

Additional Proposed Legislation
For the September 18, 2018 City Council Meeting -
Filed in the Office of the City Clerk
August 31 through September 6

****Please Note****

For questions regarding the proposed legislation,
Call the City Clerk's Office at 585-428-7421



City of Rochester

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

NEIGHBORHOOD & BUSINESS DEVELOPMENT INTRODUCTORY NO.

Lovely A. Warren
Mayor

341

August 31, 2018

TO THE COUNCIL

Ladies and Gentlemen:

Re: Sale of the Mortimer Street Parking
Garage to Sibley Redevelopment Limited
Partnership and CGI Communications

RECEIVED
CITY OF ROCHESTER
COUNCIL OFFICE
2018 AUG 31 PM 1:17

Transmitted herewith for your approval is legislation authorizing the sale of the Mortimer Street Parking Garage (the "Garage") to a to-be-formed limited partnership between Sibley Redevelopment Limited Partnership (structure attached) and CGI Communications (principal, Bob Bartosiewicz), controlled by key principals Gilbert Winn and Bob Bartosiewicz respectively, (collectively, the "Purchaser"). The Purchaser was selected through a Request for Proposals ("RFP") issued on April 17, 2018. The purchase price for the Garage will be \$3,105,000.

The Garage is a 7-story structure consisting of 600 parking spaces situated on a 0.91 acre parcel on North Clinton Avenue between Mortimer and Division streets. An independent appraisal of the Garage completed by Kevin L. Bruckner, MAI, CCIM, of Bruckner, Tillett, Rossi, Cahill & Associates in January 2018 determined an appraised value of \$0. The RFP Review Committee attributed the low appraisal value to the fact that the Sibley Building, linked to the Garage by a pedestrian skyway, had been vacant for a substantial period of time, resulting in diminished demand for the Garage. The Committee felt that reoccupying the Sibley Building and the redevelopment of The Metropolitan, the Granite Building (CGI) and the former McCrory's Building (where the City's Traffic Violation Agency is now located) would bring demand for parking to Mortimer Street Garage. Thus, the Committee attributed a \$3,000,000 value to the Garage and established that as the minimum bid for the responses to the City's RFP.

Sibley (through its affiliates) is the developer and owner of Sibley Square, which, as stated above, is connected to the Garage. Sibley Square is home to Lifespan Senior Center, Rochester Childfirst Network, Eastman Dental, NextCorp, Spectra apartments with 104 units, and Landmark apartments with 72 units. Future Sibley Square development plans include over 100 units of workforce housing, a charter school, a technology workspace, and a food destination. CGI is investing approximately \$45 million to develop its Main Street properties adjacent to the Garage. Combined, the Purchaser currently needs 400 parking spaces for its respective tenants and employees. Ownership and control of the Garage will support the continued tenancy and viability of these downtown buildings.

Sibley currently operates 34 properties with multi-story garages and 300 properties with adjacent surface lots. Through its affiliates, WinnResidential and WinnMilitary, Sibley owns over 100,000 parking spaces nationally. The Purchaser will contract with AllPro Parking to serve as parking manager. Allpro Parking contracted with the City to provide operating assistance for the Mortimer Street Parking Garage operations until June 30, 2018.

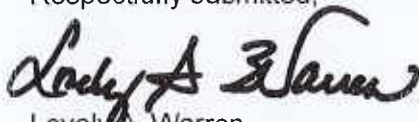
The City entered into a 2017 parking agreement that reserves up to 400 spaces for ten years with two ten-year renewal options with the Sibley Redevelopment Limited Partnership, an entity affiliated with Winn. The Purchaser will be required to provide a perpetual easement in favor of Rochester Police Department ("RPD") reserving thirty (30) parking spaces for RPD use without compensation to the Purchaser. The City is also in the process of granting an easement to the Rochester Genesee Regional Transportation Authority ("RGRTA") for three shelters recessed into the Garage. The Purchaser will be required to honor the RGRTA easement.



The sale of the Garage, to include the skyway across Clinton Avenue linking the garage to the Sibley Building, will provide revenue to the City up front upon sale, and moving forward, via savings on annual maintenance costs as well as increased tax revenue. The Purchaser understands that the Garage will be assessed at full real estate taxes with no tax abatements. Additionally, the sale will continue the provision of public parking for visitors and for employees and customers of area businesses. The Purchaser recognizes the City's parking needs and projects 400-500 monthly parking users, allowing additional availability for daily parking and preserving 30 spaces for RPD.

In accordance with Section 72-j of the General Municipal Law, the Purchaser shall maintain the existing parking fee rates, as set forth in Section 111-119 of the Municipal Code, through calendar year 2019, except as Council may consider and approve in a subsequent Ordinance. Thereafter parking rates may be increased to reflect periodic adjustments for inflation and to offset the Purchaser's capital costs of garage rehabilitation and renovation projects.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Lovely A. Warren". The signature is fluid and cursive, with a large initial "L" and "W".

