, NY

Lovely A. Warren, Mayor

64-66 RIALTO ST



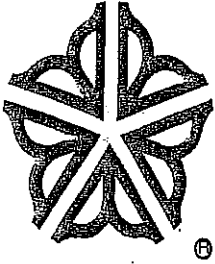
February 28, 2018

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The City of Rochester makes no representation
as to the accuracy or fitness of the data presented.

City of Rochester, NY



City of Rochester, NY
Lovely A. Warren, Mayor



City of Rochester

Development Proposal Outline

ADDRESS OF PROPERTY
TO BE PURCHASED

317 Ave B

PURCHASER'S NAME

Chad Council

DATE

2/26/18

PURCHASE PRICE (state the amount of your bid) \$

1.) Do you currently own property that adjoins the City-owned vacant land? Yes ☒ No ☐

If you answered no to the previous question, proceed to Section 3.

If you answered yes, describe your adjoining property:

Address:

311 Ave B

Type of property / current use and occupancy:

Owner Occupancy

2.) If you are an adjoining owner, do you intend to construct improvements on the City-owned vacant land?
Yes ☒ No ☐

If you answered no, skip Sections 3, 4, 5, 6, and 7. Complete Sections 8 and 9.

3.) **PROPOSED USE** - Describe proposed use and nature of improvements to be constructed. Indicate number of units and whether they will be leased or owner-occupied. Indicate the specific uses of stores, offices, and industrial space, i.e. beauty salon, restaurant, etc.

1. Apartments _____
2. Store _____
3. Offices _____
4. Industrial _____
5. Parking Lot _____
6. Other Recreational / Green Space

Time required to complete construction of improvements will be _____ months.

4.) PARKING LOT PROPOSALS: SUBMISSION OF A SITE PLAN IS REQUIRED.

Information regarding site plans can be obtained from the office of Planning and Zoning at (585) 428-7043.

For parking lot proposals, skip Section 5 and complete Sections 6, 7, 8 and 9.

5.) NEW CONSTRUCTION:

FOR ALL NEW CONSTRUCTION, SUBMISSION OF A SITE PLAN IS REQUIRED.

All proposals for new construction, whether residential or commercial, should include a front elevation.

Proposals for new commercial or mixed-use construction should include a façade plan.

Façade Plan (applicable to commercial or mixed-use structures only.) - Describe in detail below the proposed street façade of the building, including:

- a) Exterior siding materials;
- b) Type, size and number of windows and doors;
- c) Proposed color of exterior;
- d) Exterior lighting plan;
- e) Security measures, if any; and
- f) Size, location and number of exterior signs.

DESCRIPTION (attach additional pages if needed) :

6.) EXPERIENCE - Describe in detail below previous experience in completing similar projects.

Include references and photographs if possible. If your project will be carried out by more than one individual, describe the experience and role of each team member. Attach additional pages if needed.

<u>ADDRESS</u>	<u>SCOPE OF PROJECT</u>	<u>COST OF PROJECT</u>	<u>REFERENCE & TELEPHONE #</u>

7.)

CONSTRUCTION COST ESTIMATE

Please develop an itemized estimate of anticipated construction costs using the Cost Estimate Outline below:

EXTERIOR

ESTIMATED COSTS

1. Chimneys - point or rebuild
2. Roof - repair or replace
3. Cornice and trim repairs
4. Siding - repair or replace
5. Gutters & downspouts
6. Exterior door - repair or replace
7. Steps & porch repairs
8. Foundation wall pointing & repair
9. Exterior protective covering
10. Storms & screens
11. Accessory Building repairs
12. Service walks repairs
13. Driveway/Parking Lot
14. Landscaping
15. Fence
16. Other: _____

\$	

SUBTOTAL EXTERIOR:

\$ _____

INTERIOR

16. Joist or beam repairs
17. Wall changes
18. Wall & ceiling treatments
19. Electric
20. Heating
21. Plumbing
22. Window repairs
23. Door repairs
24. Stairways & railings
25. Insulation - attic/sidewall
26. Kitchen cabinets & counters
27. Floor repairs
28. Cellar enclosures
29. Other: _____

\$	

SUBTOTAL INTERIOR:

\$ _____

TOTAL ESTIMATED COSTS:

\$ _____

PURCHASE PRICE:

\$ _____

TOTAL EXPENDITURE:

\$ _____

Cost per sq. ft. \$ _____

Cost per unit \$ _____

Name source of estimates:

Architect: _____ Contractor: _____

8.) **FINANCING - SOURCE OF FUNDS**

A. **Personal Funds**

(you must provide verification, i.e. bank statements, etc.)

\$ _____

B. **Bank Financing** (Letter of Interest from bank must be included if your proposal relies on bank financing.)

\$ _____

C. **Other (Grant Financing from State etc),**

\$ _____

***TOTAL**

\$ _____

*Total amount of financing must be greater than or equal to bid price plus development / construction cost as set forth in Section 7. Adjoining owners must demonstrate proof of funds for bid price only.

9.) **CONTINGENCIES (Indicate which, if any, contingencies apply to your proposal.)**

A.. **Combination**

Upon acquiring ownership of the City-owned vacant land that is the subject of this proposal, I agree to combine the land with my adjoining property. (Note: this contingency is required for purchasers are owners of adjoining property.)

* Chad Council
Signature

Signature

B. **Zoning** Yes _____ No ☒

Reason for contingency _____

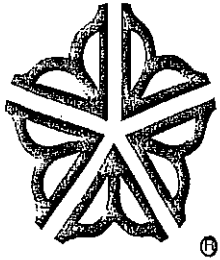
C. **Financing** Yes _____ No ☒

Time required to obtain loan commitment _____

D. **Other** _____

* DATE 2.28.18

* SIGNATURE(S) Chad Council



City of Rochester

Development Proposal Outline

ADDRESS OF PROPERTY
TO BE PURCHASED

64 Rialto

PURCHASER'S NAME

Barineka Sampson & Rhonda D. Carter

DATE

1/2/18

PURCHASE PRICE (state the amount of your bid)

\$ 50,000

1.) Do you currently own property that adjoins the City-owned vacant land? Yes ☒ No ☐

If you answered no to the previous question, proceed to Section 3.

If you answered yes, describe your adjoining property:

Address: 1253 North Clinton Ave

Type of property / current use and occupancy: 1 Family house

2.) If you are an adjoining owner, do you intend to construct improvements on the City-owned vacant land?
Yes ☒ No ☐

If you answered no, skip Sections 3, 4, 5, 6, and 7. Complete Sections 8 and 9.

3.) **PROPOSED USE** - Describe proposed use and nature of improvements to be constructed. Indicate number of units and whether they will be leased or owner-occupied. Indicate the specific uses of stores, offices, and industrial space, i.e. beauty salon, restaurant, etc.

1. Apartments _____
2. Store _____
3. Offices _____
4. Industrial _____
5. Parking Lot _____
6. Other Driveway _____

Time required to complete construction of improvements will be 24 months.

4.) PARKING LOT PROPOSALS: SUBMISSION OF A SITE PLAN IS REQUIRED.

Information regarding site plans can be obtained from the office of Planning and Zoning at (585) 428-7043.

For parking lot proposals, skip Section 5 and complete Sections 6, 7, 8 and 9.

5.) NEW CONSTRUCTION:

FOR ALL NEW CONSTRUCTION, SUBMISSION OF A SITE PLAN IS REQUIRED.

All proposals for new construction, whether residential or commercial, should include a front elevation.

Proposals for new commercial or mixed-use construction should include a façade plan.

Façade Plan (applicable to commercial or mixed-use structures only.) - Describe in detail below the proposed street façade of the building, including:

- a) Exterior siding materials;
- b) Type, size and number of windows and doors;
- c) Proposed color of exterior;
- d) Exterior lighting plan;
- e) Security measures, if any; and
- f) Size, location and number of exterior signs.

DESCRIPTION (attach additional pages if needed) :

- 6.) EXPERIENCE** - Describe in detail below previous experience in completing similar projects. Include references and photographs if possible. If your project will be carried out by more than one individual, describe the experience and role of each team member. Attach additional pages if needed.

<u>ADDRESS</u>	<u>SCOPE OF PROJECT</u>	<u>COST OF PROJECT</u>	<u>REFERENCE & TELEPHONE #</u>
----------------	-------------------------	------------------------	------------------------------------

I have worked construction doing similar projects with my family in Africa for 10 years. I have also worked on similar projects in the USA with J&V construction. I will be completing all the labor required for the fence and driveway.			

7.)

CONSTRUCTION COST ESTIMATE

Please develop an itemized estimate of anticipated construction costs using the Cost Estimate Outline below:

EXTERIOR**ESTIMATED COSTS**

1. Chimneys - point or rebuild
2. Roof - repair or replace
3. Cornice and trim repairs
4. Siding - repair or replace
5. Gutters & downspouts
6. Exterior door - repair or replace
7. Steps & porch repairs
8. Foundation wall pointing & repair
9. Exterior protective covering
10. Storms & screens
11. Accessory Building repairs
12. Service walks repairs
13. Driveway/Parking Lot
14. Landscaping
15. Fence
16. Other: _____

\$ _____

\$ 1,500

\$ 1,200

SUBTOTAL EXTERIOR:

\$ 2,700

INTERIOR

16. Joist or beam repairs
17. Wall changes
18. Wall & ceiling treatments
19. Electric
20. Heating
21. Plumbing
22. Window repairs
23. Door repairs
24. Stairways & railings
25. Insulation - attic/sidewall
26. Kitchen cabinets & counters
27. Floor repairs
28. Cellar enclosures
29. Other: _____

\$ _____

SUBTOTAL INTERIOR:

\$ _____

TOTAL ESTIMATED COSTS:

\$ _____

PURCHASE PRICE:

\$ _____

TOTAL EXPENDITURE:

\$ _____

Cost per sq. ft. \$ _____

Cost per unit \$ _____

*All the labor is
his; not included
in estimate.*

✓ asphalt

✓ wood + hardware

Name source of estimates: *Home Depot for materials estimate only.
(asphalt only)

Architect: _____ Contractor: _____

8.) **FINANCING - SOURCE OF FUNDS**

A. **Personal Funds**

(you must provide verification, i.e. bank statements, etc.)

\$ 1,469.99 sum of 2 different accounts.

B. **Bank Financing** (Letter of Interest from bank must be included if your proposal relies on bank financing.)

\$ _____

C. **Other** (Grant Financing from State etc),

\$ 7,808.00 sum of 2 different credit cards

***TOTAL**

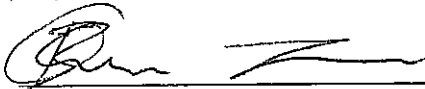
\$ 9,277.99

*Total amount of financing must be greater than or equal to bid price plus development / construction cost as set forth in Section 7. Adjoining owners must demonstrate proof of funds for bid price only.

9.) **CONTINGENCIES (indicate which, if any, contingencies apply to your proposal.)**

A.. **Combination**

Upon acquiring ownership of the City-owned vacant land that is the subject of this proposal, I agree to combine the land with my adjoining property. (Note: this contingency is required for purchasers are owners of adjoining property.)



Signature

Signature

B. **Zoning** Yes _____ No _____

Reason for contingency _____

C. **Financing** Yes _____ No _____

Time required to obtain loan commitment _____

D. **Other** _____

DATE _____

SIGNATURE(S) _____

estimate
width
(or
fence)

116.59 FT

64 RIALTO ST

25 FT

76 FT

DRIVEWAY

10 FT

2 FT

Every 4 ft there
will be a post (4"x4")
connected by 2x4

estimate covers
for this.

already fenced
by the neighbor

41 FT

MY HOME

1253 N CLINTON AVE

already fenced

103

Ordinance No.

Authorizing the sale of real estate

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

Section 1. The Council hereby approves of the negotiated sale of the following parcels of vacant land:

Address	S.B.L.#	Lot Size	Sq. Ft.	Price	Purchaser
317 Avenue B	106.22-1-23	40 x 128	5,120	\$450	Chad Council
64-66 Rialto St	091.78-2-12	37 x 116	4,307	\$50	Rhonda D. Carter Barineka Sampson

Section 2. City taxes and other City charges, except water charges, against said properties are hereby canceled up to the first day of the month following the date of adoption of this ordinance for the reason that the City has agreed to convey said properties free of City tax liens and other charges or because these charges have been included in the purchase price.

Section 3. This ordinance shall take effect immediately.



City of Rochester

City Hall Room 308A
30 Church Street
Rochester, New York 14614-1290
www.cityofrochester.gov

NEIGHBORHOOD & BUSINESS DEVELOPMENT INTRODUCTORY NO.

104

RECEIVED
CITY OF ROCHESTER
CLERK/COUNCIL OFFICE
2018 MAR 29 AM 11:27

2

Lovely A. Warren
Mayor

March 29, 2018

TO THE COUNCIL

Ladies and Gentlemen:

Re: Lease Agreement – Port Terminal Building
Council Priority: Creating and Sustaining a
Culture of Vibrancy

Transmitted herewith for your approval is legislation authorizing a lease agreement between the City and Bill Gray's Inc. (John Gonzalez, Principal, 964 Ridge Road, Webster, NY). The restaurant chain will lease approximately 4,596 square feet of space in the Port Terminal Building, suites 101, 102, and 103. The term of the lease will be five (5) years with five (5) renewal options of five (5) years each. The monthly rental amount for the initial term will be \$3,830 calculated at a rate of \$10 per square foot which was established through an independent appraisal performed by Kevin Bruckner, MAI, of Bruckner, Tillett, Cahill & Rossi Inc. as of February 2018. The monthly rental amount for the first renewal term, if applicable, will be as follows:


Term	Monthly Rent
May 1, 2023 to April 30, 2024	\$3,868
May 1, 2024 to April 30, 2025	\$3,907
May 1, 2025 to April 30, 2026	\$3,946
May 1, 2026 to April 30, 2027	\$3,986
May 1, 2027 to April 30, 2028	\$4,025

If exercised, the monthly rental amounts for any additional renewal periods will be \$4,025 each month and annually increased by the Consumer Price Index (CPI). Throughout the life of the lease, including any renewals, the rent for winter months from November 1st through March 31st, will be reduced by 50% if the establishment stays open and to \$0.00 if the establishment closes for the winter season.

Bill Gray's, Inc. projects to expend \$1,200,000 to renovate the leased space. The buildout is estimated at \$800,000 and equipment at \$400,000.

Bill Gray's, Inc. was founded in 1938 and today operates eighteen (18) restaurants in the Rochester and Buffalo areas of Western New York. This location is expected to add between 30-45 full and part time jobs (6-9 full). Bill Gray's Inc. has indicated they will make every effort to hire City residents and will participate in a job fair at the Port Terminal location.

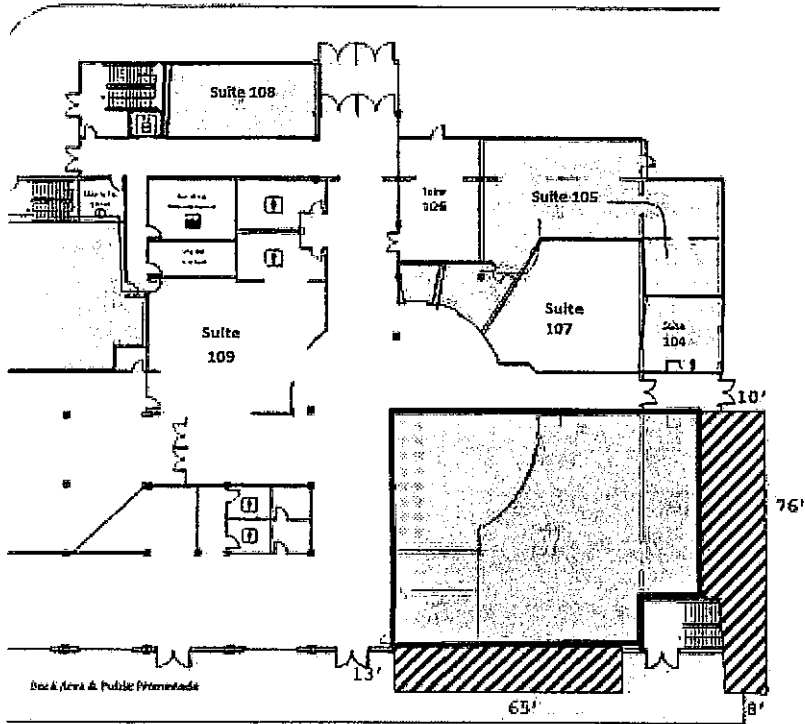
Respectfully submitted,


Lovely A. Warren
Mayor



Schedule A

Parking 



- Leased Premises



- Approx Layout of Outdoor area
(Not to scale)

INTRODUCTORY NO.

104

Ordinance No.

Authorizing a lease agreement with Bill Gray's Inc.

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

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

WHEREAS, the Council has formally reviewed the independent appraisal of the value of the lease prepared by Kevin Bruckner, MAI of Bruckner, Tillett, Cahill & Rossi Inc.;

WHEREAS, the Council affirmatively finds that the proposed lease authorized herein is in the public interest because it will allow for the establishment of a year-round restaurant by a tenant who has been successful in conducting similar businesses elsewhere in the Rochester area; and

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

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

Section 1. The Mayor is hereby authorized to enter into a lease agreement with Bill Gray's Inc. for use of 4,596 square feet of space in Suites 101, 102, and 103 of the Port Terminal Building. The agreement shall have a term of 5 years with five optional renewal terms of five years each.

Section 2. The monthly rental amount for the initial term shall be \$3,830 each month from May 1, 2018 through April 30, 2023, except that in winter months from November 1st through March 31st, monthly rent shall be reduced to \$1,915 if the establishment stays open and to \$0.00 if the establishment closes for the winter season.

Section 3. The initial renewal term, if exercised, shall be as follows:

Term	Monthly Rent
May 1, 2023 to April 30, 2024	\$3,868
May 1, 2024 to April 30, 2025	\$3,907
May 1, 2025 to April 30, 2026	\$3,946
May 1, 2026 to April 30, 2027	\$3,986
May 1, 2027 to April 30, 2028	\$4,025

Except that in winter months from November 1st through March 31st, monthly rent shall be reduced by 50% if the establishment stays open and to \$0.00 if the establishment closes for the winter season.

Section 4. If exercised, the monthly rental amounts for any additional renewal periods shall be \$4,025 each month and annually increased by the Consumer Price Index (CPI), except that during the winter months from November 1st through March 31st, monthly rent shall be reduced by 50% if the establishment stays open and to \$0.00 if the establishment closes for the winter season.

Section 5. The lease agreement shall have such additional terms and conditions as the Mayor deems appropriate.

Section 6. This ordinance shall take effect immediately.



City of Rochester

City Hall Room 308A, 30 Church Street
Rochester, New York 14614-1290
www.cityofrochester.gov

NEIGHBORHOOD & BUSINESS DEVELOPMENT

INTRODUCTORY NO.

105

RECEIVED
CITY OF ROCHESTER
COUNCIL OFFICE

2018 MAR 29 AM 11:29

3
Lovely A. Warren
Mayor

March 29, 2018

TO THE COUNCIL

Ladies and Gentlemen:

Re: High Falls Business Improvement District
Management Association, Inc.

Transmitted herewith for your approval is legislation related to the High Falls Business Improvement District Management Association, Inc. (BID) established via Local Law No.1 in December 2003. This legislation will:

1. Approve the 2018-19 Budget totaling \$25,000 submitted by the High Falls BID Board.
2. Establish \$25,000 as the 2018-19 assessment for the district and authorize the apportionment of the cost among the subject properties.
3. Authorize an agreement with the High Falls BID for implementation of the services outlined in the BID plan.

The amount of the annual levy is determined by the budget proposed by the BID. The amount assessed to an individual property is determined by its primary use, which is verified annually. Funds are used for additional clean-up, beautification, landscaping, marketing, advertising, and promotional materials. Funds have also been used for special purposes such as historic signage and a lunchtime summer concert series produced in conjunction with the Hochstein School of Music.

The High Falls BID Plan outlines a description of the BID boundaries, and the assessment formula used to determine each building owners' share. The plan is on file in the City Clerk's office.

A public hearing on the assessment is required.

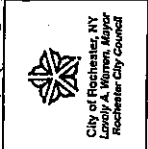
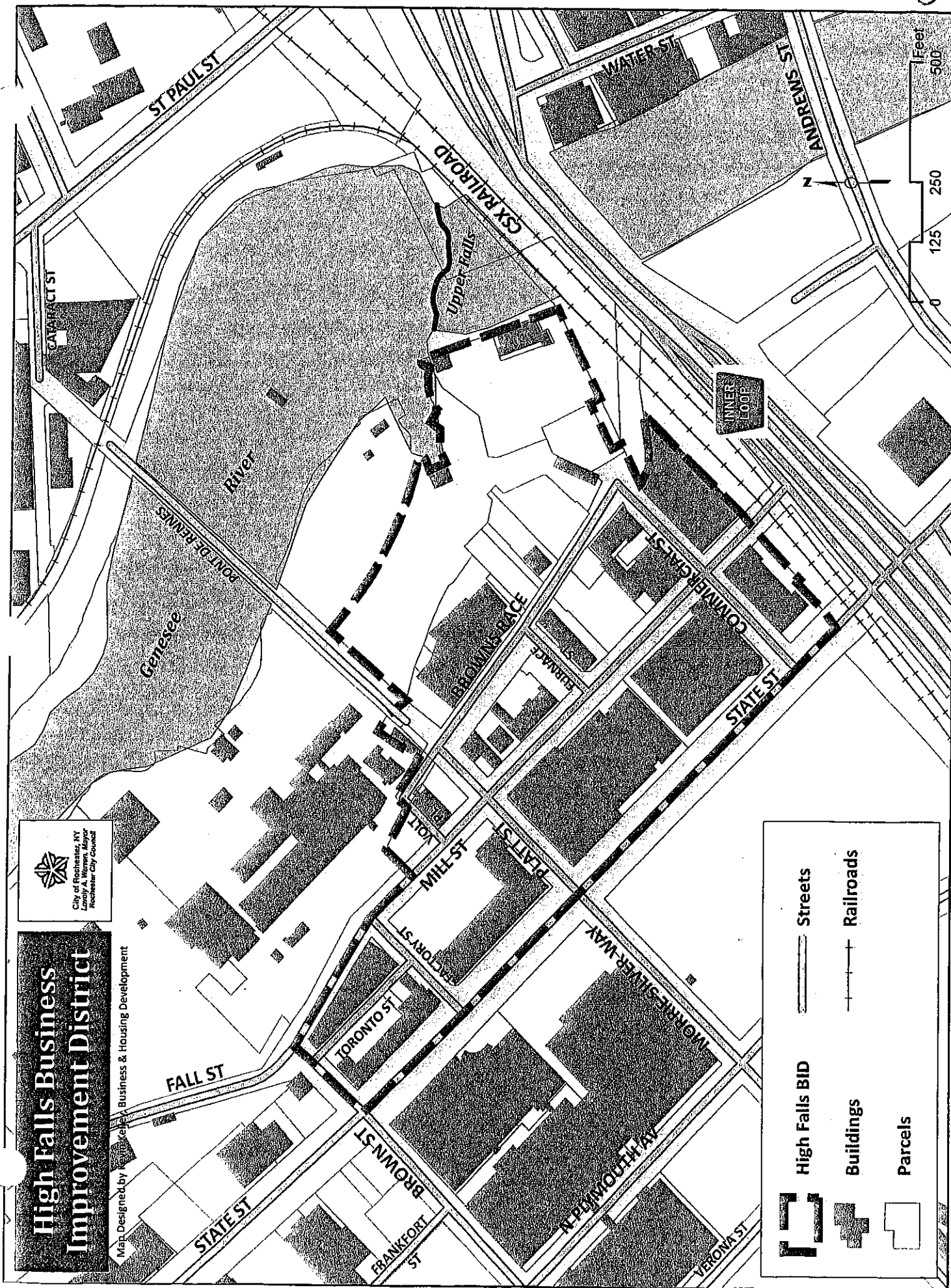
Respectfully submitted,

Lovely A. Warren
Mayor



High Falls Business Improvement District Management			
Budget 2019			
February 6, 2018			
Description:	Status	6/30/2018 Budget	6/30/2019 Budget
Beginning Balance (consists of):			
Tax Collection			
Earmarked balance from prior year			
Total available			
		25,000.00	25,000.00
		\$ 8,565.00	\$ 7,670.00
		\$ 33,565.00	\$ 32,670.00
PROPOSED EXPENSES---ANNUAL:			
Annual Charges			
Flower plantings and maintenance	2nd year of two year agreement	11,402.00	10,000.00
Spring Plantings		1,000.00	1,000.00
INSURANCE	workmans comp, BofD, Liability Ins	1,858.00	1,800.00
HOCHSTEIN TALENT- Summer Concert Series	Talent fees	1,800.00	1,800.00
CONCERT SERIES ADS	New for 2018	500.00	500.00
GREENTOPIA SPONSORSHIP	Annual sponsorship-- due 6/30-	2,000.00	2,500.00
BUCKET TRUCK RENTAL	Annual Costs for Holiday Light Install and removal holiday lights	800.00	800.00
DISTRICT CLEANING (EAST HOUSE)		2,500.00	2,500.00
Annual Hosting and Updating HF Web-site	annual staging 1/1/17	2,035.00	2,100.00
Annual Meeting - iPad give away- networking event	ipads are \$387 plus \$100 for gift certificate plus refreshments and room rental \$693.12 plus 2018 meeting	1,000.00	1,000.00
MISCELLANEOUS/CONTINGENCY	\$1,000 contingencies	1,000.00	1,000.00
Subtotal ANNUAL SPENDING		\$ 25,895.00	\$ 25,000.00
CAPITAL / IMPROVEMENTS:			
Marketing (signage/advertising/....) Capital improvments	Projects for 2019 -working with Mitch Rowe's dept.		7,670.00
Subtotal-- CAPITAL			7,670.00
TOTAL EXPENSES		\$ 25,895.00	\$ 32,670.00
Earmarked to the next year	Projects for 2019 -working with Mitch Rowe's dept. for improvements to the area.	\$ 7,670.00	\$ -

3



City of Rochester, NY
Ernest A. Granger, Mayor
Rochester City Council

High Falls Business Improvement District

Map Designed by [unintelligible] Business & Housing Development

	Streets
	High Falls BID
	Buildings
	Railroads
	Parcels

Local Improvement Ordinance No.

Local Improvement Ordinance establishing the cost of assessments related to the High Falls Business Improvement District and authorizing an agreement

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

Section 1. The Council hereby approves the continuation of the High Falls Business Improvement District. The 2018-19 Budget for the High Falls Business Improvement District is established at \$25,000, which amount shall be assessed and levied in accordance with Local Law No. 1 of 2004. The Mayor is hereby authorized to enter into an agreement with the High Falls Business Improvement District Management Association, Inc. for implementation of the services outlined in the District Plan.

Section 2. This ordinance shall take effect on July 1, 2018.



City of Rochester

City Hall Room 308A, 30 Church Street
Rochester, New York 14614-1290
www.cityofrochester.gov

NEIGHBORHOOD & BUSINESS DEVELOPMENT

INTRODUCTORY RECEIVED

106

CITY OF ROCHESTER
CLERK/COUNCIL OFFICE

2018 MAR 29 AM 11:19

32

Lovely A. Warren
Mayor

TO THE COUNCIL

March 29, 2018

Ladies and Gentlemen:

Re: Amending the City's Nuisance Abatement Law

Transmitted herewith for your approval is legislation amending the Charter of the City of Rochester to reflect changes to the City's Nuisance Abatement Law.

The City originally enacted a Nuisance Abatement Law ("NAL") in 1985, and has amended the law on a number of occasions since that time. The NAL aims to improve the public health, safety and welfare by identifying and remedying properties and establishments that become nuisances due to repeated violations of Penal Law, Municipal Code, and other quality of life provisions. To accomplish this goal, the NAL implements a Nuisance Points system, pursuant to which violations of specified laws and code provisions result in the assignment of Nuisance Points. The NAL assigns each assessable violation a Nuisance Point value of 3, 4, or 6 points, depending upon an ascending scale of adverse nuisance impact.

If a location accumulates 12 Nuisance Points in a six-month period, or 18 Nuisance Points in a 12-month period, the location is deemed to be a public nuisance and the City may take action to abate it. The abatement powers under the NAL are subject to notice and opportunity for a hearing and may include an order to: close a building or place to the extent necessary to abate the nuisance, or to suspend for up to six months or revoke for up to one year any City-issued business or occupational license related to the business or trade conducted at the premises and extend that sanction to any other place where the operator chooses to conduct business; suspend for up to six months or revoke for up to one year the operator's eligibility to secure City grants or loans; or any combination of the above measures. The abatement powers provided under the NAL are in addition to other the City's other enforcement authorities provided under other State and City laws.

The City, with the assistance of its consultant Strategic Community Intervention LLC, the staff of the Neighborhood Service Centers and their Director Daisy Algarin, and representatives of the Police, Fire and Law Departments, have engaged with neighbors, neighborhood associations, business and property owners and others to develop a NAL that is more effective, precise, and fair. This collective effort has generated the following proposal, which preserves the Nuisance Point system, but would improve upon it with the following amendments:

First, the NAL is moved from Section 3-15 of the City Charter to Section 10-12 of the Charter. This places administration of the law squarely under the Department of Neighborhood and Business Development. The current NAL at Charter Section 3-15 will be repealed.

Second, the revised NAL eliminates certain violations that are best addressed through municipal code violation tickets. The Nuisance Point values assigned to violations are also revised, with 10 points being assigned for violations involving dangerous weapons or the sale of controlled substances or marijuana, and six points being assigned for all other violations. Where an owner or tenant of the property is the victim of the violation, no points are to be assessed against the property.

