PROCEEDINGS
OF THE
COUNCIL
OF THE
CITY OF ROCHESTER
2015

ROCHESTER, NEW YORK

Officials
2015

Lovely A. Warren
Mayor

Leonard E. Redon
Deputy Mayor

Lisa M. Bobo
Chief Information Officer

Michael Ciminelli
Police Chief

Tassie R. Demps
Director of Human Resource Management

John M. Merklinger
Emergency Communications Center Director

Bridget A. Monroe
Executive Staff Assistant IV

Marisol Ramos-Lopez
Commissioner of Recreation & Youth Services

Delmonize Smith (4)
Commissioner of Neighborhood & Business Development

Patricia Uttaro
Library Director

Timothy Weir
Director of Office of Public Integrity

Charles A. Benincasa
Director of Finance

T. Andrew Brown (1)
Corporation Counsel

Brian Curran (2)
Corporation Counsel

Norman H. Jones
Commissioner of Environmental Services

Tracey D. Miller
Assistant to the Mayor

Baye M. Muhammad (3)
Commissioner of Neighborhood & Business Development

John Schreiber
Fire Chief

James Smith (5)
Director of Communications

Christopher M. Wagner
Director of Management & Budget

(1) Resigned July 1, 2015.
(2) As of July 11, 2015.
(3) As of April 6, 2015.
(4) Resigned March 6, 2015.
(5) As of January 12, 2015.

Members of Council
2015

Members Residence

Loretta C. Scott .....171 Berwick Road, 14609
President, Councilmember-at-Large

Dana K. Miller ..... 265 Melrose Street, 14619
Vice President, Councilmember-at-Large

Carolee A. Conklin..... 310 Exchange Boulevard, Apt. 257, 14608
Councilmember-at-Large

Matt Haag.....951 Park Avenue, 14610
Councilmember-at-Large

Adam C. McFadden .....351 Inglewood Drive, 14619
Councilmember, South District

Jacklyn Ortiz ..... 45 Ontario Street, 14605
Councilmember-at-Large

Carla M. Palumbo, Esq. ..... 1002 Glide Street, 14606
Councilmember, Northwest District

Michael A. Patterson.. ..... 1547 North Goodman Street, 14609
Councilmember, Northeast District

Elaine M. Spaull, Esq. ..... 42 Westminster Road, 14607
Councilmember, East District

City Clerk's Office
2015

Hazel L. Washington.....City Clerk

Condenessa G. Brown.....Deputy City Clerk

Birth A. Manigault ..... Chief Legislative Assistant

Rebecca M. McNamara.....Senior Legislative Assistant

Betsy P. Indivino [1]..... Legislative Assistant

Curtis Joiner [2]..... Legislative Aide Part-time

Paris D. McGruder [3]..... Legislative Assistant

Dee S. Lewis .....Senior Legislative Clerk

Michael Ann Flynn .....Receptionist

Lisa M. Alexander.....Legislative Clerk

Maria D. Ramos .....Legislative Clerk

(1) Retired May 29, 2015.
(2) As of June 1, 2015.
(3) Promoted from Legislative Aide Part-time as of May 30, 2015.

City Council Office
2015

Andrea M. Guzzetta .....Chief of Staff

Robert J. Scanlon, II. ..... Senior Legislative Analyst

Carmen L. Aponte-Merced ..... Secretary to City Council

Standing Committees
of
The City Council
2015

Art & Culture
Spaull, McFadden, Ortiz

Finance
Conklin, Ortiz, Palumbo

Neighborhood & Business Development
Palumbo, Conklin, Patterson

Parks & Public Works
Haag, Patterson, Spaull

Public Safety, Youth & Recreation
McFadden, Haag, Spaull

The first Councilmember named after
the designation of the Committee is
Chair thereof.

Regular meetings of the Council shall be held at 7:30 p.m. in the Council Chamber, Room 302-A, City Hall.

Special Meetings may be called at any time by the Mayor or President of Council or any three Councilmembers.

REGULAR MEETING
JANUARY 20, 2015

Present - President Scott, Councilmembers Conklin, Haag, McFadden, Miller, Ortiz, Palumbo, Patterson, Spaull - 9

Absent - None - 0.

The Council President requested the Council to rise for a Moment of Silence.

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

Recognition Ceremony
Retirement:
Fire Department
* David M. Schneggenburger
Police Department
*David L. Giudici
*Donald T. Manfredi
*Scott W. Wehr
Did not attend meeting.

APPROVAL OF THE MINUTES
By Councilmember Palumbo

RESOLVED, that the minutes of the Regular Meeting of December 16, 2014 be approved as published in the official sheets of the Proceedings.

Adopted unanimously.

COMMUNICATIONS FROM THE MAYOR, COUNCIL PRESIDENT, CORPORATE OFFICERS AND OTHERS.

The following communications are hereby directed to be received and filed:

The Mayor submits the following:
Quarterly Report - NBD Loans and Grants 4166-15
Public Disclosure - HOME Participation 4167-15
Public Disclosure - CDBG Participation (3) 4168-15, 4169-15, 4170-15

The Council submits Disclosure of Interest Forms from Councilmember Conklin on Int. No. 5 and Vice President Miller on Int. No. 8.

PRESENTATION AND REFERENCE OF PETITIONS AND OTHER COMMUNICATIONS.

None presented.

PUBLIC HEARINGS.

Pursuant to law, public hearing will now be had on the following matter:

Amending Section 6-71.5 with respect to the Alternative Veterans Exemption from taxes Int. No. 6 No speakers.

Amending the 2008-09, 2011-12, and 2012-13 Consolidated Community Development Plans and appropriating funds for the Housing Demolition Program as amended Int. No. 9 No speakers

Amending the Comprehensive Plan by adopting the new Center City Master Plan Int. No. 419 No speakers.

Approving geometric changes to Elmwood Avenue and Mount Hope Avenue Int. No. 15 No speakers.

Authorizing a change in traffic flow on Butler Street and Charles Street Int. No. 16 No speakers

Approving changes to pavement width on Montrose Street Int. No. 17 No speakers

REPORTS OF STANDING COMMITTEES AND ACTION THEREON

By Councilmember Conklin
January 20, 2015

To the Council:

The Finance Committee recommends for adoption the following entitled legislation:

Int. No. 1 - Authorizing cancellation of taxes and charges

Int. No. 2 - Authorizing the Director of Finance to cancel real property taxes or charges of $1,000 or less

Int. No. 3 - Authorizing the bulk sale of delinquent tax liens

Int. No. 4 - Resolution approving reappointments to the Board of Ethics as amended

Int. No. 5 - Resolution approving reappointments to the Board of Trustees of the Rochester Public Library

The Finance Committee recommends for consideration the following entitled legislation:

Int. No. 6 - Amending Section 6-71.5 with respect to the Alternative Veterans Exemption from taxes

Respectfully submitted,
Carolee A. Conklin
Carla M. Palumbo
Jacklyn Ortiz
Dana K. Miller
Loretta C. Scott
FINANCE COMMITTEE

Received, filed and published

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-1
Re: Cancellation or Refund of Erroneous Taxes and Charges

Transmitted herewith for your approval is legislation approving the cancellation or refund of taxes and charges totaling $7,742.68.

The property located at 475 E. Main Street transferred to the City of Rochester on December 19, 2013. Due to a clerical error, the embellishment charges were not removed for the 2015 tax year. The charges total $3,217.14.

The property located at 75-77 Earl Street is a two-family dwelling. The property had been ticketed several times in 2013 prior to the property being sold at auction and transferring to the new owner on May 13, 2014. The new owner has corrected the majority of the code violations and is actively working towards obtaining a Certificate of Occupancy. The Municipal Codes Violations Bureau will reinstate the fines as a judgment against the former owner. The total fines are $3,400.

The property located at 78 Miller Street sold at the City's foreclosure auction on April 11, 2014. The deed transferring the property to the new owner was not recorded until July 23, 2014. Because of the timing of the deed transfer, the commercial refuse charge of $1,125.54 was not able to be cancelled and was erroneously added to the tax bill.

If these cancellations are approved, total cancellations thus far for 2014-15 will be as follows:

	Accounts	Amounts
City Council	72	$145,937.84
Administrative	178	97,678.40
Total	250	$243,616.24

These cancellations represent 0.098% of the taxes receivable as of July 1, 2014.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-1
(Int. No. 1)

Authorizing cancellation of taxes and charges

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

Section 1. The City Treasurer is authorized to cancel the following taxes and charges.

(A) The property located at 475 E. Main Street transferred to the City of Rochester on December 19, 2013. Due to a clerical error, the embellishment charges were not removed for the 2015 tax year.

S.B.L. #	Class	Address	Tax Year	Amount Cancelled	Subtotal
106.81-2-3.3	H	475 E. Main Street	2015	$3,217.14	$3,217.14

(B) The property located at 75-77 Earl Street is a two-family dwelling. The property had been ticketed several times in 2013 prior to the property being sold at auction and transferring to the new owner on May 13, 2014. The new owner has corrected the majority of the code violations and is actively working towards obtaining a Certificate of Occupancy. The Municipal Codes Violations Bureau will reinstate the fines as a judgment against the former owner.

S.B.L. #	Class	Address	Tax Year	Amount Cancelled	Subtotal
120.83-3-30	H	75-77 Earl Street	2015	$3,400	$3,400

(C) The property located at 78 Miller Street sold at the City's foreclosure auction on April 11, 2014. The deed transferring the property to the new owner was not recorded until July 23, 2014. Because of the timing of the deed transfer, the commercial refuse charge was not able to be cancelled and was erroneously added to the tax bill.

S.B.L. #	Class	Address	Tax Year	Amount Cancelled	Subtotal
106.35-3-32	H	78 Miller Street	2015	$1,125.54	$1,125.54
Grand Total					$7,742.68

Section 2. If full or partial payment of the aforesaid taxes and charges has been made and received, the City Treasurer is hereby authorized and directed to remit to the owner of the parcel the amount of said payment without interest.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-2
Re: Authorization - 2015 Administrative
Tax Cancellations and Refunds

Transmitted herewith for your approval is legislation authorizing the Director of Finance to cancel or refund certain erroneous *ad valorem* taxes, charges and fees up to $1,000 per account during 2015.

Each year, approximately 63,000 tax bills are issued by the City. In 2013-14, these bills contained a total of $225,536,538 in City and School taxes, charges and fees, and delinquencies. Of that amount, taxes and charges totaling $1,119,647, or 0.50**%,** of the total billed amount, were subsequently determined to be erroneous and were canceled. These cancellations involved 308 accounts or 0.48**%** of the total number.

Pursuant to Section 556 of the New York State Real Property Tax Law, the City Council is required to approve all cancellations. Under the provisions of Chapter 383 of the Laws of 1984, however, it may delegate to the Director of Finance the authority to approve such cancellations, under certain conditions. And, under Chapter 515 of the Laws of 1997, the State allows administrative cancellations of up to $2,500 per account.

Delegation of authority was initially approved by the Council in March 1987. Annual authorization is required. In December 2013, Council re-authorized the Director of Finance to cancel up to $1,000 per account. Such delegation reduces the amount of time required to correct a taxpayer's account and, in some instances, to issue a refund.

The following conditions will continue to apply:

1. A report summarizing all cancellations approved by the Director of Finance during any month will be submitted to the Council by the fifteenth day of the subsequent month; and

2. The total cancellations approved by the Director for any fiscal year will not exceed the amount of the tax reserve (provision for uncollected or delinquent amounts) established by the Council for that year.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-2
(Int. No. 2)

Authorizing the Director of Finance to cancel real property taxes or charges of $1,000 or less

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

Section 1. The Director of Finance is hereby authorized to approve the cancellation of real property taxes and/or charges or fees added to taxes subject to the following conditions:

a. The amount to be cancelled for any year for any particular account shall be $1,000 or less;

b. A report summarizing all cancellations approved by the Director during any month shall be submitted to the City Council by the 15th day of the subsequent month; and

c. The total amount of cancellations approved by the Director for any fiscal year shall not exceed the amount of tax reserve (provisions for uncollected or delinquent amounts) established by the City Council for that year.

Section 2. This ordinance shall be in effect for calendar year 2015.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-3
Re: Bulk Sale of Delinquent Tax Liens

Council Priority: Rebuilding and Strengthening

Neighborhood Housing, Deficit Reduction and
Long-term Financial Stability

Transmitted herewith for your approval is legislation authorizing the sale of fiscal year 2013-14 and prior years' delinquent tax liens, in bulk to American Tax Funding, LLC (ATF).

Local Law No. 8 of 2008 amended the City Charter to allow the City to conduct bulk sales of delinquent tax liens. Ordinance No. 2008-379 authorized three lien sales to ATF with the option for two subsequent sales. The table below summarizes the results of the sales related to the original contract with ATF:

Sale Date	No. of Liens	No. of Parcels	Original Value (Principal + Interest)	Sale Price	Percent of Original Value
Feb. 2009	5,675	3,327	$13,976,777	$6,036,829	43.19
Sept. 2009	5,444	4,864	$11,443,795	$4,981,986	43.53
Dec. 2010	5,249	4,780	$10,999,275	$5,342,778	48.57
Feb. 2012	4,580	4,274	$10,336,100	$4,578,407	44.30
Feb. 2013	4,616	4,405	$9,966,089	$4,524,150	45.40

Last year, a one-year agreement with ATF was authorized via Ordinance No. 2013-398. The result of the sale is summarized below:

Sale Date	No. of Liens	No. of Parcels	Original Value (Principal + Interest)	Sale Price	Percent of Original Value
Mar. 2014	2,033	1,977	$4,396,376	$2,531,023	57.57

The City classifies liens into one of three categories, as follows:

- New Liens - Liens on properties for which ATF has not previously purchased any liens.
- Unsettled Liens - Liens on properties for which ATF had previously purchased liens that are unpaid.
- Settled Liens - New liens on properties for which any previous liens sold to ATF have been paid.

Under the previous agreements, ATF was granted a right of first refusal through the 2017 delinquent tax year on New and Unsettled Liens; ATF does not have a right of first refusal on Settled Liens.

In order to increase delinquent tax collection revenue, enhance re-development efforts, reduce the presence of blighted property, and offer flexibility to homeowners, the City is proposing to remove certain properties from the lien sale based on community input and review by the Department of Neighborhood and Business Development (NBD). The City will sell high value liens and liens on owner-occupied property to ATF. Properties removed from the lien sale are subject to foreclosure and collection efforts with potential future ownership by the Rochester Land Bank Corporation.

For this year, based on a bulk lien sale list having an aggregate lien amount of $11,925,719, ATF has proposed to purchase a pool of high value Unsettled Liens having a value of $2,126,915, at a price of $1,709,238, representing 80.36% of the original lien amount. ATF has also proposed to purchase a pool of high value New Liens having a value of $2,127,705, at a price of $1,501,398, representing 70.56% of the original lien amount. Last, ATF has proposed to purchase a pool of high value Settled Liens having a value of $178,335, at a price of $136,180, representing 76.36% of the original lien amount.

In the aggregate, ATF is offering $3,346,816 or 75.50% of the original lien amount of $4,432,955 for these three lien pools.

This proposed agreement will further obligate ATF to pay to the City the full redemptive value of $128,576.65 for 51 liens on properties for which ATF holds prior unpaid liens, with said amount to be adjusted to reflect redemptions and interest at the date of closing.

The City would retain the liens on the investment properties in the New Liens category, making them subject to collection and foreclosure activity. The City would also retain approximately 1,500 properties requested by NBD, to include in the City's 2015 foreclosure auction. The foreclosure action is scheduled to commence in January 2015 and culminate with an October 2015 foreclosure auction.

As required by Ordinance No. 2008-379, the Administration will forward to the Clerk's office a list of the properties with liens to be sold to ATF, the properties with liens removed from the sale, and a map showing both categories.

This legislation approves the sale of this year's delinquent tax liens to ATF based upon this initial estimated dollar value and percentage amounts. The final sale dollar amount and percentage will reflect changes to the delinquent tax liens finally sold.

This agreement will have a term of one year. Subsequent tax lien sales are subject to City Council approval.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-3
(Int. No. 3)

Authorizing the bulk sale of delinquent tax liens

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 between the City and American Tax Funding, LLC (ATF) for the bulk sale of delinquent tax liens, and the Council hereby approves the bulk sale of this year's tax liens which are categorized by the City Treasurer as unsettled liens and new liens.

Section 2. For this year, the agreement shall obligate ATF to purchase a pool of high value Unsettled Liens having a value of $2,126,915, at a price of $1,709,238, representing 80.36% of the original lien amount. ATF shall also purchase a pool of high value New Liens having a value of $2,127,705, at a price of $1,501,398, representing 70.56% of the original lien amount. ATF shall also purchase a pool of high value Settled Liens having a value of $178,335, at a price of $136,180, representing 76.36% of the original lien amount. In the aggregate ATF shall pay the City $3,346,816 or 75.50% of the original lien amount of $4,432,955 for these three lien pools. Said amounts shall be adjusted to reflect changes in the delinquent tax liens as of the date of the closing of the purchase of the liens.

Section 3. The agreement shall further obligate ATF to pay to the City the full redemptive value of $128,576.65 for 51 liens on properties for which ATF holds prior unpaid liens, said amount to be adjusted to reflect redemptions and interest to the date of closing.

Section 4. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate. The agreement shall have a term of one year.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2015-1
Re: Appointments - Board Of Ethics

Transmitted herewith for your approval is legislation for the reappointment of the following members to the Board of Ethics:

Carl Steinbrenner
104 Troup Street
Rochester, New York 14608

Saul Maneiro
30 Brambury Drive, Apt. C
Rochester, New York 14621

James Antonevich
139 Rockingham Street
Rochester, New York 14620

All of the above appointees résumés are on file with the City Clerk and the appointments will expire on January 31, 2018.

Respectfully submitted,
Loretta C. Scott
President

Attachment No. AO-1

Resolution No. 2015-1
(Int. No. 4, as amended)

Resolution approving reappointments to the Board of Ethics

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

Section 1. The Council hereby approves the reappointment of the following persons to the Board of Ethics for the terms set forth below:

Name	Term Expires
Carl Steinbrenner 104 Troup St. 14608	Jan. 31, 2018
Saul Maneiro ~~30 Brambury Dr., Apt. C 14621~~ 213 Andrews St. 14604	Jan. 31, 2018
James Antonevich 139 Rockingham St. 14620	Jan. 31, 2018

Section 2. This resolution shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2015-2
Re: Appointments- Rochester Public Library Board of Trustees

Transmitted herewith for your approval is legislation confirming the following re-appointments to the Rochester Public Library (RPL) Board of Trustees for five-year terms:

Katherine Baynes
210 Dartmouth Street
Rochester, New York 14607

Hans DeBruyn
33 Alexis Street
Rochester, New York 14609

Richard Hamilton
230 Dartmouth Street
Rochester, New York 14607

The current terms of the above Trustees expire on December 31, 2014; their new terms would expire on December 31, 2019.

Ms. Baynes was initially appointed in 2009 to fill a seat previously held by Robert Hursh. During her tenure, she has held the elected office of Treasurer, and currently serves on the RPL Board's Finance and Investment Committee, and Personnel Committee.

Mr. DeBruyn was initially appointed in 2010 to fill the seat previously held by Randall Peacock, who moved out of the city. He currently serves on the Facilities Committee and has served on two ad hoc committees concerning the New York State Non-profit Revitalization Act and City-Library relations.

Mr. Hamilton was initially appointed in 2007 to fill the seat previously held by Lydia Boddie-Rice. He is currently the elected Treasurer, and serves on the RPL Board's Finance and Investment Committee, and the Nominating Committee. He has previously held the elected offices of President and Vice-President.

Resumes for these individuals are on file with the City Clerk.

Respectfully submitted,
Lovely A. Warren
Mayor

Resolution No. 2015-2
(Int. No. 5)

Resolution approving reappointments to the Board of Trustees of the Rochester Public Library

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

Section 1. The Council hereby approves the reappointment of Katherine Baynes to the Board of Trustees of the Rochester Public Library for a term that shall expire December 31, 2019.

Section 2. The Council hereby approves the reappointment of Hans DeBruyn to the Board of Trustees of the Rochester Public Library for a term that shall expire December 31, 2019.

Section 3. The Council hereby approves the reappointment of Richard Hamilton to the Board of Trustees of the Rochester Public Library for a term that shall expire December 31, 2019.

Section 4. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Local Law No. 1
Re: Charter Amendment- Real Property Tax Law 458-a, Alternative Veterans Exemption

Transmitted herewith for your approval is legislation adopting the amendment to the Real Property Tax Law 458-a (RPTL-458-a) Alternative Veterans Exemption that was amended by New York State in 2013 to allow for a reduction in school taxes.

Chapter 518 of the Laws of 2013 provides authorization to grant certain exemptions from real property tax for school districts to eligible veterans where such exemption is adopted by the governing body of the school district. The Alternative Veterans Exemption had previously only applied to taxes levied for general municipal purposes. This legislation will not change the amount of the exemption, but will apply it to both taxes levied for City purposes and taxes levied for school purposes.

The effect of the recommended change upon school tax revenues and rates is expected to be minimal. There are approximately 1,957 homestead properties currently receiving the Alternative Veteran Exemption with present exemptions totaling $35.8 million. This amendment would result in a tax savings to the veterans of $495,443 or, on average, $253 per parcel receiving the exemption. The estimated benefit to non-combat veterans is $168 per parcel receiving the exemption and for combat veterans is $274 per parcel. Adoption of this would result in a nominal increase in school taxes to the non-veteran.

If approved, the amendment will go into effect for the 2015-16 tax year.

A public hearing on the exemption is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Local Law No. 1
(Int. No. 6)

Amending Section 6-71.5 with respect to the Alternative Veterans Exemption from taxes

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 Amending Section 6-71.5 to read in its entirety as follows:

§ 6-71.5. Alternative veterans exemption.

Pursuant to § 458-a(2)(d)(ii) of the Real Property Tax Law, the Council hereby approves the ~~an increase in the maximum~~ alternative veterans tax exemption allowable in Paragraphs (a), (b) and (c) of Subdivision 2 ~~to~~ in the amount of $27,000, $18,000 and $90,000, respectively, or the product of such amounts multiplied by the latest state equalization rate for the City, whichever is less. This exemption shall also be applicable to taxes levied for school purposes.

Section 2. This local law shall take effect immediately upon filing in the Office of the Secretary of State as provided by Section 27 of the NYS Municipal Home Rule Law.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

By Councilmember Palumbo
January 20, 2015

To the Council:

The Neighborhood & Business Development Committee recommends for adoption the following entitled legislation:

Int. No. 7 - Authorizing the sale of real estate

Int. No. 8 - Authorizing an amendatory shared services agreement with the Rochester Land Bank Corporation and amending the Budget

The Neighborhood & Business Development Committee recommends for consideration the following entitled legislation:

Int. No. 9 - Amending the 2008-09, 2011-12, and 2012-13 Consolidated Community Development Plans and appropriating funds for the Housing Demolition Program as amended

Respectfully submitted,
Carla M. Palumbo
Carolee A. Conklin
Michael A. Patterson
Dana K. Miller *(Abstained on Int. No. 8)*
Loretta C. Scott
NEIGHBORHOOD & BUSINESS DEVELOPMENT COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-4
Re: Sale of Real Estate

Council Priority: Rebuilding and Strengthening
Neighborhood Housing

Transmitted herewith for your approval is legislation approving the sale of six 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.

The first two properties are vacant lots sold by negotiated sale to the adjacent owners. The first owner will combine this lot with their existing property. The second lot will be sold to the developer of Stadium Estates, who will utilize the lot to construct a single-family home as part of the Urban League Youth Build Program.

The next four properties are unbuildable vacant lots being sold for $1.00 (as per City policy) to the adjacent owners who will combine the lot with their existing properties.

The first year projected tax revenue for these six properties, assuming full taxation, current assessed valuations and current tax rates, is estimated to be $2,010.

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

Attachment No. AO-2

Ordinance No. 2015-4
(Int. No. 7)

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 the negotiated sale of the following parcels of vacant land with proposal:

Address	S.B.L.#	Lot Size	Sq. Ft.	Price	Purchaser
541 Clifford Av	106.31-4-22	40x152	6,121	$475	Kimmiey Richardson
883 W. Broad St	105.75-2-19	50x124	5,267	$475	Cobblestone Housing, LLC*

*Officers: Roger W. Brandt, Jr., President; Michael Spaan, Vice President

Section 2. The Council hereby approves the negotiated sale of the following parcels of unbuildable vacant land for the sum of $1.00:

Address	S.B.L.#	Lot Size	Sq. Ft.	Purchaser
27 Irondequoit St	106.42-2-49	50x46	2,337	Belinda Harmon
4 Kenmore St	120.67-3-26	35x119	4,165	Vaegorstein Business Enterprises, Inc.**
65 Prospect St	120.44-2-53	19x80	1,520	God Temple of Holy Praise, Inc.***
9 Stanton St	120.62-1-49	38x89	3,055	Christopher & Latia Rourk

**Officers: Eric Nicholson, President; Valerie Nicholson, Vice President

***Officers: Willie J. Flanders, President; Angelina Flanders, Vice President; and Sheila Felder, Finance Secretary/Treasurer

Section 3. 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 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-5
Re: Amending Shared Services Agreement with
Rochester Land Bank Corporation

Council Priority: Rebuilding and Strengthening
Neighborhood Housing

Transmitted herewith for your approval is legislation authorizing an amendment to the Shared Services Agreement with the Rochester Land Bank Corporation (Land Bank) to provide for demolition-related services, and amending the 2014-15 Budget of the Department of Neighborhood and Business Development to reflect anticipated reimbursements from the Land Bank for the provision of demolition services.

The original Shared Services Agreement authorized by Council in February (Ord. No. 2014-38) outlines the operational services to be provided to the Land Bank by the City for a five-year term that expires on December 31, 2018. It did not provide for demolition services because the Land Bank did not anticipate the need for such services at that time. Instead, the Land Bank has focused its activities on the acquisition and rehabilitation of vacant homes for sale to owner-occupants, which has been funded by the first round of the New York State Office of the Attorney General (OAG) Community Revitalization Initiative (CRI) program.