Lovely A. Warren
Mayor

INTRODUCTORY NO.

341

8

Ordinance No.

Authorizing the sale of the Mortimer Street Garage

WHEREAS, in response to a request for proposals, the City of Rochester has received a proposal from the principals of Sibley Redevelopment Limited Partnership and CGI Communications, Inc. to purchase the Mortimer Street Garage, which is a 7-story structure that holds approximately 600 parking spaces located at 83 Mortimer Street (S.B.L. 106.79-1-55.2), together with a pedestrian skyway that spans North Clinton Avenue and links the garage to the Sibley Building (collectively, the "Garage");

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

WHEREAS, City Director of Real Estate deems the proposed sale to be in the best interest of the City because it will generate revenue through the upfront payment of the purchase price, allow for continued use of the Garage for parking by visitors, customers, employees and residents of area businesses and residences, save the City ongoing maintenance costs, and generate new real property tax revenues.

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

Section 1. The Council hereby approves the sale of the Mortimer Street Garage and its associated skyway (collectively, the "Garage") to a limited partnership to be formed between Sibley Redevelopment Limited Partnership and CGI Communications, Inc. (the "Purchaser") for the sum of \$3,105,000, subject to the terms set forth herein and to such additional terms and conditions as the Mayor deems to be appropriate.

Section 2. The terms of the sale shall require the Purchaser to: continue the operation of the Garage for public parking purposes for the remainder of the economic useful life of the garage building; assume the obligation to inspect, maintain and repair the Garage; assume the rights to receive all parking fees; accept an assessment of real property taxes based on the purchase price of \$3,105,000, with future tax reassessments based on the then current fair market value; forgo requesting or accepting any real property tax abatement; and provide to the City a perpetual easement that reserves thirty parking spaces for Rochester Police Department vehicles free of charge.

Section 3. In accordance with Section 72-j of the General Municipal Law, the Purchaser shall maintain the existing parking fee rates, as set forth in Section 111-119 of the Municipal Code, through calendar year 2019, except as Council may consider and approve in a subsequent Ordinance. Thereafter parking rates may be increased to reflect periodic adjustments for changes in the Consumer Price Index and to offset the Purchaser's capital costs of Garage rehabilitation and renovation projects.

Section 4. The Council hereby further approves the granting and acceptance of any easements for utilities, ancillary development, and public access to and within the Garage, as necessary to effectuate the purposes and other terms of the lease.

Section 5. The Mayor is hereby authorized to enter into such other agreements and to execute such other instruments as may be necessary to implement the transaction authorized herein.

Section 6. This ordinance shall take effect immediately.



City of Rochester

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NEIGHBORHOOD & BUSINESS DEVELOPMENT INTRODUCTORY NO.

342

10
Lovely A. Warren
Mayor

August 31, 2018

TO THE COUNCIL

Ladies and Gentlemen:

Re: Sale of the East End Parking Garage to
475 East Main St, LLC

Transmitted herewith for your approval is legislation authorizing the sale of the East End Parking Garage (the "Garage") to 475 East Main St, LLC which is owned by Woodlawn Real Holdings LLC (owned by a trust of which Thomas Masaschi is the managing member), Olin Ventures, LLC (owned by Mark Gaffney), and Trason Elm, LLC (owned by Dr. Daniel Elstein) (the "Purchaser"). The Purchaser was selected via a Request for Proposals ("RFP") process initiated on April 17, 2018. The purchase price for the Garage will be \$4,300,000.

The Garage is a two-section, 5- and 6-story structure consisting of 1,282 parking spaces situated on a 2.28 acre parcel located at the southwest corner of Scio and East Main Streets. An independent appraisal of the Garage completed by Kevin L. Bruckner, MAI, CCIM, of Bruckner, Tillett, Rossi, Cahill & Associates in January 2018 determined an appraised value of \$3,045,000.

The Purchaser has redeveloped and owns over 500,000 square feet of real estate within three blocks of the Garage, comprising 397 residential units and 31 commercial units. These properties include 111 on East, The Columbus Building, 88 on Elm, the Rochester Club Center, and the Cadillac Hotel. Ownership and control of the Garage will support the continued tenancy and viability of these buildings. The Purchaser will contract with Allpro Parking, LLC to serve as parking manager. Allpro Parking currently manages the Purchaser's parking lot portfolio, and was contracted with the City to provide customer service for the East End Parking Garage until June 30, 2018.

The Purchaser has indicated a commitment to 24-hour surveillance, security cameras, increased signage, improved garage efficiencies, maintenance staff to keep floors, walls, and sidewalks clean year-round, periodic condition assessments and prompt repairs, and additional ongoing improvements. Potential improvements discussed include enhanced lighting, a public art component, 24-hour virtual concierge system, shuttle services to major destinations, and the development of a smart phone app to inform customers of nearby events, pricing, and parking availability.