Third, the revised NAL establishes a Nuisance Point waiver process. A property is eligible for a point waiver if no points have been assessed against the property in the past year and the violation at issue does not involve a weapons offense, a violation of the fire code, or the sale of alcohol or tobacco to a minor. The owner of an eligible property is given the opportunity to design an



abatement plan in consultation with the Administrator of the area's Neighborhood Service Center ("NSC") office. If the owner does so and thereafter abides by the abatement plan for six months with no further violations, the points will be waived. A property will be eligible for a waiver only once in a twelve-month period.

Fourth, the revised NAL provides for coordination between the Municipal Code Violations Bureau ("MCVB") and the NSC for those instance when a MCVB ticket is issued and Nuisance Points are assessed for the same violation. Where the MCVB ticket is dismissed on the merits, notice is to be given to the NSC so that the points may also be removed from the property.

Fifth, the revised NAL establishes a Citywide Nuisance Advisory Board. The Board will be made up of nine members—one resident and one business owner from each City quadrant and a resident from Center City. Where a violation occurs at a location such that assessment of points will result in the property being deemed a public nuisance, (i.e. 12 points in a six-month period or 18 points in a 12-month period), the property owner will have the opportunity to seek a hearing before the Board to contest the pending assessment of points. After the hearing, the Board will make a recommendation to the NSC Administrator as to whether the points should be assessed.


Sixth, once a property accumulates points sufficient to be deemed a public nuisance, the property owner will be notified of a mandatory abatement meeting at which the owner and NSC Administrator will devise an abatement plan. If the owner attends the meeting and abides by the plan, no further action is taken by the City and the points are allowed to "age out." If the owner fails to attend the meeting or abide by the plan, the matter is referred to the Law Department for enforcement proceedings.

Seventh, the Law Department will decide whether to abate an actionable public nuisance through a court action or an administrative hearing. In the event of a hearing, the owner and/or tenants may raise a defense of innocence by establishing that the tenant and/or owner (i) did not know of the conduct giving rise to nuisance; or (ii) upon learning of the conduct giving rise to the nuisance, did all that reasonably could be expected under the circumstances to terminate the nuisance activity. If innocence is established in this manner, then the remedy ultimately imposed, if any, may not infringe on the innocent party's rights in the property.

Finally, in the event that a public nuisance is to be remedied through an order of closure, tenants are to be given 30 days to vacate the premises before closure.

This legislation would go into effect on June 1, 2018.

Respectfully submitted,



Lovely Warren
Mayor

106

Local Law No.

Local law amending the City Charter with respect to the abatement of nuisances

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

Section 1. Chapter 755 of the Laws of 1907, entitled "An Act Constituting the Charter of the City of Rochester", as amended, is hereby further amended by repealing Section 3-15, Abatement of nuisances.

Section 2. Chapter 755 of the Laws of 1907, entitled "An Act Constituting the Charter of the City of Rochester", as amended, is hereby further amended by adding to the end of Article X, Department of Neighborhood and Business Development, the following new section:

§ 10-12. Abatement of nuisances.

A. Declaration of legislative findings. The Council finds that public nuisances exist in the City of Rochester in the operation of certain establishments and the use of property in flagrant violation of certain Penal Law and Municipal Code provisions, which nuisances substantially and seriously interfere with the interest of the public in the quality of life and total community environment, commerce in the City, property values and the public health, safety and welfare. The Council further finds that the continued occurrence of such activities and violations is detrimental to the health, safety and welfare of the people of the City of Rochester and of the businesses thereof and the visitors thereto. It is the purpose of the Council to establish a means to remedy these public nuisances, which shall be in addition to the use of procedures and remedies available under other laws. The Council further finds that the remedies that may be implemented pursuant to this law are reasonable and necessary in order to protect the health and safety of the people of the City and to promote the general welfare. The Council finds that it is the public policy of the City of Rochester to ensure that all crime victims, including victims of domestic violence, dating violence, stalking, or sexual abuse in an emergency, are able to contact police or emergency assistance without penalty under this ordinance. The Council further finds that this law is not intended to sanction, penalize or displace victims of triggering enumerated crimes or violations that are deemed public nuisances pursuant to this City Charter Section; accordingly points, sanctions and penalties assessed hereunder shall not be applied against the premises where an owner, lessor, lessee, mortgagee or any other person in possession or having charge of as agent or otherwise, or having any interest in the property, real or personal was a victim of the enumerated crime or violation triggering the public nuisance incident.

B. Public nuisances defined. For purposes of this Section, a public nuisance shall be deemed to exist whenever through violations of any of the following provisions resulting from separate incidents at a building, erection or place, or immediately adjacent to the building, erection or place as a result of the operation of the business, 12 or more points are accumulated within a period of six months, or 18 or more points within a period of 12 months, in accordance with the following point system. Where more than one violation occurs during a single incident, the total points for the incident shall be the highest point value assigned to any single violation. Such violations shall be proven by a preponderance of evidence, as set forth in subsection F below, before the imposition of any remedy to abate the nuisance.

(1) The following violations shall be assigned a point value of ten points:

- (a) Article 265 of the Penal Law — Firearms and Other Dangerous Weapons.
- (b) Section 47-5 of the Code of the City of Rochester — Firearms, shotguns, rifles and other dangerous weapons.
- (c) Sections and subsections 220.06(1), 220.16(1), 220.16(2), 220.16(3), 220.16(4), 220.16(5), 220.16(6), 220.16(7), 220.28, 220.31, 220.34, 220.39, 220.41, 220.43, 220.44 and 220.65 of the Penal Law — Offenses Involving the Sale or Intent to Sell Controlled Substances
- (d) Sections 221.35, 221.40, 221.45, 221.50 and 221.55 of the Penal Law — Offenses Involving the Sale of Marihuana.

(2) The following violations shall be assigned a point value of six points:

- (a) Sections and subsections 220.03, 220.06(2), (3), (4), (5), (6), (7), and (8), 220.09, 220.16(8), (9), (10), (11), (12), and (13), 220.18, 220.21, 220.25, 220.45, 220.46, 220.50, 220.55, 220.60, 220.70, 220.71, 220.72, 220.73, 220.74, 220.75 and 220.76 of the Penal Law — Controlled Substance Offenses Not Involving the Sale or Intent to Sell.
- (b) Sections 221.05, 221.10, 221.15, 221.20, 221.25 and 221.30 of the Penal Law — Marihuana Offenses Not Involving Sale.
- (c) Article 225 of the Penal Law — Gambling Offenses.
- (d) Article 230 of the Penal Law — Prostitution Offenses.
- (e) Sections and subsections 165.15(4), (6), (7), and (8), 165.40, 165.45, 165.50, 165.52, 165.54, 165.71, 165.72, and 165.73 of the Penal Law — Criminal Possession of Stolen Property.
- (f) The Alcoholic Beverage Control Law.
- (g) Sections 260.20 and 260.21 of the Penal Law — Unlawfully Dealing with a Child.
- (h) Possession, use, sale or offer for sale of any alcoholic beverage in violation of Article 18 of the Tax Law, or of any cigarette or tobacco products in violation of Article 20 of the Tax Law.
- (i) Article 178 of the Penal Law — Criminal Diversion of Prescription Medications and Prescriptions.
- (j) Section 147 of the Social Services Law — Food stamp program fraud.
- (k) Section 3383 of the Public Health Law — Imitation controlled substances.

- (l) Operating a premises without the requisite business permit in violation of § 90-33 of the City's Municipal Code.
 - (m) Sections 240.36 and 240.37 of the Penal Law — Loitering in the First Degree and Loitering for the Purpose of Engaging in a Prostitution Offense.
 - (n) Section 2024 of Title 7 of the United States Code — Supplemental Nutrition Assistance Program.
 - (o) Suffering or permitting the premises to become disorderly, including suffering or permitting fighting.
 - (p) Chapter 75 of the City's Municipal Code— Noise.
 - (q) Chapter 29 of the City's Municipal Code— Amusements.
 - (r) Chapter 66 of the City's Municipal Code — Junkyard Operators, Junk Dealers and Scrap Processors.
 - (s) Sections of the New York State Uniform Fire Prevention and Building Code and Chapter 54 of the City's Municipal Code, as applied to places of assembly and other non-residential structures and uses, concerning occupancy requirements, capacity of means of egress and fire protection systems.
 - (t) Chapter 569, Article 7 (Service Food Establishments) and Article 8 (Food and Food Establishments) of the Laws of the County of Monroe — Sanitary Code.
- (3) It shall be the responsibility of the City department or bureau with primary enforcement responsibility for each of the above-listed violations, including but not limited to the Rochester Police Department, Rochester Fire Department, Bureau of Buildings and Zoning code enforcement officers employed in the Department of Neighborhood and Business Development, and code enforcement inspectors and Bureau of Operations supervisors employed in the Department of Environmental Services, to expeditiously notify the Administrator of the Neighborhood Service Center for that portion of the City in which the subject building, erection or place is located (hereinafter, the "NSC Administrator") of a nuisance point violation and to provide to the NSC Administrator all supporting documentation of the violation, including copies of tickets and/or arrest paperwork.
- (4) With regard to a residential property, no points, sanctions and penalties assessed under this ordinance shall be applied against the premises where an owner, lessor, lessee, mortgagee or any other person in possession or having charge of as agent or otherwise, or having any interest in the property, real or personal was a victim of the enumerated crime or violation triggering the public nuisance incident.

C. Notice of Nuisance Points.

- (1) Written Notice of Nuisance Points.

- a. Any time one of the above-identified violations occurs, the NSC Administrator, or another City employee as may be designated by the Commissioner of Neighborhood and Business Development, shall, within fifteen calendar days from the date of the violation, send a notice of nuisance points to the owner of the building, erection or place. The notice shall be sent by first class mail with delivery confirmation, and shall identify the violation and the number of points assessed against the property.
- b. The NSC Director shall adopt a standard Notice of Nuisance Points letter to be used by every Neighborhood Service Center ("NSC"). The letter shall set forth the address where the nuisance activity took place, the specific violation, the date and time of the violation, and the number of points being assessed as a result of the violation. The letter will also set forth the total points accrued against the property during the preceding 12 months, inclusive of those that are the subject of the notice. The letter shall be signed by the NSC Administrator or, in the NSC Administrator's absence, by his or her designee.
- c. If, at the time the Notice of Nuisance Points letter is sent, the total number of nuisance points then accrued is less than that which would be deemed a public nuisance under this Section, the notice letter shall include the following language: "If the conduct giving rise to this violation is not abated and recurs, your property is in jeopardy of being deemed a public nuisance pursuant to City Charter § 10-12B, which could result in the closure of your property. You are encouraged to contact the Neighborhood Service Center at [PHONE NUMBER] to arrange a meeting to discuss this violation and a means to prevent a nuisance from developing."

(2) Waiver of Nuisance Points.

- a. Eligibility:
 - i. To be eligible for a waiver of nuisance points, no nuisance points shall have been assessed against a property during the preceding twelve months.
 - ii. A property is eligible for the waiver of nuisance points no more than one time in any twelve-month period.
 - iii. Points resulting from the following violations are not eligible for waiver:
 - 1. Article 265 of the Penal Law — Firearms and Other Dangerous Weapons.
 - 2. Section 47-5 of the City's Municipal Code — Firearms, shotguns, rifles and other dangerous weapons.

3. Sections of the New York State Uniform Fire Prevention and Building Code and Chapter 54 of the City's Municipal Code concerning occupancy requirements.
4. Sections 260.20 and 260.21 of the Penal Law — Unlawfully Dealing with a Child.

b. Waiver of Nuisance Points Letter.

- i. If a property to be assessed nuisance points is eligible for a waiver, then the NSC Administrator shall send, in the same mailing as the Notice of Nuisance Points Letter, a Waiver of Nuisance Points Letter.
- ii. The NSC Director shall adopt a standard Waiver of Nuisance Points letter to be used by every NSC. The Waiver of Nuisance Points letter shall inform the owner that his/her property is eligible for waiver of nuisance points, and shall direct the owner to contact the NSC within ten calendar days of the date of the Waiver of Nuisance Points Letter to schedule a waiver meeting to discuss and implement an abatement plan.

c. Abatement Plan and Waiver.

- i. If the owner timely requests and attends the waiver meeting, the owner and NSC Administrator shall negotiate in good faith to develop an appropriate written plan to abate the nuisance. If their effort succeeds, the plan shall be dated, signed by the owner and by the NSC Administrator, and shall be kept on file at the NSC. A copy of the abatement plan shall be provided to the owner.
- ii. If the owner abides by the abatement plan and no new nuisance activity occurs within the six months following the date of the abatement plan, the points that are subject to waiver shall be cancelled as if they had never existed on the property.

- d. Records of Abatement Plans and Waivers. Each NSC shall maintain for a minimum of two years records of abatement plans established and waivers issued for each property.

(3) Nuisance Points Advisory Board.

- a. Composition. There shall be a nine-member Nuisance Points Advisory Board ("Advisory Board") appointed by the Mayor, comprising one resident and one business owner each from the Northeast District, East District, South District and Northwest District as such districts are defined by City Charter § 5-3, and one resident from the Center City District as that district is defined by City Zoning Code § 120-166B. The members shall not be City officers or employees at the time of their appointments. Board members shall serve a term of two years. Any member may be reappointed and, after the expiration of his or her term, each member

shall hold over until a successor is appointed, if necessary. The board may appoint a Chairperson from among its members.

b. Advisory Board Review.

i. Notice of Potential Nuisance.

1. Where a violation takes place at a building, erection or place such that assessment of points for that violation would result in the building, erection or place being deemed a public nuisance pursuant to this Section, the NSC Administrator shall give notice of the violation to the owner, the impending assessment of points, and the fact that, upon assessment of the points, the building, erection or place will be deemed a public nuisance that is subject to the imposition of abatement actions pursuant to this Section. This Notice of Potential Nuisance shall be sent to the owner within fifteen calendar days of the violation in the same manner as a Notice of Nuisance Points.
2. The NSC Director shall adopt a standard Notice of Potential Nuisance letter to be used by every NSC. The Notice of Potential Nuisance shall inform the owner that he or she may, within ten calendar days of the date of the Notice, contact the NSC to request that the Advisory Board review the most recent violation and the points to be assessed therefor.

ii. Review by Advisory Board. If a review is requested by an owner, the NSC Administrator shall submit to the Advisory Board a package containing all relevant reports upon which the potential assessment of nuisance points is based. The board shall review the package and any written submissions by the owner, and may allow the owner and any witnesses to offer oral statements, within a time limit to be set by the board, which time shall not exceed 30 minutes, as to why the points should not be assessed. An Advisory Board member shall not participate in any review proceeding with regard to any place that is located within a radius of 500 feet from the member's residence or with regard to which the member possesses an operational or ownership interest. The board shall review all submissions and explanations and submit a written recommendation to the NSC Administrator concerning issuance of the nuisance points. A copy of this written recommendation shall be sent by the board to the owner by first class mail with delivery confirmation. The board's function shall be advisory, and its recommendations shall not be construed to be a final decision.

iii. Final Determination by NSC Administrator. The NSC Administrator shall make a final determination as to the assessment of points within ten calendar days of the receipt of the

recommendation of the Nuisance Points Advisory Board. The final determination shall be sent to the owner in the same manner as a Notice of Nuisance Points. A courtesy copy of the final determination shall be produced to the Advisory Board.

- c. Meetings. The Advisory Board shall meet at least once a month as long as matters are pending. A majority of the full board, of which no fewer than two are residents and two are business owners, shall constitute a quorum and shall be necessary to make a recommendation on proposed nuisance points. The board shall maintain an orderly set of records, including minutes of its meetings. The Commissioner of Neighborhood and Business Development shall provide staff support to the board, and members of the Police Department and Law Department may also advise the board and attend board meetings.
 - d. Bylaws. The Advisory Board shall prepare and adopt bylaws from time to time outlining meeting times and related procedures. The bylaws shall be submitted to the NSC Director for review and acceptance.
- (4) Notice of Abatement Meeting. Where a building, erection or place accrues points sufficient to be deemed a public nuisance pursuant to City Charter §10-12B, the NSC Administrator shall schedule a meeting with the building owner or the owner's authorized representative (hereinafter collectively "owner") to devise a plan to abate the nuisance. The owner shall be notified by letter of the date, time and location of the meeting. The owner shall also be notified that if he or she fails to attend the meeting, the City may immediately proceed with an administrative abatement proceeding or civil action to abate the nuisance. The NSC Director shall adopt a standard Notice of Abatement Meeting letter to be used by every NSC, which shall be sent to the owner in the same fashion as a Notice of Nuisance Points. The owner shall be allowed to adjourn and reschedule the abatement meeting no more than one time and to a date no more than fourteen calendar days after the original scheduled date.
- (5) Abatement Plan. If the owner attends the Abatement Meeting, he or she shall negotiate in good faith with the NSC Administrator to devise an abatement plan intended to remedy the nuisance activity. If they succeed and the owner signs a commitment to perform the agreed upon abatement plan, the City will not advance with an administrative proceeding or civil action to abate the nuisance for so long as the owner abides by the plan.

D. Concurrent Adjudication by Municipal Code Violations Bureau.

- (1) Where the NSC Administrator assesses nuisance points based upon a violation of the Rochester City Code for which a Municipal Code Violations Bureau ticket is issued, the Administrator shall request in writing that the Municipal Code Violations Bureau provide to the NSC Administrator notice of the ultimate ticket disposition.
- (2) Where the Municipal Code Violations Bureau ticket disposition indicates a dismissal on the merits, the NSC Administrator shall cancel the nuisance points stemming from the underlying violation and shall notify the owner of the same.

E. Powers of the Commissioner with Respect to Public Nuisances. In addition to the enforcement procedures established elsewhere, the Commissioner of Neighborhood and Business Development, shall be authorized:

- (1) To order the closing of the building, erection or place to the extent necessary to abate the nuisance but in no event for a period longer than one year; or
- (2) To suspend for a period not to exceed six months or revoke for a period of one year a business permit issued for such premises, and to prevent the operator from obtaining a new business permit for another location for the period of suspension or revocation; or
- (3) To suspend for a period not to exceed six months or revoke for a period of one year any occupational license or permit issued by the City related to the conduct of a business or trade at the premises, which suspension or revocation may also apply to any other locations operated by the holder for which the license or permit is required; or
- (4) To suspend for a period not to exceed six months or revoke for a period of one year eligibility to secure grants or loans from the City of Rochester; or
- (5) Any combination of the above; or
- (6) Any other remedy rationally related to the nuisance to be abated and otherwise within the authority of the Commissioner.

F. Adjudication Procedure. Where a public nuisance is deemed to exist pursuant to Subsection B of this Section, and the owner of the property fails to attend the Abatement Meeting or fails to accept and abide by an abatement plan, the Commissioner of Neighborhood and Business Development, or his or her designee, shall notify the Corporation Counsel for the City of Rochester of the nuisance activity and recommend a remedy or remedies pursuant to Subsection E of this Section to abate the nuisance. The Corporation Counsel shall decide whether to implement the remedy by means of either an administrative abatement proceeding as described below or through a civil action as authorized by City Charter § 9-21.

(1) Administrative Abatement Proceeding

- a. Notice of Abatement Hearing. The Corporation Counsel shall establish a date for a hearing at which it will be determined whether a public nuisance exists and evidence will be presented as to the remedy appropriate to abate the public nuisance. A Notice of Hearing shall be provided to the owner, lessor, lessee and mortgagee of the building, erection or place wherein the public nuisance is being conducted, maintained or permitted. The Notice of Hearing shall contain the following:
 - i. The name of the owner.
 - ii. A description of the premises, including the street address.

- iii. A statement of each and every incident during the relevant period giving rise to nuisance points, and a description of the remedy or remedies proposed to abate the public nuisance.
 - iv. The date, time and location of the hearing.
 - v. A statement that the failure to attend the hearing may constitute a default, which could result in the closure of the building, erection or place, the suspension or revocation of the owner's relevant business or occupational licenses, and/or the suspension or revocation of City grants or loans.
 - vi. A statement that no points shall be assessed against the building, erection or place for an enumerated crime or violation for which it is demonstrated that an owner, lessor, lessee, mortgagee or any other person in possession or having charge of as agent or otherwise, or having any interest in the property, real or personal was a victim.
- b. Service of Notice. The Notice of Hearing, along with a copy of the text of this Section, shall be served upon the owner, lessee and mortgagee at least thirty calendar days before the scheduled hearing, in the following manner:
- i. Owner: The owner shall be served in accordance with Article 3 of the Civil Practice Law and Rules or by means of first-class mail with delivery confirmation sent to the owner's address as it is maintained on record with the City Treasurer pursuant to City Charter §§ 6-118 and 6-119. If served by mail, service shall be deemed to be complete upon mailing. In no event shall it be necessary to file proof of service with the clerk of any court before the hearing.
 - ii. Lessee: Each lessee shall be served in accordance with Real Property Actions and Proceedings Law § 735, except it shall not be necessary to file proof of service with the clerk of any court before the hearing.
 - iii. Mortgagee: A mortgagee shall be served by means of first-class mail with delivery confirmation sent to the mortgagee's last known address as shown in the property records. Service shall be complete upon mailing, and there shall be no requirement to file proof of service with the clerk of any court before the hearing.
- c. Posting of Notice of Hearing: A copy of the Notice of Hearing shall be posted on the premises at least thirty calendar days before the hearing. Mutilation or removal of the posted notice of hearing shall be punishable by a fine of not more than \$250 provided that the posted notice contains therein a notice of such penalty.
- d. Hearing procedure.
- i. The hearing shall be conducted by an independent hearing officer appointed by the Corporation Counsel. The owner and other

interested parties may be represented at the hearing by counsel. The owner and other interested parties may present evidence and call witnesses on their behalf, and may cross-examine any witnesses that testify for the City. The rules of evidence prevailing in a court of record shall not be controlling in abatement hearings. The Mayor and/or the Corporation Counsel are authorized to develop and implement other rules and regulations concerning the procedures for the abatement hearing not inconsistent with the rules here stated. Any such other rules and regulations shall be reduced to writing and shall be served on all parties along with the Notice of Hearing.

- ii. For purposes of this Section, a conviction by a court of competent jurisdiction or an administrative bureau of the violation or crime that gives rise to the assessment of nuisance points shall not be required. Instead, to assess the points, the City shall be required to prove by a preponderance of the evidence that each element of the charged offense has occurred. However, a conviction as defined and applied in accordance with the provisions of Section 1.20 of the Criminal Procedure Law, in any court of competent jurisdiction, or a conviction or plea of guilty in the Municipal Code Violations Bureau, shall constitute conclusive proof of a point-assessable crime or violation under this Section.
- iii. Defense of Innocence. An innocent party's interest in property shall not be forfeited. The party claiming innocence shall have the burden of proving innocence by a preponderance of the evidence. Such innocence may be demonstrated by proof that the party (i) did not know of the conduct giving rise to nuisance; or (ii) upon learning of the conduct giving rise to the nuisance, did all that reasonably could be expected under the circumstances to terminate such use of the property. For the purposes of this subsection, ways in which a person may show that he or she did all that reasonably could be expected may include demonstrating that such person, to the extent permitted by law, (a) gave timely notice to an appropriate law enforcement agency of information that led the person to know that nuisance activity was occurring or would occur, and (b) in a timely fashion revoked or made a good faith attempt to revoke permission for those engaging in such nuisance activity to use the property. However, a person shall not be required by this subparagraph to take steps that the person reasonably believes would be likely to subject any person to physical danger. Even where a party with an interest in the property establishes his or her innocence in accordance with this subsection, still the City may impose any reasonable and legally permissible remedy to abate the nuisance so long as it does not infringe upon the innocent party's interest in the property.
- iv. Defense of Victims. In accordance with the public policy and findings calling for the protection of victims of crimes and violations in Subdivision A of this Section, a party shall be entitled to testify or present other evidence in support of a claim that nuisance points should not be assessed for a specified violation or crime wherein an

owner, lessor, lessee, mortgagee or any other person in possession or having charge of as agent or otherwise, or having any interest in the property, real or personal was a victim of the enumerated violation or crime that triggered the assessment of nuisance points. The party claiming the victim defense shall have the burden of proving its factual elements by a preponderance of the evidence in order to be entitled to the removal of assessed nuisance points.

- e. **Hearing Officer Report and Recommendation.** Within fourteen calendar days after the conclusion of the hearing, the hearing officer shall render a written report and recommendation to the Commissioner of Neighborhood and Business Development, which shall set forth factual findings based upon evidence in the record and shall state whether a public nuisance was proven by a preponderance of the evidence. In the event that a public nuisance is so proven, the hearing officer shall also render a written recommendation as to the remedy to be imposed to abate the public nuisance. The hearing officer's written recommendation shall be served upon all interested parties in the same manner as the original Notice of Hearing.
- f. **Final Determination.** Within seven calendar days after receipt of the hearing officer's report and recommendation, the Commissioner of Neighborhood and Business Development shall issue a final determination either accepting, modifying, or rejecting the hearing officer's report and recommendation. If the Commissioner determines that there is a public nuisance, based on either the recommendation of the hearing officer or the Commissioner's own assessment of the hearing record, the final determination shall articulate the remedy to be imposed and set forth a reasonable manner in which the remedy elected is expected to abate the public nuisance. No remedy shall be imposed that goes beyond the remedy or remedies previously specified in the Notice of Hearing. The final determination shall be served on all interested parties in the same manner as the Notice of Hearing. A copy of the final determination shall also be posted at the building, erection or place where a public nuisance exists or is occurring in violation of law.
- g. **Closure.** Where the final determination orders the closure of a building, erection or place, the closure shall become effective thirty calendar days after the posting of the final determination upon the building, erection or place, and may after that time be enforced by the Rochester Police Department. The effective date shall be specified in the final determination.
 - i. In no event shall any closing ordered under this Section be for a period of more than one year from the issuance of the Commissioner's final determination.
 - ii. A closing directed by the Commissioner pursuant to this Section shall not be deemed to constitute an act of possession, ownership or control by the City of the closed premises.
 - iii. It shall be a violation of this Section for any person to permit any other person to use or occupy any building, erection or place, or portion thereof, ordered closed by the Commissioner. Such a violation or

mutilation or removal of a posted order of the Commissioner designee shall be punishable by a fine of not more than \$250 or by imprisonment not exceeding fifteen calendar days, or both, provided such posted order contains therein a notice of such penalty.

G. Additional Provisions

- (1) The Mayor, Commissioner of Neighborhood and Business Development ("Commissioner") or NSC Director may promulgate rules, regulations, policies and procedures to carry out and give full effect to the provisions of this Section. Any such rules, regulations, policies and procedures shall be filed with the City Clerk.
- (2) The Commissioner or NSC Director shall implement a training program for NSC employees involved in the enforcement of this Section and for other City employees as needed.
- (3) If any provision of this Section or the application thereof to any person or circumstances is held invalid, the remainder of this Section and the application of such provisions to other persons and circumstances shall not be rendered invalid thereby.
- (4) The Commissioner shall prepare an annual report to be submitted to City Council summarizing the actions taken under this Section and indicating the results of such action.

Section 3. This local law shall take effect upon the latter of either: a) its filing in the Office of the Secretary of State as provided by Section 27 of the NYS Municipal Home Rule Law, or b) June 1, 2018.



City of Rochester

City Hall Room 308A, 30 Church Street
Rochester, New York 14614-1290
www.cityofrochester.gov

PARKS & PUBLIC WORKS

INTRODUCTORY NO. RECEIVED

107

CITY OF ROCHESTER
PARKS/COUNCIL OFFICE

8
Lovely A. Warren
Mayor

2018 MAR 29 AM 11:34

March 29, 2018

TO THE COUNCIL

Ladies and Gentlemen:

Re: Appropriate and Amendment -- 2018
Preventive Maintenance Group No. 2 Project

Transmitted herewith for your approval is legislation related to the 2018 Preventive Maintenance Group 2 Project. This legislation will:

1. Appropriate \$38,649.71 from anticipated New York State (NYS) Marchiselli Aid to fund a portion of the design services for the 2018 Preventive Maintenance Group 2 Project; and
2. Amend Ordinance No. 2017-10, which originally established funding for the agreement with C&S Engineers, Inc. for design services related to this project, by reducing the 2014-15 Cash Capital by \$38,649.71 and replacing those funds with the NYS Marchiselli Aid appropriated herein.

This project, administered by the City under agreement with NYSDOT, includes two locations:

- Alexander Street from Mount Hope Avenue to East Main Street; and
- Scio Street from East Avenue to Central Park.

Street improvements will include milling and resurfacing of the pavement; spot curb replacements; installation or upgrade of sidewalk curb ramps; adjustment and repair of manholes, catch basins, and water valve castings; and replacement of traffic markings. These improvements will enhance the surface drainage and riding quality of the roadway, improve accessibility, and expand the useful life of the pavement structure.

It is anticipated that construction will begin in spring of 2019 with scheduled completion in fall of 2019.