In October, the OAG awarded to the Land Bank a Round 2 CRI grant of $1.8 million for the calendar years 2015 and 2016. That grant includes $395,000 for the cost of demolishing structures on City- or Land Bank-owned properties located in areas of targeted public investment. The demolitions will remove blighting influences that diminish property values and quality of life in the targeted areas. The cleared sites also will create opportunities for sale to adjoining owners, land assembly, and/or future redevelopment. The CRI demolition grant may be applied toward all costs associated with demolition, including asbestos testing and removal, contractors' charges, and site clean-up. It is anticipated that the funds will cover 10 to 12 demolitions.

This legislation amends the Shared Services Agreement to enable the City and Land Bank to use the CRI's demolition funding cost-effectively by utilizing the City's existing public bid process for demolition work. The Land Bank will reimburse the City for expenses as the demolitions are completed.

The proposed amendment is not limited to the use of the Round 2 CRI grant, however, because there may be future circumstances by which the demolition of vacant structures will augment the Land Bank's and City's community development initiatives and reduce expenses to the City. As with the other operational services provided under the agreement, if the costs of such services are not funded by a grant to the Land Bank or by a Land Bank budget appropriation, the services shall be provided or paid for by the City without contribution from the Land Bank.

All other terms of the Shared Services Agreement shall remain the same.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-5
(Int. No. 8)

Authorizing an amendatory shared services agreement with the Rochester Land Bank Corporation and amending the Budget

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 shared services agreement with the Rochester Land Bank Corporation, amending the agreement authorized by Ordinance No. 2014-38. Said amended agreement shall provide for cooperation between the City and the Rochester Land Bank Corporation with regard to demolition of structures in order to carry out the mission of the Land Bank and the development strategies and policies of the City.

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

Section 3. Ordinance No. 2014-160, the 2014-15 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Department of Neighborhood and Business Development by the sum of $395,000, to reflect anticipated reimbursement from the Rochester Land Bank Corporation pursuant to the agreement authorized herein. Said amount shall be added to the 2014-15 Cash Capital allocation for demolition of the Department of Neighborhood and Business Development.

Section 4. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Scott, Councilmembers Conklin, Haag, McFadden, Ortiz, Palumbo, Patterson Scott - 8.

Nays - None - 0.

Councilmember Miller abstained because of a professional relationship.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-6
Re: Amendments - Consolidated Community Development Plan, Demolition Program

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation related to the housing demolition program. This legislation will:

1. Amend Ordinance Nos. 2013-187 and the 2012-13 Consolidated Community Development Plan to reduce the appropriation made in Section 1 for the Emergency Assistance Repair Program by $63,000 and transfer and reappropriate such funds for the Housing Demolition Program;

2. Amend Ordinance No. 2009-09 and the 2008-09 Consolidated Community Development Plan to reduce the appropriation made in Section 2 for the Emergency Assistance Repair Program by $59,548 and transfer and reappropriate such funds for the Housing Demolition Program;

3. Amend Ordinance No. 2012-291 and the 2011-12 Consolidated Community Development Plan to reduce the appropriation made in Section 3 for the Emergency Assistance Repair Program by $500,000 and transfer and reappropriate such funds for the Housing Demolition Program; and

4. Appropriate $1,277,452 from the Housing Repair Programs allocation of the Housing Development Fund of the 2014-15 Community Development Block Grant (CDBG) to fund the Housing Demolition Program.

The City's Owner-Occupied Roofing Program was authorized by City Council via Ordinance No. 2014-361. A total of $1,900,000 of Cash Capital was made available for the roofing program by using resources previously budgeted for housing demolition. The demolition program will be made whole by using the CDBG funds previously budgeted for emergency assistance and housing repair programs through the actions itemized above.

A public hearing is required on the amendments to the Consolidated Community Development Plan's Annual Action Plans of 2014-15, 2012-13, 2011-12 and 2008-09, and the reprogramming of funds.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-6
(Int. No. 9, as amended)

Amending the 2008-09, 2011-12, and 2012-13 Consolidated Community Development Plans and appropriating funds for the Housing Demolition Program

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

Section 1. The 2008-09, 2011-12, and 2012-13 Consolidated Community Development Plans are hereby amended to change the use of funds as follows:

A. Amend Ordinance #2013-187 and the 2012-13 Consolidated Community Development Plan to reduce the appropriation made in Section 1 for the Emergency Assistance Repair Program by $63,000 and transfer and reappropriate such funds for the Housing Demolition Program.

B. Amend Ordinance #2009-09 and the 2008-09 Consolidated Community Development Plan to reduce the appropriation made in Section 2 for the Emergency Assistance Repair Program by $59,548 and transfer and reappropriate such funds to a new Housing Demolition Program account within the Housing Repair Program allocation of the 2008-09 Consolidated Community Development Plan and amending the 2008-09 Consolidated Community Development Plan to establish an account for the Housing Demolition Program within the Housing Repair Program allocation.

C. Amend Ordinance #2012-~~29~~ 291 and the 2011-12 Consolidated Community Development Plan to reduce the appropriation for the Emergency Assistance Repair Program made in Section 3 thereof by $500,000 and transfer and reappropriate such funds to the Housing Demolition Program account.

Section 2. The amount of $1,277,452 is hereby appropriated from the Housing Repair Programs allocation of the Housing Development Fund of the 2014-2015 Community Development Block Grant to a new Housing Demolition Program account within the Housing Repair Program allocation of the 2014-15 Consolidated Community Development Plan and amending the 2014-15 Consolidated Community Development Plan to establish an account for the Housing Demolition Program within the Housing Repair Program allocation.

Section 3. The Director of Finance is authorized to record all transfers herein and to make adjustments to the amounts set forth which may have changed prior to the date of this ordinance.

Section 4. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

Councilmember Palumbo moved to discharge Introductory No. 419 from Committee.

The motion was a seconded by Councilmember Conklin.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-7
Re: Code Amendment - Comprehensive Plan, Center City Master Plan

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation amending Chapter 130: Comprehensive Plan of the Municipal Code by deleting, in its entirety, Section 130-6 (9) Center City Master Plan, and replacing it with the newly updated Center City Master Plan document contained herein.

The 2014 Center City Master Plan updates and replaces the 2003 Center City Master Plan. The new plan is a strategic document intended to help decision-makers, citizens, investors, and visitors understand downtown Rochester.

The plan will help prioritize City projects, and inform other public entities involved in downtown Rochester. It will also assist efforts to secure public and private funding that supports the City's priorities; will cross-reference the City's Capital Improvement Plan (an essential planning document); and, will suggest where public and private investment could best leverage existing assets. The Center City Master Plan will achieve this in a clear, concise, and easily understood document and website.

The update process for this plan began in earnest in late 2012. Public engagement began in January 2013 with focus group meetings that included downtown residents, business associations, and

professional groups. A general open house was held at City Hall and an online survey was created that received over 3,000 responses. Over the course of 2013, public input was compiled and the first draft of the document was prepared. This draft was released in November 2013 when another round of public meetings was held in each of the four quadrants and an open house was conducted downtown. The Center City Master Plan is a living document which is intended to undergo regular updates to best capture the needs of our community and continue the resurgence of investment downtown.

The City Planning Commission will hold an informational meeting on this proposed Comprehensive Plan Amendment on Monday, December 8, 2014; results of that hearing will be submitted to Council immediately following completion.

Pursuant to the requirements of Article 8 of the New York State Environmental Conservation Law and Chapter 48 of the City Code, the Mayor, as lead agency, has determined that the proposed action will not result in any significant effects and has issued a negative declaration.

A public hearing is required for the Comprehensive Plan Amendment.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-7
(Int. No. 419)

Amending the Comprehensive Plan by adopting the new Center City Master Plan

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

Section 1. The Council hereby approves and adopts the Center City Master Plan 2014, a copy of which is on file in the Office of the City Clerk.

Section 2. Section 130-6 of the Municipal Code is hereby amended by deleting in its entirety the current subsection (9) and substituting a new subsection (9) to read as follows:

(9) The Center City Master Plan 2014, a copy of which is on file in the Office of the City Clerk.

Section 3. This ordinance shall take effect immediately.

New text is underlined

Passed unanimously.

By Councilmember Haag
January 20, 2015

To the Council:

The Parks & Public Works Committee recommends for Adoption the following entitled legislation:

Int. No. 10 - Authorizing an agreement with Pike Stained Glass Studios

Int. No. 11 - Authorizing a professional services agreement with Stantec Consulting Services, Inc. for resident project representation services

Int. No. 12 - Authorizing a professional services agreement with Gregory J. Winter dba WINTEK for illumination of High Falls

Int. No. 13 - Authorizing an amendatory agreement and amending the Budget in relation to the Joseph Avenue at Kelly Street Median Barrier Project

Int. No. 14 - Authorizing an amendatory professional services agreement with SRF Associates, Inc. for a review of the Red Light Camera Program

The Parks & Public Works Committee recommends for consideration the following entitled legislation:

Int. No. 15 - Approving geometric changes to Elmwood Avenue and Mount Hope Avenue

Int. No. 16 - Authorizing a change in traffic flow on Butler Street and Charles Street

Int. No. 17 - Approving changes to pavement width on Montrose Street

Respectfully submitted,
Matt Haag
Michael A. Patterson
Dana K. Miller
Loretta C. Scott
PARK & PUBLIC WORKS COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-8
Re: Agreement - Pike Stained Glass Studios, Chapel of Peace Mausoleum

Transmitted herewith for your approval is legislation establishing $30,000 as maximum compensation for an agreement with Pike Stained Glass Studios, Inc. to design, create and install three windows for the Chapel of Peace Mausoleum. The cost of the agreement will be financed from the prior years' Cash Capital allocation of the Department of Environmental Services originally designated for the construction of the mausoleum.

The project includes the creation of one stained glass window approximately 84" square and two transom windows, measuring 1' x 8' each. The stained glass window will be installed below a skylight in the main vestibule to block the view of the auxiliary heating unit recently installed out of necessity on the roof. The two transom windows

will be installed over the doors leading from the vestibule.

Pike Stained Glass Studios, Inc. was selected for these artistic services based on their previous City-associated work and the firm's broad experience, including creating similar works for mausoleums at Holy Sepulchre Cemetery and White Haven Memorial Park. A justification for not issuing a request for proposal is attached.

The firm will be responsible for the design, fabrication, transportation, and installation of the windows. Installation of the work is anticipated in spring 2015. The project will result in the creation or retention of the equivalent of .33 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-3

Ordinance No. 2015-8
(Int. No. 10)

Authorizing an agreement with Pike Stained Glass Studios

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 Pike Stained Glass Studios, Inc. to design, create and install windows for the Chapel of Peace Mausoleum. The maximum compensation shall be $30,000. The agreement shall have a term of one year. The cost of the agreement shall be funded from the Prior Years' Cash Capital allocation of the Department of Environmental Services.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-9
Re: Agreement - Stantec Consulting Services, Inc., City Hall Generator Installation Project

Transmitted herewith for your approval is legislation establishing $95,000 as maximum compensation for an agreement with Stantec Consulting Services, Inc., Rochester, New York, for resident project representation (RPR) services for the City Hall generator installation project. The cost of the agreement will be financed as follows:

Source	Amount
2013-14 Cash Capital allocation of the Department of Environmental Services	$32,000
Bonds - Ord. No. 2012-452	63,000
Total	$95,000

The project includes the installation of a natural gas standby generator system, precast concrete enclosure, and related building modifications within City Hall. In addition to providing backup power, the standby generator system will also be used during peak load energy usage, reducing the annual energy use assumptions upon which the building's monthly energy billing is based. This method is called "peak load shaving" and will have a positive impact on the City's operating budget.

Stantec Consulting Services, Inc. was selected for RPR services based on their familiarity with the project. A justification for not issuing a request for proposals is attached.

The anticipated construction cost is $1,058,100. Construction is scheduled to begin in winter 2015 with completion in fall 2015. The RPR agreement will result in the creation or retention of the equivalent of 1 full-time job.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-4

Ordinance No. 2015-9
(Int. No. 11)

Authorizing a professional services agreement with Stantec Consulting Services, Inc. for resident project representation 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 Stantec Consulting Services, Inc. in an amount not to exceed $95,000 for resident project representation services, for the City Hall Generator Installation Project. The agreement may extend until three (3) months after completion of a two year guarantee inspection of the project for which the services are provided. The cost of the agreement will be financed by $32,000 from the 2013-14 Cash Capital allocation of the Department of Environmental Services and by $63,000 from the bond funds appropriated in Ordinance No. 2012-452.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-10
Re: Agreement - WINTEK, High Falls
Illumination Services

Council Priority: Creating a Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing $19,000 as maximum compensation for an agreement with Gregory J. Winter dba WINTEK, Rochester, New York, for services related to illuminating High Falls for 2014-15 and establishing $30,000 as maximum compensation for four optional annual renewals. The cost of the initial agreement will be financed from the 2014-15 Budget of the Department of Environmental Services (DES). Subsequent renewals costing up to $30,000 will be financed from future budgets of DES, contingent upon approval.

Illumination for High Falls is provided by eight groups of 21 ellipsoidal 1,000 watt fixtures. Along with the 168 ellipsoidal fixtures, there are four 1,500 watt high intensity discharge (HID) fixtures. The four 1,500 watt HID fixtures are attached to the front of the river light bay building. The 168 ellipsoidal fixtures are gelled with eight color filters to create the various color effects. The lights in the river are controlled by electronic theatre controls located in the main control room of the building on the west shore adjacent to the falls.

Under the terms of the agreement, WINTEK will be fully responsible for all programming, and operational and maintenance needs of the lighting system. This includes responsibility for maintaining energy to the lighting system, making system adjustments and upgrades, performing maintenance and minor equipment repairs, and handling the overall programming needs. The addition of $11,000 to the maximum compensation for the option renewals takes into account the possibility of lighting and programming changes related to the presentation, increased age-related equipment maintenance issues, and inflation due to the cost of wages.

Due to their technical experience and specialized knowledge, WINTEK was selected without a request for proposal, the justification for which is described in the attached summary.

The term of the agreement will be from January 1, 2015 to December 31, 2015. The illumination of High Falls will result in the creation or retention of the equivalent of .2 full-time jobs

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-5

Ordinance No. 2015-10
(Int. No. 12)

Authorizing a professional services agreement with Gregory J. Winter d/b/a WINTEK for illumination of High Falls

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 between the City and Gregory J. Winter dba WINTEK for services related to the illumination of High Falls. The agreement shall obligate the City to pay an amount not to exceed $19,000 in the first year, and not to exceed $30,000 per year during any renewal period. Said amount shall be funded by $19,000 from the 2014-15 Budget of the Department of Environmental Services and from future years' budgets of the Department of Environmental Services subject to adoption thereof. The term of the agreement shall be for one year with four optional one year renewals.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-11
Re: Joseph Avenue at Kelly Street Median
Barrier Project

Transmitted herewith for your approval is legislation related to the Joseph Avenue at Kelly Street Median Barrier Project. This legislation will:

1. Authorize an amendatory agreement with Bergmann Associates in the amount of $11,700 for additional resident project representation (RPR) services related to the Joseph Avenue at Kelly Street Median Barrier Project; and

2. Amend the 2014-15 Cash Capital allocation of the Department of Environmental Services (DES) by $15,500 to reflect the receipt and use of funds from J.J. Bell Constructors, LLC (Bell).

The Median Barrier Project was designed in-house and included the installation of a curbed median barrier at the intersection of Joseph Avenue and Kelly Street to limit vehicles exiting and entering Kelly Street to right turns only. The City is qualified to receive up to 90% of the eligible project costs from the Federal Highway Administration with the remaining 10% being a local share.

The original agreement (Ord. No. 2013-423) established $33,000 as maximum compensation for RPR services by Bergmann Associates. The amendment requested herein will increase maximum compensation by $11,700 for a total of $44,700. The additional cost will be funded from 2014-15 Cash Capi-

tal allocation of DES ($11,301) and the remaining federal aid appropriated in Ordinance No. 2013-423 ($399).

The project was bid in spring 2013 and was initially awarded to Bell. The Notice to Proceed was issued on April 4, 2013, however work did not begin. Bell could not perform the work since they were closing the business; the City released them from their contract upon the payment of the difference between their bid and that of the second low bidder, DiFiore Construction, ($15,462.25).

The contract was awarded on May 27, 2013 to DiFiore Construction, and the work began with the federal aid funding 90% of the additional cost. The delay resulted in the expenditure of additional RPR services by Bergmann. This included attendance at additional meetings, preparation and set up of duplicate construction records and staffing during the period between the Bell and DiFiore Construction starts.

The cost of the amendatory RPR agreement results in the creation or retention of the equivalent 0.1 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-11
(Int. No. 13)

Authorizing an amendatory agreement and amending the Budget in relation to the Joseph Avenue at Kelly Street Median Barrier Project

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

Section 1. The Mayor is hereby authorized to enter into an amendatory professional services agreement between the City and Bergmann Associates, P.C. for resident project representation services for the Joseph Avenue at Kelly Street Median Barrier Project in the amount of $11,700. The amendment shall increase the maximum amount of the agreement authorized by Ordinance No. 2013-423 by $11,700 to a total of $44,700. The agreement may extend until three (3) months after completion of a two year guarantee inspection of the project. Of said amount, $11,301 shall be funded from the 2014-15 Cash Capital allocation of the Department of Environmental Services appropriated herein and $399 shall be funded from Federal aid appropriated by Ordinance No. 2013-423 for this project.

Section 2. Ordinance No. 2014-160, the 2014-15 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Department of Environmental Services by the sum of $15,500, to reflect the receipt of funds from J.J. Bell Constructors, LLC for this Project and appropriate such funds to the Cash Capital allocation of the Department of Environmental Services.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-12
Re: Amendatory Agreement - SRF Associates, Inc., Red Light Camera Study

Transmitted herewith for your approval is legislation establishing $30,000 as maximum compensation for an amendatory agreement with SRF Associates, Inc. to expand the Red Light Camera Study. The cost of the original agreement ($9,950) was under $10,000, and therefore did not require City Council approval; the amendatory agreement will bring the total amount of the agreement with SRF Associates to $39,950. The increase of $30,000 will be funded from the 2014-15 Budget of the Police Department.

The initial Red Light Camera Study provided a review of the efficacy of the Red Light Camera Program and culminated with the release of the final report in November 2014. Among numerous positive outcomes, the report also identified several intersections with either increased accidents or increased violations. Under this amendatory agreement, SRF Associates will:

- Analyze the outcomes at the particular intersections noted above, as City Council and the Monroe County Department of Transportation (MCDOT) requested; and
- Provide additional information that MCDOT requires to evaluate a direct connection between the cameras and County-owned signal facilities. If MCDOT supports the direct connection, approval by the Monroe County Legislature will be necessary.

It is important that this study be completed this winter because the consideration of the direct connection option will have an impact on the current contract negotiations with the red light camera provider, Redflex.

The amendatory agreement will be completed by spring 2015, and will create or retain the equivalent of .3 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-12
(Int. No. 14)

Authorizing an amendatory professional services agreement with SRF Associates, Inc. for a review of the Red Light Camera Program

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

Section 1. The Mayor is hereby authorized to enter into an amendatory professional services agreement between the City and SRF Associates, Inc. for a review of the Red Light Camera Program. The amendment shall increase the maximum amount of the agreement by $30,000 to a total of $39,950. Said amount shall be funded from the 2014-15 Budget of the Police Department. The term of the amendatory agreement shall be for one year.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-13
Re: Pavement Width Changes - Rochester-Genesee Regional Transportation Authority, Mt. Hope Station

Transmitted herewith for your approval is legislation authorizing geometric changes to Elmwood Avenue and Mount Hope Avenue for the Rochester-Genesee Regional Transportation Authority (RGRTA) Mt. Hope Station project. This legislation will:

1. Authorize the addition of a recessed bus stop adjacent to the eastbound travel lane along the south side of Elmwood Avenue, west of East Drive. The overall pavement width will increase a maximum of 10', from approximately 61.7' to 71.7', beginning approximately 79.9' west of the intersection of Elmwood Avenue and East Drive for a distance of 185'.

2. Authorize the addition of a recessed bus stop adjacent to the eastbound travel lane along the south side of Elmwood Avenue, east of Kendrick Road. The overall pavement width will increase a maximum of 10', from approximately 81.9' to 91.9', beginning approximately 552.2' east of the intersection of Elmwood Avenue and Kendrick Road for a distance of 125'.

3. Authorize the reduction of a recessed curb area adjacent to the eastern northbound travel lane along the east side of Mt. Hope Avenue, south of Celebration Drive. The overall pavement width will decrease a maximum of 9', from approximately 95' to 86', beginning approximately 224.3' south of the intersection of Mt. Hope Avenue and Celebration Drive for a distance of 65.7'.

The Mt. Hope Station project includes the installation of six enhanced RGRTA bus stops around the University of Rochester Medical Center - two along the south side of Elmwood Avenue, two along Mt. Hope Avenue (one northbound and one southbound), and two along the north side of Crittenden Boulevard. The recessed bus stops along Elmwood Avenue will allow buses to be outside of the travel lane while loading and unloading passengers without impacting traffic flows. These pull-off areas are strictly for the use of RGRTA buses and will be designated with signage stating "No Stopping Except Buses". Each stop location will have concrete pavement surrounding the heated and lit shelter structure for pedestrian circulation, bicycle racks, trash receptacles and benches.

The curb change on Mt. Hope Avenue will allow buses to stop at this location without conflicting with existing driveways and will also allow space along the front of 1400 Mt. Hope Avenue to provide outdoor seating for use by bus riders and patrons of Bruegger's, without compromising general pedestrian circulation along the east side of Mt. Hope Avenue.

The project is being designed and constructed by RGRTA, at their cost. Design of the project is nearly complete. Bidding and award of the project will occur in spring 2015 with construction beginning in late spring 2015, with substantial completion anticipated in July 2015.

Public informational meetings on this project were held on May 5, 2011; July 23, 2013; and June 4, 2014. The May 5, 2011 meeting was a presentation given by College Town representatives which included a discussion of RGRTA being incorporated within the proposed parking garage. RGRTA was in attendance at this meeting. Since that time, the University determined that multiple points of bus access would be the most beneficial model for students, patients, and visitors. The individual station locations around the University of Rochester Medical Center were discussed at the July 23, 2013 and June 4, 2014 meetings of the Mt. Hope Task Force, where RGRTA representatives also were in attendance. RGRTA will be presenting the curb change on Mt. Hope Avenue at the Mt. Hope Task Force meeting in January 2015.

The pavement width changes were endorsed by the Traffic Control Board at its June 17, 2014 and December 16, 2014 meetings.

A public hearing on the pavement width changes is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-6

Ordinance No. 2015-13
(Int. No. 15)

Approving geometric changes to Elmwood Avenue and Mount Hope Avenue

BE IT ORDAINED, by the Council of the City

of Rochester as follows:

Section 1. The Council hereby approves the following changes in the pavement width of Elmwood Avenue and Mount Hope Avenue:

Changes to pavement width of Elmwood Avenue

1. Authorize the addition of a recessed bus stop adjacent to the eastbound travel lane along the south side of Elmwood Avenue, west of East Drive. The overall pavement width will increase a maximum of 10.0', from approximately 61.7' to 71.7', beginning approximately 79.9' west of the intersection of Elmwood Avenue and East Drive for a distance of 185'.

2. Authorize the addition of a recessed bus stop adjacent to the eastbound travel lane along the south side of Elmwood Avenue, east of Kendrick Road. The overall pavement width will increase a maximum of 10.0', from approximately 81.9' to 91.9', beginning approximately 552.2' east of the intersection of Elmwood Avenue and Kendrick Road for a distance of 125'.

Changes to the pavement width of Mt. Hope Avenue

1. Authorize the reduction of a recessed curb area adjacent to the eastern northbound travel lane along the east side of Mt. Hope Avenue, south of Celebration Drive. The overall pavement width will decrease a maximum of 9.0', from approximately 95.0 to 86.0', beginning approximately 224.3' south of the intersection of Mt. Hope Avenue and Celebration Drive for a distance of 65.7'.

Section 2. The changes shall be made in accordance with plans and specifications approved by the City Engineer, who may make reasonable modifications to such plans.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-14
Re: Authorizing a Traffic Flow Change - Butler Street and Charles Street from One-Way to Two-Way

Council Priority: Jobs and Economic Development

Transmitted herewith for your approval is legislation related to the new Chester's Mini-Storage facility at 594 West Broad Street. This legislation will:

1. Authorize a change in the direction of traffic flow on Butler Street between West Broad Street and Charles Street from one-way westbound to two-way traffic; and,

2. Authorize a change in the direction of traffic flow on Charles Street, between Butler Street and Jay Street, from one-way southbound to two-way traffic.

The two-way traffic changes on Butler and Charles Streets are requested by the developers of a new mini-storage facility as an accessibility and circulation improvement. With two-way traffic, employees and visitors will be able to access the property from both Jay and West Broad Streets.

A petition with support from more than 60% of the affected streets' property owners was reviewed and verified by Department of Environmental Services staff, as required. The change to two-way traffic has been reviewed by the Traffic Control Board and was endorsed at its December 16, 2014 meeting.

A public hearing is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-7

Ordinance No. 2015-14
(Int. No. 16)

Authorizing a change in traffic flow on Butler Street and Charles Street

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

Section 1. The Council hereby approves a change in the direction of the traffic flow on Butler Street between West Broad Street and Charles Street from one-way westbound to two-way traffic.

Section 2. The Council hereby approves a change in the direction of the traffic flow on Charles Street, between Butler Street and Jay Street, from one-way southbound to two-way traffic.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-15
Re: Pavement Width Changes - Montrose Street

Council Priority: Public Safety, Support the Creation of Effective Educational Systems

Transmitted herewith for your approval is legislation authorizing geometric changes to Montrose Street as a result of the Rochester City School District's planned improvements at Early Childhood School #57. This legislation will:

Authorize the addition of a recessed bus loading area along the north side of Montrose Street, west of Lavigne Alley. The overall pavement width will increase a maximum of 8', from approximately 26' to 34', beginning approximately 10' west of the west curb line of Lavigne Alley for a distance of 295'.