The City has entered into a parking agreement with the Eastman School of Music that reserves 111 spaces until 2021 and a parking agreement with the Sagamore on East, LLC that reserves 46 spaces for residents until 2052. The Purchaser will be required to maintain these agreements and will seek to expand partnerships with other East End businesses. The Purchaser has stated that the garage will be open to the public at all times of day.

The sale of the Garage will provide revenue to the City up front upon sale, and moving forward, via savings on annual maintenance costs as well as increased tax revenue. The Purchaser understands that the Garage will be assessed at full real estate taxes with no tax abatements. Additionally, the sale will continue the provision of public parking for visitors and for employees and customers of area businesses.

In accordance with Section 72-j of the General Municipal Law, the Purchaser shall maintain the existing parking fee rates, as set forth in Section 111-119 of the Municipal Code, through calendar year 2019, except as Council may consider and approve in a subsequent Ordinance. Thereafter



parking rates may be increased to reflect periodic adjustments for inflation and to offset the Purchaser's capital costs of garage rehabilitation and renovation projects.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Lovely A. Warren". The signature is written in a cursive, flowing style.

Lovely A. Warren
Mayor

Ordinance No.

Authorizing the sale of the East End Garage

WHEREAS, in response to a request for proposals, the City of Rochester has received a proposal from the principals of Woodlawn Real Holdings LLC, Olin Ventures, LLC and Trason Elm, LLC to purchase the East End Garage, which is located at 475 East Main Street (S.B.L. # 106.81-2-3.003 and consists of a two-section, 5- and 6-story structure containing approximately 1,282 parking spaces (the "Garage");

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

WHEREAS, City Director of Real Estate deems the proposed sale to be in the best interest of the City because it will generate revenue through the upfront payment of the purchase price, allow for continued use of the Garage for parking by visitors, customers, employees and residents of area businesses and residences, save the City ongoing maintenance costs, and generate new real property tax revenues.

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

Section 1. The Council hereby approves the sale of the East End Garage ("Garage") to 475 East Main St, LLC or a to a corporation or limited partnership to be formed between Woodlawn Real Holdings LLC, Olin Ventures, LLC and Trason Elm, LLC (the "Purchaser") for the sum of \$4,300,000, subject to the terms set forth herein and to such additional terms and conditions as the Mayor deems to be appropriate.

Section 2. The terms of the sale shall require the Purchaser to: continue the operation of the Garage for public parking purposes for the remainder of the economic useful life of the garage building; assume the obligation to inspect, maintain and repair the Garage; assume the rights to receive all parking fees; accept an assessment of real property taxes based on the purchase price of \$4,300,000, with future tax reassessments based on the then current fair market value; forgo requesting or accepting any real property tax abatement; and abide by the terms of the certain existing agreements wherein the City has reserved set numbers of parking spaces for certain third parties.

Section 3. In accordance with Section 72-j of the General Municipal Law, the Purchaser shall maintain the existing parking fee rates, as set forth in Section 111-119 of the Municipal Code, through calendar year 2019, except as Council may consider and approve in a subsequent Ordinance. Thereafter parking rates may be increased to reflect periodic adjustments for changes in the Consumer Price Index and to offset the Purchaser's capital costs of Garage rehabilitation and renovation projects.

Section 4. The Council hereby further approves the granting and acceptance of any easements for utilities, ancillary development, and public access to and within the Garage, as necessary to effectuate the purposes and other terms of the lease.

Section 5. The Mayor is hereby authorized to enter into such other agreements and to execute such other instruments as may be necessary to implement the transaction authorized herein.

Section 6. This ordinance shall take effect immediately.



City of Rochester

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NEIGHBORHOOD & BUSINESS DEVELOPMENT INTRODUCTORY NO.

343

Lovely A. Warren
Mayor

August 31, 2018

TO THE COUNCIL

Ladies and Gentlemen:

Re: Long-Term Capital Lease of the Genesee
Crossroads Parking Garage to CRR
Parking LLC

2018 AUG 31 PM 1:17
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CITY OF ROCHESTER
COUNCIL CLERK

Transmitted herewith for your approval is legislation authorizing the long-term capital lease of the Genesee Crossroads Parking Garage (the "Garage") to CRR Parking LLC (the "Lessee"), whose principals are Robert Gordon and Chris Hill (managing members of I. Gordon Corp.), and Richard Goldstein (President & CEO of Mapco Auto Parks). The Lessee was selected from a set of proposals received in response to a Request for Proposals ("RFP") issued on April 17, 2018. The conveyance value of the garage will be the appraised value of \$3,165,000 and the term of the lease will be 30 years with an option to renew for an additional 10 years.