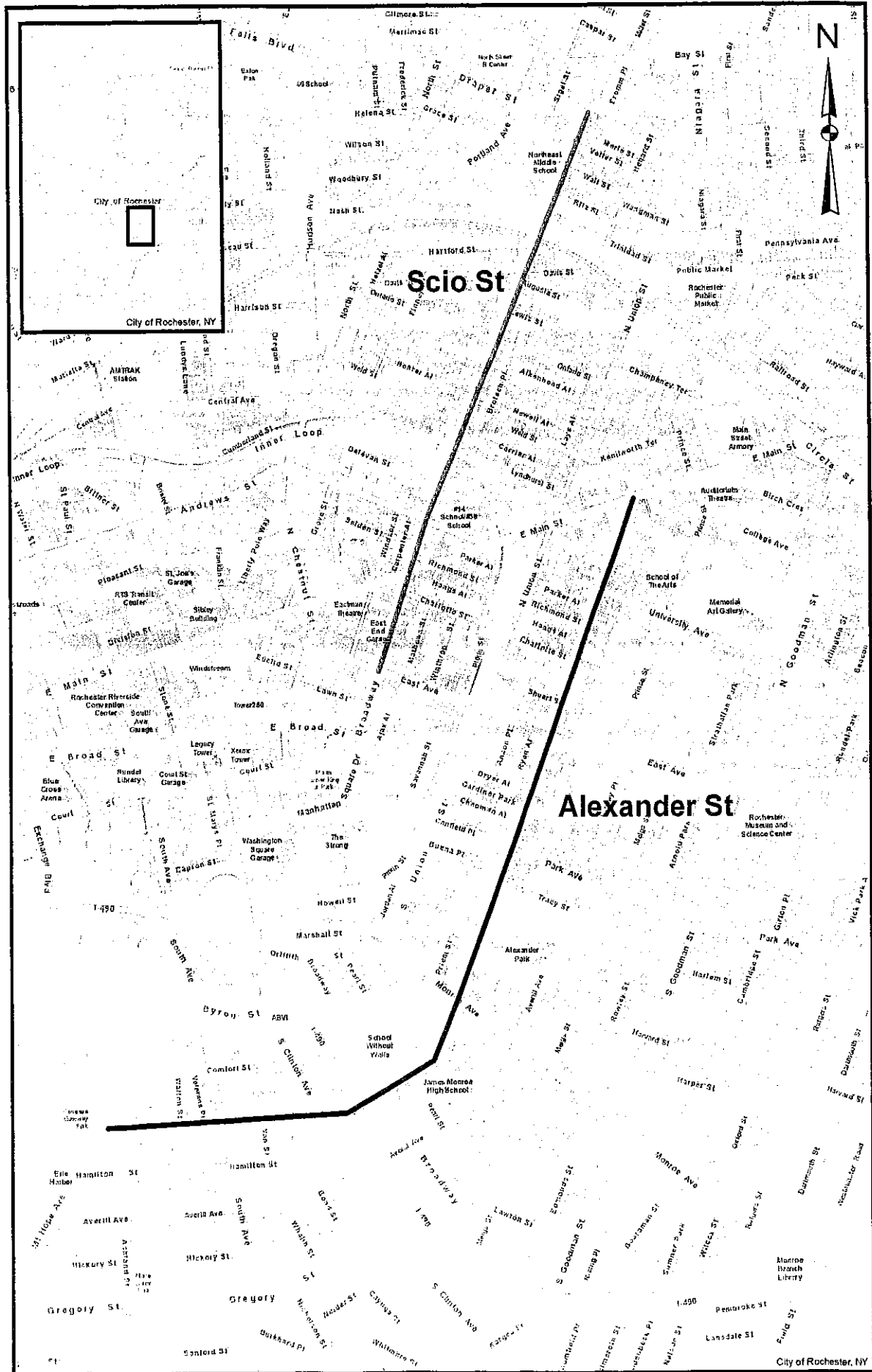
Respectfully submitted

Lovely A. Warren
Mayor



CITY OF ROCHESTER
2017-2020 Transportation Improvement Program (TIP)
Project Application - 2018 Group AS 2

8



107

Ordinance No.

Amending Ordinance No. 2017-10 and appropriating funds for the 2018 Preventive Maintenance Group 2 Project

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

Section 1. The Council hereby authorizes the receipt and use of \$38,649.71 in anticipated reimbursements from the New York State Department of Transportation Marchiselli Aid program (Marchiselli Aid) and appropriates that sum to fund a portion of the 2018 Preventive Maintenance Group 2 Project design services.

Section 2. Ordinance No. 2017-10 is hereby amended by allocating \$38,649.71 of the funds appropriated under Section 1 herein to replace and reduce by \$38,649.71 the amount of the 2014-15 Cash Capital funds appropriated therein.

Section 3. This ordinance shall take effect immediately.



City of Rochester

City Hall Room 308A, 30 Church Street
Rochester, New York 14614-1290
www.cityofrochester.gov

PARKS & PUBLIC WORKS

INTRODUCTORY NO.

108

RECEIVED
CITY OF ROCHESTER
CLOCK/COUNCIL OFFICE

2018 MAR 29 AM 11:34

9
Lovely A. Warrar
Mayor

TO THE COUNCIL

March 29, 2018

Ladies and Gentlemen:

Re: Appropriate and Amendment –
2020 Preventive Maintenance Group
No. 11 Project

Transmitted herewith for your approval is legislation related to the 2020 Preventive Maintenance Group No. 11 Project. This legislation will:

1. Appropriate \$18,600 from anticipated New York State (NYS) Marchiselli Aid to fund a portion of the design services for the 2020 Preventive Maintenance Group 11 Project; and
2. Amend Ordinance No. 2017-12, which originally established funding for the agreement with T.Y. Lin International Engineering, Architecture & Land Surveying, P.C. for design services related to this project, by reducing the 2016-17 Cash Capital by \$18,600 and replacing those funds with the NYS Marchiselli Aid appropriate herein.

This project, administered by the City under agreement with NYSDOT, includes Lyell Avenue from Lake Avenue to Mount Read Boulevard.

Street improvements will include milling and resurfacing of the pavement; spot curb replacements; installation or upgrade of sidewalk curb ramps; adjustment and repair of manholes, catch basins, and water valve castings; and replacement of traffic markings. These improvements will enhance the surface drainage and riding quality of the roadway, improve accessibility, and expand the useful life of the pavement structure.

It is anticipated that construction will begin in spring of 2020 with scheduled completion in fall of 2020.

Respectfully submitted,

Lovely A. Warren
Mayor



9



City of Rochester, NY
Lovely A. Warren, Mayor

Ordinance No.

Amending Ordinance No. 2017-12 and appropriating funds for the 2020 Preventive Maintenance Group 11 Project

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

Section 1. The Council hereby authorizes the receipt and use of \$18,600 in anticipated reimbursements from the New York State Department of Transportation Marchiselli Aid program and appropriates that sum to fund a portion of the 2020 Preventive Maintenance Group 11 Project design services.

Section 2. Ordinance No. 2017-12 is hereby amended by allocating \$18,600 of the funds appropriated under Section 1 herein to replace and reduce by \$18,600 the amount of the 2016-17 Cash Capital funds appropriated therein.

Section 3. This ordinance shall take effect immediately.



City of Rochester

City Hall Room 308A, 30 Church Street
Rochester, New York 14614-1290
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PARKS & PUBLIC WORKS

INTRODUCTORY NOTICE

109, 110, 111

RECEIVED
CITY OF ROCHESTER
CLERK/COUNCIL OFFICE

2018 MAR 29 AM 11:35

10
Lovely A. Warren
Mayor

March 29, 2018

TO THE COUNCIL

Ladies and Gentlemen:

Re: Alpha Street Group Project

Transmitted herewith for your approval is legislation related to Alpha Street Group Project. This legislation will:

1. Establish \$250,000 as maximum compensation for an agreement with Vanguard Engineering, P.C. (Joseph Ardieta, President), Rochester, NY 14610 for resident project representation (RPR) services;
2. Authorize the issuance of bonds totaling \$1,762,000 and appropriate the proceeds thereof to partially finance the street portion of the project, and;
3. Authorize the issuance of bonds totaling \$605,000 and appropriate the proceeds thereof to partially finance the water portion of the project.

Streets included in the project group are: Alpha Street (Wilder Terrace to Beach Avenue); Wilder Terrace (Alpha Street to Beach Avenue); Meriden Street (Alpha Street to Wilder Terrace); and Braddock Street (Alpha Street to Henley Street). The improvement project will consist of a combination of pavement reconstruction and rehabilitation; new stone curbs with underdrain pipe; new driveway aprons; replacement of existing sidewalks with pervious concrete sidewalks to address the 25% reduction in impervious surface requirement to satisfy the Storm Water Pollution Prevention Plan (SWPPP) for the project that meets NYSDEC State Pollutant Discharge Elimination System (SPDES) General Permit (GP 0-15-002); installation of street LED lighting (as a separate City Street Lighting contract); new water main on Braddock Street and on a section of Wilder Terrace; replacement of all lead and galvanized water services with polyethylene pipe; installation of corrosion resistant anodes on the Meriden Street water main; some new hydrants; replacement of catch basins within the reconstruction sections; replacement of capstone catch basins within the rehabilitation sections and the addition of a few new catch basins for improved drainage; manhole cover and catch basin grate adjustments; installation of a new two-rail pipe fence along the sidewalk near the CYAA ball fields; and regrading and hydro-seeding of all lawn areas disturbed by construction activities.

Previous legislation includes Ordinance No. 2017-300 that authorized changes in pavement width, and two de minimus corner acquisitions for street purposes.

Bids for construction were received on March 14, 2018. The apparent low bidder did not submit the correct bid proposal sheets provided in the addendum therefore the low bid was rejected. The second low bid of \$2,519,731.25 was submitted by Seneca Roadways which is 13.46% higher than the engineer's estimate. An additional \$253,298.11 will be allocated for project contingencies.



The costs for the categories of work for the project based upon the bid amount are as follows:

Sources	Construction	RPR	Street Lighting	Contingency	Total
Street Bond	1,350,688	200,000	29,900	181,412	1,762,000
Water Bond	504,043	50,000	0	50,957	605,000
Community Development Block Grant Funds as appropriated in Ord. No. 2017-298	475,000	0	0	0	475,000
Rochester Pure Waters District (Ord. No. 18-039)	190,000	0	0	20,686	210,686
Total	2,519,731	250,000	29,900	253,055	3,052,686

Vanguard Engineering, P.C. was selected for RPR services through a request for proposal process, which is described in the attached summary. The agreement will be funded with bonds appropriated herein and may extend until three months after completion and acceptance of a two year guarantee inspection of the project.

Public informational meetings were held on December 11, 2014; February 8, 2017 and December 20, 2017. Minutes from those meetings are on file in the City Clerk's Office. The pavement width changes were endorsed by the Traffic Control Board at its August 1, 2017 meeting.

Construction is anticipated to commence in spring 2018 and be completed in spring 2019. The project will result in the creation and/or retention of the equivalent of 32.6 full-time jobs.

Respectfully submitted,



Lovely A. Warren
Mayor

Vendor / Consultant Selection Process Summary

Department: DES

Project / Service sought: RPR Services for Alpha Street Group

Consultant Selected: Vanguard Engineering, PC

Method of selection: Request for Proposal

1. Date RFP / RFQ issued (and posted on City web site): January 12, 2018

2. The RFP / RFQ was also sent directly to:

<u>FIRM</u>	<u>City/ST</u>	
Architectura, P C	134 S. Fitzhugh St	Rochester, NY 14608
Fisher Associates, PE LS PC	135 Calkins Road	Rochester, NY 14623
Marques & Associates	656 Park Avenue	Rochester, NY 14607
Meagher Engineering, PLLC	7475 Surrey Lane	Victor, NY 14564
Pathfinder Engineers, LLP	134 South Fitzhugh St	Rochester, NY 14608
Pinewoods Engineering, P.C.	42 Aston Villa	North Chili, NY 14514
Lu Engineering, P.C.	339 East Ave.	Rochester, NY 14604
Prudent Engineering, LLP	36 W. Main St.	Rochester, NY 14614
Vanguard Engineering, P.C.	241 Castlebar Rd.	Rochester, NY 14610

3. Proposals were received from

<u>FIRM</u>	<u>City/ST</u>	
Labella Associates, DPC	300 State Street	Rochester, NY 14610
Passero Associates, PLLC	242 West Main St.	Rochester, NY 14614
Bergmann Associates	280 East Broad Street	Rochester, NY 14604
TY Lin International, P.C.	255 East Ave.	Rochester, NY 14604
Lu Engineering, P.C.	339 East Avenue	Rochester, NY 14604
Ravi Engineering	189 North Water Street	Rochester, NY 14604
Vanguard Engineering	241 Castlebar Rd.	Rochester, NY 14610

4. Evaluation criteria

<u>Criteria</u>	<u>weighting</u>	<u>Points possible</u>	<u>Points received by Vanguard Eng'r</u>
<i>Proposed Team</i>	50%	50	44.36
<i>Firm Experience</i>	30%	30	26.16
TOTAL		80	70.52
Bonus			
City business	10% of total	10	10
M/WBE	10% of total	10	10
		100	90.52

5. Review team included staff from: DES/Construction (5)

6. Additional considerations/explanations: None

**PUBLIC INFORMATIONAL MEETING MINUTES
ALPHA STREET GROUP
STREET IMPROVEMENT PROJECT, PC 12110**

Project Limits:

*Alpha Street (Wilder Ter. to Beach Ave.)
Braddock Street (Henley St. to Alpha St.)
Meriden Street (Alpha St. to Wilder Ter.)
Wilder Terrace (Alpha St. to Beach Ave.)*

DATE: December 11, 2014

TIME: 6:30 PM

LOCATION: Port Terminal Building, Charter Room, 2nd floor, 1000 N River St. ATTENDEES:
See sign-in sheet

Al Giglio started the meeting by introducing the City of Rochester Street Design staff in attendance: Al Giglio (AG), Managing Engineer; Lisa Reyes (LR), Project Engineer; and Vilavath (Vat) Phommavanh, Engineering Designer. AG stated this meeting is being held to gather input from the public on some conceptual designs that were prepared for the project and introduced LR to present to the public.

LR began by reviewing the project limits (listed above in the title) and explaining that this meeting was put together to gather public input on some conceptual design ideas. We normally hold off meeting with the property owners until we have had some feedback from the utilities as to what impacts their improvements may cause. We have not yet met with the utilities and do not have any updates on their proposed work at this time. At our next public meeting we should have more information we would provide. The project has an anticipated construction start of fall 2015 as noted in the schedule on the backside of the meeting agenda. We anticipate advertising the project in the spring/summer of 2015.

As mentioned, the displays are conceptual in nature and do not show proposed utilities, driveway aprons or trees. We did find in our early review of the project that there are a few zoning related concerns regarding front yard parking. We will be reviewing those with our Permit office and Zoning. If you have front yard parking, you will be receiving a letter from the City Permits office with ways to take action on getting your driveways into compliance.

The project includes two methods of street repair: 1) rehabilitation and 2) reconstruction. Streets currently proposed for rehabilitation are: Alpha Street, Meriden Street and most of Wilder Terrace (except along the ball fields). Braddock St and the section of Wilder Terrace along the ball fields are currently proposed for reconstruction.

Proposed work in both rehabilitation and reconstruction areas include: new granite stone curbs with underdrain; new driveway aprons; hazardous concrete sidewalk repair; possible street lighting improvements; replacement of lead and galvanized water services with polyethylene (PE) pipe; adjustment of sewer and water castings; and topsoil and seed.

In addition, rehabilitation areas will include: milling the top 1 ½ to 3 inches of asphalt and resurfacing it with new asphalt; replacement/repair of drainage inlets where needed.

Reconstruction areas will additionally include: a full box out (removal of the existing asphalt and stone layers down to the native soil) and new pavement section (new stone and asphalt layers); installation of new catch basins.

LR continued by elaborating on additional water upgrades. A new water main is proposed on Braddock Street. Some sections of the water main on Alpha Street and Wilder Terrace near the ball fields are being evaluated for replacement as they may be located under the proposed curbs.

The Water Bureau is preparing a separate contract for cleaning and lining the water mains on Alpha Street and Wilder Terrace. Meriden Street is a newer water main and will likely require anodes to be installed on the main to slow down corrosion of the main. AG explained what occurs during a cleaning and lining project. Over time, the inside diameter of the water main shrinks in area from decades of use and corrosion that builds up. Cleaning the inside of the water main is done to remove the corrosion and any debris. Once the main is flushed and inspected, the inside diameter of the pipe will then be lined with a cement mortar lining. In essence, once complete, it will be similar to having a new water main installed.

LR continued on to present the major conceptual design changes. Braddock Street (Henley to Alpha) is currently one-way and has a 50-ft right of way and an existing 20-ft pavement width. Braddock to the west of Henley is two way. The right of way between Henley and Alpha is wide enough to allow for increasing the pavement width for two-way travel as well which is what is presented in the conceptual design presentation display along with new sidewalks and curb. The conceptual design shows the width of Braddock changing from 20 ft to 26 ft.

The gravel parking area along the County park ball fields on Wilder Terrace would be removed and on-street parallel parking would be installed in its place. The existing pavement width in that section along the ball fields is approximately 20 ft; the proposed width is 24 ft to match the width of Alpha Street. The proposed parallel parking width would be 8 ft for a total pavement width of 32 ft.

On the north side of Meriden Street, all of the homes have illegal front yard parking. Those driveways are shown in the display as being closed off with no access. On that north side, to meet the Complete Streets Policy, a new section of sidewalk is proposed for installation to tie into the sidewalks on Alpha St and Wilder Ter. Homeowners will be required to request a variance through the Zoning process for the chance to maintain their existing illegal front yard parking.

Carriage walks will be removed to properties with driveways; they will be maintained or installed to properties without driveways. A carriage walk is a section of sidewalk that is perpendicular to the road and sidewalk. It essentially connects the road to the sidewalk. Typically carriage walks are not well maintained by the property owners and the City does not maintain them either therefore, on street projects it became policy to remove them. If you wish to have your carriage walk maintained, a request can be made to the Project Engineer. Her contact info is on the backside of the agenda.

Driveway aprons (the area of your driveway between the curb and sidewalk) will be replaced in kind, meaning, if your existing driveway apron is asphalt, you will get a new asphalt driveway apron; if your existing driveway apron is concrete, you will get a new concrete driveway apron installed. Property owners have the option to upgrade from an asphalt driveway apron to a concrete driveway apron. The cost to the homeowner is the difference in installation price per square foot of asphalt versus concrete. If you wish to learn more about upgrading your driveway apron, you are welcome to contact the Project Engineer.

There are currently no proposed changes in the parking regulations. If you wish to have the parking regulations changed on your street, you may contact the Project Engineer who will provide you additional information on how to proceed in requesting those changes.

Any privately owned property located within the right of way is considered an encroachment. Privately owned property includes fences, planters, flower beds and other decorative features (shrubs, bushes, markers, pavers, etc.). During the design process, encroachment letters will be sent to the property owners informing them of their encroachments into the right of way and asking they be removed prior to construction. If not, those items are on public land and could be destroyed or removed and disposed of during construction.

During construction, two-way traffic will be maintained (where applicable) and flaggers will be present in the event of a lane closure. Emergency vehicles will have access at all times.

Access disruption to your driveways will occur for maybe 2 – 3 days when the curbs, sidewalks in your driveway area and driveways are installed. After they are installed, temporary stone access will be provided until the streets are paved.

Then the meeting was open for questions/comments.

Q: How many trees will be removed as part of the project?

A: Based on the conceptual design, there are three (3) trees proposed for removal: two (2) trees at the Alpha/Wilder bend and one (1) on Meriden (28 Meriden St), all due to the installation of new sidewalks. There are a few privately owned bushes within the right of way on Meriden that will be impacted by the new sidewalks as well. The City Forester for this project will be performing an analysis of the trees to determine their health and condition and will make recommendations on any additional removals.

Comments:

- Converting Braddock St from one-way to two-way traffic is dangerous because motorists leaving the nursing home west of Henley St will speed down Braddock through the stop signs to get to Alpha St.*
- On the north side of Meriden St between Alpha St and Wilder Ter, City Council passed an ordinance for us to park in our rear yards (Ordinance 92-29). The ordinance says we can use 5 feet of the City right of way for parking. We have no front yard access anymore since they abandoned and removed Goodger's Park which was a road that allowed us vehicle access to the front of our homes. We don't want the new sidewalk installed on Meriden between Alpha and Wilder either. If you install sidewalk, we won't have any place to park.*

Q: We have drainage issues and a sink hole in front of 73 Wilder Ter. Will the resurfacing be enough to take care of those issues?

A: There are two (2) sewer manholes in that area which are both elevated above the surface of the road which may be causing the low areas in the pavement. As part of preliminary design of the project, borings and corings of the pavement section on all the streets will be done to get a better understanding of the pavement structure and our limits of reconstruction. Currently we have that section of Wilder planned for milling and resurfacing. There will be some areas of what we call "deep repair" in the milling/resurfacing sections. Deep repair (removal of the entire pavement structure and replacement) is done in small areas of pavement failure. As for the elevated manholes, we will be working closely with Monroe County Pure Waters, who maintain the sewer and drainage structures, to adjust the frames, grates and covers of their facilities where needed.

Comment:

The owner of #6 Meriden Street said that there was a standing water next to the curb, and then Pure Water came out and fixed it.

Q: *Can the City do something with overhead power lines since we are in the City limits?*

A: (AG) RG&E owns and maintains the overhead power lines throughout the city. The cost of moving the power lines underground is too much to justify for residential streets. It costs them about \$1 million per 1 mile to put the system underground. Unfortunately, the wood utility poles and above ground power lines will remain.

Q: *There is a gas valve in the middle of my driveway (77 Wilder Ter) and it's left a hole there. Every time I push my son in his wheelchair, one of the tires always gets stuck making it difficult to push it out of the hole. I take my son for walks down the sidewalk but there is a section of sidewalk that is so steep I have to use the road instead.*

A: (LR) Many of the sidewalks near large trees tend to become uprooted due to the large roots causing uneven and slanted walks. We will further evaluate your concern and replace sections of sidewalk where required to make them easier and safer to navigate. The gas (and water) valves in your driveway should have covers so that they are flush with the pavement. As part of this project, we will work with RG&E to get the required cover for the gas valve and adjust the elevation as needed.

Q: *We want to take trees down on the north side of Meriden St, but we were told that we cannot but the City hasn't done anything about them either.*

A: (LR) City Forestry maintains trees in the right of way and determines their condition and health and whether they should remain or be taken down. You are welcome to contact me so that I can provide you with the City Forester's contact information.

Q: *(5 Braddock St) I want to put in a new driveway to the house but would need to take trees down. Are you saying we cannot touch the trees?*

A: (LR) Trees within the public right of way are the City's property. Any trees on private property are the homeowner's responsibility. If you want to install a new driveway, you will be required to apply for a permit through the City's Permit office for work within the public right of way in order to establish a curb cut for your driveway. You are welcome to email me so I can provide you the Permit Officer's contact information for more details.

Q: *We've lived on the north side of Meriden Street for about 35 years and bought these houses with the driveways. We need our driveways to remain. We have no place else to park.*

During the spring and summer, parking on the street is terrible with the folks who come into town to visit the beach.

A: (LR) The City Permits office will be performing a check on all driveways for conformity and any illegal front yard parking issues. We will also look further into the Ordinance that was referenced earlier. Once the Permit Officer's review is complete and reviewed with Zoning and Street Design, letters will be mailed out to the property owners whose driveways are not in compliance. Included in the mailing should be instructions for requesting a variance to maintain your driveway.

(AG) After you receive the letter, you should contact Lisa Reyes and she can put you in touch with the right people.

Q: *Are our streets chosen to be turn-around routes for Beach Ave? There is no parking allowed on Beach Ave and in the summer cars park along our streets and in our front yards leaving us nowhere to park.*

A: (AG) I'm unaware of a turn-around route; these streets were selected and included in the program to be improved.

Q: *Does the City have some criteria to select the streets to be improved?*

A: (AG) We select the worst of the worst in the different quadrants of the city and have the Street Improvement Program set up to plan out the years we anticipate design of those streets. We try to group streets together similar to what we are doing for this street group. Conditions we look for are streets that have potholes, drainage issues, curbs that are broken or streets with no curbs at all.

Q: *Do you single out or select which sidewalks, in front of a property, to be replaced?*

A: (AG) No. Sidewalk replacement is based on the condition of the sidewalks. We are only replacing sidewalks with hazardous conditions, drainage issues or walks in reconstruction areas that need to be replaced due to elevation change of the pavement.

Q: *I have a 2 1/2-car wide driveway opening. Will I get it back?*

A: (AG) The driveway apron that we will install will allow enough room to maneuver your vehicle in and out of your driveway. If we show your driveway smaller than existing width, we likely do not have a permit on file for your existing curb cut width and propose to install the curb cut at the allowable width for your property type. If you believe your existing driveway width was approved at one time and have the permit information, please forward it to us; otherwise, you'll get back what is allowed in the letter you will receive from the Permits office. A variance may be applied for requesting your existing width be maintained.

Q: *(Meriden St Resident) You said that the Street Improvement Project will improve our living conditions and make our life better, but you're taking away and closing our driveways and then putting sidewalks in that we don't need in front of our homes.*

A: (AG) The presentation displays are, by no means, final design plans. Changes are possible. (LR) This meeting is intended to gather feedback from the residents so that we can go back to the drawing board and address your comments and any concerns.

Q: *There are a lot of bad sidewalks around here. Why are only some selected for replacement?*

A: (AG) As part of this project, we will be replacing the broken and hazardous sidewalks. If there wasn't a street improvement project planned for this area, we would get these streets added to the Hazardous Sidewalk Program which has a budget allowance for the replacement/repair of sidewalk tripping hazards and broken sidewalks. That contract costs \$9~\$10 per square foot for replacing the walks. As part of the street project, the average cost to replace sidewalks is around \$6~\$7 per square foot. We simply do not have the budget to replace all sidewalks on our street improvement projects.

Q: *So you're saying as a part of the project, Wilder Terrace will be widened, some trees will be cut down and Braddock Street will be converted from one-way into two-way traffic?*

A: (AG) The presentation displays shown here are conceptual in nature. They are not final construction plans. This meeting was set up for public input and information gathering only. Another meeting will follow that will attempt to address your concerns and display a revised preliminary design plan.

Q: *Some of us will lose our driveways?*

A: (LR) If you are currently parking your vehicle in front of your house and not a garage, the Zoning Code calls that illegal front yard parking. The Permit Officer for this area will be reviewing driveways and sending letters out to owners informing them of their illegal front yard parking. That letter will be accompanied by a sketch of your property identifying the area considered illegal front yard parking and show you the proposed curb cut width. The letter will also provide you additional information to apply for a variance request through the Zoning office if you wish to request maintaining the existing width of your driveway.

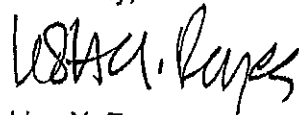
Q: *What is the project schedule/time frame?*

A: (LR) We anticipate construction plans to be finalized in late winter/early spring.

(AG) took a vote from the attendees on changes to Braddock St and sidewalk installation on the north side of Meriden Street. All attendees unanimously voted for Braddock Street to stay one-way only and no sidewalks on north side of Meriden Street.

There were no further recordable questions or comments. The meeting was adjourned.

Sincerely,



Lisa Y. Reyes
Engineer II/Street Design

LYR:vp
xc: file

ALPHA STREET GROUP – PUBLIC IMPROVEMENT PROJECT

PUBLIC INFORMATIONAL MEETING #1

ALPHA STREET (Wilder Terrace – Beach Avenue)
 BRADDOCK STREET (Henley Street – Alpha Street)
 MERIDEN STREET (Alpha Street – Wilder Terrace)
 WILDER TERRACE (Alpha Street – Beach Avenue)

AGENDA

DATE: Thursday, December 11, 2014

TIME: 6:30 P.M.

LOCATION: Port Terminal Building, Charter Room (2nd Floor), 1000 N. River Street

I. Introduction

City of Rochester, Department of Environmental Services:
 Al Giglio, Managing Engineer/Street Design Division
 Lisa Reyes, Project Manager/Street Design Division
 Vilavath Phommavanh, Design Engineer/Street Design Division

IIA. General Project Description for Rehabilitation Streets

Alpha Street, Wilder Terrace (except adjacent to the ball fields) and Meriden Street ○
 Roadway milling and resurfacing; new stone curbing with underdrain system;
 drainage inlet repairs/replacements where needed;

- New driveway aprons; driveway apron removal to illegal front yard parking areas; ○
 Replacement of hazardous concrete sidewalks; ○ Street lighting improvements to
 be determined;
- New water work: replacement of lead, lead-lined and galvanized water services; may
 require some sections of water main on Alpha to be replaced that are located under
 the proposed curb.

IIB. General Project Description for Reconstruction Streets *Braddock*

Street and Wilder Terrace adjacent to the ball fields

- Roadway box-out for full depth reconstruction; new stone curbing with underdrain
 system; drainage inlet replacement;
- New driveway aprons; driveway apron removal to illegal front yard parking areas; ○
 Replacement of hazardous concrete sidewalks; ○ Street lighting improvements to
 be determined;
- New water work: new water main on Braddock St; replacement of lead, lead-lined
 and galvanized water services on Wilder Ter; may require some sections of water
 main on Wilder to be replaced that are located under the proposed curb.