The school uses Montrose Street for staff supervised bus drop-off and pick-up of students. Early Childhood School #57 serves students from pre-kindergarten through second grade who reside throughout the city, necessitating the use of numerous buses. Students enter and leave the building via normally locked doors on the south side of the building. Meanwhile, parent drop-off and pick-up occurs on Costar Street on the north side of the school at the main entrance.

The project is being designed and constructed by the Rochester City School District. Construction will begin in spring 2015 with substantial completion in summer 2015.

The pavement width changes were endorsed by the Traffic Control Board at its November 21, 2014 meeting.

A public hearing on the pavement width changes is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-8

Ordinance No. 2015-15
(Int. No. 17)

Approving changes to pavement width on Montrose Street

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

Section 1. The Council hereby approves the following changes in the pavement width of Montrose Street:

Changes to pavement width of Montrose Street

1. Authorize the addition of a recessed bus loading area along the north side of Montrose Street, west of Lavigne Alley. The overall pavement width will increase a maximum of 8.0', from approximately 26' to 34', beginning approximately 10' west of the west curb line of Lavigne Alley for a distance of 295'.

Section 2. The changes shall be made in accordance with plans and specifications approved by the City Engineer, who may make reasonable modifications to such plans.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember McFadden
January 20, 2015

To the Council:

The Public Safety, Youth & Recreation Committee recommends for adoption the following entitled legislation:

Int. No. 18 - Authorizing an agreement with the County of Monroe for funding of firearms instruction

Int. No. 19 - Authorizing a professional services agreement with Monroe Community College for the Police Recruit Education Project

Int. No. 20 - Authorizing an intermunicipal agreement the County of Onondaga for the Live Scan Program

Int. No. 21 - Authorizing an agreement for the STOP Violence Against Women Grant Program

Int. No. 22 - Authorizing a professional services agreement with Resolution Video, Inc. for retrieval of video evidence training for the Rochester Police Department

Int. No. 23 - Appropriating funds for improvements to the playing field at the Ryan Community Center

Int. No. 24 - Authorizing an agreement for the receipt and use of a donation for the purchase of a tram for the Public Market and amending the Budget

Int. No. 25 - Authorizing an intermunicipal agreement with the Rochester City School District for life skills workshops

The following entitled legislation is being held in Committee:

Int. No. 26 - Authorizing professional services agreements with Consumer Credit Counseling Services of Rochester, Inc. for the Youth Financial Literacy Training and Biz Kid$ Programs

Respectfully submitted,
Adam C. McFadden
Matt Haag
Dana K. Miller
Loretta C. Scott
PUBLIC SAFETY, YOUTH & RECREATION COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-16
Re: Intermunicipal Agreement - Monroe County, Firearms Instruction

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing the continuation of the intermunicipal agreement with Monroe County for the receipt and use of funding for the Firearms Instruction Program in the amount of $55,675.

The County provides reimbursement for a portion of the salary and benefits of Rochester Police Department firearms instructors to train officers in Monroe County police agencies. No budget amendment is needed as the positions and the associated funding were anticipated and included in the 2014-15 Budget of the Police Department.

The term of the agreement is January 1, 2015 through December 31, 2015.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-16
(Int. No. 18)

Authorizing an agreement with the County of Monroe for funding of firearms instruction

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the County of Monroe for reimbursement for the 2015 Firearms Instruction Program in the amount of $55,675. The agreement shall have a term of one year.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-17
Re: Agreement - Monroe Community College, Police Recruit Education Program

Council Priority: Jobs and Economic Development, Support the Creation of Effective Educational Systems

Transmitted herewith for your approval is legislation establishing $8,500 as maximum compensation for a one year agreement with Monroe Community College (MCC) for the continuation of the Police Recruit Education Project (PREP). The cost of the agreement will be funded from the 2014-15 Budget of the Police Department.

PREP is designed to increase the academic success of minority students enrolled in MCC's criminal justice program who desire to seek future employment with the City. MCC works closely with members of the Police Department's Professional Development Section to be sure the program runs efficiently and effectively. Previously, this program was funded with asset forfeiture funds but, with new federal guidelines and reduced funding, it will now be funded by the Police Department.

The term of the agreement is September 1, 2014 through August 31, 2015.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-17
(Int. No. 19)

Authorizing a professional services agreement with Monroe Community College for the Police Recruit Education 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 between the City and Monroe Community College for the Police Recruit Education Project. The agreement shall obligate the City to pay an amount not to exceed $8,500. Said amount shall be funded from the 2014-15 Budget of the Police Department. The term of the agreement shall be for one year.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-18
Re: Intermunicipal Agreement - Onondaga County, Live Scan Criminalistic Imaging Data

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing an inter-municipal agreement with Onondaga County for the continuation of Live Scan, which allows the electronic transmission and storage of fingerprint, mug shot, and related police booking information to the New York State Division of Criminal Justice Services (DCJS). The cost of this agreement is $1,000 per year, which will be funded from the annual budgets of the Police Department, upon approval.

All agencies in New York State are required to transmit this information electronically rather than use a paper-based system. Contracting with Onondaga County will allow the City to avoid the expense of purchasing and maintaining a separate computer server with a connection to the DCJS. The Onondaga system is also currently used by

Monroe County and several other area police agencies.

Onondaga County maintains the Repository for Integrated Criminalistic Imaging (RICI) system server, and will be responsible for all associated hardware and software, backup and restoration of all data, and maintenance of the communication link with DCJS.

The term of the agreement is for five years, from January 1, 2015 through December 31, 2019.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-18
(Int. No. 20)

Authorizing an intermunicipal agreement with the County of Onondaga for the Live Scan 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 intermunicipal agreement with the County of Onondaga for the Live Scan Program. The agreement shall obligate the City to pay a maximum amount of $1,000 per year. Said amount shall be funded from the 2014-15 Budget of the Police Department and from future years Budgets of the Police Department, subject to adoption thereof. The agreement shall have a term of five years from January 1, 2015 to December 31, 2019.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-19
Re: Agreement - New York State Division of Criminal Justice Services, 2015 STOP Violence against Women Act Grant

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing a three-year agreement with the New York State Division of Criminal Justice Services for the receipt and use of up to $35,600 annually for the 2015 STOP Violence Against Women Act (VAWA) grant.

This award will partially reimburse the salaries of staff in the Family and Victim Services Section of the Police Department who help ensure the immediate safety of victims of domestic violence and help them find safe housing. Services include contacting victims prior to the arraignment of the perpetrators, and offering legal advocacy and follow-up services to ensure their continued safety.

During the past year, the VAWA grant, authorized via Ordinance No. 2014-19, resulted in assistance for 291 victims of domestic violence. The match for this grant is 25%. The funding under this program was anticipated and included in the 2014-15 Budget of the Police Department.

The term of this agreement is January 1, 2015 through December 31, 2017, with a two-year renewal option.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-19
(Int. No. 21)

Authorizing an agreement for the STOP Violence Against Women Grant Program

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Division of Criminal Justice Services for receipt and use of funding for the STOP Violence Against Women Program in the amount of $35,600 per year. The agreement shall have a term of three years with one optional two-year renewal.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-20
Re: Agreements - Resolution Video, Inc., Police Department Training

Council Priority: Public Safety

Transmitted herewith for your approval is legislation establishing $15,000 as maximum compensation for a one-year agreement with Resolution Video, Inc., Palmyra, Virginia, to provide retrieval of video evidence training for the Rochester Police Department (RPD). The cost of the agreement will be funded from the 2014-15 Budget of the Police Department.

Resolution Video, Inc. will provide video evidence retrieval training for up to twenty members of RPD. The training will include topics such as best practices for the retrieval of digital video evidence, techniques for the retrieval, and evaluation of digital CCTV systems. This training is for non-RPD

equipment, i.e., for various private video surveillance systems.

A request for proposals (RFP) for these services was issued in November 2014, posted on the City's website, and sent directly to three companies. The only proposal received was from Resolution Video, Inc., which meets all of the requirements specified in the RFP.

The term of this agreement will be for one year.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-9

Ordinance No. 2015-20
(Int. No. 22)

Authorizing a professional services agreement with Resolution Video, Inc. for retrieval of video evidence training for the Rochester Police 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 between the City and Resolution Video, Inc. for retrieval of video evidence training for the Rochester Police Department. The agreement shall obligate the City to pay an amount not to exceed $15,000. Said amount shall be funded from the 2014-15 Budget of the Police Department. The term of the agreement shall be for one year.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-21
Re: Appropriation - Playing Field Improvements at Ryan Community Center

Council Priority: Support the Creation of Effective Educational Systems

Transmitted herewith for your approval is legislation appropriating $205,000 of Community Development Block Grant funds from the 2013-14 Focused Investment allocation of the Neighborhood and Asset Based Planning Fund of the Consolidated Community Development Plan, for the design and construction of improvements to the playing field at the Ryan Community Center.

These funds will be utilized to improve the condition and drainage of the playing field located next to the Ryan Center. Five years from completion of the project, it is obvious that drainage, grading and other field issues were not adequately addressed. The planned improvements will rectify these deficiencies, as well as improve the grading and drainage near the water play area and upgrade the systems controls.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-21
(Int. No. 23)

Appropriating funds for improvements to the playing field at the Ryan Community Center

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

Section 1. The amount of $205,000 is hereby appropriated from the 2013-14 Focused Investment allocation of the Neighborhood and Asset Based Planning Fund of the Consolidated Community Development Plan to fund the design and construction of improvements to the playing field at the Ryan Community Center.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-22
Re: Appropriation and Budget Amendment - Friends of the Public Market, Purchase of Market Tram

Council Priority: Jobs and Economic Development

Transmitted herewith for your approval is legislation authorizing the receipt and use of a $20,000 donation from the Friends of the Public Market (Friends) to purchase a tram for the Public Market, and amending the 2014-15 Cash Capital allocation of the Department of Recreation and Youth Service (DRYS) to reflect said amount.

These funds are the proceeds from an insurance settlement on the original tram, which was destroyed in a fire in late 2012. At that time, the Friends maintained the insurance on the vehicle, and it took almost two years to negotiate a settlement with the insurance company.

The tram first came to the Public Market in 2010 through a United States Department of Agriculture grant awarded to the Friends. The tram was purchased to transport market shoppers from the new remote parking lots developed between Union and Scio Streets. It consisted of a power unit that could carry 12 passengers and a trailer that could carry an additional 18. The grant required that the Friends maintain ownership of the vehicle for at least one

year. After the fire destroyed the tram with the power unit, ownership of the trailer was transferred to the City, and tram service continued by utilizing a tractor borrowed from the Department of Environmental Services (DES) to pull the trailer.

DRYS is currently working with DES to write the specifications for and bid a new power unit (probably electric) and trailer, the estimated cost of which is $30,000. Cash Capital funds will be used to make up the funding shortfall.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-22
(Int. No. 24)

Authorizing an agreement for the receipt and use of a donation for the purchase of a tram for the Public Market and amending the Budget

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 Friends of the Public Market for receipt and use of a donation in the amount of $20,000 for the purchase of a tram for the Public Market.

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

Section 3. Ordinance No. 2014-160, the 2014-15 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Department of Recreation and Youth Services and increasing the 2014-15 Cash Capital allocation of the Department by the sum of $20,000, to reflect anticipated donation pursuant to the agreement authorized herein.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-23
Re: Intermunicipal Agreement - Rochester City School District

Council Priority: Support the Creation of Effective Educational Systems

Transmitted herewith for your approval is legislation authorizing a Memorandum of Agreement with the Rochester City School District (District) to deliver life skills workshops to students. This agreement will retroactively commence on September 5, 2014 and expire December 31, 2015.

The District requested the Memorandum of Agreement as a condition of allowing City staff to enter school buildings to make the life skills presentations. The District delivered the agreement for approval to the Department of Recreation and Youth Service's Comprehensive Adolescent Pregnancy Prevention (CAPP) Coordinator on November 1, 2014. Corporation Counsel subsequently determined that such an agreement requires Council action.

The life skills presentations provide adolescents with the knowledge, motivation, and skills necessary to change their behaviors in ways that will reduce their risk of pregnancy or contracting HIV and other sexually transmitted diseases. These presentations are part of the CAPP program funded by the State Department of Health, and authorized by Council in November via Ordinance No. 2014-359.

No funds are required for this agreement.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-23
(Int. No. 25)

Authorizing an intermunicipal agreement with the Rochester City School District for life skills workshops

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 Rochester City School District (RCSD) for life skills workshops for City students. The agreement shall allow City staff to enter school buildings to conduct said workshops and provide for the respective responsibilities of the City and RCSD. The agreement shall have a term that commences September 5, 2014 and ends December 31, 2015.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Introductory No. 26
Re: Agreements - Consumer Credit Counseling Service of Rochester, Inc., Youth Financial Literacy Training and Biz Kid$

Council Priority: Support the Creation of Effective Educational Systems

Transmitted herewith for your approval is legislation authorizing two agreements with Consumer Credit Counseling Service of Rochester, Inc. This legislation will:

1. Establish $9,100 as maximum compensation for an agreement to provide Youth Financial Literacy Training. The cost of the agreement will be funded by Community Development Block Grant funds from the Job Creation/Youth Development program of the General Community Needs allocation of the 2014-15 Consolidated Community Development Plan; and

2. Establish $5,500 as maximum compensation for an agreement to operate the Biz Kid$ program. The cost of the agreement will be funded from the 2014-15 Budget of the Department of Recreation and Youth Services (DRYS).

The Youth Financial Literacy Training program will teach up to 120 youth, ages 9 to 17, the skills and knowledge of financial matters to allow them to achieve their personal and family financial goals, while avoiding scams and common financial mistakes. Consumer Credit Counseling Service was selected through a request for proposal process described in the attached summary. The term of this agreement will be for the remainder of the 2014-15 fiscal year, with the option of three additional one-year renewals not to exceed $9,100 annually. Subsequent costs will be funded from the annual budgets of DRYS, contingent upon approval.

Biz Kid$ is a youth entrepreneurship program for 10- to 18-year-olds, which is a collaboration between R-Centers staff, Consumer Credit Counseling Service, and the Public Market. The complete Biz Kid$ program is a series of three tiers, Biz Kid$ Camp, Biz Kid$ and Beyond, and Biz Kid$ Real, that allow students to progress in their exploration of entrepreneurship and business ownership according to their degree of interest. Since its inception in 1999, over 1,000 students have graduated from the program. Under the proposed agreement, an additional 70 youth will be served through June 30, 2015. The agreement will have a term of one year.

Respectfully submitted,
Lovely A. Warren
Mayor

Introductory No. 26

AUTHORIZING PROFESSIONAL SERVICES AGREEMENTS WITH CONSUMER CREDIT COUNSELING SERVICES OF ROCHESTER, INC. FOR THE YOUTH FINANCIAL LITERACY TRAINING AND BIZ KID$ PROGRAMS

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 between the City and Consumer Credit Counseling Services of Rochester, Inc. for the Youth Financial Literacy Training Program in the maximum amount of $9,100. The cost of the agreement shall be funded from the Job Creation/Youth Development program of the General Community Needs Allocation of the 2014-15 Consolidated Community Development Plan. The term of the agreement shall be for the remainder of the fiscal year ending June 30, 2015, with three optional one year renewals. The cost of the agreement for any renewal period shall be funded from the future Budgets of the Department of Recreation and Youth Services, contingent upon adoption.

Section 2. The Mayor is hereby authorized to enter into a professional services agreement between the City and Consumer Credit Counseling Services of Rochester, Inc. for the Biz Kid$ Program in the maximum amount of $5,500. The cost of the agreement shall be funded from the 2014-15 Budget of the Department of Recreation and Youth Services. The agreement shall have a term not to exceed one year.

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

Section 4. This ordinance shall take effect immediately.

Held in Committee.

By Councilmember Spaull
January 20, 2015

To the Council:

The Arts & Culture Committee recommends for adoption the following entitled legislation:

Int. No. 27 - Authorizing an agreement for the 2015 Xerox Rochester International Jazz Festival

Int. No. 28 - Authorizing an agreement for the 2015 Rochester Flower City Challenge

Int. No. 29 - Authorizing an agreement for the 2015 Rochester Twilight Criterium

Int. No. 30 - Authorizing an agreement for the Bands on the Bricks concerts at the Public Market

Respectfully submitted,
Adam C. McFadden
Jacklyn Ortiz
Dana K. Miller
Loretta C. Scott
ARTS & CULTURE COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-24
Re: Agreement - Xerox Rochester International Jazz Festival

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing $175,000 as maximum compensation for an agreement with Rochester International Jazz Festival, LLC to designate the City of Rochester as the lead government sponsor of the 2015 Xerox Rochester International Jazz Festival (XRIJF). The cost of this agreement will be funded from the 2014-15 Budget of the Bureau of Communications, and is the same level of support as the 2014 festival.

The 2015 festival will be held June 19-27 and will include more than 300 shows at 19 venues. The City's contribution to the festival will underwrite a minimum of 25 free events in and near the East End Cultural District.

The City will provide additional investment through the cost of public safety services and equipment rental, not to exceed $68,000. Services include traffic control and pedestrian crossing for street closings, fire safety detail, and equipment rental such as barricades, flashers, signage, roll-off dumpsters, containers and trash disposal. This amount is the same as for the 2013 and 2014 festivals.

The XRIJF has quickly become one of the nation's most popular and respected music festivals. Founded in 2002, attendance has grown each year, attracting music lovers from around the U.S. and the world. In 2002, attendance for the festival was 15,000. In 2014, attendance was more than 196,000. The festival's growing recognition throughout the world further enhances Rochester's reputation as a major music destination. According to the Greater Rochester Visitors Association, its economic impact exceeds $12 million.

The Rochester International Jazz Festival, LLC consistently delivers a multi-dimensional festival with something for everyone. From legendary performers and familiar favorites to rising stars and new discoveries, the festival navigates all genres of creative improvised music from all corners of the world.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-24
(Int. No. 27)

Authorizing an agreement for the 2015 Xerox Rochester International Jazz Festival

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

Section 1. The sum of $175,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an agreement between the City and the Rochester International Jazz Festival, LLC (RIJF) for the 2015 Xerox Rochester International Jazz Festival. Said amount shall be funded from the 2014-15 Budget of the Bureau of Communications. City services provided in support of the Festival shall be in an amount not to exceed $68,000. The agreement shall have a term of one year.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-25
Re: Agreement - YellowJacket Racing, LLC, Rochester Flower City Challenge

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing $40,000 as maximum compensation for an agreement with YellowJacket Racing, LLC (Principals: David Boutillier and Ellen Brenner) for production of the Rochester Flower City Challenge, a half marathon running event and other sports events planned for April 2015. The cost of this agreement will be financed from the 2014-15 Budget of the Bureau of Communications.

The City's funds will be used to defray the costs of public safety services and equipment rental. YellowJacket pays for all City support, which totaled $36,000 in 2014.

This will be the sixth year of the event and will include the Rochester River Challenge Duathlon/Paddle Triathlon on Saturday, April 25, and the Rochester Flower City Half Marathon and a Family 5K run on Sunday, April 26. The Duathlon is a 5K run, followed by a 20-mile bicycle race, and finishing with a second 5K run. The Paddle Triathlon is a 5K run, followed by a 20-mile bicycle race, and a 3-mile canoe/kayak segment. These two events will be based at the Genesee Waterways Center in Genesee Valley Park. The 2014 Duathlon and Triathlon totaled 499 finishers.

The Half Marathon and Family 5K run will be based at the Blue Cross Arena with the course showcasing the city's historic neighborhoods, river and canal systems. This is the only half marathon distance running event in the area to be held in the spring and will be marketed regionally to draw entrants from a 600-mile radius area. The 2014 Half Marathon had more than 2,545 registrants, while 1,342 participated in the 5K race. New in 2014 were Kids Races of one quarter, one half and one mile distances. Over 160 children participated.

YellowJacket Racing will provide free training workshops and programs. They will also host a "Spirit Contest" which provides a donation to the "most enthusiastic" neighborhood associations along the course. In 2014, a combined $1,300 was donated to the Highland Park Neighborhood (1st place) and Susan B. Anthony Neighborhood (2nd

place). In addition, more than $1,500 was donated to local organizations for their support of the event. The event will also include free stage performances. More than 2,000 spectators lined the course.

YellowJacket Racing, an event management company, produces 40 of their own events in and around Rochester, and provides timing and finish line services to more than 100 events throughout Rochester and New York State.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-10

Ordinance No. 2015-25
(Int. No. 28)

Authorizing an agreement for the 2015 Rochester Flower City Challenge

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

Section 1. The sum of $40,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an agreement between the City and YellowJacket Racing, LLC for the 2015 Rochester Flower City Challenge. Said amount shall be funded from the 2014-15 Budget of the Bureau of Communications. The agreement shall have a term of one year.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-26
Re: Agreement - Full Moon Vista Productions, Rochester Twilight Criterium

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing $30,000 as maximum compensation for an agreement with Full Moon Vista Productions (Principal: Scott Page), Rochester, New York, to support the 2015 Rochester Twilight Criterium and related competitive bicycling activities. The cost of this agreement will be financed by appropriating $30,000 from the Rochester Events Network Trust Fund and amending the 2014-15 Budget of the Bureau of Communications by said amount.

The 2015 Twilight Criterium will take place in Downtown Rochester on Saturday, August 15, 2015. This event has been approved by USA Cycling and is part of the U.S. National Criterium Calendar for 2015. The Rochester Twilight Criterium is one of only sixteen events in the U.S. with competition at this level. Hundreds of athletes from all over the world will be in Rochester the week of the event with most staying in downtown hotels.

Races are free and open to the public and will take place throughout the afternoon and night. Organizers project that more than 30,000 spectators will attend the races, with 20,000 of them expected at the final event, the men's professional race that takes place under the street lights of downtown.

The Rochester Twilight Criterium first brought world-class professional cycling to the City of Rochester in 2004. That first-year, the regional event welcomed 5,000 spectators and more than 300 racers and 500 athletes. Professional athletes attended from around the globe, including Olympians, world and national champions from Argentina, Australia, Canada, Germany, Italy, Ireland, France, New Zealand, Russia, Uruguay, England and the United States.

Bringing the Twilight Criterium back to Rochester aligns well with the City's dedication to become a world-class bicycling community. During Bike Week in May, Full Moon Vista Productions will build excitement for the late summer event by hosting free workshops at the Central Library. Then, the day before the event, youth in the community will get an opportunity to personally interact with the professional cyclists during planned visits to City R-Centers.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-26
(Int. No. 29)

Authorizing an agreement for the 2015 Rochester Twilight Criterium

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

Section 1. The sum of $30,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an agreement between the City and Full Moon Vista Productions, Inc. for the 2015 Rochester Twilight Criterium. Said amount shall be funded from the 2014-15 Budget of the Bureau of Communications. Ordinance No. 2014-160, the 2014-15 Budget of the City of Rochester, is hereby amended by increasing the revenue estimates and appropriations to the Bureau of Communications by the sum of $30,000, which amount is hereby appropriated from the Rochester Events Network Trust Fund for this purpose. The agreement shall have a term of one year.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-27
Re: Agreement - Eskay Concerts, Inc, Public Market Bands on the Bricks Concert Series

Transmitted herewith for your approval is legislation establishing $22,000 as maximum compensation for an agreement with Eskay Concerts, Inc. dba Up All Night, for event management and beverage concession services for the 2015 Bands on the Bricks Concert series. The cost of this agreement will be funded from the 2014-15 Budget of the Department of Recreation and Youth Services (DRYS).

Eskay Concerts will provide talent, production, sound, and beverage services for the Bands on the Bricks Concert series to be held at the Rochester Public Market on Friday evenings during July and August 2015. The term of this agreement will be for one year, with the option of two additional one-year renewals that will be funded from the 2015-16 and 2016-17 Budgets of DRYS, contingent upon approval.

Eskay Concerts was selected through a request for qualifications process described in the attached summary.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-11

Ordinance No. 2015-27
(Int. No. 30)

Authorizing an agreement for the Bands on the Bricks concerts at the 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 a professional services agreement between the City and Eskay Concerts, Inc. (d/b/a Up All Night) for event management and beverage concession services for the Bands on the Bricks summer concert series at the Rochester Public Market in the maximum amount of $22,000. Said amount shall be funded from the 2014-15 Budget of the Department of Recreation and Youth Services. The term of the agreement shall be for one year with two optional one year renewals. The cost of the agreement during any renewal period shall be funded from the future budgets of the Department of Recreation and Youth Services, contingent upon adoption.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

The meeting was adjourned at 7:54 p.m.

HAZEL L. WASHINGTON
City Clerk

* * * * *

REGULAR MEETING
FEBRUARY 18, 2015

Present - President Scott, Councilmembers Conklin, Haag, McFadden, Miller, Ortiz, Palumbo, Patterson, Spaull - 9

Absent - None - 0.

The Council President requested the Council to rise for a Moment of Silence.

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

Recognition Ceremony
Retirement:
Environmental Services
*Thomas M. Kelly
*Lyle J. Wester
Human Resource Management
*Thomas H. Johnson
*Cathleen S. Smashe
Emergency Communications
*Susan A. Rayburn
Finance Department
Sandra L. Peck
Law Department
*Igor Shukoff
Police Department
*Ronald L. Bryant
*Lamar K. Cousins
*Laurie B. Cousins
*Mark E. Hansen
Library
*Rodney K. Turner
**Did not attend meeting.*

APPROVAL OF THE MINUTES
By Councilmember Patterson

RESOLVED, that the minutes of the Regular Meeting of January 20, 2015 be approved as published in the official sheets of the Proceedings.

Adopted unanimously.

COMMUNICATIONS FROM THE MAYOR, COUNCIL PRESIDENT, CORPORATE OFFICERS AND OTHERS.

The following communications are hereby directed to be received and filed:
The Mayor submits the following:

Administrative Cancellation or Refund of Erroneous Taxes and Charges (December 17, 2014) 4171-15
Administrative Cancellation or Refund of Erroneous Taxes and Charges (January 20, 2015) 4172-15
Public Disclosure - CDBG Participation 4173-15
Quarterly Report - Schedule of Revenue and Expenditures 4174-15
Semi-annual Report - PILOTs and Tax Abatements 4175-15

PRESENTATION AND REFERENCE OF PETITIONS AND OTHER COMMUNICATIONS.