The Garage consists of 604 parking spaces over four half levels, one of which is at grade and three of which are below grade. The Garage is located along Andrews Street and is adjacent to the Genesee River, and its roof serves as a plaza for the Charles Carroll Park. An independent appraisal of the Garage completed by Kevin L. Bruckner, MAI, CCIM, of Bruckner, Tillett, Rossi, Cahill & Associates in January 2018 determined an appraised value of \$3,165,000.

MAPCO is a Brighton-based parking management company that has operated the Civic Center Garage, a 1,300-parking space underground facility in downtown Rochester, since 1985. MAPCO operates additional surface lots downtown, as well as parking at the Greater Rochester International Airport. I. Gordon has owned and operated real estate in the Rochester region for 75 years, including the Reynolds Arcade and First Federal Plaza in downtown Rochester where its corporate office is located.

The Lessee has pledged to provide a well-maintained facility, with easy access to all entries and exits, and to ensure that the Garage is well-lit, heated, and secure. MAPCO will work closely with area property owners to accommodate needs for event parking, valet services, reserved parking, and daily visitor parking. MAPCO will also work with industry consultants who will assist in maximizing traffic flow and install cutting-edge technology that will provide a better customer service for those parking in the Garage. The Lessee recognizes that their management and maintenance of the Garage will support visitors' ROC the Riverway experience.

The City currently has no parking agreements with private entities for use of the Garage. The Lessee will be required to maintain easements with Rochester District Heating Cooperative ("RDH") and Rochester Gas & Electric ("RG&E"). The RDH easement is for an insulated steam line that runs on the interior of the Garage from Andrews Street, and the RG&E easement is for a transformer at the north end of the Garage. The Lessee will additionally be required to provide the City access to the Garage as it relates to the City's rehabilitation of Charles Carroll Plaza.

The Lessee will pay the City \$3,165,000 upon initiation of the lease. The lease of the Garage will provide revenue to the City up front upon lease, and moving forward, via savings on annual maintenance costs as well as increased tax revenue. The Lessee understands that the Garage will be assessed at full real estate taxes with no tax abatements. Additionally, the lease will



continue the provision of public parking for visitors and for employees and customers of area businesses. The Lessee will assume the liability of the Garage maintenance.

In accordance with Section 72-j of the General Municipal Law, the Lessee shall maintain the existing parking fee rates, as set forth in Section 111-119 of the Municipal Code, through calendar year 2019, except as Council may consider and approve in a subsequent Ordinance. Thereafter parking rates may be increased to reflect periodic adjustments for inflation and to offset the Lessee's capital costs of garage rehabilitation and renovation projects.

Respectfully submitted,

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Lovely A. Warren
Mayor

343

Ordinance No.

Authorizing a long-term capital lease agreement for the Genesee Crossroads Garage

WHEREAS, in response to a request for proposals, the City of Rochester has received a proposal from the principals of I. Gordon Corporation and Mapco Auto Parks Ltd. to lease the Genesee Crossroads Garage (the "Garage"), which is located beneath the plaza of Charles Carroll Park at 69 Andrews Street (S.B.L. # 106.79-1-65) and comprised of approximately 604 parking spaces with entrances and exits on Corinthian Street and Andrews Street;

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

WHEREAS, the Council has formally reviewed the independent appraisal of the value of the Garage 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 provide revenue to the City through the upfront payment of the lease amount, allow for continued use of the Garage for parking by visitors, customers and employees of area businesses, save the City ongoing maintenance costs, and generate new real property tax revenues; and

WHEREAS, the Council affirmatively finds that the term of such proposed lease, which is thirty years with one ten-year renewal option, 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 an agreement with CRR Parking LLC or a corporation or limited partnership to be formed by Robert Gordon and Chris Hill (managing members of I. Gordon Corporation) and Richard Goldstein (President and CEO of Mapco Auto Parks Ltd.) (collectively, the "Lessee") to lease the Genesee Crossroads Garage from the City. The agreement shall extend for a term of thirty years, with an option to renew for an additional term of ten years.

Section 2. The agreement shall obligate the Lessee to pay the City \$3,165,000 upon the initiation of the lease.

Section 3. The agreement shall require the Lessee, for the term of the lease, to: continue the operation of the Garage for public parking purposes; assume the obligation to inspect, maintain and repair the Garage; assume the rights to payment of all parking

fees; accept an assessment of real property taxes based on the Garage's current appraised value of \$3,165,000, with future reassessments based on the then current fair market value; forgo requesting or accepting any real property tax abatement; and provide the City access to the Garage as it relates to the rehabilitation of the Charles Carroll Park plaza.

Section 4. In accordance with Section 72-j of the General Municipal Law, the Lessee shall maintain the existing parking fee rates, as set forth in Section 111-119 of the Municipal Code, through calendar year 2019, except as Council may consider and approve in a subsequent Ordinance. Thereafter parking rates may be increased to reflect periodic adjustments for changes in the Consumer Price Index and to offset the Lessee's capital costs of Garage rehabilitation and renovation projects.