Braddock Street: proposal to convert the 20-ft wide one-way section of Braddock to a 26-ft wide two-way street – width to match Braddock west of Henley

Wilder Terrace adjacent to the ball fields (from Alpha Street north approximately 400 feet to bend in Wilder): widen from 20 ft to 24 ft to match Alpha St width and the rest of Wilder Ter

- Utility Work (Separate from the Street Project) ○ Water Bureau – Alpha and Wilder to be cleaned and lined prior to street construction
 - RG&E (Gas & Electric) – no information at this time ○ Time Warner Cable & Frontier – no information at this time
 - Carriage walks will be removed to all properties with legal driveways. ○ Properties without driveways will have their carriage walks replaced.
 - If you wish to have your carriage walk(s) remain, please email the project manager.
 - Existing parking regulations will remain.
 - Restoration of grass areas affected by the construction.
- III. Maintenance of Traffic ○ Two-way traffic will be maintained, using flag persons when necessary.
- Some access disruptions during curb, sidewalk and driveway placement.
- IV. Schedule ○ Advertise Summer, 2015
- Street Construction Fall, 2015 ○
 - Complete Construction Winter, 2015
- V. Questions and Comments

VI. Contacts

Lisa Reyes, DES/Street Design Division – Design Phase
 City of Rochester 585-428-6354
reyesl@cityofrochester.gov

10

Sam Priem, DES/Construction Division – Construction Phase
City of Rochester 585-428-7168
priems@cityofrochester.gov

*Questions regarding the Monroe County Parks and Ontario Beach Park may be directed
to Monroe County Parks Department Deputy Director, David Rinaldo
DRinaldo@monroecounty.gov*

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CITY OF ROCHESTER
BUREAU OF ARCHITECTURE & ENGINEERING
ALPHA STREET GROUP IMPROVEMENTS - PUBLIC INFORMATIONAL MEETING

Project: ALPHA STREET GROUP
PLEASE PRINT LEGIBLY

Date: DEC 11, 2014

Time: 6:30 PM

Location: PORT TERMINAL BLDG
CHARTER ROOM (2nd FLOOR)

Page 1 of 1

NAME	ADDRESS / ORGANIZATION	EMAIL ADDRESS	TELEPHONE #
1 TED SYLVIO	1 ALPHA ST	TRSYLVIO@GMAIL.COM	585-561-1222
2 Mike McKittrick	97 Alpha St	freshwaterwadek@icloud.com	820-0746
3 DOREEN FARLEY	83 ALPHA ST	DFARLEY0527@GMAIL	---
4 Eleanor Campbell	77 Wilder St	ecamp@frontier.net	694-9019
5 Dan Chure	85 Wilder Terrace	Dchurch@rochester.rr.com	---
6 Bob Hickey	30 Alpha	bobhickey@rochester.rr.com	---
7 Thomas F. Dabich Birdsong	24 Meriden St	DBirds 3160 @ go1.com	---
8 Dawn ST. JAMES	130 ALPHA ST.	---	585-750-2833
9 LIA BRENNA	22 WILDER TERRACE	SAAB1029@gmail.com	585 540-5575
10 LISA DAHL/JOHN LIBERATORE	32 MERIDEN ST	LMD7771@gmail.com	585 2547287
11 Victoria Scott	203 Beach Ave.	vc_scott@earthlink.net	585-328-5085
12 Cheryl Enders	329 Beach Ave	enders329@hotmail.com	585-697-2669
13 John Metzger	30 HENLEY ST	---	585-621-8711
14 Louisa Bennet	73 Wilder Terrace	louiscgibennet@earthlink.net	585-235-3327
15 Bonnie Jenn DiNico	115 Wilder Terrace	ndinico@rochester.rr.com	585-944-2119
16 Nicholas Ruggieri	5 Braddock	---	735 2774
17			
18			
19			
20			

**PUBLIC INFORMATIONAL MEETING MINUTES
ALPHA STREET GROUP PROJECT**

DATE: February 8, 2017 TIME: 6:30 p.m.
LOCATION: Port Terminal Building, Waterside Room, 1000 N. River Street
ATTENDEES: See Attached List

The purpose of the meeting was to present preliminary (35%) plans to the public of the proposed street improvements for the Alpha Street Group Project. The project includes the following street segments:

Alpha Street (Beach Avenue to Wilder Terrace)
Braddock Street (Alpha Street to Henley Street)
Meriden Street (Alpha Street to Wilder Terrace)
Wilder Terrace (Beach Avenue to Alpha Street)

The attached meeting agenda was provided for all attendees.

Al Giglio (AG) began the meeting by introducing Zina Lagonegro (ZL), Director of Zoning, to discuss illegal front yard parking.

(ZL) Historically, the Zoning office has worked with the Department of Environmental Services (DES) when a street improvement project is planned to review each property based on their needs for driveway access. The field visits are conducted based on the DES Driveway policy. The driveway policy requires a minimum distance of eight feet between the dwelling and the side property line to allow for driveways to lead to the rear yard. The Zoning Code requires that all driveways must lead to parking areas in the rear yard or in an attached or detached garage. Paved areas adjacent to the driveway or a garage where the parking area is between the street and the building is considered to be front yard parking, which is prohibited under the Zoning Code. Depending on your individual circumstance, any front yard parking issues that have been identified can either be remedied through the Administrative Adjustment process or by variance approval by the Zoning Board of Appeals. All letters outlining any driveway issues have been mailed to the property owner of record. If you did not receive a letter, then we did not find any areas of concern with your property. Jill Symonds on my team is available to assist anyone who has any questions regarding the process. She may be contacted at 428-7364; or by email at Jill.Symonds@CityofRochester.gov.

Al Giglio (AG) continued by identifying the different streets within the project shown on the meeting presentation displays. The improvements to these streets will include: new granite curbs installed at a height of 7 ¼ inches; new driveway curb cuts with new driveway aprons (area of the driveway between the curb and sidewalk); sidewalk replacement in some areas as shown in the presentation display; rehabilitation of Meriden Street and on portions of Alpha Street and Wilder Terrace which typically includes the milling of 1-1/2 to 3 inches off the top layer of asphalt and the application of a new layer of hot mix asphalt; full depth reconstruction of Braddock Street and on portions of Wilder Terrace and Alpha Street.

Recessed on-street parallel parking is proposed on both sides of Wilder Terrace, along the ball fields. Some trees within the project limits will need to be removed due to the street improvements. Those trees are identified on the presentation display with a red slashed circle. Toward the end of construction, topsoil and seed will be placed in all disturbed areas. Street

lighting fixtures will be upgraded. Then AG introduced Lisa Reyes (LR) to the meeting to talk about utilities.

LR stated that street lighting fixtures will be upgraded to a more efficient LED system. Spacing of the lighting fixtures will be evaluated for the allowance of better and more consistent light distribution. The City's Street Lighting Division will be preparing the design which will be based off of RG&E electric's proposed wood utility pole locations. Street lighting conduits are all located above ground and on RG&E's wood utility poles.

RG&E Electric is in the process of reviewing the preliminary plans to determine what upgrades are necessary. All electric lines are above ground on wood utility poles. Any poles in conflict (i.e. in a driveway) will be relocated. Once RG&E Electric completes their design upgrade, Street Lighting, cable and fiber companies will follow suite with their relocations as their facilities are all above ground and share the RG&E wood utility poles.

Karl Waelder (KW) then updated the public on the water improvements. KW provided a brief history of the water mains in the area and continued by discussing the proposed improvements. All lead and galvanized water services will be replaced with polyethylene (PE) water service pipe from the water main in the road to the curb stops near the right of way line. Any repair or replacement of the water service on the private side of the right of way is the homeowner's responsibility. All copper services will remain.

On Wilder Terrace, in the vicinity of the ball fields, a section of the existing water main runs under the proposed curb on the north side of the street and will be abandoned; a new section of water main will be installed as its replacement away from the proposed curb. The water main on Braddock Street (Henley to Alpha) will be replaced with a new plastic water main.

LR continued, RG&E Gas will install a section of new gas main to replace the existing gas main that runs under the proposed curb lines in the vicinity of 195 Wilder Terrace. They also plan to lower some of their services and mains that cross the proposed curb, where required throughout the project limits.

All private (i.e. gas, electric, cable, fiber, telephone) utility upgrades are coordinated ahead of time and will be performed ahead of the street construction project so that there are no street cuts performed after the new pavement is installed. Water, sewer, stormwater and street lighting improvements will be included as part of the street construction project.

If there are any concerns or questions related to changing the existing parking regulations, you may contact Erik Frisch, Transportation Specialist with the City who can answer your questions and determine if further action is required through the Traffic Control Board (TCB). Erik's contact information is located on the backside of the agenda.

LR recapped by stating changes to the plans were made based on feedback from the first public meeting. Those changes include widening two (2) additional feet on the west side of Alpha Street between Beach Ave and Meriden Street from 24 ft. to 26 ft.; removing the proposed sidewalk on the north side of Meriden (Alpha to Wilder); maintaining the driveway openings on the north side of Meriden (Alpha to Wilder); and adding recessed parallel parking on both sides of Wilder Terrace near the ball fields. The recessed parallel parking areas will be provided in place of the County Parks' existing gravel parking area adjacent to the CYAA ball fields. Approximately 18 parallel parking spaces are proposed on the south side and 11 parallel parking spaces on the north side. The existing width of Wilder is approximately 20 ft. adjacent to

the ball fields and is proposed to be widened to 22 ft. with 8 ft. wide parking areas on the north and south sides. A new sidewalk is proposed along the south side of Wilder Terrace and will tie into the existing walks on Alpha to the west and Wilder to the east.

During construction, two-way traffic will be maintained throughout the project and flaggers will be provided as needed. AG stated when the new curbs are installed, residents will be required to park on the street for about a day or two while the concrete that holds the curb in place is cured. Once curb is set, the Contractor will provide temporary access to driveways by placing crushed stone in the trench until the road is paved.

AG added, before construction, there will be a construction public meeting with the contractor, project manager and resident engineer. During construction, the resident engineer will provide full time inspection during construction hours. Any questions, concerns or problems would be directed at the resident engineer. Construction phone numbers will be provided to the public for their use in the event of an emergency.

The meeting was opened to questions:

Sarah Peters - 110 Alpha St.

Q. *What are the daily hours of construction? Also, will the curb at the corner ramps be replaced as well?*

A. Yes, they will be replaced within the project limits as shown in the presentation display. We will also be providing additional ramps at corners where needed for better accessibility in crossing the street.

The project will include upgrades to the accessible curb ramps to meet Americans with Disabilities Act (ADA) standards. There are two corner takings required to bring the ramps at those corners into compliance with ADA. The curbs at the ramps will be installed flush with the pavement. "Dimples" (raised bumps) will be installed at all ramps in the project. AG added that the contractors generally will start at 7 am and finish around 3 pm. They usually will not work on weekends unless of an emergency or special event. If they do, they have to get a special dispensation to work weekends or holidays. They try to avoid weekend work.

Cheryl Enders - 329 Beach Av.

Q. *Is Braddock St. going to be widened for two-way traffic as stated in the first meeting?*

A. The first public meeting was held to present the conceptual design to the public intending to get feedback on the changes we were proposing (i.e. converting Braddock to two-way traffic; adding sidewalk on the north side of Meriden). Based on the feedback we received, Braddock Street will remain one-way at the same width of 20 ft., but new curbs and sidewalks will still be installed; no sidewalk will be installed on the north side of Meriden.

Elizabeth Schnell - 31 Braddock St.

Q. *What is the project schedule? How do I know if my water is safe? I am concerned as I have small children.*

A. Construction is proposed to begin in spring of 2018 and should be substantially complete by fall of 2018. If we began construction this year, it would be in late summer which will not allow enough time for the project to be finished before winter. A winter shutdown would be necessary and work would then resume in the spring in 2018. To

avoid the extra cost and mess of construction during the winter months, we are waiting until spring of 2018.

(KW) The water mains are not lead and there is no lead present in the water. Water samples taken from the hydrants comply with the EPA and monthly reporting is done for the State. Residents can call 311 or 585-428-7500 Rochester Water Bureau to find out more information on water safety.

Dan Church - 85 Wilder Ter.

Q. *Why is the project delayed?*

A. After the first public meeting, we began preliminary design and found many zoning and driveway related issues that needed to be reviewed and addressed. The north side of Meriden (Alpha to Wilder) also caused delay in review of how to address the concerns with those driveways. Meanwhile, other projects took precedence while those issues were being reviewed.

Q. *Will valves for each house also be replaced along with the portions of water main to be replaced?*

A. (KW) The valves in the lawn areas (or on the house side of the sidewalks) are called curb stops and they will be replaced along with the lead and galvanized water services.

Q. *When the new curbs are to be installed, will I receive warning ahead of time or will I just be stuck and unable to leave my house until the work is done?*

A. Typically, the contractors will hand out notices to the residents 24 to 48 hours before they perform the work.

Q. *I'm concerned about the age of the street as it heaves in front of my house. I saw some holes were bored. Are you going to dig up the whole section of the road or just resurface? A.* The reconstruction limit of Wilder Terrace was modified since the first public meeting. Originally we anticipated reconstructing the section near the ball fields only. After review of the borings we received, we extended the limit to Meriden Street. Wilder from Alpha to Meriden will be boxed out (all of the existing asphalt and stone will be removed and disposed of) and built back up with new crushed stone and asphalt (base, binder and top) layers.

Q. *What about the storm drains?*

A. We currently plan to replace the capstone catch basins in the rehabilitation sections of the project and all of the basins in the reconstruction sections of the project. The capstone basins are the ones that have a large flat stone that sits in the lawn area next to the catch basin. The reason for replacing those basins is because the opening itself is typically partially in the road and partially in the grass which is why the stone is there to cover the opening. Non-capstone basins are typically completely in the road. When we install the new curbs, the curb will run the entire length of the road along the edge of the road behind the catch basins. Capstones don't allow for placing the curb behind the basin. (AG) Also, the new catch basins will have a larger opening. Typically, the old box type catch basins are 12-inch long by 8-inch wide. The newer basins that will be installed are 3 ft. long by 2 ft. wide and will drain much better than the older ones.

George Lynch - 49 Meriden St.

Q. *Are you going to put down new asphalt over the old asphalt or install a new street in front of my house? How about curbs?*

A. Your property is outside the limits of the project. The project limit begins in front of your neighbor's property at 39 Meriden. The new curbs will transition to the existing curbs and the reconstruction will blend in seamlessly with the existing pavement.

John Metzger - 61 Braddock St.

Q. *Where will the contractors plan to stage their equipment and materials during the project?*

A. Once the project is awarded to a contractor (after it is advertised and bid), the contractor will negotiate with land owners in determining locations to stage their materials. That is not determined until after a contractor is on board.

Phil Enders - 329 Beach Av.

Q. *I have issues with parking on Braddock St., who do I call? Is it possible not to install full height curbs in front of my property?*

A. Typical street construction in the city will include the installation of granite stone curb. The standard curb height is 7 ¼ inches. At driveway openings, header curb will be installed which will have a curb reveal of 1 ½ inches. Any variation to your driveway width shown on the display would require Zoning approval. The letter you received should have the information you need to follow up with Zoning.

Donald Furiuso - 337 Beach Av.

Q. *The proposed driveway curb cut will not allow me enough space to maneuver my vehicle in and out from my driveway.*

A. Parking in the front yard is not allowed by our zoning regulations unless in front of a garage. The curb cut proposed is for side yard access. We suggest discussing your concerns with the Zoning office to determine what course of action is necessary to request a variance for front yard parking and a wider curb cut.

Dan St. James - 120 Alpha St.

Q. *I received two letters from the City with the same information about my driveway – one was certified and the other was not. The letter said I will get an 18 ft. wide driveway curb cut, which I'm happy with, but it also says that I have to apply for variance to keep the driveway at the existing width. I'm a little confused, do I need to apply for a variance?*

A. Duplicate letters were intentionally mailed out by our Permits office (one being certified) to make certain owners got the information on changes proposed to their driveway opening. The "Illegal Front Yard Parking" letters included a sketch of the proposed driveway width approved for installation. In addition, the sketch includes an area marked in red showing the illegal front yard parking area. If you disagree with the proposed driveway opening shown in the sketch, in your case Dan, the 18 ft. opening, and prefer to have your new driveway apron installed at the existing driveway width, say the existing width is 24 ft. wide, then you will need to apply for a variance.

Linda Patane - 10 Wilder Ter.

Q. *Can I have a wider driveway?*

A. Driveway width changes will need to be reviewed with Zoning to determine the course of action required.

Bill Stuhler - 17 Alpha St.

- Q. *I have the same problem. I want my driveway made wider.*
A. The City's Zoning office will need to review your case.

Lisa Dahl/John Libertore - 32 Meriden St.

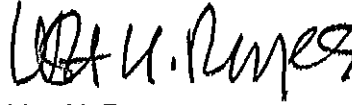
- Q. *What will happen to my driveway?*
A. Property owners on the north side of Meriden between Alpha and Wilder will be receiving a Memorandum of Understanding (MOU) that was placed in the mail last night which basically states the City agrees to allow, in your special case, parking in the rear yard. The City understands the hardship presented to the owners who no longer have parking access to the front of their house since the removal of Goodger's Park, a private road that allowed access to the front of the home.

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The meeting broke up and a line of individuals formed to speak with the Director of Zoning to discuss their questions and concerns regarding the driveway letters they received.

There were no further recordable questions or comments. The meeting was adjourned. The above represents my understanding of the topics discussed at this meeting.

Respectfully submitted,



Lisa Y. Reyes
Engineer II/Street Design

LYR:vp

xc: file
Z. Lagonegro
J. Symonds
K. Waelder
A. Giglio
V. Phommavanh

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ALPHA STREET GROUP – PUBLIC IMPROVEMENT PROJECT

PUBLIC INFORMATIONAL MEETING #2

ALPHA STREET (Wilder Terrace – Beach Avenue)
 BRADDOCK STREET (Henley Street – Alpha Street)
 MERIDEN STREET (Alpha Street – Wilder Terrace)
 WILDER TERRACE (Alpha Street – Beach Avenue)

AGENDA

DATE: Wednesday, February 8, 2017

TIME: 6:30 P.M.

LOCATION: Port Terminal Building, Waterside Room (1st Floor), 1000 N. River Street

I. Introduction

City of Rochester, Department of Environmental Services:

Zina Lagonegro, Director of Planning and Zoning

Al Giglio, Managing Engineer/Street Design Division

Lisa Reyes, Project Engineer/Street Design Division

Vilavath Phommavanh, Design Engineer/Street Design Division

Karl Waelder, Engineer II/Bureau of Water

IIA. General Project Description for "Rehabilitation" Street Segments: *Meriden Street, most of Alpha Street & a portion of Wilder Terrace*

- Street milling and resurfacing (M&R): generally 1 ½" to 3" of asphalt is milled off and replaced with asphalt; there may be full depth repair needed in some areas;
- drainage inlet repairs/replacement; replacement of all capstone basins;

IIB. General Project Description for "Reconstruction" Street Segments: *Braddock Street, most of Wilder Terrace & portions of Alpha Street*

- Street to be "boxed-out" for full depth reconstruction; ○ drainage inlet replacement;

IIC. Project Work for both "Rehabilitation and "Reconstruction" Segments:

- New stone curbing with underdrain system;
- New driveway aprons; driveway curb cut removal to illegal front yard parking areas; ○ A few small corner takings needed for replacement of accessible curb ramps to meet ADA requirements; ○ Replacement of hazardous concrete sidewalks;
- Carriage walks: shown for removal to properties with legal driveways. *(If you wish to have your carriage walk remain, please contact the project manager);*
 - Properties without driveways will have their carriage walks replaced ○ Tree removal – 3 trees along Wilder Ter will be impacted by the project; ○ Restoration of grass areas affected by the construction; ○ Utility work included in the street construction;
 - *Street lighting improvements:* upgrade to LED fixtures; lights to remain on RG&E wood poles; may utilize additional wood poles to achieve better lighting levels;

- *Water replacements:* new water main on Braddock St; section of water main replacement on Wilder Ter along the park; replacement of lead, lead-lined and galvanized water services with plastic (PE or PEX) water service tubing; anode installations possible on Meriden St; installation/replacement of a couple hydrants;

Alpha Street Group – Public Meeting #2
February 8, 2017

III. Utility Work Planned Ahead of the Street Construction:

- *Water Bureau* – Alpha and Wilder were cleaned and lined in 2016; no other proposed work ahead of the project;
- *RG&E (Electric)* – will relocate poles in conflict with new driveway aprons and will upgrade its primary and secondary system for reliability; RG&E to work with City Forestry to coordinate tree trimming around power lines; ○ *RG&E (Gas)* – gas main relocation needed on Wilder Ter between house numbers 195 and 185; some gas main lowering may be needed where the gas main crosses the curb and road in reconstruction areas;

IV. Maintenance of Traffic ○ Existing parking regulations will remain. Requested changes will need to be reviewed at Traffic Control Board – contact: Erik Frisch;

- Two-way traffic will be maintained, using flag persons when necessary; ○ Some access disruptions during curb, sidewalk and driveway placement.

V. Schedule ○ Advertise Winter, 2017 ○ Street Construction Spring, 2018

- Complete Construction Fall, 2018

VI. Questions and Comments

VII. Contacts

Lisa Reyes, DES/Street Design Division – Design Phase
City of Rochester 585-428-6354
reyesl@cityofrochester.gov

Sam Priem, DES/Construction Division Manager – Construction Phase
City of Rochester 585-428-7168
priems@cityofrochester.gov

Erik Frisch, DES/Administrator – Traffic Control Board – (Signage Changes)
City of Rochester 585-428-6709
priems@cityofrochester.gov

Questions regarding the Monroe County Parks and Ontario Beach Park may be directed to Monroe County Parks Department Deputy Director, David Rinaldo
DRinaldo@monroecounty.gov

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CITY OF ROCHESTER
BUREAU OF ARCHITECTURE & ENGINEERING
ALPHA STREET GROUP IMPROVEMENTS - PUBLIC INFORMATIONAL MEETING #2

Project: ALPHA STREET GROUP
PLEASE PRINT LEGIBLY
Date: FEB 8, 2017 Time: 6:30 PM Location: PORT TERMINAL BLDG
WATERSIDE ROOM (1ST FLOOR)
Page 1 of 2

NAME	ADDRESS / ORGANIZATION	EMAIL ADDRESS	TELEPHONE #
DANIEL FURUSO	337 Beach ALP.		585-663-0572
Bill Stahler	17 Alpha St	WSTUH325@GMAIL.COM	585-663-6426
Drew St. James	120 ALPHA ST.		585-750-7833
Richard Must	596 Wilder Pl.		621-1686
Phil + Cheryl Enders	329 BEACH AVE	enders329@hotmail.com	647-2669
Lawrence J. Dell	35 Broadway		
Deborah + Thm. Birdsong	24 Meriden St	birds3460@aol.com	621-7764
LIM + LAMIE BRENNAN	22 WILDEA TERR.	JBRENNAN012@gmail.com	520-55775
Connie HAAG	333 BEACH AVE	CONNIE.HAAG@gmail.com	585-663-0836
Elizabeth Schnell	31 Baddock St.	edsodski@gmail.com	773-456-6123
Bonnie DiNicola	115 Wilder Terr	hdinicola@rochester.rr.com	
LISA DAHL/JOHN LIBERTORE	32 MERIDEN ST	LIND777@gmail.com	585-254-7287
George Lynch	49 Meriden St		
Steve Sabatini	133 Baddock St.		
Steve Sabatini	153 Alpha St.	beachdweller14@gmail.com	518-573-9170
PATRICK O'GORMAN	10 Baddock/305 Beach Ave	dragonpog@gmail.com	585-621-8211
John METZGER	51 Col Baddock		585-305-3283
David DiVincenzo	39 Lotta / 71 Alpha	davidcdivincenzo@yahoo.com	585-305-3283
Victoria Scott	2/4 Alpha St.	VC - Scott Hotmail.com	585-328-5825
Lat Phommavanh	COR		
Mollen Cafford	City Council	41 Lakeview PK	233-3679
TYAN BORSBOK	81 WILDER TER	LANIDRECK@TMAK.COM	705-1444
Zina Lagonegro	CITY PLANNING + ZONING	zina.lagonegro@cityofrochester.gov	428-7054
Al Giglio	COR DES STREET DESIGN		428-7164

CITY OF ROCHESTER

BUREAU OF ARCHITECTURE & ENGINEERING

ALPHA STREET' GROUP IMPROVEMENTS - PUBLIC INFORMATIONAL MEETING #2

**Project: ALPHA STREET GROUP
PLEASE PRINT LEGIBLY**

Date: FEB 8, 2017

Time: 6:30 PM

Location: PORT TERMINAL BLDG

WATERSIDE ROOM (1ST FLOOR)

Page 2 of 2[illegible]

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ALPHA STREET GROUP – PUBLIC IMPROVEMENT PROJECT

PUBLIC INFORMATIONAL MEETING #3

ALPHA STREET (Wilder Terrace – Beach Avenue)
BRADDOCK STREET (Henley Street – Alpha Street)
MERIDEN STREET (Alpha Street – Wilder Terrace)
WILDER TERRACE (Alpha Street – Beach Avenue)

AGENDA

DATE: Wednesday, December 20, 2017 **TIME:**
6:30 P.M.

LOCATION: Port Terminal Building, Waterside Room (1st Floor), 1000 N. River Street

I. Introduction

City of Rochester, Department of Environmental Services:

Lisa Reyes, Street Design Division

Vilavath Phommavanh, Street Design Division

Donna Clements, P.E., Street Design Division

IIA. General Project Description for "Rehabilitation": new granite stone curbing and underdrain; pavement milling (approximately 1 ½" to 3"); new asphalt top course of pavement; new driveway aprons; new pervious concrete sidewalk; new accessible curb ramps; drainage inlet repairs/replacement; all lead, lead-lined, and galvanized water services to be replaced with 1" plastic (PE or PEX) water services - copper water services to remain - old water services to be abandoned; lighting arms to remain on wood poles – new LED fixtures to be installed; restoration of all lawn areas affected by the project. IIB.

General Project Description for "Reconstruction": new granite stone curbing and underdrain; street "box-out"; new subbase stone and asphalt layers; new driveway aprons; new pervious concrete sidewalk; new accessible curb ramps; drainage inlet replacements; all lead, lead-lined and galvanized water services to be replaced with 1" plastic (PE or PEX) water services - copper water services to remain - old services to be abandoned; lighting arms to remain on wood poles – new LED fixtures to be installed; restoration of all lawn areas affected by the project. IIC. Additional Alpha Street Improvements:

- Street reconstruction from Wilder to 120 Alpha and from Meriden to Braddock; ○ Street rehabilitation from 120 Alpha to Meriden and from Braddock to Beach; ○ Street to be widened 2 feet on the north side from Meriden to Beach for a width of 26 ft; ○ Two (2) corner takings for accessible curb ramp installations: 283 and 295 Beach; ○ Two (2) new hydrants: 83 Alpha, 131 Alpha;

- Three (3) tree removals: 180 Lakeland, 5 Braddock, 32 Meriden; ○ Three (3) tree installation sites: 180 Lakeland, 5 Braddock, 283 Beach; ○ Carriage walk removals: 40 Alpha; 103 Alpha (pavers to be returned to owner). IID. Additional Braddock Street Improvements:

- Street reconstruction from Henley to Alpha;
- New 6" PVC water main to be installed the entire length of the reconstruction;
- Five (5) properties will have temporary bypass installed during water main installation: 301 Beach,

315 Beach, 5 Braddock, 15 Braddock, 25 Braddock; ○ New 1" plastic water services; abandonment of old services; ○ One (1) hydrant removal and one (1) new hydrant: 25 Braddock; ○ Carriage walk removals: 355 Beach, 61/51 Braddock; ○ Carriage walk replacement/installation: 25 Braddock, 31 Braddock, 35 Braddock, 43 Braddock. IIE. Additional Meriden Street Improvements:

- Street rehabilitation from 39 Meriden to Wilder;
- Ten pavement excavations required for installation of anodes on the existing water main;
- Three (3) bush removals: (2) at 32 Meriden, (1) at 6 Meriden;

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**PUBLIC INFORMATIONAL MEETING #3 MINUTES
ALPHA STREET GROUP PROJECT**

DATE: December 20, 2017 TIME:

6:30 p.m.

LOCATION: Port Terminal Building, Waterside Room, 1000 N. River Street

ATTENDEES: See Attached List

The purpose of the meeting was to present final design plans of the proposed street improvements for the Alpha Street Group Project. The project includes the following street segments:

Alpha Street (Beach Avenue to Wilder Terrace)
Braddock Street (Alpha Street to Henley Street)
Meriden Street (Alpha Street to Wilder Terrace)
Wilder Terrace (Beach Avenue to Alpha Street) The

attached meeting agenda was provided for all attendees.

Lisa Reyes (LR) began the meeting by going over the displays and pointing out the areas of reconstruction and rehabilitation. She mentioned this is the third and final public meeting. The 95% design plans were sent to the Monroe County Department of Health for review and approval. Once approval is received, the design plans will be advanced to final bid documents and advertised for bids. She mentioned after the last public meeting (held February 8, 2017) many of the driveway apron concerns were addressed. If there is anyone here who has concern about their driveway width, please let me know after the meeting. LR continued by going through the details of the project listed in the attached agenda.

LR noted that the project is located in an area where there are separate storm and sanitary sewer mains. Because of this and due to the nature of the project where the construction will be disturbing more than an acre of native soils (i.e. reconstruction areas, sidewalk replacement, re-grading the side slope along the ball fields, etc.), it triggers the New York State SPDES (State Pollutant Discharge Elimination System) General Permit (GP 0-15-002) requiring a Stormwater Pollution Prevention Plan (SWPPP) be prepared for evaluation and determination of the proper methods of mitigating stormwater runoff to the existing storm sewer system. The project is identified in the 2015 New York State Stormwater Design Manual as a redevelopment project that requires a minimum of 25% reduction in impervious surface. By this standard, our design consultant determined the best method of reducing impervious surface is by replacing the existing sidewalks with pervious concrete sidewalks. In essence, the pervious concrete sidewalks allow water to penetrate its surface and enter the underlying stone reservoir and soils essentially allowing the hard surface to act like a porous grass surface.

LR continued by noting RG&E Gas recently completed their upgrades on the project which are located on Wilder Terrace between Alpha St and Meriden St. They should be completing final restoration of the area in the next couple weeks. RG&E Electric will begin their pole relocation work at the beginning of the year ahead of the street construction project. Frontier and Charter Communications/Spectrum (formerly Time Warner Cable) communication lines are all above ground on RG&E wood poles. Once RG&E completes their pole relocations, the other communication utilities will relocate their facilities.

Street lighting arms will be relocated to the new wood poles and the existing fixtures will be upgraded to more efficient LED light fixtures. Spacing of the lighting fixtures will be evaluated for

the allowance of better and more consistent light distribution. The City's Street Lighting Division will be preparing the design which will be based off of RG&E Electric's proposed wood utility pole locations.