None presented

PUBLIC HEARINGS.

Pursuant to law public hearing will now be had on the following matter:

Amending the Zoning Code, Chapter 120 of the Municipal Code with regard to retail sales and service Int. No. 40 4 speakers: Lisa Jacques, Alex White, David Ahl, Gini Denninger.

Amending the 2010-11, 2011-12, 2012-13 and 2014-15 Consolidated Community Development Plans and appropriating funds for the Affordable Housing Allocation of the Housing Development Fund as amended Int. No. 41 No speakers.

Authorizing agreements and appropriating funds for the Winton Road North Improvement Project (Blossom Road to Corwin Road) and amending the Official Map to dedicate a parcel for street purposes Int. No. 54 No speakers.

REPORTS OF STANDING COMMITTEES AND ACTION THEREON

By Councilmember Conklin
February 18, 2015

To the Council:

The Finance Committee recommends for adoption the following entitled legislation:

Int. No. 31 - Amending the Municipal Code with regard to the licensing of food trucks, food trailers and food carts

Int. No. 32 - Authorizing an intermunicipal agreement with Monroe 2-Orleans BOCES for workforce education and skills development training

Int. No. 58 - Amending Chapter 69 of the Municipal Code with regard to smoking near public libraries

Int. No. 59 - Authorizing cancellation of taxes and charges

The following entitled legislation is being held in Committee:

Int. No. 33 - Authorizing receipt and use of funds for the Bloomberg Philanthropies Innovation Delivery Grant and amending the 2014-15 Budget

Respectfully submitted,
Carolee A. Conklin
Carla M. Palumbo
Jacklyn Ortiz
Loretta C. Scott
FINANCE COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-28
Re: Amending the Municipal Code - Licensing of Food Truck Food Trailers and Food Carts

Council Priority: Jobs and Economic Development

Transmitted herewith for your approval is an ordinance adding a new Chapter 60 to the Municipal Code to provide for the licensing of food trucks, food trailers and food carts. This proposal was developed after an extensive review by a committee chaired by the City Clerk that produced a report to the Council in September, 2014. The committee also conducted public forums and received comments from members of the public and business owners.

The goals of the new ordinance include the protection of public health and safety, as well as encouraging the growth of businesses and jobs. In addition, the new Chapter which is designed specifically for these types of food vendors will make information about the City's licensing requirements more accessible and transparent to all interested persons.

Sincerely,
Loretta C. Scott — President
Carolee A. Conklin — Chair, Finance Committee

Ordinance No. 2015-28
(Int. No. 31)

Amending the Municipal Code with regard to the licensing of food trucks, food trailers and food carts

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

Section 1. The Municipal Code of the City of Rochester is hereby amended to add a new Chapter 60 to read as follows:

Chapter 60

Article I.

Food Truck and Food Trailer Vendors

§ 60-1. Definitions.

As used in this article, the following terms shall have the meanings indicated:

FOOD TRUCK
A motorized vehicle registered and able to be operated on the public streets of New York State, in which ready-to-eat food is cooked, wrapped, packaged, processed or portioned for sale or distribution. Food trucks shall not exceed 28 feet in length.

FOOD TRUCK VENDOR
The owner or operator of a food truck or the owner's agent; hereinafter referred to as "vendor."

FOOD TRAILER
A non-motorized vehicle, designed to be towed by a motorized vehicle, registered and able to be operated on the public streets of New York State, in which ready-to-eat food is cooked, wrapped, packaged, processed or portioned for sale or distribution. Food trailers shall not exceed 28 feet in length.

FOOD TRAILER VENDOR
The owner or operator of a food trailer or the owner's agent; hereinafter referred to as "vendor."

CENTER CITY VENDING DISTRICT
Shall include all of the Center City Zoning District, as established pursuant to Chapter 120, Zoning Code, and in addition, as set forth in a map on file in the City Clerk's office, an area extending generally easterly from the Center City Zoning District which is bounded on the west and north by the Center City Zoning District boundary extending from the southerly side of East Avenue to the center of Alexander Street at approximately 417 Alexander Street, then continuing southerly down the center of Alexander Street to the center of University Avenue, then continuing easterly along the center of University Avenue to the center of Goodman Street, then continuing southerly along the center of Goodman Street to and including the southerly side of East Avenue, then continuing westerly along the southerly side of East Avenue to the Center City Zoning District boundary. The Center City Vending District shall also include both sides of Alexander Street southerly from Gardiner Park to the southerly side of Tracy Street and its extension westerly, as set forth in the map on file in the City Clerk's office.

HARBORTOWN VENDING DISTRICT
Shall include all of the H-V Harbortown Village Zoning District as established pursuant to Chapter 120, Zoning Code, which is north of the O'Rorke Bridge, and those lands zoned O-S Open Space which border the southern boundary of Ontario Beach Park and are east of Estes Street.

MARINA VENDING DISTRICT
Shall include all of the M-D Marina District as established pursuant to Chapter 120, Zoning Code.

§ 60-2. General provisions.

A. No food truck shall operate within the public rights-of-way within the City without first having obtained a valid food truck vending license as prescribed in this article.

B. No food trailer shall conduct vending operations within the public right-of-way.

C. Operation of a food truck or food trailer on property that is not public right-of-way or a public park shall be regulated in accordance with all applicable provisions of Municipal Code Chapter 120: Zoning. Food trailers operating on private property shall comply with the same requirements as food trucks pursuant to Municipal Code Section 120-149.

D. Food trucks shall not be greater than 28 feet in length and shall be licensed as a motor vehicle and able to be operated on the public streets of New York State.

E. Each employee working on a food truck shall wear a visible employee identification badge issued by the City Clerk. The form of the badge shall be established by the City Clerk. Each employee working on a food truck shall complete a fire safety training program offered by the Rochester Fire Department within 60 days after commencing employment. At all times at least one employee on each food truck shall have completed the fire safety training program offered by the Rochester Fire Department. The City Clerk may issue a temporary employee identification badge for new employees.

F. No food truck shall operate within any public right-of-way within 100 feet from any property zoned Low Density Residential (R-1), Medium Density Residential (R-2), or High Density Residential (R-3).

G. Each food truck must at all times carry on the vehicle a measuring device with a measuring capacity of no less than 500 feet as a condition of its licensure. The failure of any food truck to carry such a measuring device or abide by the proximity distance restrictions included in this article shall constitute a violation of this article.

H. All food trucks must abide by all parking and vehicle and traffic laws, ordinances, rules and regulations at all times, including but not limited to any durational requirements in force and effect at that time and location. Except for locations within the Center City, Marina and Harbortown Vending Districts, a food truck may operate in any legal parking space except as restricted by any ordinance, law, rule or regulation, including Section 60-2(F). Locations within the Center City, Marina and Harbortown Vending Districts shall be limited to those approved pursuant to Section 60-7.

I. No food truck or food trailer shall operate within 100 feet of an approved vending cart location.

J. No food truck shall operate within 100 feet of the closest point of any sidewalk café seating area approved by the Department of Environmental Services.

K. No food truck or food trailer shall operate within 500 feet of the boundary line of any festival, special event or civic event that is permitted or sponsored by the City, except when the vendor has obtained a permit to so operate from the City.

L. No food truck or food trailer shall operate in a location that has the effect of obstructing access to or egress from any structure or the free flow of vehicular and pedestrian traffic.

M. All food trucks and food trailers must be equipped with trash receptacles of a sufficient capacity that shall be changed as necessary to prevent overflow or the creation of litter or debris.

N. No vendor shall cry out or make loud noises in any public street, sidewalk or place for the purpose of selling any food or merchandise.

O. No vendor shall chain or otherwise attach any signs, goods, merchandise, chairs, stools or food cart or other equipment used in vending to any tree, parking meter, hydrant, sign or post, light pole, telephone pole or other street appurtenance or leave any such items unattended on a public street, sidewalk or place. Items left in violation of this subsection shall be seized by the police.

P. No vendor shall dispose of any litter or trash generated from the vending operation in public trash receptacles. Vendors shall store such litter or trash during the day in a trash receptacle firmly attached to the vending unit and carry the same with them at the end of the day. Vendors shall also be responsible for keeping the immediate area of their food cart free and clear of any litter, trash or spillage from the unit.

Q. No vendor shall conduct any vending activities in violation of any rule or regulation promulgated by the Chief of Police, Commissioner of Environmental Services or Fire Marshal pursuant to this chapter or by the Monroe County Health Department with respect to vending of food or food products.

§ 60-3. License required; application.

A. Any person desiring to operate a food truck or food trailer shall make a written application for such license to the City Clerk. The application for such license shall be on forms provided by the City Clerk, and shall include the following:

(1) Name and address of each applicant and each corporate officer of the food truck or food trailer vending corporation, or owner of an unincorporated business.

(2) Address of the commissary used in the supply and preparation of food for this food truck or food trailer.

(3) A valid copy of all necessary licenses, permits or certificates required by the County of Monroe, or the State of New York including, but not limited to, a valid New York State Department of Motor Vehicles registration and vehicle insurance and valid driver's licenses of all vehicle operators.

(4) A copy of a valid certificate of authority issued by the New York State Department of Taxation and Finance empowering the applicant to collect both the New York State sales and compensating use taxes.

(5) All license applicants shall be required to consent to a background check by the Rochester Police Department. A license application may be denied by the Chief of Police if the background check demonstrates that the applicant has been convicted of criminal offenses that have a direct relationship to the license or that would involve an unreasonable risk to property or to the safety or welfare of specific individuals or the general public. Any decision to deny an application for this reason shall be made in compliance with Article 23-A of the Correction Law after considering the factors set forth in that law. An applicant who is denied shall be entitled to a hearing in the manner provided for a revocation of a license by Chapter 68 of the Municipal Code.

(6) All license applicants and applicants for renewals thereof shall present each vehicle to the Fire Department to determine that the vehicle meets all applicable New York State Fire Codes and rules and regulations required by the Fire Marshal. The Fire Marshal is hereby authorized to promulgate such additional rules and regulations as may be necessary to assure the fire safety of vending units.

(7) License applicants must have a current permit from the Monroe County Department of Health and must comply with all laws, rules and regulations of said Department.

§ 60-4. Insurance.

Before any license authorized herein shall be issued, the applicant shall file with the City proof of insurance, issued by an insurance company licensed to do business in the State of New York and approved by the Director of Finance as to form,

which insurance must be kept continuously in force during the term of the license. At the time of application, applicants shall provide proof of insurance that extends for the entire license period. The insurance shall be not less than $1,000,000 comprehensive/general liability insurance. Such insurance shall not expire, nor be canceled, altered or amended except on 10 days' written notice to the City Treasurer served personally or by certified mail. Municipal operations, employees and property shall not be excluded from coverage. The insurance must name the City as an additional insured party.

§ 60-5. Form and condition of license.

Every food truck or food trailer vending license shall contain the following conditions:

A. Each food truck or food trailer vending license shall expire on December 31 after their date of issuance. License fees shall not be prorated.

B. The license shall not be transferable from person to person without the written approval of the City Clerk.

C. The license is valid for one food truck or food trailer only.

D. There shall be issued to each vendor a suitable decal or tag that shall be permanently and prominently affixed to the vehicle.

§ 60-6. Fees.

A. Application - all applicants for food truck and food trailer licenses shall pay an application fee of $7, which shall be credited against the cost of the license fee if a license is issued.

B. License - all food truck and food trailer vendors shall pay an annual fee of $330 for each license, except that vendors applying for a license that includes the Center City, Marina and Harbortown Vending Districts shall pay an annual fee of $1,000.

C. Temporary Permit - any food truck or food trailer wishing to vend at one or more Special Events and that does not have a license shall apply to the City Clerk for a Temporary Food Truck or Food Trailer Permit and pay a fee of $100 for a permit valid for the calendar year. Any food truck or food trailer wishing to vend at a single Special Event and that does not have a license shall apply to the City Clerk for a Three Day Temporary Food Truck or Food Trailer Permit and pay a fee of $56 for a permit valid for that event. Such a permit shall allow vending only during and at the location of a Special Event.

D. Employee identification badge - all food truck and food trailer vendors shall pay a fee of $24 for each employee identification badge except that one badge shall be issued with the license at no cost.

E. Replacement license employee identification badge - all food truck and food trailer vendors shall pay a fee of $10 for each replacement license or employee identification badge.

F. Vendors who are eligible veterans and who have a Soldiers' and Sailors' Certificate issued by the Monroe County Clerk pursuant to Section 32 of the General Business Law or who are disabled veterans as defined by Section 35 of the General Business Law holding such a Certificate are shall be exempt from the fees contained in this section.

§ 60-7. Additional Center City, Marina and Harbortown Vending District provisions.

In addition to the general provisions set forth in Chapter 60 of the Municipal Code, the following regulations shall also apply to food truck vendors in the Center City, Marina or Harbortown Vending District:

A. No food truck shall operate from a parking space on a public street except in parking spaces reviewed by the Traffic Control Board and approved by the City Clerk and in accordance with regulations established by the Traffic Control Board. The Traffic Control Board may establish the hours that each parking space shall be available for a vending, which hours shall not be greater than between the hours of 7:00 a.m. and 2:00 a.m. No vendor shall be parked in a specific parking space for more than four consecutive hours.

§ 60-8. Parades and special events; parks.

A. The Chief of Police is authorized to promulgate rules and regulations governing vending during parades and special events in the City. Such rules and regulations may require vending activities to be conducted in areas located so that citizens may be able to have unobstructed views of the parade or special event. In conjunction with such activities, including any street closing for a special event, the Chief of Police may suspend the applicability of the regulations found in this chapter to allow for the operation of the special event.

B. The Commissioner of Recreation and Youth Services shall establish requirements for food trucks and food trailers in parks regulated by the City. Any food truck or food trailer operating in such a park shall have a valid license pursuant to this Chapter.

C. The County of Monroe shall establish requirements for food trucks and food trailers in parks regulated by the County.

§ 60-9. Food trucks or food trailers vending at Special Events.

A. Any food truck or food trailer vending at a special event that is sponsored by the City or granted a permit by the City ("a Special Event") shall have either a license issued pursuant to this Chapter or a Temporary Food Truck or Food Trailer Permit issued by the City Clerk, or a Three Day Temporary Food Truck or Food Trailer Permit issued by the City Clerk.

B. Any Temporary Food Truck or Food Trailer Permit applicant shall be required to complete a fire safety inspection and fire safety training by the Rochester Fire Department and also submit a valid copy of all necessary licenses, permits or certificates required by the County of Monroe, or the State of New York including, but not limited to, a valid New York State Department of Motor Vehicles registration and certificate of inspection and valid driver's licenses of all vehicle operators, and a copy of a valid certificate of authority issued by the New York State Department of Taxation and Finance empowering the applicant to collect both the New York State sales and compensating use taxes, and a current permit from the Monroe County Department of Health and must comply with all laws, rules and regulations of said Department, and shall submit proof of insurance coverage that meets the requirements of Section 60-4.

§ 60-10. Food trucks or food trailers operating as a caterer or serving private events.

Any food truck or food trailer operating within the public right of way as a caterer or on a contracted basis to serve food to guests at a private event shall notify the Licensing Unit of the Rochester Police Department at least 72 hours before the event. Such a food truck shall serve only the guests at the private event and shall not make sales to the public during that period. A sign shall be prominently displayed on the truck indicating that it is serving a private event and is not open for public sales. This provision shall not apply to a food truck or food trailer operating on private property that has obtained a Certificate of Zoning Compliance pursuant to Municipal Code Section 120-149.

§ 60-11. General licensing provisions; revocation of licenses.

A. The provisions of City Code Chapter 68: Licenses-Business and Trades, being general licensing provisions relating to business and trades, shall be applicable to all licenses under this chapter the same as if specifically set forth herein.

B. The Chief of Police shall revoke, without a hearing, the license of any person found guilty of five or more violations of this chapter during any period of two years. Nothing herein shall prevent the Chief of Police from revoking a license of any person with fewer than five violations, on written charges and an opportunity for a hearing thereon, pursuant to City Code Section 68-10: Revocation of Licenses and Permits.

§ 60-12. Penalties.

A person violating any section of this chapter shall be subject to the penalties set forth in City Code Section 13A-11: Penalties for Offenses.

§ 60-13. Severability.

If any provision of this chapter is declared invalid or unconstitutional for any reason, the remaining provisions shall be severable and continue in full force and effect.

Article II. Food Cart Vendors

§ 60-14. Definitions.
As used in this article, the following terms shall have the meanings indicated:

FOOD CART
A cart or other moveable device used on the public sidewalks or in public places, in which ready-to-eat food is cooked, wrapped, packaged, processed or portioned for sale or distribution, and which is not licensed as a food truck or food trailer.

FOOD CART VENDOR
The owner or operator of a food cart or the owner's agent; hereinafter referred to as "vendor."

CENTER CITY VENDING DISTRICT
Shall include all of the Center City Zoning District, as established pursuant to Chapter 120, Zoning Code, and in addition, as set forth in a map on file in the City Clerk's office, an area extending generally easterly from the Center City Zoning District which is bounded on the west and north by the Center City Zoning District boundary extending from the southerly side of East Avenue to the center of Alexander Street at approximately 417 Alexander Street, then continuing southerly down the center of Alexander Street to the center of University Avenue, then continuing easterly along the center of University Avenue to the center of Goodman Street, then continuing southerly along the center of Goodman Street to and including the southerly side of East Avenue, then continuing westerly along the southerly side of East Avenue to the Center City Zoning District boundary. The Center City Vending District shall also include both sides of Alexander Street southerly from Gardiner Park to the southerly side of Tracy Street and its extension westerly, as set forth in the map on file in the City Clerk's office.

HARBORTOWN VENDING DISTRICT
Shall include all of the H-V Harbortown Village Zoning District as established pursuant to Chapter 120, Zoning Code, which is north of the O'Rorke Bridge, and those lands zoned O-S Open Space which border the southern boundary of Ontario Beach Park and are east of Estes Street.

MARINA VENDING DISTRICT
Shall include all of the M-D Marina District as established pursuant to Chapter 120, Zoning Code.

§ 60-15. General provisions.

A. No food cart shall operate on a public sidewalk or public place within the City without first having obtained a valid food cart vending license as prescribed in this article.

B. No food cart shall operate within the public street right-of-way

C. Operation of a food cart on property that is not a public sidewalk or a public park shall be regulated in accordance with all applicable provisions of City Code Chapter 120: Zoning. Food carts operating on private property shall comply with the same requirements as food trucks pursuant to Municipal Code Section 120-149.

D. No food cart or food cart vendor shall:

(1) Operate a food cart without procuring and prominently displaying on his or her cart a license.

(2) Stop, stand or park a food cart on any roadway, except when actually loading or unloading.

(3) Operate within any public sidewalk within 100 feet from any property zoned Low Density Residential (R-1), Medium Density Residential (R-2), or High Density Residential (R-3).

(4) Place any goods, tables, blankets, booths or any type of food or merchandise for sale or any vending unit or other equipment used in vending on any public place or sidewalk, except a licensed food cart which meets all the following requirements:

(a) A food cart when fully opened for business shall not exceed, including all peripheral equipment and food and merchandise for sale, six feet in width by 10 feet in length and five feet in height, excluding only a canopy, awning or umbrella, with the top surface of the food cart and any seating for the person(s) tending the unit(s) at least 28 inches above the ground. Shopping carts shall not be allowed as vending units.

(b) Separate carts may be used in one operation, provided that when they are fully opened for business the total space occupied by said units does not exceed the maximum set forth in Subsection (4)(a) above, and provided further that the carts are kept adjacent to each other and that each separate cart is at all times tended by at least one person.

(c) All food carts shall be on rubber-tired wheels, at least four inches in diameter, with a leg or legs or brakes which shall keep the cart stationary when it is not intended to be moved, and which is fully mobile and able to be immediately moved by a single person tending the cart.

(d) Food carts shall have all peripheral equipment attached thereto, including seating, if desired, for the person tending the unit.

(e) Food carts shall have a self-contained and secure storage place for all food and merchandise and peripheral equipment used in the vending operation, so that the same can be quickly and safely stored if the vending unit has to be moved.

(f) No canopy, awning or umbrella shall be placed on a sidewalk in conjunction with vending activities, except that a food cart may have attached to it a canopy, awning or umbrella which is no greater in size than the maximum size set in Subsection (4)(a) above for a vending unit, and which is a minimum of 7 1/2 feet above the level of the sidewalk when opened if it extends beyond the sides of the cart itself and a maximum of nine feet above the level of the sidewalk when opened, provided that no canopy, awning or umbrella shall extend into a street tree or within two feet of the curb line.

(5) Place, stop, operate or sell from a food cart on a public sidewalk, except on the curbside of the sidewalk and at least two feet from the curb.

(6) Place, stop, operate or sell from a food cart on a public sidewalk in such a manner that a portion of the sidewalk at least four feet in width is not maintained free and clear of obstructions to pedestrian traffic.

(7) Place, stop, operate or sell from a food cart on a public sidewalk:

(a) Within 10 feet of any other vending unit on a public sidewalk;

(b) Within 10 feet of a curb cut;

(c) Within five feet of a crosswalk;

(d) Within ten feet of a fire hydrant;

(e) Which abuts or obstructs a bus stop zone or shelter or is located

within 60 feet in advance of a bus stop or shelter (on the side of the stop or shelter from which a bus approaches) or within 10 feet beyond a stop or shelter (on the side of the stop or shelter from which a bus leaves the stop or shelter);

(f) Within 10 feet of a street tree;

(g) Within two feet of a trash receptacle;

(h) Within two feet of a newspaper vending machine;

(i) Within two feet of an historic marker;

(j) Within five feet of a pedestrian bench;

(k) Within two feet of a sidewalk planter;

(l) Within two feet of a sidewalk grate or opening;

(m) Within two feet of a fire alarm box; or

(n) Within one foot of a light pole.

(8) Cry out or make loud noises in any public street, sidewalk or place for the purpose of selling any food or merchandise.

(9) Chain or otherwise attach any signs, goods, merchandise, chairs, stools or food cart or other equipment used in vending to any tree, parking meter, hydrant, sign or post, light pole, telephone pole or other street appurtenance or leave any such items unattended on a public street, sidewalk or place. Items left in violation of this subsection shall be seized by the police.

(10) Place, stop, operate or sell from a food cart on a public street, sidewalk or place unless that food cart, including any canopy, awning or umbrella and all peripheral equipment, is maintained in a clean and neat condition, free of all stains, holes and rust, and with all wood surfaces painted, treated or varnished.

(11) Dispose of any litter or trash generated from the vending operation in public trash receptacles. Vendors shall store such litter or trash during the day in a trash receptacle firmly attached to the vending unit and carry the same with them at the end of the day. Vendors shall also be responsible for keeping the immediate area of their food cart free and clear of any litter, trash or spillage from the unit.

(12) Conduct any vending activities in violation of any rule or regulation promulgated by the Chief of Police, Commissioner of Environmental Services or Fire Marshal pursuant to this chapter or by the Monroe County Health Department with respect to vending of food or food products.

(13) Sell, offer for sale or deliver goods or services from a sidewalk or alongside a roadway to an operator or occupant of a motor vehicle that is stopped, standing or parked on a street where stopping, standing or parking is prohibited.

E. Each food cart must at all times carry on the vehicle a measuring device with a measuring capacity of no less than 500 feet as a condition of its licensure.

F. No food cart shall operate within 100 feet of an approved food truck or food trailer location within the Center City, Marina and Harbortown Vending Districts.

G. No food cart shall operate within 100 feet of the closest point of any sidewalk café seating area approved by the Department of Environmental Services.

H. No food cart shall operate within 500 feet of the boundary line of any festival, special event or civic event that is permitted or sponsored by the City, except when the vendor has obtained a permit to so operate from the City.

I. No food cart shall operate in a location that has the effect of obstructing access to or egress from any structure or the free flow of vehicular and pedestrian traffic.

J. All food carts must be equipped with trash receptacles of a sufficient capacity that shall be changed as necessary to prevent overflow or the creation of litter or debris.

K. Nothing herein contained shall be construed so as to prevent any person having an established place for the transaction of business within said City from soliciting orders in such line of business from customers at such place of business or from taking orders by telephone when telephone orders are received at such place of business and from filling and delivering the same, nor so as to prevent the sale of newspapers or milk, the sale of the latter to be governed by the provisions of the law and ordinances applicable thereto.

L. The owner of a vending unit shall be responsible for the acts of any person working at that vending unit, and a license holder shall

be responsible for the acts of any person while engaging in business through an identification badge issued under the license holder's license.

M. Each employee working on a food cart shall wear a visible employee identification badge issued by the City Clerk. The form of the badge shall be established by the City Clerk. Each employee working on a food cart shall complete a fire safety training program offered by the Rochester Fire Department within 60 days after commencing employment. At all times at least one employee on each food cart shall have completed the fire safety training program offered by the Rochester Fire Department. The City Clerk may issue a temporary employee identification badge for new employees.

§ 60-16. License required; application.

A. Any person desiring to operate a food cart shall make a written application for such license to the City Clerk. The application for such license shall be on forms provided by the City Clerk, and shall include the following:

(1) Name and address of each applicant and each corporate officer of the food cart vending corporation, or owner of an unincorporated business.

(2) Address of the commissary used in the supply and preparation of food for this food cart.

(3) A valid copy of all necessary licenses, permits or certificates required by the County of Monroe, or the State of New York including.

(4) A copy of a valid certificate of authority issued by the New York State Department of Taxation and Finance empowering the applicant to collect both the New York State sales and compensating use taxes.

(5) All license applicants shall be required to consent to a background check by the Rochester Police Department. A license application may be denied by the Chief of Police if the background check demonstrates that the applicant has been convicted of criminal offenses that have a direct relationship to the license or that would involve an unreasonable risk to property or to the safety or welfare of specific individuals or the general public. Any decision to deny an application for this reason shall be made in compliance with Article 23-A of the Correction Law after considering the factors set forth in that law. An applicant who is denied shall be entitled to a hearing in the manner provided for a revocation of a license by Chapter 68 of the Municipal Code.