Section 5. The Council hereby further approves the granting and acceptance of any easements for utilities, ancillary development, and public access to and within the Garage, as necessary to effectuate the purposes and other terms of the lease.

Section 6. The Mayor is hereby authorized to enter into such other agreements and to execute such other instruments as may be necessary to implement the transaction authorized herein. The lease agreement and any other agreements and instruments shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 7. 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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FINANCE INTRODUCTORY NO.

344

Lovely A. Warren
Mayor

August 30, 2018

TO THE COUNCIL

Ladies and Gentlemen:

Re: Appropriation – Insurance Reserve Fund

Council Priority: Deficit Reduction and Long Term
Financial Stability

Transmitted herewith for your approval is legislation appropriating \$5 million from the Insurance Reserve Fund to finance the payment of general liability claims.

The City is self-insured against all general liability, auto and personal claims, for which purpose the Insurance Reserve Fund is maintained. All claims are paid from this fund.

The monies maintained as reserves are invested until needed for disbursement. The interest earned on these investments is added to the fund balance. Interest income for fiscal year 2017-18 was \$46,046.

As of June 30, 2018, the fund balance was \$13,644,405; of that amount \$0 is appropriated for disbursement. Under the proposed legislation, \$5 million will be appropriated for the payment of claims, leaving an unappropriated balance of \$8,644,405.

The most recent appropriation was for \$4 million and was approved by City Council in February 2016.

Respectfully submitted,


Lovely A. Warren
Mayor

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CITY OF ROCHESTER
7/27/18/COUNCIL OFFICE
2018 SEP -4 PM 2:39



Appropriation from the Insurance Reserve Fund

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

Section 1. There is hereby appropriated from the Insurance Reserve Fund the sum of \$5 million, or so much thereof as may be necessary, to finance the payment of general liabilities and claims against the City.

Section 2. 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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FINANCE
PRODUCTORY NO.

345

Lovely A. Warren
Mayor

September 5, 2018

TO THE COUNCIL

Ladies and Gentlemen:

Re: 2017-18 Year-End Budget Amendment

Council Priority: Deficit Reduction and Long Term
Financial Stability

Transmitted herewith for your approval is legislation amending the 2017-18 Budget as follows:

1. Transfers of appropriations totaling \$4,717,000 from the Contingency Account to the following departments:

Police	\$4,307,400
Cash Capital	409,600
2. Transfers of appropriations totaling \$2,515,400 from the following departments to Cash Capital:
 - a) \$1,215,400 from Undistributed;
 - b) \$800,000 from the Department of Environmental Services; and
 - c) \$500,000 from Neighborhood & Business Development.
3. Appropriation of unanticipated revenues totaling \$62,300 to increase the budget of City Council and Clerk.

Also for your approval is a technical amendment to Ordinance No. 2018-259.

The appropriation transfers are authorized pursuant to Section 6-13 of the City Charter. The appropriation of unanticipated revenues is authorized by section 6-14.

The City Council has previously authorized 33 other amendments to the 2017-18 Budget. These amendments reflect 4 appropriation transfers and 30 appropriation increases based upon the receipt of additional revenues.

Actual receipts and expenditures for 2017-18 will be audited by the City's external auditors, Freed, Maxick, and Battaglia. The proposed amendments are required to complete the audit process and ensure adherence to Section 6-16 of the City Charter, which prohibits expenditures in excess of authorized appropriations.

The proposed total increase of \$2,925,000 to the Cash Capital allocation is to fund capital projects as follows:

1. \$1,500,000 for the land acquisition and construction related to police section offices;
2. \$500,000 in grant matching funds to be used towards ROC the Riverway projects;
3. \$390,000 for required mechanical upgrades and roof replacement at the Blue Cross Arena at the War Memorial;

2018 SEP - 5 PM
CITY OF ROCHESTER
COUNCIL CLERK

4. \$250,000 in additional funding for timeclocks and implementation of the police department scheduling portion of the the HR/Payroll Enterprise Process and System Solution;
5. \$225,000 to be transferred to the Land Bank to acquire more residential structures to increase owner occupancy or auction to pre-qualified investors;
6. \$50,000 for necessary upgrades to the Council chambers video camera system; and
7. \$10,000 for playground apparatus requested as part of the 2017-18 Council member item designations.

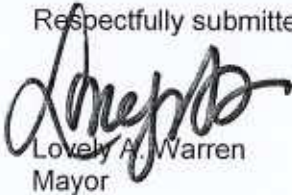
On June 19, 2018, when the 2017-18 Budget was adopted by City Council, salary and wage rates had not yet been established for uniformed employees represented by the Rochester Police Locust Club, Inc. The collective bargaining agreement for the Rochester Police Locust Club expired June 30, 2016. After several negotiation sessions, the Rochester Police Locust Club, Inc. ultimately filed for impasse in August of 2017. Attempts to settle the contract with a Public Employee Relations Board-appointed mediator were unsuccessful which has led to the PERB appointment of an interest arbitrator who will resolve the impasse through a more formal interest arbitration process. An allowance is being made for the projected anticipated costs of this unsettled contract.