During construction, two-way traffic will be maintained throughout the project and flaggers will be provided as needed. When the new curbs are installed, residents will be required to park on the

street for about a day or two while the concrete that holds the curb in place is cured. Once curb is set, the Contractor will provide temporary access to driveways by placing crushed stone in the trench until the road is paved. Please note, if you have any medical concerns requiring 24/7 emergency access to your property, please see me after the meeting or forward me your information so that we may be able to share it with our Construction Division so they can make the proper accommodations.

There will be a construction public meeting with the Contractor, Construction Project Manager and Resident Engineer (R.E.). The R.E. will provide full time inspection during construction hours. Any questions, concerns or problems would be directed at the R.E. Construction phone numbers will be provided to the public for their use in the event of an emergency.

The meeting was opened to questions:

Charles Smith - 100 Alpha Street

Q. *Are sanitary sewers a part of the project?*

A. There will be no sanitary or storm sewer replacements as part of this project. However, we will be working with a property owner on Wilder Terrace to connect their illegal storm lateral to the existing storm sewer main in Wilder Terrace.

Jim Brennan – 22 Wilder Terrace

Q. *Will grassed areas from the sidewalk to the street be replaced?*

A. The lawn areas between the sidewalk and the street will be impacted by the construction due to the replacement of curb and sidewalk. All lawn areas impacted by the construction will be restored with topsoil and seed.

Deborah Birdsong – 24 Meriden Street

Q. *Will the project be constructed in sections? I have concern about maintaining handicap parking during construction. There are 5 people in a row along the east side of Meriden St that require a handicap space.*

A. Our Construction Division will be coordinating with residents who require 24/7 emergency access to their property. Please forward me your information and we will inform the Construction Division. There will also be a Construction public meeting where you will be able to raise your concerns.

Brian Mulhern – 319 Beach Avenue

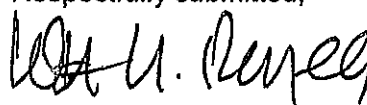
Q. *Will the existing width of my driveway be restored?*

A. We will be replacing your driveway apron a width of 32 feet to match your garage door opening.

After the meeting, Victoria Scott (283 Beach Ave) requested that we do not install a new tree in front of her property on Alpha St. We said we would remove it. Also, Ted Sylvio (1 Alpha St) asked if recessed parking would be possible on Alpha St in front of his pizzeria. We informed him we do not have enough right of way to accommodate recessed parking. We did however widen the street by 2 feet on his side to allow for safer on-street parking.

There were no further recordable questions or comments. The meeting was adjourned. The above represents my understanding of the topics discussed at this meeting.

Respectfully submitted,



Lisa Y. Reyes
Engineer II/Street Design

LYR:lr

xc: file Z. Lagonegro (Zoning); J. Symonds (Zoning); T. Hack (Construction)

- One (1) tree installation site: 32 Meriden; ○ Carriage walk replacement: 3 Meriden. IIF.

Wilder Terrace Improvements:

- Street reconstruction Alpha to Meriden;
- On-street parallel parking on Wilder along the ball fields;
- New 8" PVC water main to be installed from Alpha to 125 Wilder; all water services on new 8" water main to be replaced with 1" plastic water services;
- One (1) hydrant removal: 133 Wilder;
- Three (3) new hydrants: 132 Wilder; ball park side across from 169 Wilder and 156 Wilder;
- Two (2) tree removals: Park side at Alpha/Wilder bend, 169 Wilder; ○ One (1) tree installation site: Park side across from 133 Wilder. III. Miscellaneous:

- Carriage walks: shown for removal to properties with legal driveways.
- ***If you wish to have your carriage walk replaced, please contact the Project Manager before January 15, 2018. Contact info below.***
- Properties without driveways will have their carriage walks replaced ○ ***If you or someone in your household need(s) special medical access during construction, please provide the Project Manager your contact information.*** IV. Utility Work Planned Ahead of the Street Construction:
- Water Bureau – Alpha and Wilder were cleaned and lined in 2016; no other work anticipated. ○ RG&E (Electric) – New pole installations to begin in Jan 2018 and be complete by May 2018. ○ RG&E (Gas) – gas main work along Wilder completed; restoration work to be complete 12/31/17. V. Maintenance of Traffic:

- Existing parking regulations will remain except along Wilder at ball fields to allow parking on both sides of Wilder. Any requested changes will need to be reviewed at Traffic Control Board – contact: Erik Frisch (see below for contact information);
- Two-way traffic will be maintained, using flag persons when necessary; ○ Expect some access disruptions during curb, sidewalk and driveway placement. VI. Schedule

- Advertise Jan/Feb, 2018
- Street Construction Spring, 2018 ○ Complete Construction Fall/Winter, 2018

Questions and Comments?

Contacts:

Lisa Reyes, Project Manager, DES/Street Design Division – Design Phase
City of Rochester
585-428-6354
Lisa.Reyes@cityofrochester.gov

Sam Priem, Construction Manager, DES/Construction Division – Construction Phase
City of Rochester
585-428-7168
Sam.Priem@cityofrochester.gov

Erik Frisch, DES/Administrator – Traffic Control Board – (Signage Changes)
City of Rochester
585-428-6709
Erik.Frisch@cityofrochester.gov

CITY OF ROCHESTER

BUREAU OF ARCHITECTURE & ENGINEERING

ALPHA STREET-GROUP IMPROVEMENTS - PUBLIC INFORMATIONAL MEETING #3

Project: ALPHA STREET GROUP
PLEASE PRINT LEGIBLY

Date: DEC 20, 2017 Time: 6:30 PM

**Location: PORT TERMINAL BLDG
WATERSIDE ROOM (1ST FLOOR)**

Page 1 of 4[illegible]

CITY OF CHESTER

BUREAU OF ARCHITECTURE & ENGINEERING

ALPHA STREET GROUP IMPROVEMENTS - PUBLIC INFORMATIONAL MEETING #3

Project: ALPHA STREET GROUP
PLEASE PRINT LEGIBLY

Date: DEC 20, 2017 Time: 6:30 PM

Location: PORT TERMINAL BLDG

WATERSIDE ROOM (1ST FLOOR)

Page 2 of 4[illegible]

109

Authorizing an agreement for resident project representation services for the Alpha Street Group 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 professional services agreement with Vanguard Engineering, P.C. to provide resident project representation services for the Alpha Street Group Project (the Project). The maximum compensation for the agreement shall be \$250,000 and said amount, or so much thereof as may be necessary, shall be funded with the bonds to be appropriated for the Project. The term of the agreement shall extend until 3 months after completion and acceptance of a 2-year guarantee inspection of the Project.

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

Section 3. This ordinance shall take effect immediately.

INTRODUCTORY NO.

110

Ordinance No.

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$1,762,000 Bonds of said City to finance the reconstruction of certain portions of the streets located in the Alpha Street Group Project

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of milling, resurfacing and reconstruction, including new stone curbs with underdrain pipes, replacement of catch basins, new sidewalks and LED street lighting, of certain portions of Alpha Street (from Wilder Terrace to Beach Avenue), Wilder Terrace (from Alpha Street to Beach Avenue), Meriden Street (from Alpha Street to Wilder Terrace) and Braddock Street (from Alpha Street to Henley Street) related to the Alpha Street Group Project (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 \$2,447,686. The plan of financing includes the issuance of \$1,762,000 bonds of the City, which amount is hereby appropriated therefor, \$475,000 in Community Development Grant Funds appropriated in Ordinance No. 2017-298, \$210,686 Rochester Pure Waters District funds appropriated in Ordinance No. 2018-39 and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$1,762,000 are hereby authorized to be issued pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$1,762,000. 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. 20. c. of the Law, is fifteen (15) 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.

///

Ordinance No.

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$605,000 Bonds of said City to finance the reconstruction of water services along certain portions of streets included in the Alpha Streets Group Project

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of repair and replacement of water mains, and hydrants and installation of a new water main on Braddock Street and Wilder Terrace, replacement of all lead and galvanized water services with polyethylene pipe installation cathodic protection system along certain portions of Alpha Street (from Wilder Terrace to Beach Avenue), Wilder Terrace (from Alpha Street to Beach Avenue), Meriden Street (from Alpha Street to Wilder Terrace) and Braddock Street (from Alpha Street to Henley Street) related to the Alpha Streets Group Project (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 \$605,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$605,000 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 \$605,000 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 \$605,000. 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. 1. of the Law, is forty (40) 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.



City of Rochester

City Hall Room 308A, 30 Church Street
Rochester, New York 14614-1290
www.cityofrochester.gov

PARKS & PUBLIC WORKS INTRODUCTORY NO.

112

RECEIVED
CITY OF ROCHESTER
PARKS/COUNCIL OFFICE
2018 MAR 29 AM 11:36

Lovely A. Warren
Mayor

TO THE COUNCIL

March 29, 2018

Ladies and Gentlemen:

Re: Agreement – Joseph C. Lu Engineering & Land Surveying, P.C,
Scottsville Road-Elmwood Ave West City Line-Mt. Hope Avenue

Council Priority: Creating and Sustaining a Culture of
Vibrancy, Public Safety, Jobs and Economic Development

Transmitted herewith for your approval is legislation establishing \$210,000 as maximum compensation for an agreement with Joseph C. Lu Engineering & Land Surveying, P.C, (Cletus O. Ezenwa, P.E., Principal, East Ave Suite 200, Rochester, NY 14604) for design services for Scottsville Road-Elmwood Ave WCL-Mount Hope Ave. The cost of the agreement will be fully funded with a DASNY grant as appropriated in Ordinance No. 2015-120. The term of the agreement will be 6 months after completion and acceptance of the construction of the project.

Street improvements will include milling and resurfacing of the pavement; spot curb replacements; installation or upgrade of sidewalk curb ramps; adjustment and repair of manholes, receiving basins, and water valve castings; and replacement of traffic markings. These improvements will enhance the surface drainage and riding quality of the roadway, improve accessibility, and expand the useful life of the pavement structure.

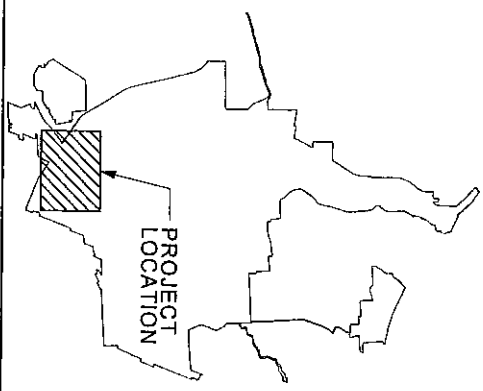
Joseph C. Lu Engineering & Land Surveying, P.C was selected for design services through a request for proposal process, which is described in the attached summary.

Design services will begin in spring 2018; it is anticipated that construction will begin in spring 2019 with scheduled completion in fall 2019. The project will result in the creation and/or retention of the equivalent of 2.3 full-time jobs.

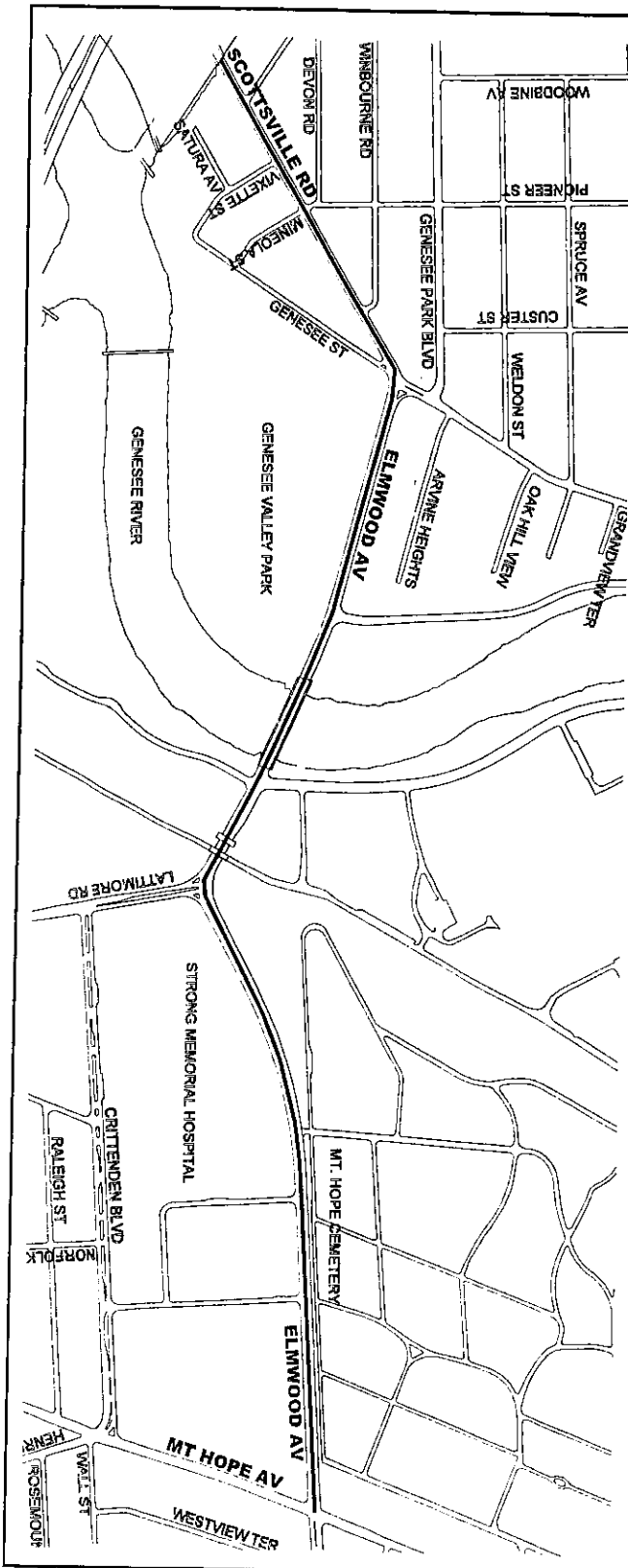
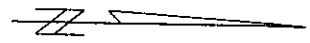
Respectfully submitted,

Lovely A. Warren
Mayor





LOCATION MAP



SCOTTSVILLE - ELMWOOD

PROJECT DESCRIPTION
(City Line to Mt. Hope Avenue)
2017
SOUTHWEST & SOUTHEAST QUADRANTS

Consultant Selection Process Summary

Department: DES

Project / Service sought: Scottsville Road – Elmwood Ave (WCL-Mount Hope Ave)

Consultant Selected: Lu Engineering Service P.C, East Ave Suite 200

Method of selection: Request for Proposal

1. Date RFP / RFQ issued: 2/16/18

2. The RFP / RFQ was also sent directly to:

CHA Consulting	Rochester 14614
Lu Engineers	Rochester 14604
Marathon Engineering	Rochester 14614
Ravi Engineering & Land Surveying, P.C.	Rochester 14604
Clark Patterson Lee Associates	Rochester 14604

3. Proposals were received from

FIRM

CHA Consulting	Rochester 14614
Lu Engineers	Rochester 14604
Clark Patterson Lee Associates	Rochester 14604
T.Y. Lin International	Rochester 14604
LiRo Group	Rochester 14614
Erdman Anthony	Rochester 14620
Fisher Associates	Rochester 14607
LaBella Associates DPC	Rochester 14614
Marathon Engineering	Rochester 14614

4. Evaluation criteria

<u>Criteria</u>	<u>Weighting</u>	<u>Points possible</u>	<u>Points received</u>
Approach & Understanding of the Project Objectives	25%	35	23.1
Familiarity with project locations	25%	35	23.1
Clarity & Attention to Details	14%	20	14
Reasonable & Distinctive Points	14%	20	13.2
Project Team Experience with similar Urban Streets	14%	20	13.2
Proposed Schedule	4%	5	4
Public Participation	4%	<u>5</u>	<u>3.3</u>
TOTAL =		140	91.9

Bonus

City business	10% of total	$.10 \times 140 = 14 + 91.9 = 105.9$
M/WBE	10% of total	$.10 \times 140 = 14$
		TOTAL POINTS = 119.9

5. Review team included staff from: DES Architecture & Engineering, 4

6. Additional considerations/explanations: Lu Engineering Service P.C, a MBE firm, qualified for the 10% bonus and ranked within the top one third of firms that responded to the Request for Proposal.

112

Ordinance No.

Authorizing a design services agreement for the Scottsville Road-Elmwood Avenue Improvement Project (Western City Line-Mt. Hope Avenue)

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 Joseph C. Lu Engineering, P.C. for design services for the Scottsville Road-Elmwood Avenue Improvement Project (Western City Line-Mt. Hope Avenue), hereinafter, the "Project." The maximum compensation for the agreement shall be \$210,000, which shall be funded from the appropriation of Dormitory Authority of the State of New York funds that was authorized pursuant to Ordinance No. 2015-120. The term of the agreement may extend to 6 months after completion and 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.



City of Rochester

City Hall Room 308A, 30 Church Street
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www.cityofrochester.gov

PARKS & PUBLIC WORKS INTRODUCTORY NO.

113

March 29, 2018

Lovely A. Warren
Mayor

RECEIVED
CITY OF ROCHESTER
PARKS/COUNCIL OFFICE
2018 MAR 29 AM 11:38

TO THE COUNCIL

Ladies and Gentlemen:

Re: Local Improvement Ordinance –Street Lighting
Enhancement Special Assessment Districts

Council Priority: Public Safety; Creating and
Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing the 2018-19 budgets for street lighting enhancement special assessment districts. The districts and assessments are as follows:

Local Imp. Ord.	District	2018-19	2017-18	Variance	Capital/Operating	Type
1547	Wilson Boulevard	\$534.08	\$539.03	-\$4.95	Operating	Street lighting
1502	Lyell Avenue I	0	\$2,119.90	-\$2,119.90	Operating	Street lighting
1503	Lyell Avenue II	0	\$2,243.45	-\$2,243.45	Operating	Street lighting
1413	Monroe I	\$1,290.57	\$1,301.46	-\$10.89	Operating	Street lighting
1412	Monroe II	\$599.43	\$604.20	-\$4.77	Operating	Street lighting
1429	Cascade Historic	\$1,543.03	\$1,546.33	-\$3.30	Operating	Street lighting
1601	Norton Street URD	\$1,327.34	\$1,335.72	-\$8.38	Operating	Street lighting
1472	Lake Avenue	\$3,895.94	\$3,925.04	-\$29.10	Operating	Street lighting
1552	St. Paul Street	\$503.29	\$507.60	-\$4.31	Operating	Street lighting
1627	East Main Street	\$308.48	\$351.37	-\$42.89	Operating	Street lighting
1658	Browncroft Neighborhood	\$9,508.99	\$9,508.99	\$-0-	Capital	Street lighting
1677	Cobbs Hill / Nunda Neighborhood	\$8,449.38	\$-0-	\$-0-	Capital	Street lighting

The history and purpose of each district are described in the attached summary.

A public hearing on renewing the Wilson Boulevard district, renewing the Lyell Avenue districts, and renewing the Cascade Historic district and the assessments for all the districts is required.

Respectfully submitted,

Lovely A. Warren
Mayor



Street Lighting and Streetscape Enhancement Special Assessment Districts

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District	Established (yr/LIO)	Renewed	
Wilson Boulevard SL200	1995 / No. 1374 Installation of six lighting fixtures. Capital cost: University of Rochester.	2005 / No. 1547	10 yr
Lyell Avenue I SL100	1992 / No. 1340 72 properties on Lyell Av (State St - Broad St) and intersections of Lyell / Saratoga Av and Verona Street / Amber Pl. 250-watt replaced with 400-watt fixtures on 25 poles; 100/150-watt replaced with 250-watt fixtures on four poles at intersections. Capital cost: Community Development Block Grant (CDBG)	2002 / No. 1502 2017 / No. 1725	15 yr 3 yr
Lyell Avenue II SL102	1998 / No. 1377 95 properties on Lyell Av (Broad St W - Hague St) and at the intersections of Orchard and Whitney St. 250-watt fixtures replaced with 400-watt fixtures on 29 poles; 100/150-watt fixtures replaced with 250-watt fixtures on two poles at intersections. Capital cost: CDBG	2002 / No. 1503 2017 / No. 1726	15 yr 3 yr
Monroe Avenue I SL140	1998 / No. 1413 102 properties on Monroe Av (Inner Loop to I-490)	2013 / No. 1672	10 yr
Monroe Avenue II SL141	1998 / No. 1412 68 properties from I-490 to Culver Rd. Fluting of the bronze-colored metal davit light poles; and pedestrian-level lights attached to the back of the davit poles. Capital cost (both Monroe districts): City	2013 / No. 1671	10 yr
Cascade Historic SL201	1999 / No. 1429 29 properties on Cascade Dr and North Washington St (Main Street West to the north end). Post top ornamental light poles.	2013 / No. 1673	
Cascade Historic	1999 / No. 1430 Streetscape enhancements: a berm on the north side of Cascade Dr, decorative tree grates and planters. Special benches and a clock were installed on 2001. Capital costs (both Cascade LIOS): Federal	2014 / No. 1685	
Norton Street Urban Renewal	1998 / No. 1421 Streetscape enhancements: maintenance of special sidewalk pavements, signage and landscaping. Capital costs (both URD LIOS): City	2010 / No. 1619	10 yr
Norton Street Urban Renewal SL202	1998 / No. 1422 9 properties on Excel Dr (Norton St - Bastian St). Pedestrian level lighting fixtures on Excel Dr; retention of acorn fixtures on the north side of Norton St.	2009 / No. 1601	10 yr
Mt Hope Avenue Streetscape	2012 / No. 1652 Streetscape enhancements: maintenance of special sidewalk pavements, signage and landscaping. Capital costs: City.		10 yr
Lake Avenue SL203	2000 / No. 1472 67 properties on Lake Av (Beach Av - Stutson St). 26 post-top 100-watt lights and 25 100-watt pedestrian lights mounted on roadway poles. Capital cost: State	2015 / No. 1697	15 yr
St. Paul Street SL204	2005 / No. 1552 26 properties on St. Paul Street (Bittner St - Mortimer St). 11 pedestrian level arms and 70-watt lights mounted on the roadway poles. Capital cost: Year 1 of assessment	2015 / No. 1696	10 yr
East Main Street SL206	2010 / No. 1627 52 properties on Main Street E (Hall St - Jersey St). 5 decorative poles and 100-watt fixtures. Capital cost: State		10 yr
Browncroft	2016 / No. 1658		15 yr

Street Lighting and Streetscape Enhancement Special Assessment Districts

SL040	391 properties in Browncroft neighborhood. Decorative concrete poles and decorative fixtures. Assessment is for capital costs only.	
Cobbs Hill / Nunda	2016 / No. 1677	15 yr
SL030	220 properties in Cobbs Hill / Nunda neighborhood. Decorative concrete poles and decorative fixtures. Assessment is for capital costs only.	

Local Improvement Ordinance No.

Local Improvement Ordinance - establishing the operation, installation and maintenance costs of street lighting special assessment districts

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

Section 1. The following amounts are hereby established and the new assessments shall be allocated and levied against the benefited properties in accordance with the applicable local improvement ordinances for the operation, installation and maintenance of special assessment districts for street lighting enhancements during the 2018-19 fiscal year:

District	2018-19 Budget	LIO
Wilson Boulevard	\$534.08	1547
Lyell Avenue I	\$0.00	1725
Lyell Avenue II	\$0.00	1726
Monroe I	\$1,290.57	1672
Monroe II	\$599.43	1671
Cascade Historic	\$1,543.03	1673
Norton Street URD	\$1,327.34	1601
Lake Avenue	\$3,895.94	1697
St. Paul Street	\$503.29	1696
East Main Street	\$308.48	1627
Browncroft Neighborhood	\$9,508.99	1658
Cobbs Hill/Nunda Neighborhood	\$8,449.38	1677

Section 2. This ordinance shall take effect on July 1, 2018.



City of Rochester

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PARKS & PUBLIC WORKS INTRODUCTORY NO.

114

RECEIVED
CITY OF ROCHESTER
PARKS/COUNCIL OFFICE

2018 MAR 29 AM 11:39

14
Lovely A. Warren
Mayor

March 29, 2018

TO THE COUNCIL

Ladies and Gentlemen:

Re: Local Improvement Ordinance-
Streetscapes


Transmitted herewith for your approval is legislation authorizing the care and embellishment of streetscape improvements during 2018-19 and the assessment of the associated costs of \$40,815 among the benefitted properties.

The associated budgets are summarized below:

LIO	Streetscape District	2018-19	2017-18	Variance	Type
1685	Cascade Historic	\$8,000	\$8,000	0	Capital and Operating
1619	Norton Street Urban Renewal District	\$2,815	\$2,815	0	Capital and Operating
1652	Mt. Hope	\$30,000	\$30,000	0	Capital and Operating

A public hearing on the assessments for all the districts is required.

Respectfully submitted,


Lovely A. Warren
Mayor



Local Improvement Ordinance No.

Local Improvement Ordinance - establishing the operating and maintenance costs of special assessments for streetscape enhancements

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

Section 1. The following amounts are hereby established and the new assessments shall be allocated and levied against the benefited properties in accordance with the applicable local improvement ordinances for the operation and maintenance of special assessment districts for streetscape enhancements during 2018-2019:

Streetscape District	2018-19 Budget	LIO
Cascade Historic District	\$8,000	1685
Norton Street Urban Renewal District	\$2,815	1619
Mt. Hope	\$30,000	1652

Section 2. This ordinance shall take effect on July 1, 2018.



City of Rochester

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PARKS & PUBLIC WORKS

INTRODUCTORY NO.

RECEIVED
CITY OF ROCHESTER
CLERK/COUNCIL OFFICE

2018 MAR 29 AM 11:40

15
Lovely A. Warren
Mayor

March 29, 2018

TO THE COUNCIL

Ladies and Gentlemen:

Re: Care and Embellishment of Street Malls

Transmitted herewith for your approval is legislation authorizing the care and embellishment of street malls during 2018-19 and the assessment of the associated costs of \$31,644 among the benefitted properties.

Each street mall budget is prepared by a street mall association and is based on actual costs from the previous year and planned maintenance and improvements. Budget items may include: plants (ranging from annual flowering plants to trees and shrubs), mulch, water, grass seed, repair or replacement of decorative signage and spring and fall cleanup. Budgets are reviewed at a neighborhood meeting. Meeting notices are sent by the City to the owners of all affected properties.

The malls and associated budgets are summarized below:

Street Mall	Budget 2018-19	LIO 1731 2017-18	Variance	Reason for Variance
Arnold Park	2,450.00	2,500.00	-50.00	Increased budgeted amounts for lawn care, fall and spring cleanups and plants. Using surplus from prior year.
Hazelwood Terrace	600.00	400.00	200	Increased budgeted amounts for flowers, garden materials and sprinkler maintenance.
Hillside Avenue	1,500.00	5,000.00	-3,500.00	Budgeted amounts are the same, Using surplus from prior year.
Huntington Park	3,600.00	3,600.00	0	N/A <i>Note: performs own mowing, trimming</i>
Lafayette Park	3,689.00	3,109.00	580.00	Increased budgeted amounts for Neighborhood Association Incorporation Fees.
Nunda Boulevard	7,155.00	9,647.00	-2,492.00	Increased budget amounts for lawn care, mowing, raking. Using surplus from prior year. <i>Note: performs own mowing, trimming, tree care.</i>
Oxford Street	11,050.00	5,420.00	5,630.00	Budgeted amounts are the same. <i>Note: performs own mowing, trimming, tree care, leaf pickup.</i>
Rundel Park	.00	3,500.00	-3,500.00	The Association leader has decided to end the mall enhancements due to non-participation from neighbors.
Sibley Place	1,600.00	1,065.00	535.00	Budgeted amounts are the same. Using surplus from prior year.



15
The Department of Environmental Services Bureau of Operations provides mowing and trimming, tree pruning and leaf pickup unless otherwise noted (see Huntington, Nunda and Oxford).

The costs of the maintenance are apportioned among the benefitted properties on the basis of the specified unit charges for each area. Charges are included on the annual tax bill and are payable in July. Funds are appropriated in the Care & Embellishment Fund.

A public hearing on these assessments is required.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Lovely A. Warren', with a stylized, flowing script.

Lovely A. Warren

Mayor

115

Local Improvement Ordinance No.

Local Improvement Ordinance – care and embellishment of street malls for 2018-2019

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

Section 1. It is hereby determined that for the fiscal year 2018-19 the street malls on the following streets shall be maintained at least in accordance with minimal standards established by the Department of Environmental Services, in the following amounts:

Arnold Park	\$2,450.00
Hazelwood Terrace	600.00
Hillside Avenue	1,500.00
Huntington Park	3,600.00
Lafayette Park	3,689.00
Nunda Boulevard	7,155.00
Oxford Street	11,050.00
Rundel Park	0.00
Sibley Place	1,600.00
Total	\$31,644.00

Section 2. The district of assessment for each street mall shall consist of all the parcels of property that front on the mall, or on any extension of the street or streets containing the mall up to the next intersecting street. The cost of maintenance of each street mall, in the amount set forth in Section 1, shall be apportioned among the parcels in the district based on each parcel's footage along the street containing the mall.

Section 3. Assessments for the cost of such improvements and work shall be due in one payment and shall be added to the tax rolls for the fiscal year commencing July 1, 2018.

Section 4. The total cost of such improvements and work, estimated at \$31,644.00, shall be charged as heretofore described in this ordinance and paid from the Care & Embellishment Fund, and said amount, or so much thereof as may be necessary, is hereby appropriated for the aforesaid purpose.

Section 5. It is hereby determined that it is impracticable to have the work described herein done by competitive contract. Therefore, contracts for the work described herein may be awarded to such qualified persons or neighborhood associations as may be selected from those located in or adjacent to the aforementioned streets and areas.