(6) All license applicants and applicants for renewals thereof shall present each food cart to the Fire Department to determine that the vehicle meets all applicable New York State Fire Codes and rules and regulations required by the Fire Marshal. The Fire Marshal is hereby authorized to promulgate such additional rules and regulations as may be necessary to assure the fire safety of vending units.

(7) License applicants must have a current permit from the Monroe County Department of Health and must comply with all laws, rules and regulations of said Department.

§ 60-17. Insurance.

Before any license authorized herein shall be issued, the applicant shall file with the City proof of insurance, issued by an insurance company licensed to do business in the State of New York and approved by the Director of Finance as to form, which insurance must be kept continuously in force during the term of the license. At the time of application, applicants shall provide proof of insurance that extends for the entire license period. The insurance shall be not less than $1,000,000 comprehensive/general liability insurance. Such insurance shall not expire, nor be canceled, altered or amended except on 10 days' written notice to the City Treasurer served personally or by certified mail. Municipal operations, employees and property shall not be excluded from coverage. The insurance must name the City as an additional insured party.

§ 60-18. Form and condition of license.

Every food cart vending license shall contain the following conditions:

A. Each food cart vending license shall expire on December 31 of every year.

B. The license shall not be transferable from person to person without the written approval of the City Clerk.

C. The license is valid for one food cart only.

D. There shall be issued to each vendor a suitable decal or tag that shall be permanently and prominently affixed to the food cart.

§ 60-19. Fees.

A. Application - A nonrefundable fee of $7 shall be required for the receipt of application materials. Said fee shall be credited toward the license fee upon submission of an application.

B. License - all food cart vendors shall pay an annual fee of $250 for each license, except

that vendors applying for a license that includes the Center City, Marina and Harbortown Vending Districts shall pay an annual fee of $750. Vendors that operate a business in the Center City, Marina and Harbortown Vending Districts shall be entitled to a one-third discount of the license fee to vend in an approved location outside their business.

C. Temporary Permits - any food cart wishing to vend at one or more Special Events and that does not have a license shall apply to the City Clerk for a Temporary Food Cart Permit and pay a fee of $100 for a permit valid for the calendar year. Any food cart wishing to vend at a single Special Event and that does not have a license shall apply to the City Clerk for a Three Day Temporary Food Cart Permit and pay a fee of $56 for a permit valid for that event. Such a permit shall allow vending only during and at the location of a Special Event.

D. Employee identification badge - all food cart vendors shall pay a fee of $24 for each employee identification badge except that one badge shall be issued with the license at no cost.

E. Replacement license or employee identification badge - all food cart vendors shall pay a fee of $10 for each replacement license or employee identification badge.

F. Vendors who are eligible veterans and who have a Soldiers' and Sailors' Certificate issued by the Monroe County Clerk pursuant to Section 32 of the General Business Law or who are disabled veterans as defined by Section 35 of the General Business Law holding such a Certificate are shall be exempt from the fees contained in this section.

§ 60-20. Food cart vending locations.

A. No food cart shall be operated in the Center City, Marina or Harbortown Vending District except in a location spaces approved by the City Clerk through a lottery.

B. No food cart shall be operated in a location outside the Center City, Marina or Harbortown Vending District except in a location approved by the Rochester Police Department.

§ 60-21. Parades and special events; parks.

A. The Chief of Police is authorized to promulgate rules and regulations governing vending during parades and special events in the City. Such rules and regulations may require vending activities to be conducted in areas located so that citizens may be able to have unobstructed views of the parade or special event. In conjunction with such activities, including any street closing for a special event, the Chief of Police may suspend the applicability of the regulations found in this chapter to allow for the operation of the special event.

B. The Commissioner of Recreation and Youth Services shall establish requirements for food cart in parks regulated by the City. Any food cart operating in a park regulated by the City shall have a valid license or Temporary Permit pursuant to this Chapter.

C. The County of Monroe shall establish requirements for food carts in parks regulated by the County.

§ 60-22. Food cart vending at Special Events.

A. Any food cart vending at a special event that is sponsored by the City or granted a permit by the City ("a Special Event") shall have either a license issued pursuant to this Chapter or a Temporary Food Cart Permit issued by the City Clerk, or a Three Day Temporary Food Cart Permit issued by the City Clerk.

B. Any Temporary Food Cart Permit applicant shall be required to complete a fire safety inspection and fire safety training by the Rochester Fire Department and also submit a valid copy of all necessary licenses, permits or certificates required by the County of Monroe, or the State of New York including, but not limited to, a copy of a valid certificate of authority issued by the New York State Department of Taxation and Finance empowering the applicant to collect both the New York State sales and compensating use taxes, and a current permit from the Monroe County Department of Health and must comply with all laws, rules and regulations of said Department, and shall submit proof of insurance coverage that meets the requirements of Section 60-17.

§ 60-23. General licensing provisions; revocation of licenses.

A. The provisions of City Code Chapter 68: Licenses-Business and Trades, being general licensing provisions relating to business and trades, shall be applicable to all licenses under this chapter the same as if specifically set forth herein.

B. The Chief of Police shall revoke, without a hearing, the license of any person found guilty of five or more violations of this chapter during any period of two years. Nothing herein shall prevent the Chief of Police from revoking a license of any person with fewer than five violations, on written charges and an opportunity for a hearing thereon, pursuant to City Code Section 68-10: Revocation of Licenses and Permits.

§ 60-24. Penalties.

A person violating any section of this chapter shall

be subject to the penalties set forth in City Code Section 13A-11: Penalties for Offenses.

§ 60-25. Severability.

If any provision of this chapter is declared invalid or unconstitutional for any reason, the remaining provisions shall be severable and continue in full force and effect.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-29
Re: Intermunicipal Agreement - Monroe 2-Orleans BOCES, Workforce Education and Skills Development Training

Council Priority: Jobs and Economic Development, Support the Creation of Effective Educational Systems

Transmitted herewith for your approval is legislation establishing $7,500 as maximum compensation for an intermunicipal agreement with Monroe 2-Orleans BOCES to provide on-going workforce education and skills development training for City employees and Rochester City School District (District) students. It will be funded from the 2014-15 ($3,750) and 2015-16 ($3,750) Budgets of the Department of Human Resource Management, contingent upon approval of the future budget. The term of this agreement will be for one year, with the option to renew for an additional year.

Since 2007, Monroe 2-Orleans BOCES has provided workforce education and skills development training for City employees in the areas of: office task and time management; business writing; business grammar and communication; civil service test taking strategies; and other skills and professional development training opportunities. In addition, the civil service test-taking strategies training program has been extended to high school students participating in the Career Pathway to Public Safety Program, a collaborative program between the City and the District that's designed to educate students on public safety career opportunities with the City.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-29
(Int. No. 32)

Authorizing an intermunicipal agreement with Monroe 2-Orleans BOCES for workforce education and skills development training

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 Monroe 2-Orleans Board of Cooperative Educational Services (BOCES) for workforce education and skills development training. The agreement shall obligate the City to pay a maximum amount of $7,500. Said amount shall be funded by $3,750 from the 2014-15 Budget of the Department of Human Resource Management and funded by $3,750 from the 2015-16 Budget of the Department of Human Resource Management subject to adoption thereof. The agreement shall have a term of one year with a one year renewal option. If renewed, the cost shall be funded by $3,750 from the 2015-16 Budget of the Department of Human Resource Management and by $3,750 from the 2016-17 Budget of the Department of Human Resource Management subject to adoption thereof.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-30
Re: Prohibiting Smoking Near Public Libraries

Council priority: Public Safety

Transmitted herewith for your approval is legislation amending Chapter 69 of the Municipal Code to prohibit smoking within fifty feet from the entrance to a public library. This legislation is proposed at the request of the City Council and Administration to address problems that occur when people smoke in the area immediately outside a library entrance. Smoking inside libraries and other public buildings is prohibited under Public Health Law Article 13-E.

Smoking outside the entrance can expose library visitors, including children, to secondhand smoke, and can also contribute to littering.

Violations would be subject to the same fines as those that currently apply to littering: first offense $25, second offense $35, third offense $65.

Respectfully submitted,
Lovely A. Warren — Loretta C. Scott
Mayor — President

Carolee A. Conklin
Finance Chair

Ordinance No. 2015-30
(Int. No. 58)

Amending Chapter 69 of the Municipal Code with regard to smoking near public libraries

BE IT ORDAINED, by the Council of the City

of Rochester as follows:

Section 1. Chapter 69 of the Municipal Code, as amended, is hereby further amended to amend the title of the Chapter as follows:

Chapter 69. Littering and smoking

Section 2. Chapter 69 of the Municipal Code, as amended, is hereby further amended to add a new Section 69-9 to read as follows:

69-9. Smoking shall not be permitted, and no person shall smoke in any outdoor area within fifty feet from the entrance to a public library. For the purposes of this section smoking shall be defined as in Article 13-E of the Public Health Law.

Section 3. Chapter 69 of the Municipal Code, as amended, is hereby further amended to renumber Sections 69-9 and 69-10 as follows:

~~69-9~~ 69-10. Unconstitutionality or invalidity in part.

~~69-10~~ 69-11. Effective date.

Section 4. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-31
Re: Cancellation or Refund of
Erroneous Taxes and Charges

Transmitted herewith for your approval is legislation approving the cancellation or refund of taxes and charges totaling $2,640.

The property located at 365 Bay Street had been ticketed several times for zoning issues. However, there was a miscommunication between the property owner, Bureau of Planning & Zoning and Inspection & Compliance Services in regards to the pre-existing, non-conforming rights to the property which contributed to the tickets being issued. All zoning violations were removed and the property is in full compliance.

If these cancellations are approved, total cancellations thus far for 2014-15 will be as follows:

	Accounts	Amounts
City Council	73	$148,577.84
Administrative	221	114,176.88
Total	294	$262,754.72

These cancellations represent 0.105% of the taxes receivable as of July 1, 2014.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-31
(Int. No. 59)

Authorizing cancellation of taxes and charges

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

Section 1. The City Treasurer is authorized to cancel the following taxes and charges.

(A) The property located at 365 Bay Street had been ticketed several times for zoning issues. However, there was a miscommunication between the property owner, Bureau of Planning & Zoning and Inspection & Compliance Services in regards to the pre-existing, nonconforming rights to the property which contributed to the tickets being issued. All zoning violations were removed and the property is in full compliance.

S.B.L. #	Class	Address	Tax Year	Cancelled	Subtotal
106.51-3-4	N	365 Bay Street	2013	$ 120	$ 120
			2014	1,200	1,200
			2015	1,320	1,320
			Grand Total		$2,640

Section 2. If full or partial payment of the aforesaid taxes and charges has been made and received, the City Treasurer is hereby authorized and directed to remit to the owner of the parcel the amount of said payment without interest.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

Councilmember Conklin moved to discharge Int. No. 33 from Committee.

The motion was seconded by Councilmember Palumbo.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-32
Re: Budget Amendment - Bloomberg Philanthropies Innovation Delivery Grant

Council Priority: Jobs and Economic Development

Transmitted herewith for your approval is legislation related to the $1,950,000 Bloomberg Philanthropies Innovation Delivery Grant authorized via Ordinance No. 2014-280. This legislation will amend the 2014-15 Budget to reflect the use of a portion of the grant as follows:

1. Authorize a $60,000 increase to the Mayor's Office for personnel expenses related to the implementation of the grant; and

2. Authorize a $25,000 increase to Undistributed Expenses to reflect the fringe benefit costs associated with said personnel.

This amendment will cover expected personnel expenses through June 30, 2015. In addition to the Director of the Office of Innovation, there are four full-time support positions and college interns planned to staff the new office. Recruitment is currently underway for the director and support positions. Future personnel expenses related to the grant will be included in the 2015-16 and future budgets, contingent upon City Council approval.

Funding for the first year of the grant will be advanced to the City toward the end of February 2015. The proceeds will be maintained in a Special Revenue Fund established for this purpose. Non-personnel expenses will be appropriated and spent directly from this Special Revenue Fund.

Over the course of this three-year grant, the City is obligated to provide a funding match equal to one-third of the total ($650,000), to support the Office of Innovation.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-12

Ordinance No. 2015-32
(Int. No. 33)

Authorizing receipt and use of funds for the Bloomberg Philanthropies Innovation Delivery Grant and amending the 2014-15 Budget

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

Section 1. The Mayor is hereby authorized to and enter into agreements with Bloomberg Philanthropies for

receipt and use of funds from the Bloomberg Philanthropies Innovation Delivery Grant in the amount of $1,950,000.

Section 2. Ordinance No. 2014-160, the 2014-15 Budget is hereby amended to increase the revenue estimates and appropriations to the Mayor's Office by $60,000 and to increase the revenue estimates and appropriations to Undistributed Expenses by $25,000 to be funded from a portion of the grant funds authorized by Section 1 herein.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Palumbo
February 18, 2015

To the Council:

The Neighborhood & Business Development Committee recommends for adoption the following entitled legislation:

Int. No. 34 - Authorizing the sale of real estate

Int. No. 35 - Authorizing the acceptance of real estate by donation

Int. No. 36 - Authorizing a lease agreement for space for the Southwest Neighborhood Service Center

Int. No. 37 - Resolution approving appointments to the City Planning Commission

Int. No. 38 - Resolution approving appointments to the Rochester Preservation Board

Int. No. 39 - Amending Section 90-32 of the Municipal Code with regard to the definition of Retail Stores and Businesses

Int. No. 60 - Authorizing an agreement with The Democracy Collaborative for consulting services

The Neighborhood & Business Development Committee recommends for consideration the following entitled legislation:

Int. No. 41 - Amending the 2010-11, 2011-12, 2012-13 and 2014-15 Consolidated Community Development Plans and appropriating funds for the Affordable Housing Allocation of the Housing Development Fund as amended

The following entitled legislation is being held in Committee:

Int. No. 40 - Amending the Zoning Code, Chapter 120 of the Municipal Code with regard to retail sales and service

Int. No. 61 - Amending Ordinance No. 2014-277 authorizing loan agreements for the Eastman Gardens Project

Respectfully submitted,
Carla M. Palumbo
Carolee A. Conklin
Michael A. Patterson
Loretta C. Scott
NEIGHBORHOOD & BUSINESS DEVELOPMENT COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-33
Re: Sale of Real Estate

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation approving the sale of twelve 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.

The first six properties were sold to the respective highest bidder at on-site real estate auctions. All purchasers will be required to rehabilitate the structures within twelve months of City Council approval.

The next three properties are vacant lots sold by negotiated sale to the adjacent owners. The purchasers will combine the lots with their existing properties.

The last three properties are unbuildable vacant lots, being sold for $1.00 (as per City policy) to the adjacent owners who will combine the lots with their existing properties.

The first year projected tax revenue for these twelve properties, assuming full taxation, current assessed valuations and current tax rates, is estimated to be $7,471.

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

Attachment No. AO-13

Ordinance No. 2015-33
(Int. No. 34)

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 the sale of the following parcels of improved property by regular auction:

Address	S.B.L.#	Lot Size	Use	Price	Purchaser
232 Alphonse St	106.33-2-5	39x143	1 Family	$ 3,100	Robert Thayer
177 Columbia Av	120.68-2-80	40x115	1 Family	$ 9,500	Gerald Breen
11 Emanon St	091.61-1-75	40x102	1 Family	$14,000	Joseph Coakley
50 Moulson St	091.64-3-59	38x120	1 Family	$ 9,700	Tekie Hailu & Elsa Gebereslassie
19 Ries St	120.26-1-1	40x120	1 Family	$22,000	Mollye Huddleston
37 Wendell St	107.45-3-15	40x80	1 Family	$23,500	William Burke-Mattis

Section 2. The Council hereby approves the negotiated sale of the following parcels of vacant land with proposal:

Address	S.B.L.#	Lot Size	Sq. Ft.	Price	Purchaser
571 Genesee St	120.74-2-27	90x150	12,066	$600	Jimmie Duhart, Jr. & Toni B. Duhart
421-423 Parsells Av	107.63-2-3	40x158	6,320	$475	Barry Fischer
308 Smith St	105.68-2-25	21x100	2,150	$300	Joseph Prestigiacomo

Section 3. The Council hereby approves the negotiated sale of the following parcels of unbuildable vacant land for the sum of $1.00:

Address	S.B.L.#	Lot Size	Sq. Ft.	Purchaser
50 Magnolia St	120.84-2-41	37x44	1,642	David Knoll
130 Thomas St	106.24-3-1	31x88	2,683	128 Thomas St., LLC*
48 Walnut St	105.83-3-14	42x50	800	Antonio Duque

*Frank Tamburrino, President

Section 4. 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 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-34
Re: Real Estate Donations

Council Priority: Rebuilding and
Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation related to the acceptance by donation of certain real properties. The first four donations are from the owner, Rochester Land Bank Corporation (RLBC), which acquired the properties by donation from Wells Fargo Bank, NA. The last property is a donation from Wells Fargo Bank, NA. Council authorization is needed to accept the following parcels:

Address	Purpose
78 Glendale Park	Hold/Focused Investment Strategy
204 Flint Street	On-site Auction
37 Woodward Street	On-site Auction
600 Thurston Road	On-site Auction
406-408 Driving Park Avenue	Hold/Focused Investment Strategy

Accepting these donations will remove these abandoned and blighted properties from the neighborhoods and allow the City to manage the disposition of salvageable properties to qualified buyers who will restore them to

productive use. The vacant lots at 78 Glendale Park and 406-408 Driving Park Avenue are located in the Dewey/Driving Park Focused Investment Strategy Area and will be held for future redevelopment plans and/or sale to adjoining owners for green space.

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

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-14

Ordinance No. 2015-34
(Int. No. 35)

Authorizing the acceptance of real estate by donation

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

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

Address	SBL No.
Purpose	
78 Glendale Park	105.34-1-31
Hold/Focused Investment Strategy	
204 Flint St	120.76-2-84
On-site Auction	
37 Woodward Street	106.65-3-15.1
On-site Auction	
600 Thurston Road	135.32-2-94
On-site Auction	

Section 2. The Council hereby authorizes the acceptance of the donation of a real estate parcel from Wells Fargo Bank, NA. as follows:

406-408 Driving Park Ave	090.81-2-34
Hold/Focused Investment Strategy	

Section 3. Upon transfer of title to the City, any City taxes and other City charges, against said properties are hereby canceled.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-35
Re: Lease Agreement - 923 Genesee Street

Transmitted herewith for your approval is legislation authorizing a three-year lease agreement Mr. David Etzel for the continued use of the premises located at 923 Genesee Street for the Southwest Neighborhood Service Center. The monthly rental amount will be $3,000, as established through an independent appraisal prepared by Kevin Bruckner, MAI in January 2015.

The City has leased this property from Mr. Etzel since 2004. The current lease expires on February 28, 2015. The new lease will commence March 1, 2015 and expire February 28, 2018.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-15

Ordinance No. 2015-35
(Int. No. 36)

Authorizing a lease agreement for space for the Southwest Neighborhood Service Center

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

Section 1. The Mayor is hereby authorized to enter into an agreement with David Etzel for the continued lease of space at 923 Genesee Street to be used for the Southwest Neighborhood Service Center. The agreement shall extend for a term of three years to expire on February 28, 2018.

Section 2. The lease agreement shall obligate the City to pay an amount not to exceed $3,000 per month in rent. Said amount shall be funded from the 2014-15 Budget of the Department of Neighborhood and Business Development and from future budgets subject to adoption.

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.

Passed by the following vote:

Ayes - President Scott, Councilmembers Conklin, McFadden, Miller, Ortiz, Palumbo, Patterson, Spaull - 8.

Nays - Councilmember Haag - 1.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2015-3 and
Resolution No. 2015-4
Re: Board Appointments - City Planning Commission, Rochester Preservation Board

Transmitted herewith for your approval is legislation confirming the appointment of two full-time members and one alternate to the City Planning Commission, and one full-time member to the

Rochester Preservation Board.

City Planning Commission:

Name	Address
Robert Wilson (full member - NE Council District)	213 Hayward Ave. Rochester, NY 14609
Suzanne Mayer (full member - NE Council District)	121 University Ave. Rochester, NY 14605
Heidi Zimmer-Meyer (alternate member - East Council District)	288 Rockingham St. Rochester, NY 14620

Rochester Preservation Board:

Name	Address
Edward Cain (full member - East Avenue Preservation District)	4 Strathallan Park Rochester, NY 14607

Mr. Wilson, Ms. Mayer, and Mr. Cain are all new members to the Boards; Ms. Zimmer-Meyer is currently a full-time member on the Planning Commission but would like to serve as an alternate.

Mr. Wilson is filling a long-time vacancy on the Planning Commission, and his term will end on February 28, 2017. Ms. Mayer will replace Ms. Zimmer-Meyer and serve out her term until January 2016.

Ms. Zimmer-Meyer will serve as an alternate to the Planning Commission until February 28, 2017.

Mr. Cain will replace Mr. Michael Warfield who retired from the Preservation Board in January; his term expires in February of this year, so Mr. Cain's term will expire on February 28, 2017.

Resumes for all four individuals are on file with the City Clerk.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-16

Resolution No. 2015-3
(Int. No. 37)

Resolution approving appointments to the City Planning Commission

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

Section 1. The Council hereby approves the appointment to the City Planning Commission of the following persons as members and alternates:

Name	Address
Robert Wilson (full member - NE Council District)	213 Hayward Ave. Rochester, NY 14609
Suzanne Mayer (full member - NE Council District)	121 University Ave. Rochester, NY 14605
Heidi Zimmer-Meyer (alternate member - East Council District)	288 Rockingham St. Rochester, NY 14620

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

Resolution No. 2015-4
(Int. No. 38)

Resolution approving appointment to the Rochester Preservation Board

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

Section 1. The Council hereby approves the appointment to the Rochester Preservation Board of the following person:

Name	Address
Edward Cain (full member - East Avenue Preservation District)	4 Strathallan Park Rochester, NY 14607

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-36
Re: Amending the Municipal Code - Chapter 90 Related to the Definition of Retail Stores and Businesses

Transmitted herewith for your approval is legislation amending Chapter 90 of the Municipal Code of the City of Rochester related to the definition of "Business" and "Retail Store". Chapter 90 (the Property Code) authorizes the City to issue business permits for certain high-impact uses. The pending Zoning Text Amendment to include liquor stores and hookah-type lounges as high-impact uses in the Zoning Code necessitates that these uses be added to the "Business" and "Retail Store" definitions in Chapter 90 so that they will also require a business permit. In addition, the phrase "High-Impact" is being added to the title of "Retail Store" in Chapter 90 to help eliminate confusion regarding these uses between the Zoning Code and the Property Code.

The proposed text amendment follows below (underlined text denotes additions):

§ 90-32 Definitions.

BUSINESS
An automobile service facility, bar, restaurant, high-impact retail store or salon as defined herein.

HIGH-IMPACT RETAIL STORE
Any business not otherwise covered by this section which is accessible to the public, where food, goods, merchandise or equipment is sold at retail and where tobacco, tobacco paraphernalia, smoking paraphernalia, including products that contain nicotine, liquid nicotine, vapors or inhalants and/or involve the onsite inhaling or smoking of such products, beer, wine coolers, alcohol, and/or lottery tickets are sold, in a premises with a total floor space of less than 20,000 square feet.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-36
(Int. No. 39)

Amending Section 90-32 of the Municipal Code with regard to the definition of Retail Stores and Businesses

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

Section 1. Section 90-32 of the Municipal Code, as amended, is hereby further amended as follows:

§ 90-32 Definitions.

BUSINESS
An automobile service facility, bar, restaurant, high-impact retail store or salon as defined herein.

HIGH-IMPACT RETAIL STORE
Any business not otherwise covered by this section which is accessible to the public, where food, goods, merchandise or equipment is sold at retail and where tobacco, tobacco paraphernalia, smoking paraphernalia, including products that contain nicotine, liquid nicotine, vapors or inhalants and/or involve the onsite inhaling or smoking of such products, beer, wine coolers, alcohol, and/or lottery tickets are sold, in a premises with a total floor space of less than 20,000 square feet.

Section 2. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-37
Re: Agreement - The Democracy Collaborative, Market Driven Community Cooperative Consulting Services

Council Priority: Jobs and Economic Development

Transmitted herewith for your approval is legislation establishing $100,000 as maximum compensation for an agreement with The Democracy Collaborative for services related to the development of a market driven community cooperative (MDCC) business model. The cost of this agreement will be funded from the 2014-15 Budget of Undistributed Expenses. The term of the agreement will be for one year with an option to renew for an additional year.

MDCCs provide an innovative way to bring new employment and income into high poverty areas. The Democracy Collaborative will research other community cooperative models, particularly that of the Cleveland Foundation and Evergreen Community Cooperative, to develop an action plan that establishes MDCC commodity goods and/or services criteria, and identifies a list of potential lead anchor institutions willing to do business with an MDCC. Once created, the MDCC would leverage anchor institutions' purchasing power to promote the transfer of some of their existing value-added goods or service contracts to MDCC subsidiaries located in economically distressed areas of the city. MDCCs would employ "hire community first" and "ownership rights" policies, ensuring that money is retained in the immediate vicinity of the business.

The Democracy Collaborative will do the preliminary groundwork for the introduction of this cooperative business model to Rochester. They will develop communication briefings for anchor institutions that define the intent, objectives, and value-proposition of the MDCC. They will also work with the senior leadership and commodity managers of select anchor institutions to identify appropriate value-added commodity goods and/or services that will be provided by the MDCC. The study deliverables will include a detailed action plan, a report on anchor institutions' commodity prospects and potential MDCC business models, and individualized draft letters of intent for each participating anchor institution.