The additional expense in City Council and Clerk resulted from the primary that occurred in late June, 2018 for the 25th Congressional District seat. The cost of this special election has already been reimbursed by Monroe County.

The City Senior Management Team effectively managed their 2017-18 operating budgets, with actual spending less than 2017-18 Budget allocations. Savings resulted from personnel vacancies and associated fringe benefit expense. There was also savings available from lower than expected motor equipment expense including fuel prices, utility expense, and other costs including professional fees.

Ordinance No. 2018-259 authorized an amendatory lease agreement and a new sublease for additional office space at 200 East Main Street to be funded by Monroe County Department of Motor Vehicle lease payments to the City; however the funding amount for the Finance Department of \$28,998 was not rounded to the nearest hundred as required by the Office of Management and Budget. This technical amendment corrects this.

Respectfully submitted,



Lovely A. Warren
Mayor

INTRODUCTORY NO.

345

Ordinance No.

Amending the 2017-18 Budget for year-end Budget transfers and the 2018-19 Budget for 200 East Main Street sublease agreement

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 transferring the total sum of \$4,717,000 from Contingency to the following departments:

- a) \$4,307,400 to the Police Department; and
- b) \$409,600 to Cash Capital.

Section 2. Ordinance No. 2017-154, the 2017-18 Budget of the City of Rochester, as amended, is hereby further amended by transferring the total sum of \$2,515,400 from the following departments to Cash Capital:

- a) \$1,215,400 from Undistributed;
- b) \$800,000 from Environmental Services; and
- c) \$500,000 from Neighborhood & Business Development.

Section 3. Ordinance No. 2017-154, the 2017-18 Budget of the City of Rochester, as amended, is hereby further amended by appropriating unanticipated revenues in the amount of \$62,300 to the Budget of City Council and Clerk.

Section 4. Ordinance No. 2018-259, authorizing lease and sublease agreements for additional office space at 200 East Main Street, is hereby amended in Section 5 to read as follows:

Section 5. Ordinance No. 2018-157, the 2018-19 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget of the Department of Finance by the sum of ~~\$28,998~~ \$29,000, which amount is hereby appropriated from Monroe DMV's payments for the first ten months of the sublease authorized herein.

Section 5. This ordinance shall take effect immediately.

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City of Rochester

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

346

Lovely A. Warren
Mayor

September 4, 2018

TO THE COUNCIL

Ladies and Gentlemen:

Re: Agreements – Federal Teenage Pregnancy
Prevention Grant

Transmitted herewith for your approval is legislation related to the Teenage Pregnancy Prevention (TPP) program. This legislation will:

1. Authorize an agreement with the U.S. Department of Health and Human Services for the receipt and use of a \$999,999 grant for year four of the Program;
2. Establish maximum compensation of \$389,214 from the grant authorized herein for agreements with the following organizations to provide related services:

Baden Street Settlement	\$188,385
The Center for Youth	57,341
Highland Hospital of Rochester (Family Planning - clinical partner)	73,488
Christopher Sweadner (evaluation partner)	<u>70,000</u>
	\$389,214

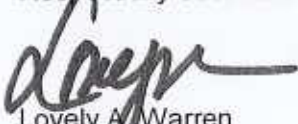
3. Amend the 2018-19 Budget of the Department of Recreation and Youth Services by \$260,300 and the 2018-19 Budget of Undistributed Expenses by \$97,100 for staff costs associated with the City's role as lead agency, including the salary and wage costs for a Project Manager, one Pregnancy Prevention Trainer, and four Grant Support Associates.

The remaining \$253,407 will be accounted for in the Teenage Pregnancy Prevention Special Revenue Fund to cover non-personnel costs such as travel, program and office supplies, printing and indirect costs.

The official name of this federal program is the Teenage Pregnancy Prevention Replication of Evidence-Based Programs to Scale in Communities with the Greatest Need (Tier 1B). The funder, the U.S. Department of Health and Human Services, provided the Notice of Award on August 17, 2018. This will be year four of a five-year grant spanning from July 1, 2015 to June 30, 2020. The program was last approved by City Council in June 2017 via Ordinance No. 2017-194.

The goals of the TPP program are to: (1) successfully plan, develop, and implement TPP to scale using evidence-based curriculum with fidelity; (2) reduce adolescent pregnancy rates; and (3) improve high school graduation rates. The program, locally promoted as THRIVE (Teens Helping to Reinvent Identity, Values and Empowerment), will serve 1,875 youth each year in the remainder of the grant cycle. Services will be provided in areas with the highest teen birth rates (zip codes 14605, 14608, 14611, 14613 and 14621).