Section 6. This ordinance shall take effect immediately.



City of Rochester

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PARKS & PUBLIC WORKS INTRODUCTORY NO.

116

RECEIVED
CITY OF ROCHESTER
CIVIC/COUNCIL OFFICE

2018 MAR 29 AM 11:41

16
Lovely A. Warren
Mayor

March 29, 2018

TO THE COUNCIL

Ladies and Gentlemen:

Re: Local Improvement Ordinance – Downtown
Enhancement District, 2018-19 Budget

Council Priority: Creating and Sustaining a Culture of
Vibrancy

Transmitted herewith for your approval is legislation approving the 2018-19 Budget of the Downtown Enhancement District (District) and authorizing the apportionment of the budget costs among the properties within the District.

The District, established in 1989, enters its 30th year of providing an enhanced level of care and maintenance in the downtown area and plays a key role in the vitality of Downtown Rochester. These services may include sidewalk cleaning, sweeping, snow removal and litter removal, as well as installation, repair and maintenance of improvements such as benches, planters and street lighting.

The District includes all properties within the area between Church Street, Bragdon Place and Pleasant Street on the north, Chestnut Street on the east, Broad Street on the south, and Plymouth Avenue on the west; and all other properties within 1,600 feet of Main Street that were included in the original enclosed walkway system. The Downtown Enhancement District Advisory Board, consisting of 11 representatives of property owners or tenants, oversees the administration of the program by City staff.

Unless otherwise approved by the Advisory Board, the annual costs to be assessed are restricted by a formula using the base year (1989-90) cost of \$400,000 adjusted by the cumulative increase in the consumer price index (CPI). The total cost is apportioned among the properties, based equally on assessed valuation and gross area of each property. Also, properties directly on Main Street are weighted at twice the factors of other properties.

The maximum permissible assessment for 2018-19 based upon the 29 year cumulative increase in the CPI (104.1%) is \$816,310. The recommended assessment is \$640,000, an increase of \$35,900 (5.6%). The Advisory Board agreed to use the fund balance of \$46,900 to partially offset employee benefits.

<u>Category of Expense</u>	<u>2017-18</u>	<u>2018-19</u>	<u>Variance</u>
Personnel Total	632,500	655,800	23,300
<i>Salary and wages</i>	435,800	447,000	11,200
<i>Employee Benefits</i>	196,700	208,800	12,100
Operational Expenses	84,800	86,100	1,300
<i>Materials and supplies</i>	62,300	63,400	1,100
<i>Contractual Services</i>	22,500	22,700	200
Contingency (wage increase)	0	0	0
Less: Operating Revenues	-55,000	-55,000	0
Net Expense	662,300	686,900	24,600



Less: Use of Fund Balance	<u>-58,200</u>	<u>-46,900</u>	<u>-11,300</u>
Required Assessment	604,100	640,000	35,900

The proposed budget was approved by the Downtown Enhancement District Advisory Board on March 15, 2018 by a unanimous vote of 9 - 0.

A public hearing on the District assessment is required.

Respectfully submitted,



Lovely A. Warren
Mayor

116

Local Improvement Ordinance No.

Local Improvement Ordinance – establishing the cost of the special work and services related to Main Street improvements of the Downtown Enhancement District

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

Section 1. The cost of the special work and services for the 2018-19 fiscal year for the Downtown Enhancement District to be allocated and levied in accordance with Local Improvement Ordinance No. 1291, as continued by Local Improvement Ordinances No. 1355, 1444, 1531, 1597, 1686, 1705, 1715 and 1730, is established at \$640,000, except that Zone 2 shall continue to include those properties which have been within the District as a result of their previously having enclosed walkway access to Main Street. Said amount, plus the sum of \$46,900 from the District's fund balance, or so much thereof as may be necessary, are hereby appropriated to fund the Downtown Enhancement District for the 2018-19 fiscal year.

Section 2. This ordinance shall take effect on July 1, 2018.



City of Rochester

City Hall Room 308A, 30 Church Street
Rochester, New York 14614-1290
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PARKS & PUBLIC WORKS
INTRODUCTORY NO.

117

18
Lovely A. Warren
Mayor

RECEIVED
CITY OF ROCHESTER
PARKS & PUBLIC WORKS/COUNCIL OFFICE
2018 MAR 29 AM 11:42

March 29, 2018

TO THE COUNCIL

Ladies and Gentlemen:

Re: North Winton Village Association – Streetscape
Improvements

Transmitted herewith for your approval is legislation that authorizes the Mayor to enter into an agreement for the receipt and use of \$20,000 with North Winton Village Association, LTD, Marilyn R. Schutte, Co-Chair, Rochester, New York, 14610, for streetscape improvements within North Winton Village Association boundaries.

The project includes purchasing and hanging North Winton Village banners, purchasing and installing benches and purchasing and placing flower pots and flowers throughout the North Winton Village neighborhood boundaries. The term of the agreement will be for four months. The North Winton Village Association has received a New York State Department of State grant in the amount of \$20,000 to support the project. (See attached budget)

Construction will be completed in summer of 2018. The project will result in the creation and/or retention of the equivalent of .2 full-time jobs.

Respectfully submitted,

Lovely A. Warren
Mayor



117

Ordinance No.

Authorizing agreement for the North Winton Village Streetscape Improvements

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the North Winton Village Association, Ltd. for the receipt and use of \$20,000 to install streetscape improvements within the boundaries of the Association's neighborhood. The agreement shall have a term of four months.

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

Section 3. This ordinance shall take effect immediately.

N. Winton Village Streetscape Project Budget (\$20,000)

Benches	Victor Stanley- no contract	4ft green, maple recycled lumber	Q 3	\$1,250 each	\$3,750
Banners	Contract in place	Banner and Hardware Extra banner \$71 each	Q 25 Q10	\$175 each =\$4375 10 x \$71= \$710	\$5,100
Pots	Arcadia Garden Products, FLA No contract	20 pots assorted sizes	20 of 37" at \$200 each=\$4000 20 of 28" at \$90 each = \$1800		\$5800
Potting Soil	Soilless mix contract in place- Northern Nursery	1 bale	Q20	\$30 each	\$600
Plants	Hostas, annuals, contract in place, Bakers Nursery			See Below	\$2500
Supplies	Hoses, tools, etc From Graingers contract in place				\$825
Installation costs- done by Main St crew	Fill with soil, plant, water , place pots	4 people, 8 hours at \$20/hr = \$640			\$650
Installation Costs- done by Main St crew	Hang banners and hardware Hang extra banners	\$25 each \$15 each	\$625 \$150		\$775
				Total	20,000

Plant	Each 37" pot Quantity 20	Each 28" pot Quantity 20	Total times 20	Price	Cost
Hosta	2	2	80	10	800
Petunia	5	4	180	3	540
Begonia	4	3	140	3	420
Coleus	4	3	140	3	420
Sweet Potato Vine	3	2	100	3	300
Misc.					20
					\$2500



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PARKS & PUBLIC WORKS

INTRODUCTORY NO. 118

RECEIVED
CITY OF ROCHESTER
COUNCIL OFFICE

March 29, 2018

2018 MAR 29 AM 11:42

19
Lovely A. Warren
Mayor

TO THE COUNCIL

Ladies and Gentlemen:

Re: Grant Acceptance – New York State Department
of Environmental Conservation – Climate Smart
Communities Program Climate Adaptation Plan

Transmitted herewith for your approval is legislation related to developing a climate adaptation plan for the City of Rochester. This legislation will:

1. Authorize the Mayor to enter into a grant agreement with the New York State Department of Environmental Conservation (NYSDEC); and
2. Authorize the receipt of \$50,000 in anticipated grant funds from the NYSDEC to finance the project.

In December 2017, the City was selected to receive \$50,000 through the Climate Smart Communities (CSC) Program administered by the NYSDEC. This grant program is designed to provide communities with the opportunity to conduct an adaptation plan, which will outline specific actions to take to adapt to the local impacts of climate change, which are projected to include warmer summers, more intense storms, colder winters and increasing drought. The Climate Adaptation Plan will serve as an important supporting resource to the City's Climate Action Plan.

A City match of \$35,000 in 2017-18 cash capital funds of the Department of Environmental Services and \$15,000 of in-kind technical staff time will be provided to support the development of the plan.

Developing a Climate Adaptation Plan will assist the City in preparing for climate change impacts, help to create a sustainable community, ready for continued growth and vibrancy. Implementing changes in advance of changing climate conditions positions Rochester to reduce the negative impacts of such changes. Proactive planning for climate change impacts is a more cost effective method than reactively responding to extreme climate events. Increased economic investment is anticipated to occur in communities that are adequately prepared for climate change impacts. This will allow Rochester to differentiate itself from peer communities and to provide a competitive advantage to attract and retain human capital, businesses, and investment. Because the effects of climate change often disproportionately impact the most vulnerable people, including the elderly, children, and those living in poverty, preparation for climate change becomes even more important as the City works to assist those in need.

Once the grant contract with the NYSDEC is in place, a consultant will be selected to assist in the development of the climate adaptation plan. Note that although the NYSDEC MWBE office has decided that the Climate Smart Communities program is exempt from the MWBE requirements the City will still adhere to its MWBE goals for any consultant selected through the RFP process to work on this project. The Climate Adaptation Plan is expected to be completed by December 2020.

Respectfully submitted,

Lovely A. Warren
Mayor



118

Ordinance No.

Authorizing a grant agreement and appropriation for a Climate Smart Communities Climate Adaptation Plan

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Department of Environmental Conservation ("NYSDEC") for the receipt and use of Climate Smart Communities Program funds in the amount of \$50,000 for the development of a Climate Adaptation Plan ("Plan"). The term of the agreement shall extend to the City's and NYSDEC's acceptance of the Plan after it is completed.

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

Section 3. The receipt and use of the sum of \$50,000 in anticipated reimbursements from NYSDEC that are provided pursuant to the agreement authorized herein is hereby authorized and appropriated to fund the costs to be incurred to develop the Plan.

Section 4. This ordinance shall take effect immediately.



City of Rochester

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PARKS & PUBLIC WORKS
INTRODUCTORY NO. 119

26
Lovely A. Warren
Mayor

RECEIVED
CITY OF ROCHESTER
PARKS/COUNCIL OFFICE
2018 MAR 29 AM 11:42

March 29, 2018

TO THE COUNCIL

Ladies and Gentlemen:

Re: Amendatory Agreement – North East Area
Development, Inc. (NEAD) / Community Lot
Mowing Program

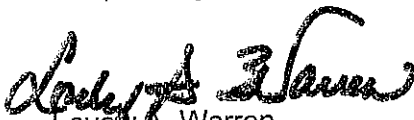
Council Priorities: Jobs and Economic
Development, Safer and More Vibrant
Neighborhoods

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with North East Area Development, Inc. (NEAD) George Moses, President, for the expansion of a community landscaping and beautification program. The original agreement for \$27,000 was authorized in April 2017 (Ordinance No. 2017-98). The original term of the agreement was for a one-year period from May 1, 2017 through April 30, 2018, with the provision of two (2) one-year renewal periods. This amendment will increase annual maximum compensation by \$43,000 to a total of \$70,000 for each of the two (2) one-year renewal periods authorized by the original agreement. The increase in funds for the two renewal periods shall be paid from the Department of Environmental Services' 2018-19 (\$43,000) budget, and 2019-20 (\$43,000) budget contingent upon adoption of future budgets.

The program began last May as a pilot, and was very successful during its first year of operation. The lots were mowed and maintained by NEAD at a high standard of care, and service was provided on a timely basis. Given the success of the pilot program, we would like to expand the current program by expanding the program area. The program will still be located in the Northeast quadrant, and will now be bounded by Portland Avenue on the western side, Atlantic Avenue on the south, Culver Road on the east, and Clifford Avenue on the north (see attached map). The maintenance season will commence at approximately the midpoint of May and conclude by the end of October. NEAD will continue to provide a work force for the "Keep it Green and Clean" program to provide debris cleaning, mowing, trimming of shrubs, pulling of weeds, raking, mulching, pruning and application of fertilizer to the ground to enhance the growth of grass on an area of City-owned properties.

The City shall provide performance expectations and reviews of the work performed. Work performance shall be reviewed by the same process the City uses to review its contracted mowing program, with visible inspections of each property by a City lot inspector.

Respectfully submitted,


Lovely A. Warren
Mayor



Ordinance No.

Amending ordinance no. 2017-98 and authorizing an amendatory agreement with North East Area Development, Inc.

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 North East Area Development, Inc. to amend the professional services agreement related to community landscaping and beautification, as authorized in Ordinance No. 2017-98, so as to increase the maximum annual compensation for each renewal period by \$43,000 to a new total of \$70,000 for each renewal period. The increase in compensation for the first renewal period shall be funded in the amount of \$43,000 from the 2018-19 Budget of the Department of Environmental Services (DES), contingent upon approval. The second renewal period, if applicable, shall be funded in the amount of \$43,000 from the 2019-20 Budget of DES, contingent upon approval.

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

Section 3. This ordinance shall take effect immediately.



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PARKS & PUBLIC WORKS

INTRODUCTORY NO. 124

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CLERK/COUNCIL OFFICE

2018 MAR 29 AM 11:43

21
Lovely A. Warren
Mayor

March 29, 2018

TO THE COUNCIL

Ladies and Gentlemen:

Re: Cobbs Hill Basketball Courts

Transmitted herewith for your approval is legislation authorizing improvements to Cobbs Hill Basketball Courts. This legislation will authorize a grant agreement in the amount of \$101,000 with the Dormitory Authority of the State of New York (DASNY).

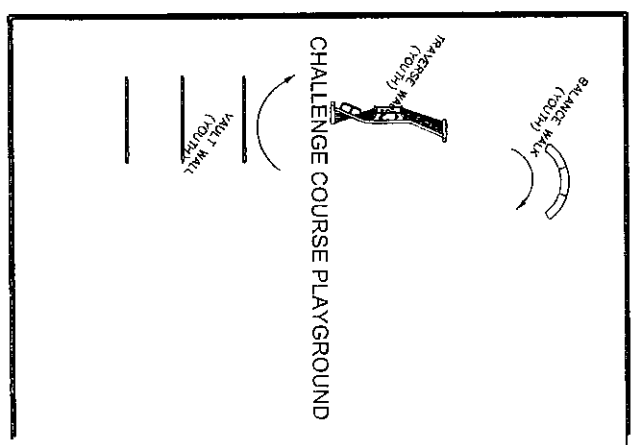
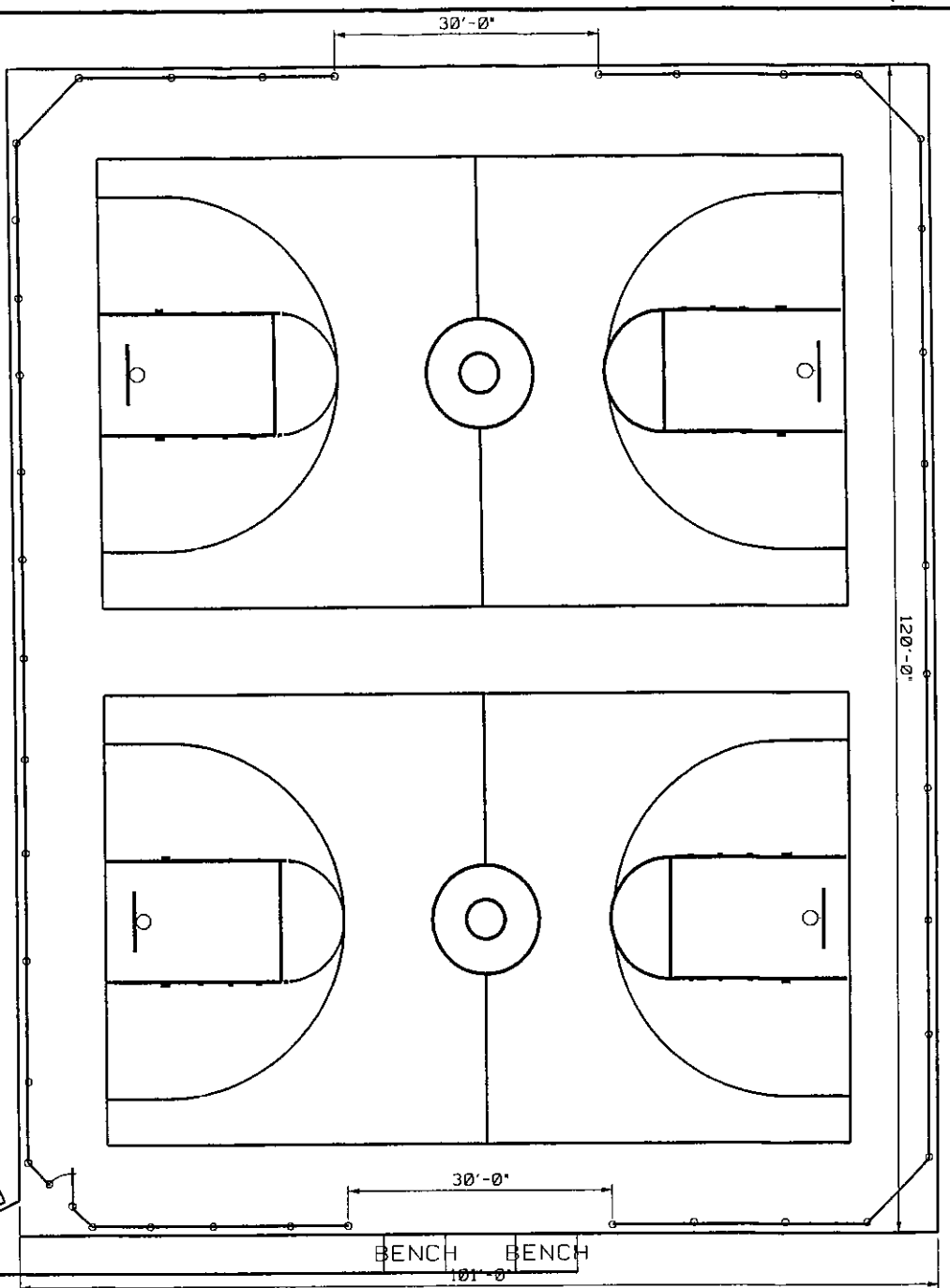
The improvements are to commemorate the life and accomplishments of Rochester's own Tony Boler. Tony Boler was a community staple as he was the co-host of the Saturday-morning "Memory Lane" and the weeknight "Quiet Storm" soul and R&B shows on WDKX-FM (103.9). The grant funds for this project were provided by Senator Joseph Robach.

The Cobbs Hill basketball courts are located at Cobbs Hill Park on Norris Drive. The two courts are the most heavily used courts in the City of Rochester. Improvements include surface repairs to the court including commemorative center court logo, fencing upgrades and asphalt pathways to the courts from Norris Drive. The total project costs of \$101,000 are totally grant funded.

Respectfully submitted,

Lovely A. Warren
Mayor





COBBS HILL BASKETBALL COURTS

SCALE: 1" = 20'-0"

Approximate
Street Line
NORRIS DRIVE
Sign 1
Stone &
Broken Asphalt

Asphalt Walk

Asphalt Walk

Grass

Grass
BIKE RACK

Grass

Grass

Grass

CHALLENGE COURSE PLAYGROUND

RAPE WALK (10' x 10')

BALANCE WALK (10' x 10')

VAULT WALL (10' x 10')

Ordinance No.

Authorizing a grant agreement and appropriation for improvements to the Cobbs Hill Basketball Courts

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 funds in the amount of \$101,000 for improvements to the Cobbs Hill Basketball Courts (the "Project"). The term of the agreement shall extend to the City's and DASNY's acceptance of the Project after it is completed.

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

Section 3. The receipt and use of the sum of \$101,000 in anticipated reimbursements from DASNY that are provided pursuant to the agreement authorized herein is hereby authorized and appropriated to fund the Project.

Section 4. This ordinance shall take effect immediately.



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PARKS & PUBLIC WORKS INTRODUCTORY NO.

121

RECEIVED
CITY OF ROCHESTER
COUNCIL OFFICE
2018 MAR 29 AM 11:43

28
Lovely A. Warren
Mayor

March 29, 2018

TO THE COUNCIL

Ladies and Gentlemen:

Re: Bond Authorization – Conduit
Modernization – Conduit Transmission
System Cathodic Protection

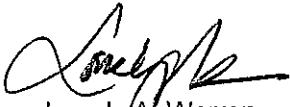
Transmitted herewith for your approval is legislation authorizing the issuance of bonds totaling \$600,000 and appropriating the proceeds thereof to fund Conduit Modernization - Conduit Transmission System Cathodic Protection Project.

The City's water supply conduit transmission system consists of 3 large diameter pipes (Conduits 1, 2, and 3, ranging in size from 24-inch to 42-inches in diameter) that convey treated water from the Hemlock Filtration Plant to Highland and Cobbs Hill Reservoirs. A consultant was hired in 2015 to design a cathodic protection system for a portion of the Conduits (Ordinance No. 2015-133). Cathodic protection will inhibit external corrosion of these 100+ year-old metallic water mains.

Funds will be used to implement recommended design improvements and other various system improvements. Construction will be performed in phases. A portion of the work will be completed by Water Bureau forces with the remaining work to be completed by a contractor through the City's public works bidding process. The work is anticipated to begin late summer of 2018 and be completed in 2019. Project inspection will be performed by Water Bureau personnel.

This project results in the creation and/or retention of the equivalent of 6 full-time jobs.

Respectfully submitted,


Lovely A. Warren
Mayor



121

Ordinance No.

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$600,000 Bonds of said City to finance a portion of the City's Conduit Modernization – Transmission System Cathodic Protection Project

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of installing a cathodic protection system and other related system rehabilitation as part of the City's Conduit Modernization – Transmission System Cathodic Protection Project, including three (3) large diameter pipes that convey treated water from the Hemlock Filtration Plant to Highland and Cobbs Hill Reservoirs (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 \$600,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$600,000 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 \$600,000 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 \$600,000. 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. 1. of the Law, is forty (40) 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.



City of Rochester

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PARKS & PUBLIC WORKS

INTRODUCTORY NO. 122

RECEIVED
CITY OF ROCHESTER
CLERK/COUNCIL OFFICE

2018 MAR 29 AM 11:46

March 29, 2018

29
Lovely A. Warren
Mayor

TO THE COUNCIL

Ladies and Gentlemen:

Re: Official Map Amendment:
Parkland Trade

Transmitted herewith for your approval is legislation that amends the Official Map to remove the parkland designation for land used as part of the Public Safety Training Facility (PSTF), to allow its use for public safety training purposes. The legislation offsets the loss of dedicated parkland by dedicating as parkland an equivalent amount of land along the Genesee River between Plymouth Avenue and Ford Street.

This legislation will amend the City's Official Map to:

1. Remove the parkland designation from 12.466 acres that is currently designated as parkland, so that it may be used for training facilities in conjunction with the PSTF at 1190 Scottsville Road; and
2. Dedicate as parkland 12.467 acres of land along the Genesee River that is located between South Plymouth Avenue and Ford Street.

The locations of those two areas are depicted in the attached drawings.

In 1954, the City constructed a fire and police training academy at 1190 Scottsville Road. Under an agreement authorized by City Council on August 19, 1997, the City leased to Monroe County the adjacent land to the southeast of the facility, now called the Public Safety Training Facility, to provide for the renovation and expansion of additional training facilities. In preparing the development plan, the parties recognized that a portion of the facilities was located on land that had been officially dedicated as part of the Genesee Valley Park more than 100 years ago.

Subsequently, in June, 1998, City Council approved a home rule message (Resolution No. 98-19) that requested state legislation that would allow the City to discontinue the parkland designation for 12.466 acres at the PSTF in return for the City offsetting that loss by dedicating as parkland a different specified area of riverside land comprised of 12.467 acres along the western bank of the Genesee River between Plymouth Avenue and Ford Street. The land to be newly dedicated as parkland was determined to be of equal or greater value as that of the park area that would be discontinued. The State Legislature approved and the Governor signed the legislation into law in July, 1998 (Chapter 417 of the Laws of 1998).

Although the City and County have been managing the two land areas in accordance with the state approval ever since, the City realized recently that the parkland alienation and dedication had not yet been made official in City law and on the City's Official Map. Therefore, in February the City confirmed and authorized making the parkland removal official in Ordinance No. 2018-



45. This legislation amends the City's Official Map to be consistent with that parkland removal and dedication.

The attached maps depict the area that is discontinued as parkland and the area that is dedicated as parkland. As indicated on the first map, the discontinuance of the parkland designation for the PTSF will leave intact a strip of riverside parkland that will continue to extend uninterrupted pass the PTSF area. That parkland strip includes the Genesee Riverway Trail, which will remain on the Official Map as parkland and will continue to link the rest of Genesee Valley Park to the north with a connection to the Genesee River Greenway Trail to the south. As for the proposed parklands in the Plymouth-Exchange neighborhood on the second map, any change in recreational, open space, trail or other use of that land will not proceed until after plans are reviewed in public and with the neighbors in accordance with the City's rezoning process and with the ongoing planning process for the Vacuum Oil - South Genesee River Corridor Brownfield Opportunity Area.

On March 5, the City Planning Commission conducted a public information meeting and recommended approval of the Official Map amendment by a vote of 7-0-0. Minutes of that meeting, along with the recommendation, are attached.

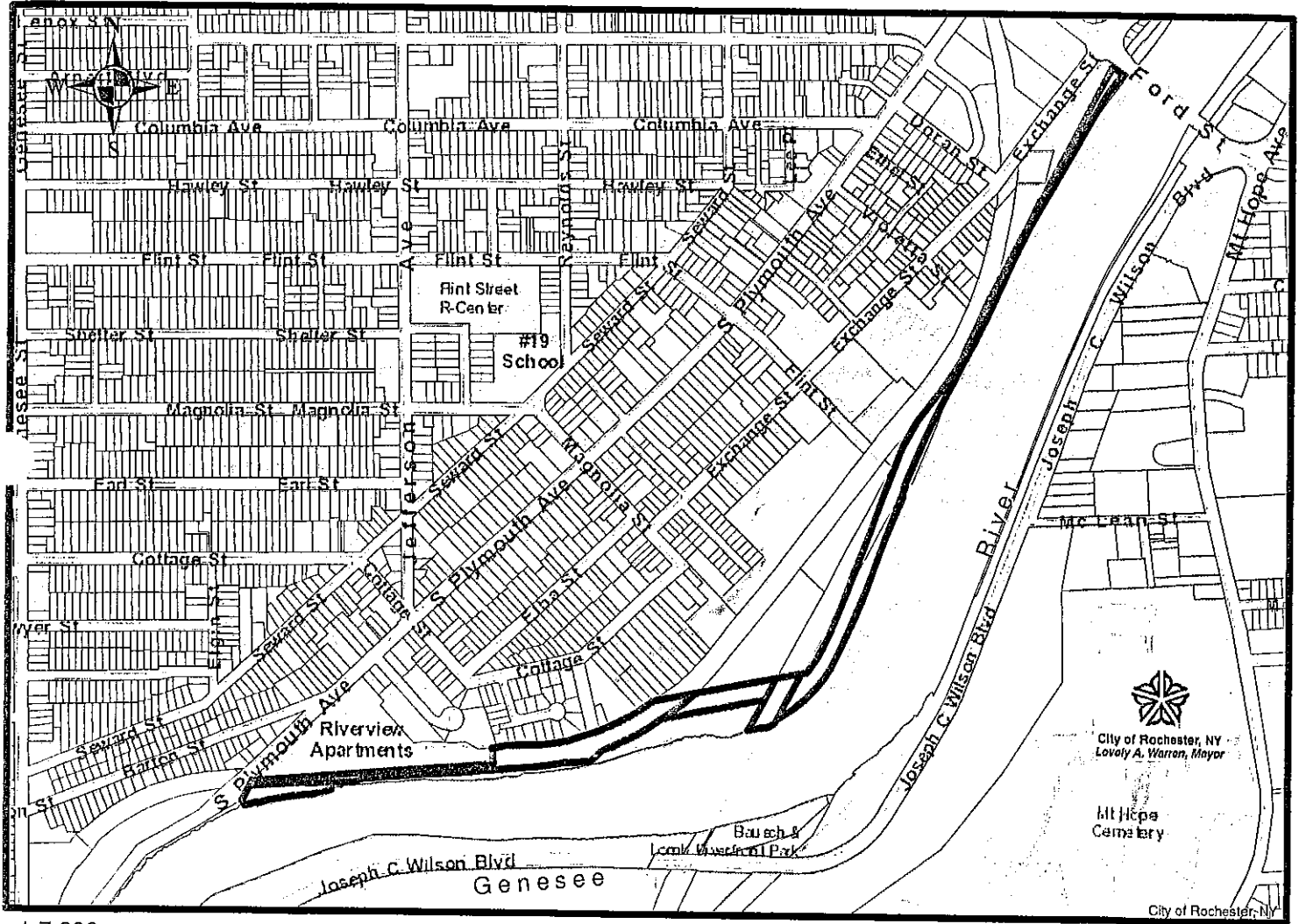
A public hearing is required on the official map amendment.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'L. Warren', is written over the typed name.