The Democracy Collaborative was selected through a request for proposal process, which is described in the attached summary.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-17

Ordinance No. 2015-37
(Int. No. 60)

Authorizing an agreement with The Democracy Collaborative for consulting services

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

Section 1. The Mayor is hereby authorized to enter into an agreement with The Democracy Collaborative for consultant services for relating to the development of a Market Driven Community Cooperative Business model. The maximum compensation shall not exceed $100,000. The cost of this agreement will be funded from the 2014-15 Budget for Undistributed Expenses. The agreement shall have a term of one year, with one optional one year renewal.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-38
Re: Consolidated Community Development Plan Amendments

Transmitted herewith for your approval is legislation amending the 2011-12, 2012-13, 2013-14 and 2014-15 Consolidated Community Development Plans (Plan) by transferring HOME funds to the Affordable Housing Fund allocation within the specified Plan years. The fund transfers are needed to allow the City to proceed with affordable housing projects that have received, or are anticipated to receive, funding awards. This legislation will:

1. Transfer a total of $463,206.29 of HOME funds from the allocations below to the Affordable Housing Fund allocation in each of their respective HOME program years. The 2011-12, 2012-13, 2013-14 and 2014-15 Plans are hereby amended to change the use of funds as follows:

   A. Amend the 2011-12 Plan to reduce the appropriation for the Neighborhood and Business Program Delivery Fund by $33,206.29 and transfer such funds to the Affordable Housing Fund allocation of the Housing Development Fund of the 2011-12 HOME Program.

   B. Amend Ordinance No. 2013-9 and the 2012-13 Plan to reduce the appropriation by $90,000 and transfer such funds from the New Construction for Homeownership allocation of the 2012-13 Housing Development Fund to the Affordable Housing allocation of the Housing Development Fund of the 2012-13 HOME Program.

   C. Amend the 2013-14 Plan to transfer $120,000 from the New Construction for Homeownership allocation of the Housing Development Fund to the Affordable Housing Fund allocation of the Housing Development Fund of the 2013-14 HOME Program.

   D. Amend the 2014-15 Plan to transfer $100,000 from the Community Housing Development Organization allocation of the Housing Development Fund to the Affordable Housing Fund allocation of the Housing Development Fund of the 2014-15 HOME Program.

   E. Amend the 2014-15 Plan to transfer $120,000 from the New Construction for Homeownership allocation of the Housing Development Fund to the Affordable Housing Fund allocation of the Housing Development Fund of the 2014-15 HOME Program.

2. Amend Ordinance No. 2012-293 to reduce the appropriation by $50,000 from $450,000 to $400,000 from the 2012-13 Affordable Housing Fund allocation of the Housing Development Fund.

3. Authorize the Director of Finance to record all transfers herein and to make adjustments to the amounts set forth, as they may change prior to the date of this ordinance.

A public hearing on the Consolidated Community Development Plan amendments is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-38
(Int. No. 41, as amended)

Amending the 2010-11, 2011-12, 2012-13 and 2014-15 Consolidated Community Development Plans and appropriating funds for the Affordable Housing allocation of the Housing Development Fund

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

Section 1. The 2010-11, 2011-12, 2012-13 and 2014-15 Consolidated Community Development Plans are hereby amended to change the use of funds as follows:

A. Amend the 2011-12 Consolidated Community Development Plan to reduce the appropriation for the Neighborhood and Business Program Delivery Fund by $33,206.29 and transfer such funds to the Affordable Housing Fund allocation of the Housing Development Fund of the 2011-12 HOME Program.

B. Amend Ordinance No. 2013-9 and the 2012-

13 Consolidated Community Development Plan to reduce the appropriation by $90,000 and transfer such funds from the New Construction for Homeownership allocation of the 2012-13 Housing Development Fund to the Affordable Housing allocation of the Housing Development Fund of the 2012-13 HOME Program.

C. Amend the 2013-14 Consolidated Community Development Plan to transfer $120,000 from the New Construction for Homeownership allocation of the Housing Development Fund to the Affordable Housing Fund allocation of the Housing Development Fund of the 2013-14 HOME Program.

D. Amend the 2014-15 Consolidated Community Development Plan to transfer $100,000 from the Community Housing Development Organization allocation of the Housing Development Fund to the Affordable Housing Fund allocation of the Housing Development Fund of the 2014-15 HOME Program.

E. Amend the 2014-15 Consolidated Community Development Plan to transfer $120,000 from the New Construction for Homeownership allocation of the Housing Development Fund to the Affordable Housing Fund allocation of the Housing Development Fund of the 2014-15 HOME Program.

Section 2. Ordinance #2012-293 is hereby amended to reduce the appropriation therein from the 2012-13 Housing Development Fund (Affordable Housing Fund Allocation) by $50,000 from $450,000 to $400,000.

Section 3. Ordinance No. 2015-6 is hereby amended to make the following technical corrections by amending Section 1 thereof to read as follows:

Section 1. The 2008-09, 2011-12, and 2012-13 Consolidated Community Development Plans are hereby amended to change the use of funds as follows:

A. Amend Ordinance #2013-187 and the ~~2012-13~~ 2011-12 Consolidated Community Development Plan to reduce the appropriation made in Section 1 for the Emergency Assistance Repair Program by $63,000 and transfer and reappropriate such funds for the Housing Demolition Program.

B. Amend Ordinance #2009-09 and the 2008-09 Consolidated Community Development Plan to reduce the appropriation made in Section 2 for the Emergency Assistance Repair Program by $59,548 and transfer and reappropriate such funds to a new Housing Demolition Program account within the Housing Repair Program allocation of the 2008-09 Consolidated Community Development Plan and amending the 2008-09 Consolidated Community Development Plan to establish an account for the Housing Demolition Program within the Housing Repair Program allocation.

C. Amend Ordinance #2012-~~29~~ 291 and the ~~2011-12~~ 2012-13 Consolidated Community Development Plan to reduce the appropriation for the Emergency Assistance Repair Program made in Section 3 thereof by $500,000 and transfer and reappropriate such funds to the Housing Demolition Program account.

Section ~~3~~ 4. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section ~~4~~ 5. The Director of Finance is authorized to record all transfers herein and to make adjustments to the amounts set forth which may have changed prior to the date of this ordinance.

Section ~~5~~ 6. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

Councilmember Palumbo moved to discharge Int. No. 40 from Committee.

The motion was seconded by Councilmember McFadden.

The motion was adopted by the following vote:

Ayes - President Scott, Councilmembers Conklin, Haag, McFadden, Miller, Palumbo, Patterson, Spaull - 8.

Nays - Councilmember Ortiz - 1.

Councilmember Palumbo moved to amend Int. No. 40.

The motion was seconded by Councilmember Conklin.

The motion was adopted by the following vote:

Ayes - President Scott, Councilmembers Conklin, Haag, McFadden, Miller, Palumbo, Patterson, Spaull - 8.

Nays - Councilmember Ortiz - 1.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-39
Re: Zoning Text Amendments - Retail Sales and Service, Additional Requirements for Specified Uses, and Definitions

Transmitted herewith is legislation amending the

Zoning Code of the City of Rochester related to the following sections: High-Impact Retail Sales and Service, Additional Requirements for Specified Uses, and Definitions.

The proposed amendments related to Retail Sales and Service are intended to embed hours of operation limitations within District-specific regulations, eliminate the Hours of Operation Chart, revise the transparency requirements in Section 146.1, and streamline the listing of permitted uses within District-specific regulations.

The proposed amendment related to Additional Requirements for Specified Uses is intended to add pawnbrokers to the same distance separation requirements as retail sales and service.

The proposed amendment to Definitions will add liquor stores to the definition of high-impact uses as well as expand the list of tobacco-related uses.

The City Planning Commission held an informational meeting on the proposed amendments on Monday, January 12, 2015. Five people spoke in support of the amendments; there were no speakers in opposition. By a vote of 6-0, the Planning Commission recommended approval.

A public hearing is required for the Zoning Text Amendments.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-18

Ordinance No. 2015-39
(Int. No. 40, as amended)

Amending the Zoning Code, Chapter 120 of the Municipal Code with regard to retail sales and service

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

Section 1. Chapter 120 of the Municipal Code, Zoning Code, as amended, is hereby further amended by amending Sections 120-8, 120-9, 120-18, 120-26, 120-27, 120-34, 120-35, 120-42, 120-43, 120-50, 120-83, 120-146.1, and 120-208 as follows:

Article III. R-1 Low-Density Residential District

§ **120-8. Permitted uses.**

The following uses are permitted in the R-1 District:

H. Retail sales and service, specialty, when in an existing structure built for a nonresidential use, operating between the hours of 6:00 a.m. and 9:00 p.m., subject to the additional requirements for specified uses in§ 120-146.1.

I. Office, when in an existing structure built for a nonresidential use, ~~subject to the additional requirements for specified uses in § 120-14-6.1.~~ operating between the hours of 6:00 a.m. and 9:00 p.m.

§ **120-9. Special permit uses.**

G. Retail sales and service, full-line food store and low-impact, when in an existing structure built for a nonresidential use, operating between the hours of 6:00 a.m. and 9:00 p.m., subject to the additional requirements for specified uses in§ 120-146.1.

~~H. Retail sales and service, low impact, when in an existing structure built for a nonresidential use, subject to the additional requirements for specified uses in § 120-146.1.~~

Article IV. R-2 Medium-Density Residential District

§ **120-18. Special permit uses.**

The following uses are allowed as special permit uses in the R-2 District:

M. Retail sales and service, full-line food store and low-impact, when in an existing structure built for a nonresidential use, operating between the hours of 6:00 a.m. and 9:00 p.m., subject to the additional requirements for specified uses in§ 120-146.1.

~~N. Retail sales and service, low impact, when in an existing structure built for a nonresidential use, subject to the additional requirements for specified uses in § 120-146.1.~~

Article V. R-3 High-Density Residential District

§ **120-26. Permitted uses.**

The following uses are permitted in the R-3 District:

M. Retail sales and service, specialty, when in an existing structure built for a nonresidential use, between the hours of 6:00 a.m. and 9:00 p.m., subject to the additional requirements for specified uses in§ 120-146.1.

§ 120-27. Special permit uses.

The following uses are allowed as special permit uses in the R-3 District:

L. Retail sales and service, full-line food store and low-impact, when in an existing structure built for a nonresidential use, operating between the hours of 6:00 a.m. and 9:00 p.m., subject to the additional requirements for specified uses in § 120-

146.1.

~~M. Retail sales and service, low impact, when in an existing structure built for a nonresidential use, subject to the additional requirements for specified uses in § 120-146.1.~~

Article VI. C-1 Neighborhood Center District

§ 120-34. Permitted uses.

The following uses are permitted in the C-1 District when conducted entirely within an enclosed building:

K. Retail sales and service, full-line food store, low-impact, and specialty, ~~when in an existing building built before November 1, 2012,~~ operating between the hours of 6:00 a.m. and 11:00 p.m., subject to the additional requirements for specified uses in § 120-146.1.

~~L. Retail sales and service, low impact, subject to the additional requirements for specified uses in§ 120-146.1.~~

~~M. Retail sales and service, specialty, subject to the additional requirements for specified uses in § 120-146.1.~~

§ 120-35. Special permit uses.

The following uses are allowed as special permit uses in the C-1 District:

I. Retail sales and services, full-line food store, low-impact, and specialty, operating beyond the hours of 6:00 a.m. to 11:00 p.m.

Article VII. C-2 Community Center District

§ 120-42. Permitted uses and structures.

M. Retail sales and service, full-line food store, low-impact, and specialty, ~~when in an existing building~~, subject to the additional requirements for specified uses in§ 120-146.1.

~~N. Retail sales and service, low impact, subject to the additional requirements for specified uses in § 120-146.1.~~

~~0. Retail sales and service, specialty, subject to the additional requirements for specified uses in§ 120-146.1.~~

§ 120-43. Special permit uses.

The following uses are allowed as special permit uses in the C-2 District:

T. Retail sales and service, high-impact, limited to the hours of 6:00 a.m. to 2:00 a.m. and subject to the additional requirements for specified uses in § 120-146.1.

Article VIII. C-3 Regional Destination Center District

§ 120-50. Permitted uses and structures.

The following uses are permitted in the C-3 District:

CC. Pawnbrokers, subject to the additional requirements for specified uses in §120-146.1.

Article XI. M-1 Industrial District

§ 120-83. Limited Uses.

The following uses are allowed as special permit uses in the M-1 District:

A. The following uses, when located in a single-story building originally designed for industrial purposes or a vacant lot, subject to a marketability analysis as set forth in § 120-192. The Planning Commission may, in approving a special permit, waive or modify the off-street parking requirements if it finds such action is warranted by reason of the nature of the occupancy, location of the property or availability of shared or public parking facilities.

(11) Pawnbrokers, subject to the additional requirements for specified uses in § 120-146.1.

Article XVIII. Additional Requirements for Specified Uses

§ 120-146.1 Retail sales and service and pawnbrokers.

The purpose of this section is to regulate retail sales and service and pawnbrokers to promote the health, safety, and general welfare of the citizens and protect the quality of the neighborhoods of the City. High-impact retail sales and service and pawnbrokers, due to the nature, volume or intensity of the sales and services provided, has~~ve~~ a history of or a likelihood of creating negative impacts to adjacent properties or the surrounding neighborhood by virtue operational impacts such as noise, traffic, parking, loitering, and increased need for police services. Other retail operations, low-impact, specialty, and full-line food stores, have so few negative impacts that they may be located in close proximity to residential uses as they will offer products and services to residents.

A. Distance separation requirements.

(1) Measurement. The following separation requirements shall be measured from any lot line on the same or an adjoining frontage of a high-impact retail sales and service business or pawnbroker to the lot line of another high-impact retail sales and service business or pawnbroker or a protected use listed below. Where a multitenant

facility such as a shopping center is involved, measurement shall occur from the boundary of the leasehold interest instead of the property line.

(2) Protected uses. For the purpose of measuring separation from high-impact retail sales and service and pawnbrokers, "protected uses" shall include the following:

(a) Public and semipublic uses, except police and fire stations;

(b) Private schools.

(3) Distance requirements.

(a) High-impact retail sales and service or pawnbroker.

[1] Distance from any protected use: 500 feet.

[2] Distance from any other high-impact retail sales and service or pawnbroker: 500 feet.

B. Design standards. In addition to the standards listed in Article XIX of this chapter, the following apply:

(1) In all new construction, as well as re-occupancy of an existing building with a high-impact retail sales and service and pawnbrokers, areas of transparency shall be provided along the primary street frontage and shall be equal to 70% of the wall area between the height of two feet and eight feet from the ground.

(2) In all retail sales and service uses and pawnbrokers, blocking the windows with interior shelving, or the like, thereby reducing the transparency, is strictly prohibited.

C. Hours of operation.

Use	C-1	C-2	C-3	CCD	M-1	R	V-C
High-impact	N/A	~~TBD by CPC~~ Refer to district regulations.	24 hours	6:00 a.m. to 2:00 a.m.	24 hours	N/A	N/A
Low-impact	~~6:00 a.m. to 11:00 p.m.~~ Refer to dist. regulations.	~~6:00 a.m. to 2:00 a.m.~~ Refer to dist. regulations.	24 hours	24 hours	24 hours	~~6:00 a.m. to 9:00 p.m.~~ Refer to district regulations.	Refer to district regulations.
Specialty	~~6:00 a.m. to 11:00 p.m.~~ Refer to district regulations.	~~6:00 a.m. to 2:00 a.m.~~ Refer to district regulations.	24 hours	24 hours	24 hours	~~6:00 a.m. to 9:00 p.m.~~ Refer to district regulations.	Refer to district regulations.
Full-line food store	~~6:00 a.m. to 11:00 p.m.~~ Refer to district regulations.	~~6:00 a.m. to 2:00 a.m.~~ Refer to district regulations.	24 hours	24 hours	24 hours	~~6:00 a.m. to 9:00 p.m.~~ Refer to district regulations.	Refer to district regulations

§ **120-208. Definitions.**

RETAIL SALES AND SERVICE, HIGH-IMPACT
Retail sales and service, (excluding full line food store), offering for sale any product or service ~~which~~ that is within one or more of the following three categories:

A. ~~r~~Requires an owner, operator or employee to obtain a City of Rochester secondhand dealer's license (excluding vehicle-related dealers);

B. Requires an owner, operator or employee to obtain any county or state license or registration for tobacco, alcohol, beer, wine coolers, or lottery ~~(excluding full line feed store)~~; and/or a federal firearms dealer's license; or

C. ~~o~~Offering for sale tobacco, tobacco paraphernalia or smoking paraphernalia, including products that contain nicotine, liquid nicotine, vapors or inhalants and/or involve the onsite inhaling or smoking of such products. ~~except not a full line food store.~~

Section 2. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed by the following vote:

Ayes - President Scott, Councilmembers Conklin, Haag, McFadden, Miller, Palumbo, Patterson, Spaull - 8.

Nays - Councilmember Ortiz - 1.

TO THE COUNCIL
Ladies and Gentlemen:

Introductory No. 61
Re: Amendment - Ordinance No. 2014-277, Loan Agreements for Eastman Gardens

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation amending Ordinance No. 2014-277, related to loan agreements for Eastman Gardens, an affordable and market-rate rental housing project for seniors. The project is located at 800 East Main Street, formerly the Eastman Dental Dispensary. This legislation will amend Section 1 of Ordinance No. 2014-277 to modify the repayment terms for Loan 1, as follows:

Loan 1 $600,000 – Cash Capital Funds – the loan remains as previously authorized as a non-amortizing construction loan at 2% interest annually during the construction period. During the permanent financing period, however, the developer is requesting that the loan change from a fully amortized loan for years 1-30 to a loan that is amortized only during years 16-30 with interest-only payments for years 1-15. The interest rates will remain as previously authorized for the permanent financing period as follows:

1. Years 1-5 at 1 % interest
2. Years 6-15 at 2% interest
3. Years 16-30 at 6% interest

In addition, the last payment term of the permanent financing, which allowed for up to one-half of each of the first two years' payments to be deferred if necessary (upon audited financial statements) to offset any rent concessions required to achieve full occupancy, will be removed.

The former Eastman Dental Dispensary, which has been vacant for more than thirty years, is listed on the National Register of Historic Places and is a local landmark on a major gateway into downtown Rochester. The Eastman Gardens development plan for this historic structure required review and approval by New York State Historic Preservation Office (SHPO) and National Park Service (NPS). The approval received from SHPO and NPS reduced the number of residential units that can be developed, due to limitations related to preserving internal and external architectural features. The approval allows the project to create 52 units, rather than the 55 units previously proposed.

The project development team, including Home Leasing, LLC and Edgemere Development, has been working diligently to revise their development plan to be able to proceed with the rehabilitation of the building. The decrease in units affects the total development cost of Eastman Gardens, reducing the amount of New York State (NYS) Housing Trust Funds and projected revenue. To reconcile the financial changes and meet NYS underwriting requirements, it is necessary to adjust the payment structure of Loan 1, as described above.

Eastman Gardens will now include one studio, fifty one-bedroom, and one two-bedroom units. All units will be available to senior households aged 55 or older. Forty-three of the units will be affordable to seniors at or below 60% of Area Median Income and nine units will be market rate. Nine units will be available for individuals with special needs. The Rochester Housing Authority has awarded eight Project Based Section 8 Housing Vouchers to the development.

The Eastman Gardens project enhances and supports prior and on-going investment in the Marketview Heights Focused Investment Strategy (FIS) area and surrounding streets.

Home Leasing has received New York State Housing Trust Funds, Federal Low Income Housing Tax Credits, and State Low Income Housing Tax Credits for the project.

The revised budget for the project is as follows:

Costs	
Acquisition	$ 384,000
Construction	14,622,666
Soft costs	1,861,981
Construction contingency	1,462,267
Development fee	2,092,030
Working capital	81,000
Project reserves	265,138
Total	$20,769,082

Sources	
Equity	$17,916,596
NYS HCR - HTF*	1,245,136
City of Rochester	1,200,000
Conventional loan	200,000
NYSERDA**	62,400
Def. developer fee	144,950
Total	$20,769,082

* New York State Housing and Community Renewal - Housing Trust Fund
** New York State Energy Research and Development Authority

Construction on the project is anticipated to begin in March 2015 and be completed by July 2016.

Respectfully submitted,
Lovely A. Warren
Mayor

Introductory No. 61

AMENDING ORDINANCE NO. 2014-277 AUTHORIZING LOAN AGREEMENTS FOR THE EASTMAN GARDENS PROJECT

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

Section 1. Ordinance No. 2014-277 authorizing loan agreements for the Eastman Gardens Project as amended is hereby further amended to alter the terms regarding Loan 1, to read as follows:

Section 1. The Mayor is hereby authorized to enter into loan agreements for construction financing and permanent financing with Eastman Gardens Associates LLC or a housing development fund corporation formed for the Eastman Gardens Project. The construction financing loan agreement designated as Loan Number 1 shall be in the amount of $600,000 at 2% interest, interest only to be paid annually. When the loan is converted to permanent financing, it shall ~~amortize over~~ be for a term of 30 years. ~~with interest at 1% in years 1 through 5; 2% interest in years 6 through 15; and 6% interest in years 16 through 30. In years 1 and 2 up to one half of the payments due may be deferred if the City determines that such deferral is necessary to offset any rent concessions required to achieve full occupancy, based upon audited financial statements~~. Interest shall be payable annually at 1% in years 1 through 5; 2% interest in years 6 through 15; and 6% interest in years 16 through 30. Payment of principal shall be deferred until year 16, and beginning in year 16 the principal shall be amortized during years 16 through 30. The Mayor is authorized to adjust the interest rate and other terms and conditions of the loan in order to conform to legal requirements for tax credits and for the Project. This loan agreement shall be funded by $300,000 from the Focused Investment Strategy allocation of 2012-13 Cash Capital of the Department of Neighborhood and Business Development, and $300,000 from the Affordable Housing Acquisition allocation of ~~2014-15~~ Prior Years' Cash Capital of the Department of Neighborhood and Business Development.

Section 2. The Mayor is hereby authorized to enter into loan agreements for construction financing and permanent financing with Eastman Gardens Associates LLC or a housing development fund corporation formed for the Eastman Gardens Project. The construction financing loan agreement designated as Loan Number 2 shall be in the amount of $600,000 at 0% interest. When the loan is converted to permanent financing, it shall be for a term of 30 years with interest ~~only payable annually~~ at 2% per year. Payment of the principal and interest shall be deferred until the end of the term. The Mayor is authorized to adjust the interest rate and other terms and conditions of the loan in order to conform to legal requirements for tax credits and for the Project. This loan agreement shall be funded by $600,000 from the Affordable Housing Fund allocation of the Housing Development Fund of the 2014-15 HOME Program, and said funds are hereby appropriated for this purpose.

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

Section 4. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Held in Committee.

By Councilmember Haag
February 18, 2015

To the Council:

The Parks & Public Works Committee recommends for Adoption the following entitled legislation:

Int. No. 42 - Authorizing an agreement with Hunt Engineers, Architects & Land Surveyors, P.C.

Int. No. 43 - Bond Ordinance of the City of Rochester, New York, authorizing the issuance of $1,000,000 Bonds of said City to finance the reconstruction of various water mains related to the 2015 Water Main Cleaning and Lining Program in the City

Int. No. 44 - Authorizing an amendatory agreement with MRB Group P.C. for consultant service to update, validate and maintain the City's Water Distribution Hydraulic Simulation Software as amended

Int. No. 45 - Authorizing agreements and appropriating funds for the Driving Park Bridge Preventive Maintenance Project

Int. No. 46 - Bond Ordinance of the City of Rochester, New York, authorizing the issuance of $300,000 bonds of said City to finance the costs of construction of streets as part of the Driving Park Bridge Preventive Maintenance Project

Int. No. 47 - Bond Ordinance of the City of Rochester, New York, authorizing the issuance of $600,000 bonds of said City to finance the costs of construction of the Driving Park Bridge as part of the Driving Park Bridge Preventive Maintenance Project

Int. No. 48 - Authorizing an amendatory agreement with IBI Group for the Port of Rochester Security/Intelligent Transportation System Project

Int. No. 49 - Authorizing an agreement with Lu Engineers and an agreement with Monroe County for the Durand Eastman Beach Outfall Project and appropriating funds

Int. No. 50 - Authorizing an agreement for the Kitchen Exhaust Hood and Fire Suppression System Installation Project

Int. No. 51 - Authorizing an amendatory agreement with Stantec Consulting Services, Inc. for the

Dr. Martin Luther King, Jr. Memorial Park Improvement Project Phase IIIC

Int. No. 52 - Authorizing agreements for services related to the Brownfield Opportunity Area Site Assessment Program

The Parks & Public Works Committee recommends for consideration the following entitled legislation:

Int. No. 54 - Authorizing agreements and appropriating funds for the Winton Road North Improvement Project (Blossom Road to Corwin Road) and amending the Official Map to dedicate a parcel for street purposes

The following entitled legislation is being held in Committee:

Int. No. 53 - Resolution approving appointments to the Downtown Enhancement District Advisory Committee

Respectfully submitted,
Matt Haag
Elaine M. Spaull
Michael A. Patterson
Dana K. Miller (*Did not vote on Int. Nos. 42 through 46)*
Loretta C. Scott
PARKS & PUBLIC WORKS COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-40
Re: Agreement - Hunt Engineers, Architects & Land Surveyors, P.C., Mount Hope Cemetery Master Plan

Transmitted herewith for your approval is legislation related to the master plan project for Mount Hope Cemetery. This legislation will:

1. Establish $262,500 as maximum compensation for an agreement with Hunt Engineers, Architects & Land Surveyors, P.C. to provide master planning services for the Mount Hope Cemetery. The cost of the agreement will be financed by Prior Years' ($47,500) and 2011-12 ($202,500) Cash Capital allocations of the Department of Environmental Services.

2. Authorize receipt and use of $12,500 from the Friends of Mount Hope Cemetery for allocation to the Mount Hope Cemetery Master Plan.

3. Amend the 2014-15 Cash Capital Budget of the Department of Environmental Services to reflect the receipt of said funds from the Friends of Mount Hope Cemetery.

The project includes comprehensive land planning of the cemetery property. The consultant will provide: site and cemetery design; historical cultural landscape preservation; arboriculture and preservation architecture services; and handle public participation.

Hunt was selected for design services through a request for proposal process, which is described in the attached summary. The consultant will begin planning in spring 2015; it is anticipated that the plan will be completed in 2016.