Respectfully submitted,


Lovely A. Warren
Mayor

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2018 SEP -5 PM 2:07

INTRODUCTORY NO.

346

25

Ordinance No.

Authorizing agreements for the Teenage Pregnancy Prevention Program

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the United States Department of Health and Human Services for the receipt and use of \$999,999 in funding for the operation of the Teenage Pregnancy Prevention Program (Program).

Section 2. The Mayor is hereby authorized to enter into professional services agreements with the following organizations for the following not-to-exceed amounts to provide Program services:

Baden Street Settlement of Rochester, Inc.	\$188,385
The Center for Youth Services, Inc.	57,341
Highland Hospital of Rochester	73,488
Christopher Sweadner	70,000
TOTAL	\$389,214

Section 3. The Program service agreements shall obligate the City to pay an amount not to exceed \$389,214, and said amount, or so much thereof as may be necessary, is hereby appropriated from the funds to be received from the United States Department of Health and Human Services under the grant agreement authorized herein. The agreements shall have a term of one year.

Section 4. The sum of \$253,407 is hereby appropriated from the funds to be received from the United States Department of Health and Human Services under the grant agreement authorized herein to fund non-personnel expenses of the Program.

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

Section 6. Ordinance No. 2018-157, the 2018-19 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget of the Department of Recreation and Youth Services by the sum of \$260,300 and Budget of Undistributed Expenses by the sum of \$97,100, which amount is hereby appropriated from funds received from the grant agreement authorized in Section 1 herein.

Section 7. This ordinance shall take effect immediately.



City of Rochester

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

Lovely A. Warren
Mayor

ARTS & CULTURE INTRODUCTORY NO 347

September 5, 2018

TO THE COUNCIL

Ladies and Gentlemen:

Re: Appropriation – Rochester Public Library,
Rundel Terrace Art Installation

Council Priority: Creating and Sustaining a
Culture of Vibrancy

Transmitted herewith for your approval is legislation authorizing the issuance of bonds totaling \$250,000 and the appropriation of the proceeds thereof to finance a public art installation at the Rundel Memorial Library building, as part of the Rundel terrace reconstruction project.

The project, known as Rundel Library Terrace Structural Improvements Phase IV, shall reconstruct the Rundel north terrace (Broad Street) structural concrete and steel framing, slabs, columns and foundations. It will create a new, updated public riverfront terrace and replace the east (South Avenue) sidewalk. The reconstructed Rundel north terrace will include river viewing platforms, historical and educational interpretive features, public seating, landscaping, railings, and lighting upgrades. Project costs are as follows:

Source	Emergency work performed	Design and RPR	Construction	Public Art	Total
Bond authorized 2016-344	\$110,170	\$1,300,000	\$2,046,830		\$3,457,000
DASNY grant authorized 2018-53	-	-	\$2,000,000		\$2,000,000
Bonds to be issued	-	-		\$250,000	\$250,000
Total	\$110,170	\$1,300,000	\$4,046,830	\$250,000	\$5,707,000

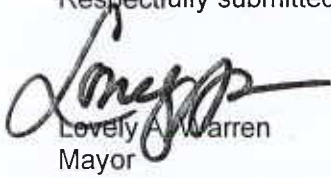
As part of the Project budget, a public art installation shall be located at the north terrace. The commissioned artist, Chevo Studios of Commerce City, CO (Andrew P. Dufford, Owner/Lead Artist) shall be compensated \$250,000 to develop a public art work within the north terrace. Mr. Dufford was selected based on an extensive Request for Qualifications/Call for Artist process, where 63 call submissions were received and four artist finalists were selected to develop a concept proposal for the Rundel site.

A committee of arts, downtown, City and Library representatives responsible for reviewing all artist calls and finalist proposals recommended Chevo Studios for the commission, with agreement authorization by the Rochester Public Library Board of Trustees on August 29, 2018. The selection process is described in the attached summary.



Chevo Studios shall work with the Project design team (LaBella Associates D.P.C., under Ordinance No. 2016-343), City and Library to create a piece that compliments and is coordinated with overall site design and construction. The artist will be responsible for design, fabrication, transportation, and installation of the features. Installation of the art feature(s) is anticipated in the spring and summer of 2020.

Respectfully submitted,



Lovely A. Warren
Mayor

INTRODUCTORY NO.

347

Ordinance No.

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$250,000 Bonds of said City to finance a portion of the costs of the Rundel Library Structural Terrace Improvements Phase IV

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 a portion of the costs of the Rundel Library Terrace Improvements Phase IV project that will include a public art installation at the Rundel Memorial Library Building as part of the reconstruction of the Rundel north terrace (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 \$5,707,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$250,000 of bonds of the City to finance a portion of said appropriation, the issuance of \$3,457,000 in bonds authorized in Ordinance No. 2016-344, \$2,000,000 in anticipated reimbursements from the Dormitory Authority of the State of New York authorized in Ordinance No. 2018-53 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 \$250,000 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 \$250,000. 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. 76 of the Law, is ten (10) years.