Lovely A. Warren
Mayor

Proposed Park Lands



1:7,200

Date: 1/23/2018

User Name: JTLede

Document Name: Vacuum Oil Parklands

Document Path: C:\GIS\Vacuum Oil\Vacuum Oil Parklands.mxd



MINUTES**OFFICIAL MAP AMENDMENT, ZONING MAP AMENDMENT AND SUBDIVISION****M-09-17-18****CITY PLANNING COMMISSION INFORMATIONAL MEETING (3/5/2018)****Page 1 of 7****APPLICANT: City of Rochester****PURPOSE:**

- Case #1** To amend the Official Map of the City of Rochester by alienating 12.4 acres of park land located within parcel 135.18-2-1 and dedicating 12.4 acres of land as park land located at 1318 South Plymouth Avenue, and portions of 1320 South Plymouth Avenue, 13 Cottage Street, 100 Riverview Place, and 102 Violetta Street, as part of the park land trade previously approved by City Council and the State Legislature to develop the public safety training facility at 1190 Scottsville Road.; an action requiring City Planning Commission recommendation to City Council.
- Case #2** To amend the zoning map to rezone the 12.4 acres of parcel 135.18.-2-1 (denoted above) from O-S Open Space District to M-1 Industrial District; as part of the park land trade previously approved by City Council and the State Legislature to develop the public safety training facility at 1190 Scottsville Road; an action requiring City Planning Commission recommendation to City Council.
- Case #3** To subdivide parcel 135.18.-2-1 into two parcels; the first parcel will be 12.4 acres, and the remainder will comprise the second parcel as part of the process for developing the public safety training facility located at 1190 Scottsville Road; an action requiring City Planning Commission approval.

APPLICANT AND/OR REPRESENTATIVE PRESENTATION:

Tom Warth, Law Department: Good evening. My name is Tom Warth and I am a municipal attorney with the City of Rochester. Today's set of proposals involves the public safety training facility on Scottsville Road, specifically the 12.4 acres behind it. Twenty years ago the County and City worked out an arrangement where the City would grant the public training facility and 12.4 acres of land behind it to the County to run the training facility that other municipalities use to train their emergency services. At that time, it was determined that the 12.4 acres was part of a 30 acre parcel of land that was part of Genesee Valley Park. So, the City put together a proposal that had to get State Legislature approval to alienate the property. The City agreed to devote the same amount of land to park land also along the Genesee River but between Plymouth Avenue and the Ford Street bridge. City Council proposed a resolution and in 1998 the State Legislature approved this. Since then, the City has been treating the 12.4 acres behind the public training facility as part of the training facility. There are towers where they practice fire fighting, et cetera. It was not until recently when the County proposed to build a pole barn for storage it was realized that no one ever finalized what the City proposed to do. In order to legalize this, the first action is the official map amendment. This will amend the

MINUTES
OFFICIAL MAP AMENDMENT, ZONING MAP AMENDMENT AND SUBDIVISION
M-09-17-18
CITY PLANNING COMMISSION INFORMATIONAL MEETING (3/5/2018)
Page 2 of 7

map to note that these acres will no longer be park land. The remainder of this parcel will remain, including the bike trail. In fact, what you see now is what will remain. There will not be an expansion onto this green area. Similarly, up in the PLEX neighborhood, the City has always deemed these acres to always be park land. I have also checked and the Brownfield Opportunity Area for the former Vacuum Oil site and their proposed plan already designated these areas as park land. The second part of this action is to subdivide the 12.4 acres from the rest of the 30 acres. That requires your review because this parcel doesn't have access to a road. The third part is to rezone that 12.4 acres to a zoning district that is commiserate with its use. It can't be open space because it is not used for it. The uses match the industrial district and therefore it is proposed to be rezoned to M-1.

Questions from the Members:

Commissioner Bruce: Is there anything written into the legislation that will ensure that the trail isn't disturbed?

Tom Warth, Law Department: There is nothing that doesn't already exist. There are existing commitments that already exist to keep it as a trail. So we are committed to keep that trail and that's something that remains in force. This will not change that.

Commissioner Marlin: So, this was a swap of land that was approved by the Legislature but never approved at the City level?

Tom Warth, Law Department: Yes, it was proposed and approved by the City Council as a request, but it never got the official map approval and the rezoning.

Commissioner Marlin: It has been used the way it was intended based on that decision? In other words, the swap agreement has been in place, it just hasn't been official.

Tom Warth, Law Department: Correct. The City has complied with its commitments without making it official.

Commissioner Marlin: So nothing changes?

Tom Warth, Law Department: That is correct. Any additions to that parcel will have to be approved by the City because it is City property.

Commissioner Watson: Is the trail delineated in some way from the training facility?

MINUTES**OFFICIAL MAP AMENDMENT, ZONING MAP AMENDMENT AND SUBDIVISION****M-09-17-18****CITY PLANNING COMMISSION INFORMATIONAL MEETING (3/5/2018)****Page 3 of 7**

Tom Warth, Law Department: It's interesting because there are actually two trails. It's not fenced off, but it has a hard surface and is maintained. There is a parallel trail that is on an old railroad right of way in the Town of Chili that is between the training facility and this parcel of land. That is something that is dedicated as another trail.

Commissioner Gaudio: Mr. Chairman, just some clarification. I actually worked for the Town of Chili on their Bike Master Plan. This trail has been identified as something to be preserved.

Speakers in Favor:**None****Speakers in Opposition:**

Dorothy Hall, 1075 South Plymouth Avenue: My name is Dorothy Hall. What I would like to say is on behalf of our neighborhood association. We are not really clear as to what is happening with these parcels. Due to that, I would like to request that we have more time for this information to be discussed at our community meeting. I do not understand how the addresses on the card connect to South Plymouth Avenue. I know we are talking about the river trail but how to these properties end up with a Plymouth Avenue address. I would like that to be cleared up as to how those ended up with an address. That's a reason why it needs to be held back and we get some more information. We should be able to have something back within one or two months and then come back with what our decision will be because it is not clear.

Charlotte Baltus, 50 Brighton Street: Hi, I'm Charlotte Baltus. As has been mentioned, at the public training facility there are two trails and neither one is marked on the map for these staff reports and it is completely unclear what is being discussed. I believe that google has these maps marked incorrectly. These two trails are not equal so if you are going to maintain access as marked on the google map then this is not acceptable. If you are going to maintain access to the other trail that is another thing provided we have legal protection. The M-1 zoning designation permits an awful lot of uses and there should be clear boundaries. This is surrounded by park land. We shouldn't be using this parcel for anything allowed in an M-1 district. The properties in the PLEX neighborhood are R-1. As was mentioned, there has never been any intention to put residential on these properties. This property is effectively open space already so I do not think it's fair to the public to call this an even swap. We have already got this as open space, we should be able to get other property designated as open space. The PLEX neighborhood has designed a park. That could be zoned open space. That could help to compensate for this loss. There is a community garden in the Upper Monroe

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neighborhood that is not zoned open space. It would be great if that could be rezoned to open space. As Dorothy Hall mentioned, I think the neighborhood deserves to know what is going on here. I think the neighborhood wanted the R-1 zoning because it gives them a bit of control as to what happens here. They need to know what is happening.

Harvey Botzman, 160 Harvard Street: Hi, I am Harvey Botzman. I give bicycle tours and write bicycle books. I have brought numerous people to the City of Rochester and the County of Monroe. There are numerous people that use my books. There are four. I am mentioning to the Commissioners and the staff that they should go to this property and walk it. Google maps calls this the riverview trail. There is also the Genesee Valley Greenway Trail. These are important transportation routes for several area business along Scottsville Road. If you walk those areas you will see why it's so important to maintain their integrity. Any deed must state clearly that the public training facility makes certain that there is access. The U of R has a parking facility on Scottsville Road and they are planning on putting in bike share to allow employees to travel on the paved or non paved area and the U of R River Campus and Medical Campus. That has to be taken into consideration for the health and use of commuters and residents.

Dorian Hall, PLEX: Hi, my name is Dorian Hall. My concern is the land being zoned R-1 in 2003 and again the community not having an understanding. I think it could be a win-win if we do turn it into open space. PLEX received a grant and we did a think called PLEX park. We are in need of old fire station land to complete the park so my thought would be to use the land to support other neighborhood and City opportunities for open space.

John DeMott, 1294 Genesee Park Boulevard: My name is John DeMott. We previously looked at the entire riverfront for redevelopment. It became clear to us that the stretch along PLEX was ripe for development. We worked in the 2003 rezoning to rezone this to R-1. This forces a discussion to have talks before anything other than single family. We are deeply invested in this. It's exciting to turn the corner from planning to implementation with regard to Brownfield Opportunity Area. The amount of accurate information is nonexistent for this proposal. Every applicant is asked if they have spoken to the neighborhood. They have not. I ask that this be deferred one month to have a good, thorough conversation about what this entails. I am simply asking for a month.

Commissioner Mayer: John, are you saying that there was no communication from the City? Postcards were not sent?

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John DeMott, 1294 Genesee Park Boulevard: We saw it in the Daily Record. Postcards were sent. We later saw it on the City website. After the cards went out there was a change that wasn't on the postcard. I don't think there was any bad intent. No one is accusing anyone of not doing their job. It's just that with the amount of planning that has gone into the Brownfield Opportunity Area, a few minutes with the community would be helpful. We would like to come back here and say it's a great proposal.

Commissioner Mayer: How would you suggest that be done?

John DeMott, 1294 Genesee Park Boulevard: By setting up a meeting with the community. We have done this a number of times. This is substantive and complex.

Mary D'Allessandro, South Plymouth Business Association: Hi, I'm Mary D'Allessandro. I am not in opposition to this, but in reading the information this really is a formality that changes nothing. However, it really would have been nice if the City could have sent out an email to us. It was difficult reading this when in reality it's just a formality. If the City communicated this to us then there wouldn't be a misunderstanding. Communication is key.

Portia Westfall, 97 Cottage Street: Hi, I'm Portia Westfall. As many other have echoed here, I am not in opposition but I would like to understand further. I did receive a postcard and I did go to the website. The materials there were not relevant to this particular case. It was also very unclear the addresses how they apply to this piece. I have not seen the maps yet. I would really like to see this. I didn't see those on the website. I do agree with others that more time is warranted.

Commissioner Watson: I do have a question for staff. With the maps, are those the official maps that are used by the City? Are the maps for this area already on the current map?

Jill Wiedrick, Zoning Department: I think the question has been 'are the maps on the website?' Yes, those maps were provided by the Law Department and those maps were placed on the City website. The Official Maps are the ones that are used for any sort of City business.

Commissioner Watson: So google maps is not the official map of the City?

Jill Wiedrick, Zoning Department: Correct. Google maps is not the official map of the City. I'm not certain that the GIS map is the official map. It is my understanding that there is an official map that is kept. I heard a member of the public note that trails were

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not on the GIS map. The GIS map is representation of data. I don't want people to think that if it isn't on the GIS map that it doesn't exist. So there are maps that are kept by the City that are used for City functions. Again, google maps is not the official map of the City of Rochester.

Rebuttal:

Tom Warth, Law Department: The metes and bounds engineers maps indicate what parcels will be dedicated as park land and what part is authorized to be removed. With regard to the trail issue you could condition the approval that the trail be indicated on the official map. Another thing about the second trail is that it is in the Town of Chili and the City doesn't have any authority. It doesn't propose to change any of the trails. With regard to the PLEX issue, we are not asking to rezone those parcels. That will be a separate act in the future when Brownfield Opportunity Area has been finalized. As the plan stands, those areas that have been dedicated are indicated as open space. Someone mentioned that this is not a fair trade because these lands are already marked to be open space. They weren't twenty years ago and we are ratifying a trade that occurred twenty years ago. When the trade happened there wasn't any commitment to keep it open space. I think that addresses the comments.

Commissioner Mayer: There was a statement that in 2003 it had been zoned as R-1. Is that correct?

Tom Warth, Law Department: Yes, those parcels were zoned R-1 and will remain R-1. They are not proposed to be rezoned at this point. Any change in the zoning will be subject to another proposal after things have been finalized with the Brownfield Opportunity Area.

Commissioner Mayer: So everything stays the same in the PLEX area? Any changes will be addressed when they are proposed?

Tom Warth, Law Department: That is correct.

Commissioner Mayer: So there would be no reason to worry because it is on the public record. There would be no reason to worry?

Tom Warth, Law Department: It is on the public record that we are not proposing to rezone those properties. Our zoning code also says that you can't use something for another use unless you comply. Plus it's City owned land so we have the authority to determine what happens on this land.

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Written Testimony:

Email of Opposition from Scott MacRae, dated February 28, 2018
Email of Opposition from Scott Wagner, dated March 2, 2018
Email of Opposition from John DeMott, dated March 2, 2018
Letter of Opposition from Charlotte Baltus, dated March 5, 2018
Letter of Opposition from John DeMott, dated March 5, 2018
Letter of Opposition from Harvey Botzman, undated

HEARING ENDS

CITY PLANNING COMMISSION

RECOMMENDATION

OFFICIAL MAP AMENDMENT

Re: To amend the Official Map of the City of Rochester by alienating 12.4 acres of park land located within parcel 135.18-2-1 and dedicating 12.4 acres of land as park land located at 1318 South Plymouth Avenue, and portions of 1320 South Plymouth Avenue, 13 Cottage Street, 100 Riverview Place, and 102 Violetta Street, as part of the park land trade previously approved by City Council and the State Legislature to develop the public safety training facility at 1190 Scottsville Road.

Case No: OMA-05-17-18

Resolution:

RESOLVED, the City Planning Commission recommends that the Official Map of the City of Rochester by alienating 12.4 acres of park land located within parcel 135.18-2-1 and dedicating 7.7 acres of land as park land located at 1318 South Plymouth Avenue, and portions of 1320 South Plymouth Avenue, 13 Cottage Street, 100 Riverview Place, and 102 Violetta Street, as part of the park land trade previously approved by City Council and the State Legislature to develop the public safety training facility at 1190 Scottsville Road.

Vote:	Motion Passes
Action:	Recommend Approval
Filing date:	March 5, 2018
Record of Vote:	7-0-0
D. Watson	Recommend Approval
H. Hogan	Recommend Approval
T. Bruce	Recommend Approval
E. Marlin	Recommend Approval
S. Mayer	Recommend Approval
M. Gaudioso	Recommend Approval
M. Pichardo	Recommend Approval

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Ordinance No.

Amending the Official Map to discontinue the park designation of approximately 12.466 acres of land and to dedicate to park purposes approximately of 12.467 acres

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

Section 1. Chapter 76 of the Municipal Code, Official Map or Plan, as amended, is hereby further amended by discontinuing the park designation for the following described property in accordance with Chapter 417 of the 1998 Laws of New York and subject to such additional conditions and adjustments as the City Engineer deems to be appropriate:

All that tract or parcel of land situate in the City of Rochester, County of Monroe, State of New York known and distinguished as a part of the Sixth Tract of the 3,000 acre tract and being more particularly bounded and described as follows:

Commencing at a point in the centerline of Scottsville Road and the northwest corner of property conveyed by Willie Britton and wife to James O'Neil on July 7, 1925 by deed filed in Liber 1257 of deeds at page 112 and also being 266.46 feet along said centerline from the south property line of lands owned formerly by the Pennsylvania Railroad; thence S 30° 01' 31" E along the northerly line of said O'Neil's land a distance of 574.97 feet to a point; Thence 1) S 30° 01' 31" E a distance of 112.31 feet to a point; Thence 2) Northerly and curving to the left with a radius of 935.37 feet and forming a central angle of 30° 20' 23" a chord bearing of N 2° 41' 56" E and chord distance of 489.54, a distance of 495.30 feet to a point of tangent; Thence 3) N 12° 28' 15" W a distance of 236.45 feet to the southerly line of Scottsville Road; Thence 4) N 59° 58' 29" E along the southerly line of Scottsville Road a distance of 62.93 feet to a point; Thence 5) S 12° 28' 15" E along the northerly line of lands owned formerly by the Pennsylvania Railroad a distance of 255.43 feet to a point of curvature; Thence 6) Southerly and curving to the right with a radius of 995.37 feet and forming a central angle of 23° 22' 01" a chord bearing of S 00° 47' 15" E and chord

distance of 403.13 feet a distance of 405.94 feet to a point; Thence 7) Northeasterly and curving to the right with a radius of 562.5 feet and forming a central angle of 9° 38' 32" a chord bearing of N 46° 18' 11" E and a chord distance of 94.55 feet a distance of 94.66 feet to a point; Thence 8) N 51° 07' 27" E a distance of 138.73 feet to a point; Thence 9) N 51° 32' 27" E a distance of 571.24 feet to a point; Thence 10) S 39° 10' 55" E a distance of 146.35 feet to a point; Thence 11) S 51° 31' 27" W a distance of 326.00 feet to a point; Thence 12) S 50° 21' 37" W a distance of 64.01 feet to a point; Thence 13) S 49° 16' 05" W a distance of 66.05 feet to a point; Thence 14) S 53° 51' 02" W a distance of 64.05 feet to a point; Thence 15) S 55° 06' 01" W a distance 64.12 feet to a point; Thence 16) S 52° 34' 52" W a distance of 31.93 feet to the true point or PLACE OF BEGINNING;

Thence 1) S 47° 52' 57" E a distance of 211.90 feet to a point;
Thence 2) S 34° 15' 49" W a distance of 653.41 feet to a point;
Thence 3) S 39° 53' 26" W a distance of 182.17 feet to a point;
Thence 4) S 49° 26' 57" W a distance of 237.55 feet to a point;
Thence 5) S 55° 00' 59" W a distance of 205.00 feet to a point;
Thence 6) S 77° 24' 09" W a distance of 330.00 feet to a point;
Thence 7) S 74° 38' 03" W a distance of 465.00 feet to a point;

Thence 8) N 18°20'13"W a distance of 122.00 feet to a point on the City line;
 Thence 9) N 61°58'27"E along the City line a distance of 228.02 feet to a point;
 Thence 10) N 61°57'09"E along the City line a distance of 262.00 feet to a point;
 Thence 11) N 59°55'49"E along the City line a distance of 64.51 feet to a point;
 Thence 12) N 60°37'24"E along the City line a distance of 68.62 feet to a point;
 Thence 13) N 58°13'30"E along the City line a distance of 62.64 feet to a point;
 Thence 14) N 65°12'16"E along the City line a distance of 68.04 feet to a point;
 Thence 15) N 47°02'32"E along the City line a distance of 67.42 feet to a point;
 Thence 16) N 43°13'56"E along the City line a distance of 69.21 feet to a point;
 Thence 17) N 44°42'26"E along the City line a distance of 68.61 feet to a point;
 Thence 18) N 43°08'44"E along the City line a distance of 192.35 feet to a point;
 Thence 19) N 47°04'21"E along the City line a distance of 70.19 feet to a point;
 Thence 20) N 42°32'35"E along the City line a distance of 389.70 feet to a point;
 Thence 21) N 45°30'27"E along the City line a distance of 71.57 feet to a point;
 Thence 22) N 47°27'19"E along the City line a distance of 67.58 feet to a point;
 Thence 23) N 49°30'30"E along the City line a distance of 63.58 feet to a point;
 Thence 24) N 55°19'46"E along the City line a distance of 67.72 feet to a point;
 Thence 25) N 52°34'52"E along the City line a distance of 31.85 feet to the point or
 PLACE OF BEGINNING.

Hereby intending to describe a parcel of land containing 12.466 Acres of land to be removed from park purposes.

Section 2. Chapter 76 of the Municipal Code, Official Map or Plan, as amended, is hereby further amended by dedicating to park purposes the following described property in accordance with Chapter 417 of the 1998 Laws of New York and subject to such additional conditions and adjustments as the City Engineer deems to be appropriate:

Hereby intending to describe parcel 1 and 2 of land cumulatively containing 12.467 Acres of land.

PARCEL 1

All that tract or parcel of land situate in the Town of Chili, County of Monroe, State of New York known and distinguished as a part of the Sixth Tract of the 3,000 acre tract and being more particularly bounded and described as follows:
 Commencing at a point in the centerline of Scottsville Road and the northwest corner of property conveyed by Willie Britton and wife to James O'Neil on July 7, 1925 by deed filed in Liber 1257 of deeds at page 112 and also being 266.46 feet along said centerline from the south property line of lands owned formerly by the Pennsylvania Railroad; thence S 30° 01' 31" E along the northerly line of said O'Neil's land a distance of 574.97 feet to a point; Thence 1) S 30° 01' 31" E a distance of 112.31 feet to a point; Thence 2) Northerly and curving to the left with a radius of 935.37 feet and forming a central angle of 30° 20' 23" a chord bearing of N 2° 41' 56" E and chord distance of 489.54, a distance of 495.30 feet to a point of tangent; Thence 3) N 12° 28' 15" W a distance of 236.45 feet to the southerly line of Scottsville Road; Thence 4) N 59° 58' 29" E along the southerly line of Scottsville Road a distance of 62.93 feet to a point; Thence 5) S 12° 28' 15" E along the northerly line of lands owned formerly by the Pennsylvania Railroad a distance of 255.43 feet to a point of curvature; Thence 6) Southerly and curving to the right with a radius of 995.37 feet and forming a central angle of 23° 22' 01" a chord bearing of S 00° 47' 15" E and chord distance of 403.13 feet a distance of 405.94 feet to a point; Thence 7) Northeasterly and curving to the right with a

radius of 582.5 feet and forming a central angle of 9° 36' 32" a chord bearing of N 46° 18' 11" E and a chord distance of 94.55 feet a distance of 94.66 feet to a point; Thence 8) N 51° 07' 27" E a distance of 138.73 feet to a point; Thence 9) N 51° 32' 27" E a distance of 571.24 feet to the true place or POINT OF BEGINNING; Thence 1) N 51° 32' 27" E a distance of 881.16 feet to a point; Thence 2) N 51° 41' 22" E a distance of 238.76 feet to a point; Thence 3) N 72° 07' 06" E a distance of 259.92 feet to a point; Thence 4) N 34° 58' 39" E a distance of 79.34 feet to a point; Thence 5) N 62° 08' 59" E a distance of 19.34 feet to a point; Thence 6) N 63° 19' 14" E a distance of 53.74 feet to a point; Thence 7) S 55° 02' 55" E a distance of 121.35 feet to a point on the City line; Thence 8) S 64° 52' 31" W along the City line a distance of 43.59 feet to a point; Thence 9) S 63° 20' 51" W along the City line a distance of 65.15 feet to a point; Thence 10) S 62° 12' 52" W along the City line a distance of 63.22 feet to a point; Thence 11) S 57° 48' 27" W along the City line a distance of 43.48 feet to a point; Thence 12) S 56° 30' 10" W along the City line a distance of 84.89 feet to a point; Thence 13) S 55° 45' 50" W along the City line a distance of 65.13 feet to a point; Thence 14) S 53° 16' 07" W along the City line a distance of 63.16 feet to a point; Thence 15) S 50° 39' 02" W along the City line a distance of 65.55 feet to a point; Thence 16) S 51° 31' 27" W along the City line a distance of 646.00 feet to a point; Thence 17) S 56° 17' 16" W along the City line a distance of 76.27 feet to a point; Thence 18) S 50° 37' 17" W along the City line a distance of 330.04 feet to a point; Thence 19) N 39° 10' 55" W a distance of 146.35 feet to the POINT OR PLACE OF BEGINNING.

Hereby intending to describe a parcel of land containing 4.723 Acres of land to be dedicated for park purposes.

PARCEL 2

All That Tract or Parcel of land situate in the City of Rochester, County of Monroe and State of New York and being more particularly bounded and described as follows:

Commencing at a point on the southeasterly line of South Plymouth Avenue (60' wide) at its intersection with the southwesterly line of Luther Circle (50' wide); thence S 47-38-27 W along said line of South Plymouth Avenue a distance of 793.42 feet to an angle point in the said line of South Plymouth Avenue; thence S 28-02-37 W along said line of South Plymouth Avenue a distance of 30.96 feet to the POINT OF BEGINNING; said point being the southwesterly corner of lands conveyed to Spronz Incinerator Corp. by Pendell Company and Penn Central Company by deed recorded August 1, 1969 and filed in the Monroe County Clerks Office in deed Liber 4001 Page 125;

thence, 1) N 86-02-15 E along the southerly line of Spronz Incinerator Corp. a distance of 1179.98 feet to a point;

thence (2) N 03-57-27 W along the easterly line of Spronz Incinerator Corp a distance of 73.16 feet to a point on the northerly bounds of the former Pennsylvania Railroad; thence along the northerly bounds of the Pennsylvania Railroad the following courses (3) thru (16);

thence, 3): N 77-19-39 E a distance of 67.25 feet to a point;

thence, 4): N 87-36-45 E a distance of 72.01 feet to a point;

thence, 5): S 88-54-16 E a distance of 62.24 feet to a point;

thence, 6): N 85-30-05 E a distance of 63.37 feet to a point;

thence, 7): N 81-46-32 E a distance of 62.78 feet to a point;

thence, 8): N 79-01-28 E a distance of 59.14 feet to a point;

thence, 9): N 71-04-41 E a distance of 61.03 feet to a point;

thence, 10): N 71-38-44 E a distance of 60.81 feet to a point;
 thence, 11): N 68-16-17 E a distance of 61.48 feet to a point;
 thence, 12): N 66-05-56 E a distance of 67.26 feet to a point;
 thence, 13): N 64-35-30 E a distance of 61.81 feet to a point;
 thence, 14): N 59-10-38 E a distance of 59.94 feet to a point;
 thence, 15): N 55-53-18 E a distance of 1.83 feet to a point;
 thence, 16) leaving said westerly bounds and crossing the said
 Pennsylvania Railroad N 79-30-16 E parallel to and 60.0 feet northerly
 of the south line of lands conveyed to the City of Rochester by the University
 of Rochester by deed recorded September 18, 1970 and filed in Liber 4079
 Page 55 a distance of 840.66 feet to a non-tangent point of curve having
 a radius bearing of N 49-48-40 W;
 thence, 17) along a curve to the left having a radius of 612.69 feet and
 forming a central angle of 11-27' 46" a distance of 122.58 feet to a point
 of compound curvature;
 thence, 18) along a curve to the left having a radius of 2684.36 feet and
 forming a central angle of 7-36' 30" a distance of 356.46 feet to a point of
 tangency;
 thence, 19) N 21-07-04 E crossing over lands of the former Erie Railroad
 a distance of 910.68 feet to a point on the westerly bounds of the former
 Erie Railroad and the easterly bounds of the former Pennsylvania Railroad;
 thence northerly along the easterly bounds of the former Pennsylvania
 Railroad the following courses (20) thru (29);
 thence, 20) N 38-29-14 E a distance of 58.82 feet to a point;
 thence, 21) N 38-36-20 E a distance of 67.68 feet to a point;
 thence, 22) N 38-53-47 E a distance of 69.56 feet to a point;
 thence, 23) N 34-12-02 E a distance of 57.29 feet to a point;
 thence, 24) N 31-28-03 E a distance of 75.67 feet to a point;
 thence, 25) N 24-59-19 E a distance of 63.56 feet to a point;
 thence, 26) N 28-12-44 E a distance of 69.23 feet to a point;
 thence, 27) N 26-31-55 E a distance of 66.17 feet to a point;
 thence, 28) N 23-29-10 E a distance of 64.11 feet to a point;
 thence, 29) N 23-47-04 E a distance of 71.26 feet to a point at the south
 corner of lands conveyed to 760 Exchange Street Partnership by the
 City of Rochester by deed recorded October 2, 1985 and filed in Liber
 6785 Page 239;
 thence, 30) N 28-47-16 E along the easterly bounds of 760 Exchange
 Partnership a distance of 1186.50 feet to a point 90.0 feet south of the
 southerly line of Ford Street;
 thence, 31) S 54-41-55 E on a line parallel to and 90.0 feet distant from
 the south line of Ford Street a distance of 46.20 feet to a non-tangent point of
 curve on the westerly bounds of land appropriated by the State of New York
 from The Erie Railroad by appropriation and map recorded January 23, 1917
 and filed in Liber 988 Page 134; thence, southerly along the westerly bounds
 of the State of New York the following courses (32) thru (38);
 thence, 32) along a non-tangent curve to the left having a radius
 of 1117.50 feet bearing S 54-02-42 E, and forming a central angle of
 5-11'47", a distance of 101.35 feet to a point of tangency;
 thence, 33) S 30-45-31 W a distance of 589.05 feet to a point of curvature;
 thence, 34) along a tangent curve to the left having a radius of 3978.70
 feet and forming a central angle of 5-44'40" a distance of 398.90 feet to a point
 of reverse curvature;
 thence, 35) along a tangent curve to the right having a radius of 5485.53

feet and forming a central angle of 4-08'45" a distance of 396.92 feet to a point of tangency;

thence, 36) S 29-09-36 W a distance of 133.79 feet to a point of curvature;

thence, 37) along a tangent curve to the left having a radius of 4309.28 feet and forming a central angle of 7-23'38" a distance of 556.10 feet to a point on the easterly bounds of the former Erie Railroad;

thence, 38) S 29-09-36 W along said former Erie Railroad a distance of 15.26 feet to a point at the intersection of the centerline of Flint Street (60.0' wide) extended to the easterly bounds of the former Erie Railroad;

thence 39) S 44-39-48 E along the centerline of Flint Street extended a distance of 6.95 feet to a point at the northwesterly corner of lands appropriated by the State of New York from James L. Hotchkiss by appropriation and map recorded June 15, 1917 in deed Liber 988 Page 225;

thence, southerly along the westerly bounds of the State of New York the following courses (40) thru (43);

40) S 21-07-04 W a distance of 550.64 feet to a point of curvature;

thence, 41) along a tangent curve to the right having a radius of 2734.36 feet and forming a central angle of 7°-36' 30" a distance of 363.10 feet to a point of Compound curvature;

thence, 42) along a tangent curve to the right having a radius of 662.69 feet and forming a central angle of 32-09' 10" a distance of 371.88 feet to a point of tangency;

thence, 43) S 60-52-44 W a distance of 22.00 feet to a point on the easterly bounds of the former Erie Railroad;

thence, 44) S 29-09-36 W along the easterly bounds of the Former Erie Railroad (99.0' wide) a distance of 26.12 feet to the waters edge of the Genesee River on the northerly bank thereof;

thence, westerly along the edge of water the following courses (45) thru (48);

thence, 45) S 63-08-29 W a distance of 29.57 feet to a point;

thence, 46) S 65-28-56 W a distance of 13.40 feet to a point;

thence, 47) S 83-28-35 W a distance of 46.67 feet to a point;

thence, 48) S 77-52-41 W a distance of 48.75 feet to a point on the westerly bounds of the former Erie Railroad;

thence, 49) N 29-09-36 E along the westerly bounds of the former Erie Railroad a distance of 169.92 feet to a point at the southeasterly corner of lands conveyed to the City of Rochester by the University of Rochester by deed recorded September 18, 1970 and filed in Liber 4079 Page 55; thence, 50) S 79-30-16 W along the southerly bounds of lands of the City of Rochester a distance of 505.00 feet to a point on the southerly bounds of the former Pennsylvania Railroad; thence, westerly along the southerly bounds of the former Pennsylvania Railroad the following courses (51) thru (76);

thence, 51) S 56-24-08 W a distance of 67.24 feet to a point;

thence, 52) S 58-42-47 W a distance of 63.56 feet to a point;

thence, 53) S 62-09-43 W a distance of 66.43 feet to a point;

thence, 54) S 66-01-17 W a distance of 72.44 feet to a point;

thence, 55) S 68-15-05 W a distance of 66.36 feet to a point;

thence, 56) S 47-30-57 W a distance of 73.45 feet to a point;

thence, 57) S 83-20-54 W a distance of 68.63 feet to a point;

thence, 58) S 89-08-44 W a distance of 66.40 feet to a point;

thence, 59) S 79-34-10 W a distance of 68.88 feet to a point;

thence, 60) S 83-10-12 W a distance of 68.87 feet to a point;

thence, 61) S 85-28-00 W a distance of 61.99 feet to a point;

thence, 62) S 86-11-06 W a distance of 71.99 feet to a point;
 thence, 63) S 84-00-04 W a distance of 68.03 feet to a point;
 thence, 64) S 86-34-08 W a distance of 61.99 feet to a point;
 thence, 65) S 86-01-44 W a distance of 65.99 feet to a point;
 thence, 66) S 86-01-10 W a distance of 67.99 feet to a point;
 thence, 67) S 86-42-58 W a distance of 65.99 feet to a point;
 thence, 68) S 87-52-37 W a distance of 68.03 feet to a point;
 thence, 69) S 84-38-00 W a distance of 62.01 feet to a point;
 thence, 70) S 86-01-29 W a distance of 69.99 feet to a point;
 thence, 71) S 86-28-12 W a distance of 63.99 feet to a point;
 thence, 72) S 86-28-12 W a distance of 63.99 feet to a point;
 thence, 73) S 86-35-44 W a distance of 50.00 feet to a point;
 thence, 74) S 71-34-51 W a distance of 41.30 feet to a point;
 thence, 75) S 85-05-52 W a distance of 62.00 feet to a point;
 thence, 76) S 89-23-08 W a distance of 52.41 feet to a point at the
 northeast corner of lands conveyed to the City of Rochester by the
 University of Rochester by deed recorded on November 11, 1931 in Liber
 1587 Page 260;
 thence, 77) S 00-36-52 W along the easterly bounds of lands of the City
 of Rochester a distance of 34.04 feet to the waters edge on the north
 bank of the Genesee River; thence, westerly along the waters edge of
 the Genesee River the following courses (78) thru (85);
 78) S 74-51-51 W a distance of 83.83 feet to a point;
 Thence, 79) S 85-56-45 W a distance of 108.42 feet to a point;
 Thence, 80) S 80-15-05 W a distance of 86.50 feet to a point;
 Thence, 81) S 78-43-02 W a distance of 55.90 feet to a point;
 Thence, 82) S 61-58-10 W a distance of 15.16 feet to a point;
 Thence, 83) S 82-12-50 W a distance of 15.01 feet to a point;
 Thence, 84) S 70-54-39 W a distance of 8.51 feet to a point;
 Thence, 85) S 75-49-28 W a distance of 56.59 feet to a point;
 thence, 86) N 29-36-12 W a distance of 29.16 feet to an angle point in
 the southeasterly line of South Plymouth Avenue;
 thence, 87) N 28-02-37 E along the southeasterly line of South
 Plymouth Avenue a distance of 104.69 feet to the POINT OR PLACE OF
 BEGINNING; containing within said bounds 7.744 Acres of land more or less.