The project will result in the creation and/or retention of the equivalent of 2.7 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-19

Ordinance No. 2015-40
(Int. No. 42)

Authorizing an agreement with Hunt Engineers, Architects & Land Surveyors, P.C.

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 Hunt Engineers, Architects & Land Surveyors, P.C. to provide master planning services for the Mount Hope Cemetery Master Plan. The maximum compensation shall be $262,500. The agreement shall have a term of two years. The cost of the agreement shall be funded by $47,500 from the Prior Years' Cash Capital allocation of the Department of Environmental Services, $202,500 from the 2011-12 Cash Capital allocation of the Department of Environmental Services, and by $12,500 from the 2014-15 Cash Capital allocation of the Department of Environmental Services.

Section 2. Ordinance No. 2014-160, the 2014-15 Budget is hereby amended to increase the revenue estimates and appropriations to the Department of Environmental Services by $12,500 to be added to the Cash Capital allocation. Receipt and use of a donation of $12,500 From the Friends of the Mount Hope Cemetery is hereby authorized for said purpose.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-41
Re: Bond Authorization - 2015 Water Main Cleaning and Lining Program

Transmitted herewith for your approval is legisla-

tion authorizing the issuance of bonds totaling $1,000,000 and appropriating the proceeds thereof to fund the 2015 Water Main Cleaning and Lining Program.

The proposed bond will finance a portion of the cost to rehabilitate approximately six miles of City water mains. This rehabilitation method consists of cleaning the interior of existing water mains and installing a corrosion-resistant lining to restore hydraulic capacity, improve available fire flows and water quality, and extend the useful life of the mains.

The total cost of the project is estimated at $1,600,000. The balance of funding, $600,000, will be financed from the 2014-15 Cash Capital allocation of the Department of Environmental Services (Water Fund).

A list of affected streets and a map of the area are attached. The improvements are scheduled to begin this spring and be completed by the fall. Project inspection services will be performed by City staff.

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

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-20

Ordinance No. 2015-41
(Int. No. 43)

Bond Ordinance of the City Of Rochester, New York, authorizing the issuance of $1,000,000 Bonds of said City to finance the reconstruction of various water mains related to the 2015 Water Main Cleaning and Lining Program in the City

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 reconstruction of water mains as part of the 2015 Water Main Cleaning and Lining Program in the City, including but not limited to water mains along streets on file in the Office of the Director of Finance (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 $1,600,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of $1,000,000 bonds of the City, and $600,000 from the 2014-15 Cash Capital allocation of the Department of Environmental Services (Water Fund) and the levy and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient 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 $1,000,000 are hereby authorized to be issued, pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

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

Section 4. The period of probable usefulness of the 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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-42
Re: Agreement - MRB Group P.C.,
Hydraulic Simulation Software

Transmitted herewith for your approval is legislation establishing $55,000 as maximum compensation for an agreement with MRB Group P.C., Rochester, New York, to support Water Bureau staff in updating, validating and maintaining the City's water distribution hydraulic simulation software. The cost of this agreement will be funded from the 2013-14 Cash Capital allocation of the Department of Environmental Services (Water Fund). The term of this agreement will be for two years, with a one-year renewal option.

The consultant will assist Water Bureau engineering personnel in updating the 2010 legacy hydraulic model, perform verification testing, and calibrate it to match actual system hydraulics. The hydraulic simulation has been a vital tool for projects such as tracking water age in the distribution system, and was essential for designing system enhancements for optimizing pressures and flows in the new higher pressure district in the southwest quadrant. The consultant will also train Water Bureau staff to utilize the geographic information system (GIS) Gateway and Exchange features of the program for continually keeping the simulation up-to-date, and assist in other project-based and regulation-driven water quality studies.

MRB Group has ten years of experience in the exclusive use of the proprietary Info-Water software program, making it uniquely qualified for this project. The software maker, Innovyze Company, recommended MRB Group for this project.

A full justification for not issuing a request for proposal is attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-21

Ordinance No. 2015-42
Int. No. 44, as amended)

Authorizing an ~~amendatory~~ agreement with MRB Group P.C. for consultant service to update, validate and maintain the City's Water Distribution Hydraulic Simulation Software

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 between the City and the MRB Group P.C. for consultant service to update, validate and maintain the City's Water Distribution Hydraulic Simulation Software. Maximum compensation under said agreement shall be $55,000. Said amount shall be funded from the 2013-14 Cash Capital allocation (Water Fund) of the Department of Environmental Services. The agreement shall have a term of two years with an option to renew for one year.

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.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-43,
Ordinance No. 2015-44 and
Ordinance No. 2015-45
Re: Driving Park Bridge Preventative
Maintenance Project

Transmitted herewith for your approval is legislation related to the Driving Park Bridge preventative maintenance project. This legislation will:

1. Establish $450,000 as maximum compensation for an agreement with Labella Associates, DPC, Rochester, New York, for resident project representation (RPR) services. The cost will be funded by $360,000 in anticipated reimbursements from the Federal Highway Administration (FHWA) and $90,000 from bonds authorized herein.

2. Authorize the receipt and use of $2,398,400 in anticipated reimbursements from the FHWA which will be used to finance the fed-

eral portion of the construction phases and project administration.

3. Authorize the issuance of bonds totaling $300,000 and the appropriation of the proceeds thereof to partially finance the local street share of the project (Driving Park from St. Paul Boulevard to Lake Avenue).

4. Authorize the issuance of bonds totaling $600,000 and the appropriation of the proceeds thereof to partially finance the local bridge share.

Recent bridge inspections indicate that specific bridge elements have reached a point of deterioration that necessitates preventative maintenance to prolong the life of the structure. Included in the project are the following work activities: full removal and replacement of the concrete deck for the main span (span 3); partial and localized deck repairs; removal and resetting of bridge railing; removal and replacement of curbs and sidewalks; structural steel repairs (span 3); expansion joint replacements; bridge washing; scupper cleaning; and localized paint repairs.

Street improvements on Driving Park (from St. Paul Boulevard to Lake Avenue) include: milling and resurfacing of the pavement; upgrade of sidewalk curb ramps; decorative crosswalks; 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 handicap accessibility, and expand the useful life of the pavement structure. The existing light poles will be upgraded with decorative fixtures that improve the pedestrian light levels.

The funding sources and estimated share breakdown are as follows:

Funding	Construction	RPR	Contingency	Admin	Total
Federal	$1,969,600	$360,000	$ 50,800	$18,000	$2,398,400
Street bond	260,000	0	40,000	0	300,000
Bridge bond	492,400	90,000	17,600	0	600,000
Street lighting 2012-13 Cash Capital	44,000	0	0	0	44,000
Total	$2,766,000	$450,000	$108,400	$18,000	$3,342,400

This federal aid project, administered by the City through the New York State Department of Transportation, is identified in the City's 2014-15 Capital Improvement Program. Participation and design services were approved via Ordinances Nos. 2012-331 and 2012-370. The City is qualified to receive up to 80% of the eligible project costs from the FHWA with the remaining 20% being a local share. The City may also qualify to receive reimbursement of up to 75% of the eligible local share project costs through the New York State Marchiselli Program.

LaBella Associates, DPC was selected to provide RPR services through a request for proposal process, which is described in the attached summary. Construction of the project will begin in spring 2015 with anticipated completion by fall 2015. The Driving Park Bridge preventative maintenance project will result in the creation or retention of the equivalent of 36 full-time jobs.

A public informational meeting was conducted on July 30, 2014; meeting minutes are attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-22

Ordinance No. 2015-43
(Int. No. 45)

Authorizing agreements and appropriating funds for the Driving Park Bridge Preventive Maintenance Project

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with LaBella Associates, DPC for Resident Project Representation (RPR) services for the Driving Park Bridge Preventive Maintenance Project in a maximum amount of $450,000. The agreement may extend until three (3) months after completion of a two-year guarantee inspection of the project. The cost of said agreement shall be funded by $360,000 from funds to be received from the Federal Highway Administration, and $90,000 from funds appropriated by a bond ordinance to be adopted for the bridge part of this project.

Section 2. The sum of $2,398,400 is hereby appropriated from funds to be received from the Federal Highway Administration to finance a portion of the costs of the Driving Park Bridge Preventive Maintenance Project. The Mayor is hereby authorized to enter into an agreement for the receipt and use of said funds.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2015-44
(Int. No. 46)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of $300,000 bonds of said City to finance the costs of construction of streets as part of the Driving Park Bridge Preventive Maintenance 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 reconstruction of a part of Driving Park Avenue between St. Paul Boulevard and Lake Avenue in the City as part of the Driving Park Bridge Preventive Maintenance 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 $3,342,400, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of $600,000 bonds of the City to finance bridge reconstruction as part of said Project, $300,000 bonds of the City to finance street construction as part of said Project, $2,398,400 in funds to be received from the Federal Highway Administration, $44,000 in 2012-13 City Cash Capital funds, 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 $300,000 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 $300,000. 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 the class of objects or purposes described in Section 1 of this Ordinance, within the limitations of 11.00 of the Local Finance 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 an credit of the City are hereby irrevocably pledged to the punctual payment of the principal of an interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the City by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

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

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

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

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

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

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

Passed unanimously.

Ordinance No. 2015-45
(Int. No. 47)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of $600,000 bonds of said City to finance the costs of construction of the Driving Park Bridge as part of the Driving Park Bridge Preventive Maintenance 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 a part of the cost of reconstruction of the Driving Park Bridge in the City as part of the Driving Park Bridge Preventive Maintenance 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 $3,342,400, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of $600,000 bonds of the City to finance bridge reconstruction as part of said Project, $300,000 bonds of the City to finance street construction as part of said Project, $2,398,400 in funds to be received from the Federal Highway Administration, $44,000 in 2012-13 City Cash Capital funds, 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 the class of objects or purposes described in Section 1 of this Ordinance, within the limitations of 11.00 of the Local Finance Law, is twenty years.

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

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

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

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

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

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

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

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-46
Re: Amendatory Agreement - IBI Group,

Port of Rochester Security/Intelligent
Transportation System Project

Transmitted herewith for your approval is legislation establishing $66,680 as maximum compensation for an amendatory agreement with IBI Group, Boston, Massachusetts, for additional resident project representation (RPR) services related to the Port of Rochester Security/Intelligent Transportation System (Port ITS) Project. The additional cost will be funded entirely from Federal Highway Administration funds appropriated in Ordinance No. 2004-292.

The Port ITS Project involves the deployment of traveler information and traffic monitoring infrastructure in the vicinity of the Port of Rochester. This system includes traffic cameras, dynamic message signs (fixed and portable), transit traveler information signs, and associated electrical and communications infrastructure. The goal of this project is to improve traffic mobility in the Port area through the use of operational strategies that leverage existing regional partnerships and the ITS infrastructure. The project has been advanced in coordination with the New York State Department of Transportation, Monroe County, and the Rochester-Genesee Regional Transportation Authority.

The original agreement with IBI Group was for design and computer system integration services, costing $246,200 (Ord. No. 2010-85). In February 2013, Ordinance No. 2013-46 authorized an amendatory agreement with IBI Group for the completion of detailed design plans and RPR services during the construction phase, costing $124,800. The amendment requested herein will increase maximum compensation by an additional $66,680, for a total of $437,680.

The construction contract was awarded in July 2013. However, construction was delayed due to difficulties obtaining necessary work permits, timeliness of procurement and delivery of equipment, interagency coordination, and weather. The contractor was granted a contract extension in September 2014. For these reasons, the duration and intensity of RPR work exceeded initial estimates. Construction is now complete and final testing will be complete in February 2015.

The cost of the amendatory RPR agreement results in the creation or retention of 0.7 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-46
(Int. No. 48)

Authorizing an amendatory agreement with IBI Group for the Port of Rochester Security/Intelligent Transportation System Project

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

Section 1. The sum of $66,680, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an amendatory professional services agreement between the City and IBI Group for resident project representation services for the Port of Rochester Security/Intelligent Transportation System Project. The amendment shall increase the total maximum compensation by $66,680 to $437,680. Said amount shall be funded from the appropriation of Federal Highway Administration funds in Ordinance No. 2004-292.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-47
Re: Durand Eastman Beach
Outfall Project

Transmitted herewith for your approval is legislation related to the Durand Eastman Beach Outfall Project. This legislation will:

1. Establish $55,000 as maximum compensation for an agreement with Lu Engineers, Pittsford, New York, for design services. The cost of the agreement will be financed from Bond Ordinance No. 2014-289 ($18,300), and anticipated reimbursements from Monroe County ($36,700).

2. Authorize an intermunicipal agreement with Monroe County for payment of a portion of the repairs where the County is responsible for maintenance. The County shall reimburse the City for repairs in an amount not to exceed $680,000.

3. Appropriate $680,000 in anticipated reimbursements from Monroe County to fund their portion of the project.

4. Authorize amendments to any agreements as necessary to assign the costs based on actual construction costs.

The project includes drainage repairs and site improvements pertaining to the Durand Eastman Beach Outfall, including: the repair or construction of a new system with excavation and backfill storm drain manholes; abandonment of existing storm drain piping; asphalt pavement grind and overlay; utility valve and manhole adjustment; and other activities for complete installation and site restoration. Construction will include the maintenance and protection of existing utilities, vehicle and pedestrian traffic patterns, adjacent beach operations and the water treatment facility.

The repairs are the responsibility of the County and

the City of Rochester with the County portion of the repairs comprising two-thirds of the project cost. The Monroe County Legislature agreed to participate in this project via Resolution 432 of 2014. The City portion of the construction of the project is partially funded from Bond Ordinance No. 2014-289 and a federal Environmental Protection Agency grant (Ord. No. 2010-332) which supports 55% of the construction costs. Design, resident project representation and contingency costs will be divided such that the City funds one-third and Monroe County funds two-thirds.

Lu Engineers was selected for design services through a request for proposal process, which is described in the attached summary.

Design will begin in spring 2015 and it is anticipated that construction will begin in summer 2015 with scheduled completion in fall 2015. The design agreement will result in the creation and/or retention of the equivalent of 0.6 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-23

Ordinance No. 2015-47
(Int. No. 49)

Authorizing an agreement with Lu Engineers and an agreement with Monroe County for the Durand Eastman Beach Outfall Project and appropriating 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 between the City and Lu Engineers for design service for the Durand Eastman Beach Outfall Project in a maximum amount of $55,000. The cost of said agreement shall be funded by $18,300 from bond funds appropriated in Ordinance No. 2014-289 and $36,700 in anticipated reimbursements from Monroe County. The amount to be funded from bond funds appropriated in Ordinance No. 2014-289 and from the anticipated reimbursements from Monroe County may be adjusted based upon the actual construction costs of the project. The agreement may extend until six (6) months after completion and acceptance of the construction of the Project.

Section 2. The Mayor is hereby authorized to enter into an intermunicipal agreement with Monroe County to reimburse the City for a portion of the costs of the Durand Eastman Beach Outfall Project in an amount not to exceed $680,000, and said anticipated reimbursements are hereby appropriated for said purpose.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-48
Re: Agreement - LaBella Associates, Kitchen Exhaust Hood and Fire Suppression System Installation Project

Transmitted herewith for your approval is legislation establishing $55,020 as maximum compensation for an agreement with LaBella Associates, D.P.C., Rochester, New York, for mechanical, electrical and plumbing engineering and architectural services for the Kitchen Exhaust Hood and Fire Suppression System Installation Project at recreation centers. The cost of the agreement will be financed from the 2014-15 Cash Capital allocation of the Department of Environmental Services.

Previous installations of kitchen ranges at various recreation centers, along with building code changes have generated the requirement for compliant exhaust hoods and fire suppression systems to be installed. The following five recreation centers have facilities that are rented out to the public and will require this work: Lake Riley Lodge, Tay House, Edgerton Stardust Ballroom, Humboldt R-Center, and Norton Village R-Center. The work will be performed at these five sites or as budget allows.

The consultant will provide architectural and engineering design services, construction administration, and commissioning. The project will include up to five new kitchen exhaust hoods, make-up air units, exhaust system equipment, exhaust fans, electrical power runs, fire suppression equipment, security system integration and necessary roof and duct work.

LaBella Associates was selected through a request for proposal process which is described in the attached summary.

Building analyses will begin in spring 2015; it is anticipated that construction will begin in fall 2015 with scheduled completion in spring 2016. The project will result in the creation and/or retention of the equivalent of 0.6 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-24

Ordinance No. 2015-48
(Int. No. 50)

Authorizing an agreement for the Kitchen Exhaust Hood and Fire Suppression System Installation 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 LaBella Associates, DPC for mechanical, electrical and plumbing engineering and architectural services for the Kitchen Exhaust Hood and Fire Suppression System Installation Project in a maximum amount of $55,020. The cost of said agreement shall be funded from the 2014-15 Cash Capital allocation of the Department of Environmental Services. The term of the agreement may extend until three months after completion of a two-year guarantee inspection of the project.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-49
Re: Amendatory Agreement - Stantec Consulting Services, Inc., Dr. Martin Luther King, Jr. Memorial Park Improvement Project, Phase IIIC

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing $48,000 as maximum compensation for an amendatory agreement with Stantec Consulting Services, Inc., Rochester, New York, for additional resident project representation (RPR) services for the Martin Luther King, Jr. Memorial Park Improvement Project, Phase IIIC. The original agreement for $150,000 was authorized in January 2013 (Ord. No. 2013-20) for design and RPR services. This amendment will increase maximum compensation by $48,000 to a total of $198,000. The cost of the agreement will be financed from Bond Ordinance No. 2012-446.

This project was originally funded from the Capital Project Acceleration Initiative, and included the restoration of water flow to the existing fountain. In July 2014, an additional $400,000 was authorized for this project to provide additional mechanical improvements, installation of a signature quote from Dr. King's "I have a Dream" speech, and night lighting of the fountain (Ord. No. 2014-222). The amendatory agreement will fund the additional RPR services for this work. The total cost of improvements to the park is estimated at $900,000, including contingency.

Construction will begin in spring 2015, with completion scheduled for summer 2015. The amendatory agreement will result in the creation and/or retention of the equivalent of 0.5 full-time jobs.

Respectfully submitted,

Lovely A. Warren
Mayor

Attachment No. AO-25

Ordinance No. 2015-49
(Int. No. 51)

Authorizing an amendatory agreement with Stantec Consulting Services, Inc. for the Dr. Martin Luther King, Jr. Memorial Park Improvement Project Phase IIIC

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 between the City and Stantec Consulting Services, Inc. for engineering design and resident project representation services for Phase IIIC of the Dr. Martin Luther King, Jr. Memorial Park Improvement Project. The amendment shall increase the maximum compensation under the agreement by $48,000 to a total of $198,000. The cost of the amendatory agreement shall be funded from funds appropriated by Bond Ordinance No. 2012-446.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-50
Re: Term Agreements - Brownfield Opportunity Area Site Assessment Program

Council Priorities: Deficit Reduction & Long-Term Financial Stability; Rebuilding and Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation related to environmental assessment and investigation services for Brownfield Opportunity Areas (BOAs). This legislation will:

1. Authorize agreements with the following companies for environmental assessment and investigation services:

Company
Address

Day Environmental, Inc.
1563 Lyell Avenue, Rochester, NY 14606
LaBella Associates, D.P.C.
300 State Street, Rochester, NY 14614
Stantec Consulting Services, Inc.
61 Commercial Street, Rochester, NY 14614
CHA Consulting, Inc.
16 West Main Street, Rochester, NY 14614

2. Appropriate $200,000 of United States Environmental Protection Agency (USEPA) Brownfield Assessment Grant funds awarded to the City for the purpose of financing the BOA Site Assessment Program (SAP).

The cost of the agreements will be financed from $188,200 in USEPA Brownfield Assessment Grant funds appropriated herein. The balance of the grant appropriation, $11,800, will be used to reimburse the City for staff and supply costs required to manage the program and oversee individual projects.

The BOA SAP will provide environmental assessments for priority and targeted sites identified through the community-based BOA planning process. Four BOA areas have already been established in the City: the Lyell, Lake and State Street (LYLAKS) BOA, the Vacuum Oil-South River Corridor BOA, the 14621 BOA and the Bull's Head BOA.

The four BOA areas total 1,867 acres and include 425 Brownfield properties. The City will attempt to balance the number of sites assessed across all four BOAs. Under this program, consultants will complete Phase I assessments, sampling plans, data review, environmental management plans, health and safety plans, Phase II investigations, and develop remedial and reuse concept plans. Specific assessment activities will be based on project needs and site conditions.

The Department of Environmental Services solicited proposals in October 2014 and eight companies responded. Agreements are recommended with four of these firms. Proposals from one or more of the selected companies will be requested for site-specific project services. The selection of a specific company will depend upon the type of environmental investigation required, the company's experience and expertise, its ability to meet the City's schedule, and the quality and cost of its proposal. The cost of the project-specific proposals will be based on the unit prices specified in each company's agreement with the City.

Each of the agreements will have an initial term of three years with the option to renew for an additional two years.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-26

Ordinance No. 2015-50
(Int. No. 52)

Authorizing agreements for services related to the Brownfield Opportunity Area Site Assessment Program

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

Section 1. The Mayor is hereby authorized to enter into agreements with the following companies for services related to the Brownfield Opportunity Area Site Assessment Program:

Day Environmental, Inc.
LaBella Associates, D.P.C.
Stantec Consulting Services, Inc.
CHA Consulting, Inc.

Section 2. The agreements shall extend for a term of three years with two optional one-year renewals, and shall obligate the City to pay unit prices in an amount not to exceed the total amount of $188,200, which shall be funded by $188,200 from the United States Environmental Protection Agency Brownfield Assessment Grant funds appropriated herein. Unit prices may be adjusted with the approval of the City.

Section 3. The sum of $200,000 in anticipated United States Environmental Protection Agency Brownfield Assessment Grant funds is hereby appropriated for the Brownfield Opportunity Area Site Assessment Program.

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-51
Re: North Winton Road Improvement Project (Blossom Road to Corwin Road)

Transmitted herewith for your approval is legislation related to the North Winton Road improvement project. This legislation will:

1. Appropriate $66,400 in anticipated reimbursements from the Federal Highway Administration (FHWA).

2. Appropriate $49,550 in anticipated reimbursements from New York State Marchiselli Aid.

3. Amend Ordinance No. 2012-212, Section 1, to modify the funding sources for the agreement with Hunt Engineers, Architects & Land Surveyors, P.C. for design services of the North Winton Road improvement project. The agreement amount of $375,000 included $73,400 funded from Prior Years' Cash Capital. This amendment will reduce the Prior Years' Cash Capital to $15,750, and replace the remaining $57,650 with $47,250 from the Marchiselli Aid and $10,400 from the FHWA funds appropriated herein.

4. Authorize acquisition, by negotiation or condemnation, of one *de minimus* portion of the parcel at 365 North Winton Road.

5. Amend the Official Map by dedicating public right-of-way from said parcel.

Features of the North Winton Road improvement project include: rehabilitation and reconstruction of the pavement; reconfiguration of the roadway; and improvements to the intersection, drainage system, curb, traffic signal, signage, sidewalk, streetscape, landscaping, and water distribution system. The estimated construction cost is $3,760,000 including resident project representation and contingency.

The acquisition is required for the installation of the proposed improvements. The value of the property was established by an independent appraisal performed by R.K. Hite Co., Inc. The total acquisition costs, including closing costs, will not exceed $5,000.

Address	Property Owner	Square Feet	Value
365 North Winton Road	Elena Z. Knapp	1,382	$2,500

The associated Official Map amendment dedicating the *de minimus* parcel as right-of-way will be presented to the City Planning Commission on February 9, 2015; meeting minutes will be forwarded to Council.

The design and right-of-way costs will be funded as shown:

Funding Source	Original Design Agreement	Design Funding Change	ROW	City Administration	Project Total
Federal (Ord. No. 2012-150)	$241,600	$ 0	$ 0	$ 0	$241,600
Prior Yrs Cash Capital	133,400	-57,650	250	0	76,000
NYS Aid	0	47,250	750	1,550	49,550
Federal Aid	0	10,400	4,000	52,000	66,400
Total	$375,000	$ 0	$5,000	$53,550	$433,550

Federal and State Marchiselli funding is not available for the construction of this project. Monroe County will fund $2,132,000 under the 131-K Arterial Program, and the remainder of funding is planned in the 2015-16 Capital Improvement Program.

Construction is anticipated in to begin in summer 2015 with scheduled completion in summer 2016.

A public hearing is required for the Map Amendment.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-27

Ordinance No. 2015-51
(Int. No. 54)

Authorizing agreements and appropriating funds for the Winton Road North Improvement Project (Blossom Road to Corwin Road) and amending the Official Map to dedicate a parcel for street purposes

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

Section 1. The sum of $66,400 is hereby appropriated from anticipated reimbursements to be received from the Federal Highway Administration to finance a portion of the costs of the Winton Road North Improvement Project (Blossom Road to Corwin Road). The Mayor is hereby authorized to enter into an agreement for the receipt and use of said funds.

Section 2. The sum of $49,550 in anticipated reimbursements from the New York State Marchiselli Aid Program is hereby appropriated to finance a portion of the cost of the Winton Road North Improvement Project (Blossom Road to Corwin Road). The Mayor is hereby authorized to enter into an agreement for the receipt and use of said funds.

Section 3. Ordinance No. 2012-212 which established $375,000 as the compensation to be paid for a professional services agreement between the City and Hunt Engineers, Architects & Land Surveyors, P.C. for engineering planning and design services for the North Winton Road Improvement Project is hereby amended to change the source of funds for the agreement by reducing by $57,650 the Prior Years' Cash Capital allocation to $15,750 and replacing that funding by $10,400 from the Federal Highway Administration funds appropriated herein and $47,250 from the New York State Marchiselli Aid Program appropriated herein.

Section 4. The Council hereby approves the acquisition by negotiation or condemnation of the following *de minimus* parcel for street purposes as a part of the Winton Road North Improvement Project (Blossom Road to

Corwin Road):

Address Property Owner	Sq. Ft.	Value
365 North Winton Road Elena Z. Knapp	1,382	$2,500

Section 5. The acquisition shall obligate the City to pay an amount including closing costs not to exceed $5,000, and said amount, or so much thereof as may be necessary, shall be funded by $250 from the Prior Years' Cash Capital allocation, $750 from the anticipated reimbursements from New York State appropriated herein, and $4,000 from the anticipated Federal reimbursements appropriated herein.