Section 5. Each of the bonds authorized by this Ordinance and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the City, payable as to both principal and interest by an ad valorem tax upon all the taxable real property within the City without limitation as to rate or amount. The faith and credit of the City are hereby irrevocably pledged to the punctual payment of the principal of and interest

on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the City by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

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

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

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

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

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

Section 8. This Ordinance shall take effect immediately, and the City Clerk is hereby authorized and directed to publish a summary of the foregoing Ordinance, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in "The Daily Record," a newspaper published in Rochester, New York, having a general circulation in the City and hereby designated the official newspaper of said City for such publication.

Consultant/Artist Selection Process Summary

Department: Rochester Public Library

Project / Service sought: Public Art, Rundel Library Terrace Structural Improvements
<http://www.cityofrochester.gov/rundelterrace/>

Consultant/Artist Selected: Chevo Studios; Andrew Dufford, Principal

Method of selection: Request for Qualifications/Call for Artists; RFQ is available at
<http://www.cityofrochester.gov/article.aspx?id=21474837931>

Summary of Method:

The Request for Qualifications/Call for Artists was released and posted on City and Library websites on April 30, 2018. The RFQ/Call for Artists was distributed to multiple regional and national sites, with postings provided on artdeadline.com, publicartist.org, CODAworx.com, sculpture.org, and the Arts & Cultural Council for Greater Rochester. Information was provided for email distributions sent on behalf of the Library by Rochester Contemporary Art Center and faculty of RIT's CIAS/School of Art.

Proposals Received From:

As a result of the broad posting and nature of RFQ/Call for Artists, 63 submissions were received from national (and a few international) artists and teams. The full list is provided as an attachment.

1. Evaluation criteria:

This RFQ process was used to narrow an artist field based on a set of criteria, including past/current commissions of similar scope and scale to the Rundel north terrace project, with at least one exterior commission with a budget of \$200,000 or greater. The RFQ did not require a specific art proposal to be submitted in the initial application, but asked instead for statements of interest and brief description of artist's approach to the project. *Selection of finalists was based on the following criteria:*

- Quality of letter, demonstrating understanding of project
- Quality of work samples
- Ability of artist/team to complete project based on resume and work experience

The Committee reviewed all initial applications and selected four finalists to submit proposals with preliminary concepts specific to the site/project. Finalists were given five weeks to prepare proposals, and were required to attend an interview with the selection committee as part of the proposal evaluation process. Finalists were paid a stipend of \$1,500 to prepare their concept design, funded by the Friends & Foundation of the Rochester Public Library.

2. Rundel Public Art Selection Committee: A public art selection committee was established that included members of the arts community, Center City neighborhood, Library and City representatives as follows:

Holly Barrett, City representative

Bleu Cease, Arts representative
Kamal Crues, City representative
Alinda Drury, Library representative/Board of Trustees
Michelle Finn, Library representative/Office of City Historian
Glenn Gardiner, Library representative/Board of Trustees
Roslyn Goldman, Arts representative
Randy Morgenstern, Downtown/neighborhood stakeholder
Jeff Mroczek, City representative
John Lovenheim, Library representative/Board of Trustees
Susan Chekow Lusignan, Library representative/Friends & Foundation of RPL
Vivian Palladoro, Arts representative
Elaine Spaul, City representative/Rochester City Council
Patricia Uttaro, Library representative

3. Additional considerations/explanations:

Finalist proposals included a graphic depiction of the proposed artwork, schedule for design, fabrication and installation, material specifications, preliminary installation methods and budget. However, the "final" proposal and commissioned work is still subject to an overall development process as part of the Agreement. This process will allow project stakeholders to work with the artist to ensure a cohesive project design, and for the installation to be coordinated with appropriate City preservation, planning and permitting agencies. It also allows for City and public input on final design prior to construction and installation, as well as inclusion of any structural or utility requirements for the artwork as part of the public works bid process.

Selection of the concept proposal from finalists was based on the following criteria:

- Project celebrates and explores the unique history of place, culture and relationship to water as elements of design
- Project conveys artistic excellence and has a broad, timeless appeal
- Project creates a welcoming setting that associates the work with the mission of the Rochester Public Library
- Project is designed for a publicly visible and accessible area; durability of the work is apparent relative to theft, vandalism and the environment
- Project is considered complimentary to and fully integrated with the overall Rundel terrace design, and will provide similar level of low-maintenance as the full installation

Additional considerations for finalists included:

- The work will be welcoming, accessible and appropriate to the site
- Artist/team involves community members in the process
- The original work will help to establish the Central Library as a premier destination
- The work recognizes the Rundel Memorial Building's architectural design