Section 3. This ordinance shall take effect immediately



City of Rochester

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www.cityofrochester.gov

PARKS & PUBLIC WORKS

INTRODUCTORY NO. 123

RECEIVED
CITY OF ROCHESTER
CLERK/COUNCIL OFFICE
2018 MAR 29 AM 11:48

31
Lovely A. Warren
Mayor

March 29, 2018

TO THE COUNCIL

Ladies and Gentlemen:

Re: Agreement and Appropriate Funds for East Main
Street Improvement Project
(North Goodman Street to Culver Road)

Transmitted herewith for your approval is legislation related to the East Main Street Improvement Project from North Goodman Street to Culver Road:

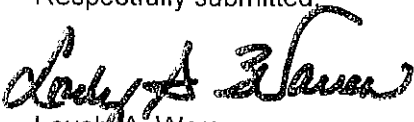
1. Authorize the Mayor to enter into agreements with New York State Department of Transportation (NYSDOT) necessary to participate in and administer the projects;
2. Appropriate \$748,258 in anticipated reimbursements from the Federal Highway Administration (FHWA) to finance a portion of the design of the project;
3. Appropriate \$44,524 in anticipated New York State Marchiselli Aid to finance a portion of the design of the project;
4. Establish \$1,000,000 as maximum compensation for a professional services agreement with Erdman, Anthony and Associates, Inc., (William P. McCormick, P.E., Principal), Rochester, NY 14620, for design services related to this project. The cost of the agreement will be funded from 2017-18 Cash Capital (\$19,750); 2015-16 Cash Capital (\$104,872); 2016-17 Cash Capital (\$82,596) and the following anticipated reimbursements appropriated herein: FHWA (\$748,258), and NYS Marchiselli Aid (\$44,524). The term of the agreement shall continue to 6 months after completion and acceptance of the project.

Street improvements will include full depth pavement reconstruction, curb bump outs, bicycle facilities, widened sidewalks, enhanced street lighting, and landscaping.

Erdman, Anthony and Associates, Inc. was selected for design services through a request for proposal process, which is described in the attached summary.

Design services will begin in spring 2018; it is anticipated that construction will begin in spring 2020 with scheduled completion in fall 2021. The design phase of this project results in the creation or retention of the equivalent of 10.9 full-time jobs.

Respectfully submitted


Lovely A. Warren
Mayor

Vendor / Consultant Selection Process Summary

Department: DES

Project / Service sought: East Main Street Improvement Project

Consultant Selected: Erdman, Anthony and Associates, Inc.

Method of selection: From the NY State Department of Transportation list of pre-approved Regional engineering firms

Evaluation criteria

<u>Criteria</u>	<u>weighting</u>	<u>Points possible</u>	<u>Points received by FIRM</u>
Approach & Understanding of the Project Objectives	40%	40	36.0
NACTO Experience	20%	20	18.0
CoR Exp. w/ NYSDOT	15%	15	9.9
Urban Utility & UG relocation	10%	10	7.6
NYS EDPL experience	10%	10	6.0
Schedule	5%	<u>5</u>	<u>3.3</u>
Total =		100	80.8

Review team included staff from: DES Architecture and Engineering, 4

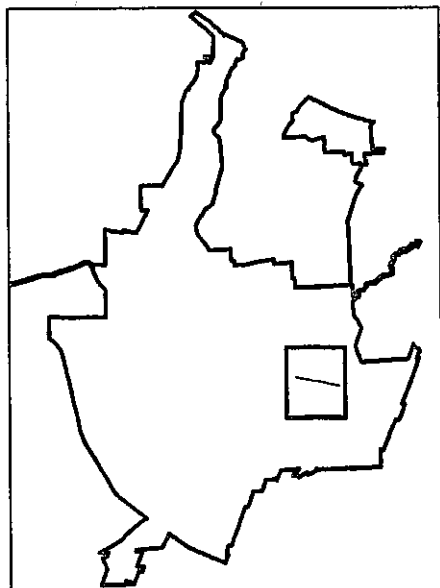
Additional considerations/explanations: None

East Main Street Improvement Project Project Location Map City of Rochester



City of Rochester, NY
Lovely A. Warren, Mayor

East Main Street



Ordinance No.

Authorizing an agreement for East Main Street Improvement Project design services and an agreement for the receipt, use and appropriation of funds

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 Erdman, Anthony and Associates, Inc. for design services for the East Main Street Improvement Project (Project). Maximum compensation for the agreement shall be \$1,000,000. That amount, or so much of that amount as necessary to complete the project, shall be funded \$19,750 from 2017-18 Cash Capital, \$104,872 from 2015-16 Cash Capital, \$82,596 from 2016-17 Cash Capital, and \$792,782 from the anticipated reimbursements appropriated for the Project in Sections 2 and 3 herein. The term of the agreement shall continue to 6 months after completion and acceptance of the Project.

Section 2. The Mayor is hereby authorized to enter into an agreement for the receipt and use of \$748,258 in anticipated reimbursements from the Federal Highway Administration and appropriates that sum to fund a portion of the Project herein.

Section 3. The Mayor is hereby authorized to enter into an agreement for the receipt and use of \$44,524 in anticipated reimbursements from the New York State Department of Transportation Marchiselli Aid program and appropriates that sum to fund a portion of the Project herein.

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

Section 5. This ordinance shall take effect immediately.



City of Rochester

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PUBLIC SAFETY, YOUTH & RECREATION INTRODUCTORY NO.

6
Lovely A. Warren
Mayor

RECEIVED
CITY OF ROCHESTER
ADMIN/COUNCIL OFFICE

124

2018 MAR 29 AM 11:32

March 29, 2018

TO THE COUNCIL

Ladies and Gentlemen:

Re: Federal Forfeiture Funds

Council Priority: Public Safety

Transmitted herewith for your approval is legislation appropriating up to \$26,400 from federal forfeiture funds generated by the Rochester Police Department (RPD) and amending the 2017-18 Budget of the Police Department by this amount.

This funding will be used to upgrade the current software used by RPD's Professional Standards Section (PSS) to provide a more efficient data management and transfer solution. Currently PSS uses IAPro Software for several different functions which include an Early Identification and Intervention module, managing statistical data for the department, and management and review of Internal Affairs Investigations, Fleet Motor Vehicle Accidents, Police Pursuits, and Use of Force data. Up to \$4,000 will be used to upgrade this software to reduce departmental redundancy by allowing a systems integration that will transfer data directly from the department's Records Management System into IAPro on an automated basis.

The remaining \$22,400 will be used to purchase and install an add-on to IAPro called Blue Team. Blue Team is a frontline web-based software that will allow officers to complete specified reports online and submit electronically to supervisors. Once approved, the reports will be routed to PSS to be reviewed and merged into IAPro. Some benefits to this integrated process are electronic data storage, a decrease in the number of errors on reports, a decrease in the time to route and review reports, and an increase in analytical data availability based on immediate data collection.

This appropriation will result in a balance of approximately \$1,089,590 in the Federal Forfeiture Justice Fund.

Respectfully submitted,

Lovely A. Warren
Mayor



Ordinance No.

Appropriating Federal forfeiture funds for the Police Department

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

Section 1. Ordinance No. 2017-154, the 2017-18 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget of the Rochester Police Department by the sum of \$26,400, which amount is hereby appropriated from Federal funds realized from seized and forfeited assets to upgrade the software used by the Department's Professional Standards Section to provide more efficient data management and transfer.

Section 2. This ordinance shall take effect immediately.



City of Rochester

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PUBLIC SAFETY, YOUTH & RECREATION INTRODUCTORY NO.

125

23
Lovely A. Warren
Mayor

March 29, 2018

TO THE COUNCIL

Ladies and Gentlemen:

Re: Public Market Snow Removal and Security Services
Council Priority: Creating and Sustaining a Culture of
Vibrancy; Public Safety

Transmitted herewith for your approval is legislation authorizing the appropriations and assessments for snow removal and security services at the Public Market for 2018-19. The snow removal and security districts were established in 1990 and 1991, respectively, and include 15 properties adjacent to the Public Market.

The City provides special snow removal services, including plowing and salting, as necessary. The security services include foot patrols from 5:00 pm to 5:00 am, Monday through Saturday, and all day on Sunday. Part of the cost of these services is apportioned among the properties within the district. For each property, these assessments include both a fixed fee and a fee per frontage foot.

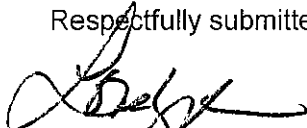
Snow Removal: For 2018-19 snow removal services, the fixed fee will be \$100 per property, while the footage fee will be \$3.01 per foot. The total amount of the assessment will be \$5,888.07, which is the same as the prior year.

Security Services: For 2018-19 security services, the fixed fee will be \$1,190 per property, while the front footage fee will be \$15.99 per foot. The total amount of the assessment will be \$41,160.70, which is the same as the prior year.

	Fixed Fee	# Properties	Subtotal	Footage Fee	Footage	Subtotal	Total
Snow							
2017-18	\$100	15	\$1,500.00	\$3.01	1,457.83	\$4,388.07	\$5,888.07
2018-19	\$100	15	\$1,500.00	\$3.01	1,457.83	\$4,388.07	\$5,888.07
						Change	0
Security							
2017-18	\$1,190	15	\$17,850.00	\$15.99	1,457.83	\$23,310.70	\$41,160.70
2018-19	\$1,190	15	\$17,850.00	\$15.99	1,457.83	\$23,310.70	\$41,160.70
						Change	0

Public hearings are required for these assessments.

Respectfully submitted,


Lovely A. Warren
Mayor



125

Local Improvement Ordinance No.

Local Improvement Ordinance - security and snow removal services at the Public Market for 2018-19

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

Section 1. The Council authorizes special security services for the Public Market during the fiscal year from July 1, 2018 to June 30, 2019. The Council hereby finds that such services will benefit both the City-owned portions of the Public Market and the privately-owned properties adjacent to the Public Market. The Council directs that a portion of the cost of providing such services be assessed against the privately-owned properties adjacent to the Public Market as listed below, which properties shall constitute the district of assessment. The total amount to be assessed for the 2018-19 year shall be \$41,160.70. The amount to be assessed against each parcel shall include a fee of \$1,190 per parcel plus \$15.99 per foot of frontage. The frontage assessed upon may be on more than one side of the parcel. The Council hereby determines that such formula represents the relative amount of benefit received by each such parcel from such services.

Section 2. The Council authorizes special snow plowing and salting services for the Public Market during the fiscal year from July 1, 2018 to June 30, 2019. The Council hereby finds that such services will benefit both the City-owned portions of the Public Market and the privately-owned properties adjacent to the Public Market. The Council directs that a portion of the cost of providing such services be assessed against the privately-owned properties adjacent to the Public Market as listed below, which properties shall constitute the district of assessment. The total amount to be assessed for the 2018-19 year shall be \$5,888.07. The amount to be assessed against each parcel shall include a fee of \$100 per parcel plus \$3.01 per foot of frontage that receives plowing and/or salting services. The frontage assessed upon may be on more than one side of the parcel. The Council hereby determines that such formula represents the relative amount of benefit received by each such parcel from such services.

Section 3. The security, snow plowing, and salting services authorized herein shall be provided by competitive contracts. The special assessments levied hereunder shall be paid into the Public Market Enterprise Fund. The cost of providing such services shall be paid from the Public Market Enterprise Fund and the amounts assessed herein are hereby appropriated for that purpose.

Section 4. The assessments shall be billed on the tax bill issued on July 1, 2018 and shall be due in one installment.

Section 5. This ordinance shall take effect immediately.



City of Rochester

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PUBLIC SAFETY,

YOUTH & RECREATION
INTRODUCTORY NO.

126

RECEIVED
CITY OF ROCHESTER
COUNCIL OFFICE
2018 MAR 29 AM 11:44

24
Lovely A. Warren
Mayor

March 29, 2018

TO THE COUNCIL

Ladies and Gentlemen:

Re: Grant Agreement - Dormitory Authority of the
State of New York, Public Market Nutrition Education
Center


Council Priority: 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 for the receipt and use of a \$100,000 State and Municipal Facilities Program grant award for the Rochester Public Market.

The grant will be utilized for construction of a new Nutrition Education Center and Demonstration Kitchen at the Rochester Public Market. The Market partners with Foodlink and the Friends of the Rochester Public Market to provide nutrition education as well as cooking and chef demonstrations and instruction to more than 4,000 SNAP beneficiaries. The new facility will be equipped with state-of-the-art equipment and facilities as well as audio and video feeds and display screens to enhance the experience. Construction is expected to be completed by December 2018.

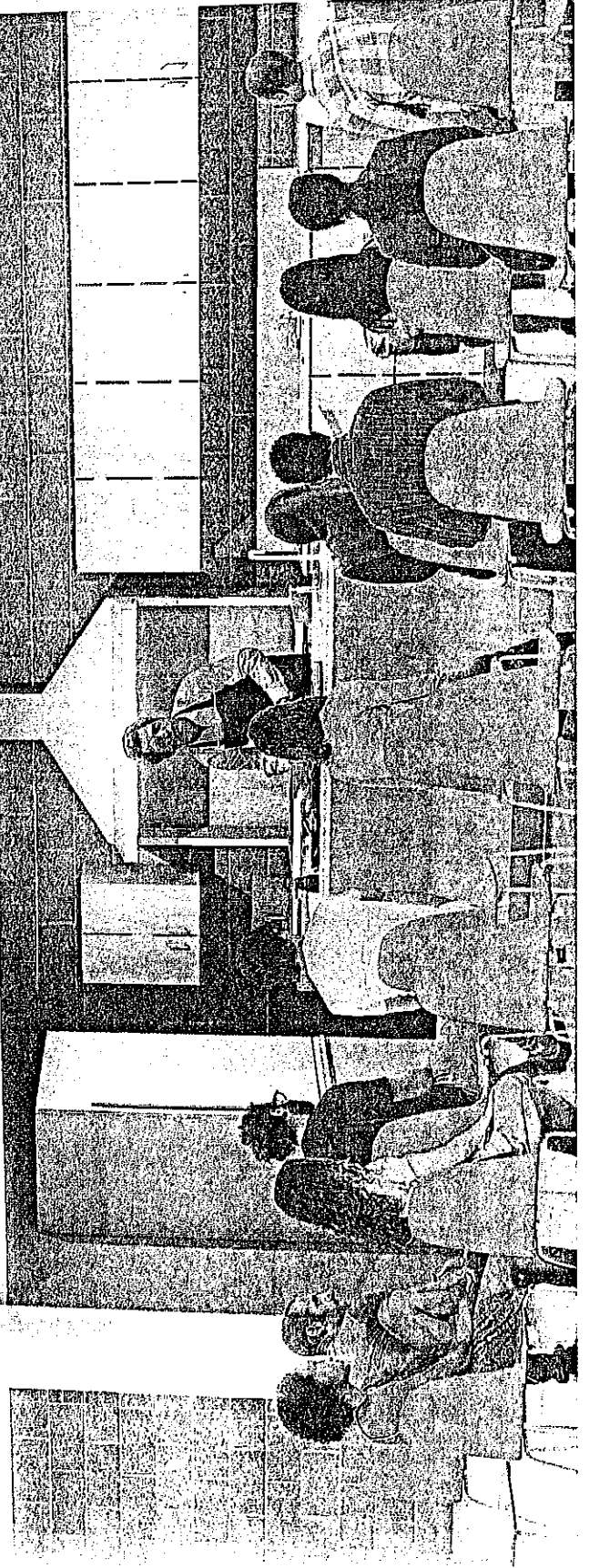
Please see attached concept design for the kitchen.

Respectfully submitted,


Lovely A. Warren
Mayor



NUTRITION EDUCATION CENTER



126

Ordinance No.

Authorizing an agreement for the receipt and use of funding for the Rochester Public Market

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 for the receipt and use of \$100,000 in anticipated funds from the Dormitory Authority of the State of New York (DASNY) for the construction of a Nutrition Education Center and Demonstration Kitchen at the Rochester Public Market (the Project).

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

Section 3. The receipt and use of the sum of \$100,000 in anticipated reimbursements from DASNY that are provided pursuant to the agreement authorized herein is hereby authorized and appropriated to fund the Project.

Section 4. This ordinance shall take effect immediately.



City of Rochester

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PUBLIC SAFETY, YOUTH & RECREATION INTRODUCTORY NO.

25
Lovely A. Warren
Mayor

127
2018 MAR 29 AM 11:45
RECEIVED
CITY OF ROCHESTER
LEEDS/COUNCIL OFFICE

March 29, 2018

TO THE COUNCIL

Ladies and Gentlemen:

Re: Agreement- LaBella Associates, D.P.C. Park
Projects Resident Project Representation Services

Council Priority: Creating and Sustaining a Culture
of Vibrancy

Transmitted herewith for your approval is legislation establishing \$60,000 as maximum annual compensation for a one-year agreement with LaBella Associates, D.P.C. (Steve Metzger, principal) for resident project representation (RPR) services for Parks projects with the option to extend for two additional one-year terms. The cost of \$60,000 will be financed from 2015-16 and 2017-18 Cash Capital, and the extensions will be funded from future years' Cash Capital contingent upon approval of the said budgets.

Typically, RPR services for the construction of Parks and Recreation projects are provided by either City personnel or private consultants on a "project by project" basis. However, during peak periods of the summer construction season, sufficient City personnel are not available to inspect projects. To address this problem, the proposed agreement will expedite private consultant assignment to the various park projects, facilitating project management and completion by providing greater flexibility for assigning both City personnel and private consultants.

A request for proposal was advertised on the City website on December 27, 2017 with proposals due January 12, 2018. LaBella Associates, D.P.C. was selected from a process detailed in the attached summary.

Projects covered by this agreement include but are not limited to maintenance work at various park facilities; installation of new park play equipment; grading; and concrete, asphalt, and landscaping construction at various parks located within the City of Rochester.

Consultant services will begin in spring 2018.

The RPR services will result in the creation and/or retention of the equivalent of 0.7 full-time jobs.

Respectfully submitted

Lovely A. Warren
Mayor



Vendor / Consultant Selection Process Summary

Department: DES, Architecture & Engineering

Project / Service sought: Term RPR Services for Parks Projects

Consultant Selected: LaBella Associates

Method of selection: ☒ Request for Proposal [Complete 1-6]
☐ Request for Qualifications [Complete 1-6]
☐ From the NY State Department of Transportation list of pre-approved regional engineering firms [Complete 4-5]

1. **Date RFP / RFQ issued** (and posted on City web site): December 2017

2. **The RFP / RFQ was also sent directly to:**

3. **Proposals were received from**

<u>FIRM</u>	<u>City/ST</u>
LaBella Associates	14614
Ravi Engineers	14604

4. Evaluation criteria

<u>Criteria</u>	<u>weighting</u>	<u>Points possible</u>	<u>Points received by FIRM</u>
Team Rating(Staff)	50%	50	42.3
Firm Performance	30%	30	25.0
City business	10%	10	10
M/WBE	10%	10	0
Total		100	77.3

5. **Review team included staff from:** DES Architecture & Engineering, 5 staff.

6. **Additional considerations/explanations** NA

127

Ordinance No.

Authorizing an agreement for resident project representation services for Parks projects

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 LaBella Associates D.P.C. to provide resident project representation services for Parks projects. The term of the agreement shall be for one year with two optional one-year extensions. The maximum annual compensation for the agreement shall be \$60,000 and said amount, or so much thereof as may be necessary, shall be funded \$30,000 from 2015-16 Cash Capital and \$30,000 from 2017-18 Cash Capital with the funding of any extensions contingent upon the approval of subsequent 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.



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PUBLIC SAFETY, YOUTH & RECREATION INTRODUCTORY NO.

128

RECEIVED
CITY OF ROCHESTER
CLERK/COUNCIL OFFICE
2018 MAR 29 AM 11:45

26
Lovely A. Warren
Mayor

March 29, 2018

TO THE COUNCIL

Ladies and Gentlemen:

Re: Agreement – Monroe County, DWI
Crackdown Weekend Enforcement Grant

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing an agreement with Monroe County for the receipt and use of up to \$3,400 for the 2017-18 STOP DWI Foundation, Inc. Crackdown Weekend Enforcement grant, and amending the 2017-18 Budget of the Police Department by \$1,700 to reflect a portion of this grant. The remaining funds will be included in the 2018-19 Budget of the Police Department.

The grant funds will be used to pay for overtime for police officers and, as necessary for police experts to detect drug abuse in drivers during Memorial Day, Fourth of July and possibly Labor Day holiday crackdowns. This grant does not allow fringe expenses, estimated at \$1,096.

The term of this grant is October 1, 2017 through September 30, 2018. This is the fifth time the City has received this grant.

Respectfully submitted,

Lovely A. Warren
Mayor



128

Ordinance No.

Authorizing an intermunicipal agreement for DWI Program Crackdown Weekend Enforcement 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 intermunicipal agreement with the County of Monroe for the receipt and use of a 2017-18 STOP DWI Foundation, Inc. Crackdown Weekend Enforcement Grant in the amount of \$3,400. The term of agreement shall be October 1, 2017 through September 30, 2018.

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

Section 3. Ordinance No. 2017-154, the 2017-18 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget of the Rochester Police Department by the sum of \$1,700 received under the grant agreement authorized herein.

Section 4. This ordinance shall take effect immediately.



City of Rochester

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PUBLIC SAFETY, YOUTH & RECREATION INTRODUCTORY NO:

129

RECEIVED
CITY OF ROCHESTER
COUNCIL OFFICE
2018 MAR 29 AM 11:45

27

Lovely A. Warren
Mayor

March 29, 2018

TO THE COUNCIL

Ladies and Gentlemen:

Re: Agreement – Fitch & Associates, LLC
Organizational Evaluation of the Rochester Fire
Department Fire Suppression Deployment Model

Council Priority: Deficit Reduction and Long Term
Financial Stability & Public Safety

Transmitted herewith for your approval is legislation establishing \$45,000 as maximum compensation for an agreement with Fitch & Associates, LLC (FITCH) (Joseph J. Fitch, PhD, Founding Partner & President, Platte City, MO) for an organizational evaluation of the Rochester Fire Department fire suppression deployment model. The cost of this agreement will be funded from the 2017-18 Budget of Undistributed. The term of this agreement will be six months. The final report is expected in the fall.

FITCH will provide objective data-driven analyses that will include identification of strengths and weaknesses of the current model through analysis of call response data, staffing, and deployment; budgetary analysis of the operating and capital resources allocated for the fire suppression and special operations functions; comparisons of inter-jurisdictional and national best practice models; and recommendations containing implementation and recurring costs associated with any alternatives.

The primary intent and goal of this evaluation is to determine whether the current fire suppression deployment model (Engine/Truck) is adequate to provide a level of service within the City of Rochester that aligns with generally accepted standards and benchmarks for safety by similar cities and based on standards and "best practices" for modern day fire service, while maintaining sound fiscal responsibility for the City's residents and taxpayers.

Fitch & Associates, LLC was selected through a request for proposal process described in the attached summary.

Respectfully submitted,


Lovely A. Warren
Mayor



Vendor / Consultant Selection Process Summary

Department

Project / Service sought Organizational Evaluation of the Rochester Fire Department Fire Suppression Deployment Model

Consultant Selected: Fitch and Associates

Method of selection: ☒ Request for Proposal [*Complete 1-6*]
☐ Request for Qualifications [*Complete 1-6*]
☐ From the NY State Department of Transportation list of pre-approved regional engineering firms [*Complete 4-5*]

1. Date RFP / RFQ issued (and posted on City web site) December 15, 2017

2. The RFP / RFQ was also sent directly to: Alchemy Management Solutions, CGR, City Gate Associates LLC, DECCAN International, Emergency Services Consulting International (ESCI), FACETS Consulting, Fitch & Associates, Integral Performance Solutions, Matrix Consulting Group, MMA Consulting Group, Inc., Public Safety Group, Public Safety Solutions Inc., and TriData LLC.

3. Proposals were received from:

CGR	Rochester 14614
ESCI	Wilsonville, OR
FACETS Consulting	Flagstaff, AZ
Fitch and Associates	Platte City, MO
Management Partners	Cincinnati, OH
Matrix Consulting Group	Worcester, MA
TriData LLC	Arlington, VA

4. Evaluation criteria

<u>Criteria</u>	<u>weighting</u>	<u>Points possible</u>	<u>Points received by Fitch and Associates</u>
Proposal		30	26.8
Experience		20	18.5
Cost/Value		20	20.0
References		15	13.0
Key Principal Commitment		<u>15</u>	<u>13.5</u>
	TOTAL	100	91.8
Bonus			
City business	10% of total	.10 x 100	0
M/WBE	10% of total	.10 x 100	0

M/WBE Bonus (*if applicable*)

5. Review team included staff from: Fire Department/Fire Chief's Office (2)
Fire Department/IAFF (1)
Mayor's Office (1)
Office of Management and Budget (2)

6. Additional considerations/explanations: The review committee held phone interviews with the top three consultants: Fitch and Associates, FACETS Consulting, and Matrix Consulting Group. After the phone interviews the review committee narrowed the selection down to Fitch and Associates and FACETS Consulting. Fitch and Associates was ultimately selected by the majority of the review committee. They scored the highest overall before the phone interviews and they demonstrated a thorough understanding of our needs.

129

Ordinance No.

Authorizing an agreement for an evaluation of the Fire Department's fire suppression deployment model

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 Fitch & Associates, LLC to perform an organizational evaluation of the Rochester Fire Department ("RFD") fire suppression deployment model. The maximum compensation for the agreement shall be \$45,000, which shall be funded from the 2017-18 Budget of Undistributed Expense. The agreement shall have a term of six months.

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

Section 3. This ordinance shall take effect immediately.