Section 6. In the event that said parcel cannot be acquired by negotiation, the Corporation Counsel is hereby authorized to commence condemnation proceedings for the acquisition of said parcel. In the event of condemnation, the amount set forth herein for the acquisition shall be the amount of the offer. Nothing in this ordinance shall be deemed to limit in any way the liability of the City for further claims arising from the acquisition of said parcel pursuant to the Eminent Domain Procedure Law.

Section 7. Chapter 76 of the Municipal Code, Official Map or Plan, as amended, is hereby further amended by dedicating to street purposes the following parcel as part of the Winton Road North Improvement Project (Blossom Road to Corwin Road):

Address Property Owner	Sq. Ft.	Value
365 North Winton Road Elena Z. Knapp	1,382	$2,500

The above property being more fully described in a portion of the 2012 Survey Baseline for the reconstruction of North Winton Road as shown on a map on file in the City of Rochester Office of Maps and Surveys.

Section 8. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 9. This ordinance shall take effect immediately.

Passed unanimously.

Councilmember Haag moved to discharge Int. No. 416 from Committee.

The motion was seconded by Councilmember Conklin.

Adopted unanimously.

Introductory No. 416 was introduced December 16, 2014 and appears in its original form with its transmittal letter on page 425 of the 2014 Council Proceedings.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-52
Re: Agreement - Plymouth/Exchange Neighborhood Association, Inc., Civic Engagement Services

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation establishing $44,000 as maximum compensation for an agreement with the Plymouth/Exchange Neighborhood Association, Inc. (PLEX) for civic engagement services related to the Vacuum Oil South Genesee River Brownfield Opportunity Area (BOA). The cost of the agreement will be financed from $40,000 in anticipated BOA grant reimbursements previously appropriated via Ordinance No. 2014-253 and $4,000 from Prior Years' Cash Capital allocation of the Department of Environmental Services. The agreement will have an initial term of two years with provision for an additional one-year extension if the project duration and scope require additional services.

The New York State Department of State BOA program provides funding to assist municipalities and community-based organizations with the costs of inventorying brownfields, completing area-wide planning approaches to brownfields redevelopment, and studying key brownfield sites. BOA grants provide funding for up to 90% of eligible project costs.

Under the BOA program, the City prepared a preliminary Vacuum Oil South Genesee River BOA master plan in 2013. The PLEX Neighborhood Association had significant involvement in the development of the BOA master plan and in the engagement of the community in the planning process.

Over the next two years, the City will complete several predevelopment studies and investigations focused on environmental cleanup and future redevelopment of areas within the Vacuum Oil South Genesee River BOA. Once the studies and investigations are complete, a generic environmental impact statement will be prepared. In addition to these activities, the City has entered into the New York State Department of Environmental Conservation Brownfield Cleanup Program (BCP) for properties within the BOA. Under the proposed agreement PLEX will provide important public participation and engagement assistance related to the City's BOA and BCP projects.

At various points during the above mentioned projects, the City will request outreach and engagement services from PLEX. These services may include one or more of the following activities:

1) Door to door distribution of flyers
2) Direct telephone contacts
3) Website updates
4) Business contacts

5) E-mail distribution
6) Regular membership meetings
7) PLEX block club summit
8) Special outdoor events
9) Post cards
10) Surveys

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-52
(Int. No. 416)

Authorizing an agreement with the Plymouth/ Exchange Neighborhood Association, Inc. (PLEX) for civic engagement services related to the Vacuum Oil South Genesee River Brownfield Opportunity Area Project

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

Section 1. The sum of $44,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an agreement with the Plymouth/ Exchange Neighborhood Association, Inc. (PLEX) for civic engagement services related to the Vacuum Oil South Genesee River Brownfield Opportunity Area Project. The agreement shall have a term of two years with a one year renewal option. Said amount shall be funded from $4,000 of the Prior Years Cash Capital allocation of the Department of Environmental Services and $40,000 from the anticipated Brownfield Opportunity Area grant reimbursements appropriated in Ordinance No. 2014-253.

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

Section 3. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Scott, Councilmembers Conklin, Haag, McFadden, Palumbo, Scott, Spaull - 7.

Nays - Councilmembers Miller, Ortiz - 2.

TO THE COUNCIL
Ladies and Gentlemen:

Introductory No. 53
Re: Reappointments - Downtown Enhancement District Advisory Committee

Transmitted herewith for your approval is legislation confirming the reappointment of five members to the Downtown Enhancement District Advisory Committee. They will be reappointed to two-year terms expiring on December 31, 2016.

Reappointments

Chris Hill
I. Gordon Corporation
28 East Main Street, 14614

Lawrence Davies
JP Morgan Chase Bank
One Chase Square, 14604

James Costanza
Temple Building
14 Franklin Street, Suite 1122, 14604

Wes Plant
Thompson Legal Regulatory
50 Broad Street East, 14694

Richard Calabrese
Times Square Building
45 Exchange Blvd., 14614

A summary description of the Downtown Enhancement District Advisory Committee with a list of current members is attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Introductory No. 53

RESOLUTION APPROVING APPOINTMENTS TO THE DOWNTOWN ENHANCEMENT DISTRICT ADVISORY COMMITTEE

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

Section 1. The Council hereby approves the reappointment to the Downtown Enhancement District Advisory Committee of the following persons for terms to expire December 31, 2016

Chris Hill
I. Gordon Corporation
28 East Main St.

Lawrence Davies
JP Morgan Chase Bank
One Chase Square

James Costanza
Temple Building
14 Franklin St., Suite 1122

Wes Plant
Thompson Legal Regulatory
50 Broad St. East

Richard Calabrese
Times Square Building
45 Exchange Blvd.

Section 2. This resolution shall take effect immediately.

Held in Committee.

By Councilmember McFadden
February 18, 2015

To the Council:

The Public Safety, Youth & Recreation Committee recommends for adoption the following entitled legislation:

Int. No. 55 - Authorizing an agreement with the County of Monroe for funding of the Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program and amending the 2014-15 Budget

Int. No. 56 - Authorizing an agreement with Alpine Software Corporation for additional computerized records management system modules, report generation and module modifications for the Rochester Fire Department

Int. No. 62 - Authorizing an agreement with United Negro College Fund, Inc.

Int. No. 26 - Authorizing professional services agreements with Consumer Credit Counseling Services of Rochester, Inc. for the Youth Financial Literacy Training and Biz Kid$ Programs

Respectfully submitted,
Matt Haag
Elaine M. Spaull
Dana K. Miller
Loretta C. Scott
PUBLIC SAFETY, YOUTH & RECREATION COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-53
Re: Agreement - Monroe County, Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing an agreement with Monroe County for the receipt and use of the U.S. Department of Justice, Office on Violence Against Women, Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program (GTEA) in the amount of $98,598, and amending the 2014-15 Budget of the Police Department by $24,700. The term of this agreement is October 1, 2014 through September 30, 2017.

Monroe County received $650,000 from the U.S. Department of Justice for the GTEA program, to implement a comprehensive collaborative among agencies dealing with domestic violence. As a participant in the collaborative, the County has awarded RPD this sub-grant of $98,598. The award is for $32,866 annually for three years.

The funds will be used to support a part-time staff member in the RPD Family and Victim Services Section who will work with other members of RPD assigned to this grant to provide enhanced domestic violence victim services. The grant will also be used for overtime for the Domestic Violence Response Team (DART), comprised of police officers and police supervisors as needed, to respond to targeted domestic violence situations. Fringe is included in this award.

RPD is one of the founding members of the Rochester/Monroe County Domestic Violence Consortium, which has been active for over 25 years.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-53
(Int. No. 55)

Authorizing an agreement with the County of Monroe for funding of the Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program and amending the 2014-15 Budget

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the County of Monroe for receipt and use of funding for the Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program in the amount of $98,598, to be paid in three annual payments of $32,866 each. The agreement shall have a term that begins October 1, 2014 and ends September 30, 2017.

Section 2. Ordinance No. 2014-160, the 2014-15 Budget of the Police Department is hereby amended to increase the revenue estimates and appropriations to the Police Department by $24,700 to be funded from a portion of the grant funds authorized by Section 1 herein.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-54
Re: Agreement - Alpine Software Corporation, Fire Department Records Management System

Transmitted herewith for your approval is legislation establishing $14,250 as maximum compensation for an agreement with Alpine Software Corporation, Pittsford, New York, to develop and implement additional records management system modules for generating reports and providing on-going module modifications for the Rochester Fire De-

partment's (RFD's) Red NMX software. The cost of this agreement will be financed by Prior Years' Cash Capital.

Since 2003, the RFD has worked with Alpine Software for the development and implementation of a records management system to streamline mandated State and federal incident reporting and to move away from reliance upon paper files and the mainframe system. Prior agreements with Alpine Software Corporation were approved by Ordinance Nos. 2003-393 and 2011-287.

This new agreement will enhance the current records management system by adding components that facilitate information management of the following RFD work activities:

- **Overtime Management and Tracking**: Upgrades and report enhancements to accountability and time management systems. Enhancements enable the department to track time to work activities to facilitate data analysis for scheduling efficiencies and reporting for grants and other activities eligible for reimbursements.
- **MySQL Upgrade**: Software upgrade to ensure compatibility with the City's new network server.
- **Reports and Modifications**: Creation of reports, software customization and modifications as request by the RFD to facilitate data management.

The term of the contract will be for one year with an option to renew for one year.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-28

Ordinance No. 2015-54
(Int. No. 56)

Authorizing an agreement with Alpine Software Corporation for additional computerized records management system modules, report generation and module modifications for the Rochester Fire Department

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 Alpine Software Corporation for additional computerized records management system modules, report generation and module modifications for the Rochester Fire Department. The maximum amount of the agreement shall be $14,250. Said amount shall be funded from Prior Years' Cash Capital. The agreement shall have a term of one year with an option to renew for one year.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-55
Re: Agreement with United Negro College Fund for a College Fair

Council Priority: Support the Creation of Effective Education Systems, and Public Safety

Transmitted herewith for Council approval is legislation establishing $35,000 for support of a Black College Fair in partnership with the United Negro College Fund (UNCF), which will be held in Rochester from March 20 - 21, 2015.

This conference is open to the public in an effort to increase awareness among our youth with regards to collegiate opportunities, specifically historically Black colleges and universities. Over 100 historically Black colleges and universities have been invited to participate in this event.

For too long, the Rochester City School District (RCSD) has maintained substandard graduation rates; the most recent statistic states that only 9% of black males graduate from RCSD. This event will allow youth the opportunity to interact with colleges from around the country and learn about opportunities that are available to them at these institutions.

In addition to the college fair, a luncheon and town hall meeting will also take place in an effort to answer questions that our youth may have and to reinforce the importance of education.

Sincerely,
Adam C. McFadden
Chair, Public Safety, Youth & Recreation

Attachment No. AO-29

Ordinance No. 2015-55
(Int. No. 62)

Authorizing an agreement with United Negro College Fund, 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 agreement with United Negro College Fund, Inc. for an amount not to exceed $35,000, for services related to a College Fair, Luncheon, and Town Hall Meeting to provide information and increase access to higher education for youth in the City. The cost of said agreement shall be funded from the 2014-15 Budget for Undistributed Ex-

penses.

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.

Passed unanimously.

Introductory No 26 was introduced January 20, 2015 and appears in its original form with its transmittal letter on page 21 of the current Council Proceedings.

Attachment No. AO-30

Ordinance No. 2015-56
(Int. No. 26)

Authorizing professional services agreements with Consumer Credit Counseling Services of Rochester, Inc. for the Youth Financial Literacy Training and Biz Kid$ Programs

Passed unanimously.

By Councilmember Spaull
February 18, 2015

To the Council:

The Arts & Culture Committee recommends for adoption the following entitled legislation:

Int. No. 57 - Authorizing an agreement with Kuumba Consultants to provide Youth Arts Training

Respectfully submitted,
Elaine M. Spaull
Jacklyn Ortiz
Dana K. Miller
Loretta C. Scott
ARTS & CULTURE COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-57
Re: Agreement - Kuumba Consultants, Arts Instruction

Council Priority: Support the Creation of Effective Educational Systems

Transmitted herewith for your approval is legislation establishing $6,120 as maximum compensation for an agreement with Kuumba Consultants to teach youth in the arts. The cumulative amount of contracts with Kuumba Consultants this fiscal year exceeds $10,000, necessitating Council approval of this agreement per Section 3 - 4 of the City Charter. The cost of the agreement will be funded from the 2014-15 Budget of the Department of Recreation and Youth Services.

Kuumba Consultants will provide a total of 92 hours of performing arts and creative arts instruction, plus supplies, at four separate R-Centers (Adams Street, No. 17, Humboldt Street, and Flint Street). The term of this agreement is one year.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-31

Ordinance No. 2015-57
(Int. No. 57)

Authorizing an agreement with Kuumba Consultants to provide Youth Arts Training

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 Kuumba Consultants to provide Youth Arts Training in the maximum amount of $6,120. The cost of the agreement will be funded from the 2014-15 Budget of the Department of Recreation and Youth Services. The agreement shall have a term of one year.

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.

Passed unanimously.

The meeting was adjourned at 8:17 p.m.

HAZEL L. WASHINGTON
City Clerk

* * * * *

REGULAR MEETING
MARCH 17, 2015

Present - President Scott, Councilmembers Conklin, Haag, McFadden, Miller, Ortiz, Palumbo, Patterson, Spaull - 9

Absent - None - 0.

The Council President requested the Council to rise for a Moment of Silence.

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

Recognition Ceremony
Retirement:
Environmental Services
*Barbara A. Barrington
*Larry King
*John G. Langdon
Human Resource Management
*Sharon A. Burke
Police Department

*John A. Mitchell, Jr.
*Bonita S. Powell
*Charles W. Yost
Did not attend meeting.

APPROVAL OF THE MINUTES
By Councilmember Spaull

RESOLVED, that the minutes of the Regular Meeting of February 18, 2015 be approved as published in the official sheets of the Proceedings.

Adopted unanimously.

COMMUNICATIONS FROM THE MAYOR, COUNCIL PRESIDENT, CORPORATE OFFICERS AND OTHERS.

The following communications are hereby directed to be received and filed:

The Mayor submits the following:
Administrative Cancellation or Refund of Erroneous Taxes and Charges 4176-15
Public Disclosure - HOME Participation 4177-15

The Council submits Disclosure of Interest Forms from Councilmember Haag on Int. No. 87 and Councilmember Ortiz on Int. No. 61.

PRESENTATION AND REFERENCE OF PETITIONS AND OTHER COMMUNICATIONS.

None presented

PUBLIC HEARINGS.

Pursuant to law, public hearing will now be had on the following matter:

Approving the acquisition of real property from the Rochester Urban Renewal Agency Int. No. 65 No speakers.

Resolution approving the sale of real property to the City of Rochester Int. No. URA-2 No speakers

Amending the Zoning Code, Chapter 120 of the Municipal Code with regard to outdoor storage Int. No. 74 5 speakers: David Ahl, Dave Bonis, Alex White, Lisa Jaques, Mike Burger.

Authoring an amendatory agreement for resident project representation services for the Browncroft Neighborhood Street Lighting Project Int. No. 82 2 speakers: Linda Siple, David Ahl.

REPORTS OF STANDING COMMITTEES AND ACTION THEREON

By Councilmember Conklin
March 17, 2015

To the Council:

The Finance Committee recommends for adoption the following entitled legislation:

Int. No. 63 - Amending Section 111-75 of the Municipal Code with respect to towing of vehicles used in quality of life violations

Int. No. 64 - Amending Ordinance No. 2014-197 authorizing professional services agreements for appraisal services

Int. No. 66 - Authorizing the Mayor to sign legal documents

Int. No. 88 - Resolution approving appointment to the Greater Rochester Sports Authority

The Finance Committee recommends for consideration the following entitled legislation:

Int. No. 65 - Approving the acquisition of real property from the Rochester Urban Renewal Agency

The following entitled legislation is being held in Committee:

Int. No. 67 - Authorizing an agreement with TransPro Consulting LLC for a Citywide Strategic Management Plan

Respectfully submitted,
Carolee A. Conklin
Carla M. Palumbo
Jacklyn Ortiz
Dana K. Miller
Loretta C. Scott
FINANCE COMMITTEE

Received, filed and published

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-58
Re: Amending the Municipal Code - Towing of Vehicles in Certain Cases

Council Priority: Public Safety

Transmitted herewith for your approval is legislation amending Section 111-75 of the Municipal Code with regard to the towing of vehicles in certain cases. The current language of Section 111-75 authorizes the Rochester Police Department to tow vehicles that are used in ways that violate certain sections of the New York State Penal Law, and it also authorizes towing in cases of violations of certain sections of the Municipal Code.

In two court cases involving Municipal Code Section 111-75, the towing of vehicles for Municipal Code violations where the operator of the vehicle is not arrested was held to be unconstitutional. These cases are People v Iverson 22 Misc. 3d 470 (2008) and People v Davis 25 Misc. 3d 634 (2009). Although these cases were decided several years ago, the language in Section 111-75 remains. This legislation will revise Section 111-75 to continue the authorization for towing in cases involving offense related to Controlled Substances Offenses, Illegal Weapons Offenses and Prostitution Offenses. It

will eliminate the authorization for towing in cases involving the following violations of the Municipal Code: Section 75-4 Noise; 75-9 Noise - motor vehicle; 75-12 Sound reproduction devices; and 20-16 Illegal dumping. These would continue to be violations of the Code, subject to ticketing and fines, but towing of vehicles would no longer be authorized for these violations.

This revision of the Municipal Code is necessary to bring our code into compliance with court rulings on constitutional law.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-58
(Int. No. 63)

Amending Section 111-75 of the Municipal Code with respect to towing of vehicles used in quality of life violations

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

Section 1. Section 111-75 of the Municipal Code is hereby repealed in its entirety and replaced by a new Section 111-75 to read as follows:

§ 111-75. Towing of motor vehicles used in quality-of-life violations.

A. Legislative intent. The City Council hereby finds and determines that violations of laws and codes affecting quality-of-life issues, including prostitution offenses, controlled substances offenses, and violations of illegal weapons provisions, are degrading to the persons involved, often lead to the commission of other offenses, disrupt the peace and quiet of the neighborhood where such offenses occur and are detrimental to the health, safety and welfare of residents and visitors in the city. Enforcement of such offenses also imposes an enormous burden on the City in terms of providing sufficient law enforcement personnel to combat these offenses and to maintain the peace and security of City streets and neighborhoods. The Council further finds that such offenses are frequently committed by persons who do not live in the neighborhood where the acts occur and who travel to and from said neighborhoods in a motor vehicle, that the acts constituting such offenses are often committed in or from a motor vehicle or that a motor vehicle is used to transport contraband or materials involved in the offense to the location where the acts occur. The Council finds that local legislation is needed to abate nuisances involving the use of motor vehicles by providing for the towing of motor vehicles used in connection with quality-of-life offenses.

B. Definitions. As used in this section, the following terms shall have the meanings indicated:

CONTROLLED SUBSTANCES OFFENSE
Any act or conduct which would constitute an offense under Article 220 or Article 221 of the Penal Law, or an attempt to commit the same.

ILLEGAL WEAPONS OFFENSE
Any act or conduct which would constitute a violation of Article 265 of the New York State Penal Law, or an attempt to commit the same.

PROSTITUTION OFFENSE
Any act or conduct which would constitute an offense under Article 230 of the New York State Penal Law, or an attempt to commit the same.

C. Towing.

(1) It is the policy of the City of Rochester that when persons are arrested for prostitution, controlled substances or illegal weapons offenses or violations of § 47-5 of the Municipal Code (Firearms, shotguns, rifles and other dangerous weapons), and the act or acts constituting the offense take place in or from a motor vehicle, or when the persons arrested are in or about or arrived by a motor vehicle, or if the motor vehicle is otherwise used to facilitate the act or acts constituting the offense, such motor vehicle shall be towed pursuant to the arrest to a vehicle pound designated by the Chief of Police. The provisions of § 111-72 of the Municipal Code shall apply to such motor vehicles.

(2) Whenever a police officer has probable cause to believe that a motor vehicle is subject to towing pursuant to this section, the police officer shall provide for the towing of the motor vehicle to a vehicle pound designated by the Chief of Police. Such towing shall be deemed an abatement of a nuisance and at the risk and expense of the vehicle owner or person entitled to the vehicle or person operating the vehicle. Such costs shall not be deemed to be a penalty. When the motor vehicle is towed, the police officer shall notify the person who is found to be in control of the motor vehicle at the time of the alleged violation, if there is such a person, of the fact of the towing and of the vehicle owner's right to request a hearing to be conducted in accordance with § 111-72H of the Municipal Code. Other than a lack of probable cause, the only defenses available to a vehicle owner in such a hearing shall be that the motor vehicle used in the violation was stolen at the time of the violation and the theft was reported to the appropriate police authorities within 24 hours after the theft was dis-

covered or reasonably should have been discovered, or that the motor vehicle was operating as a common carrier and the violation occurred without the actual knowledge of the person in control of the motor vehicle. It shall not otherwise be a defense that the violation occurred while the vehicle owner was not present, or that the vehicle owner did not consent to the acts constituting the violation. The provisions of § 111-72 of the Municipal Code shall apply to motor vehicles towed pursuant to this section.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-59
Re: Amending Ordinance No. 2014-197 - Appraisal Services

Council Priority: Deficit Reduction and Long-Term Financial Stability

Transmitted herewith for your approval is legislation amending Ordinance No. 2014-197 to increase by $24,000 the amount authorized for appraisal services required by the Law Department. The increased amount is necessary because expert appraisal services are needed for certain cases involving litigation challenging the tax assessment of certain properties. In order to defend the City's tax assessment, an expert opinion is needed.

This amendment will increase the amount authorized for appraisal contracts as follows:

Firm	Original	Change	Total
Bruckner, Tillet, Rossi, Cahill & Associates	$10,000	$23,000	$33,000
Metro Appraisal Associates	$10,000	($10,000)	0
Midland Appraisal Associates, Inc.	$0	$11,000	11,000
Grand Total			$44,000

The total increase of $24,000 will be funded from the 2014-15 Budget of the Law Department.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-59
(Int. No. 64)

Amending Ordinance No. 2014-197 authorizing professional services agreements for appraisal services

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

Section 1. Ordinance No. 2014-197 authorizing professional services agreements for appraisal services is hereby amended to read as follows:

Ordinance No. 2014-197

Section 1. The Mayor is hereby authorized to enter into agreements with the following firms for real estate appraisal services as needed by the respective departments as shown below:

Department of Neighborhood and Business Development

Firm	*Maximum Compensation*
Pogel, Schubmehl & Ferrara, LLC	*$8,500*
Midland Appraisal Associates, Inc.	*$8,500*
Bruckner, Tillet, Rossi, Cahill & Associates	*$8,500*
Metro Appraisal Associates	*$8,500*

Law Department

Bruckner, Tillet, Rossi, Cahill & Associates	~~*$10,000*~~	*$33,000*
~~*Metro Appraisal Associates*~~		~~*$10,000*~~
Midland Appraisal Associates, Inc.		*$11,000*

Department of Environmental Services

Firm	*Maximum Compensation*
Pogel, Schubmehl & Ferrara, LLC	*$10,000*
Midland Appraisal Associates, Inc.	*$10,000*
Bruckner, Tillet, Rossi, Cahill & Associates	*$10,000*
Metro Appraisal Associates	*$10,000*

Section 2. The cost of the agreements shall be funded by $34,000 from the 2014-15 Budget of the Department of Neighborhood and Business Development, ~~$20,000~~ 44,000 from the 2014-15 Budget of the Law Department and $40,000 from the 2014-15 Capital Budget of the Department of Environmental Services. The Mayor is authorized to adjust the amounts authorized for each firm, based on actual needs for their services, within the total amount of funds authorized. The agreements shall have a term of one year.

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

Section 2. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-60
Re: Authorizing the Mayor to Sign Legal Documents

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation authorizing the Mayor to sign legal documents required by New York State in connection with a $5,000 grant to fund activities related to the Clarissa Street Reunion. The Council authorized receipt and use of these funds via Ordinance No. 2014-402. However, the New York State Office of Parks, Recreation and Historic Preservation now requires specific verbiage to access these funds, making Council approval of this item necessary. No City funds are required.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-60
(Int. No. 66)

Authorizing the Mayor to sign legal documents

WHEREAS, the City of Rochester has received a Legislative Initiative grant in the New York State Budget; and

WHEREAS, there are specific requirements and regulations governing the expenditure of these funds;

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

Section 1. Administration of all funds under this grant will be in accordance with all terms and conditions contained in the *GUIDELINES for Non-Construction Projects $50,000 and under, effective date* September 13, 2013, provided by the New York State Office of Parks, Recreation and Historic Preservation.

Section 2. That Lovely A. Warren, as Mayor of the City of Rochester, is hereby authorized to sign legal documents including the resolution set forth below on behalf of the City, and that such signature is acknowledgement of the acceptance of this body of compliance with all terms and conditions of the Master Contract for Grants Contract Number PKS-14-GE-001, to be executed for the grant.

DISCLOSURE & ACCOUNTABILITY CERTIFICATION

I. No Conflict of Interest

Except as otherwise fully disclosed in an attachment to this Certification, the Contractor affirms, to the best of its knowledge, under penalty of perjury, that neither the Sponsoring member nor any Related Parties to Sponsoring Member has any financial interest, direct or indirect, in the Contractor, or has received of will receive any financial benefit, either directly or indirectly, from the Contractor or from the matters contained in this Contract.

II. Good Standing

Except as otherwise fully disclosed in an attachment to this Certification, the Contractor affirms, to the best of its knowledge, under penalty of perjury that:

(A) At no time during the past five years has the Contractor: (1) been barred by a government agency from entering into a government contract as a result of inappropriate activity or unlawful conduct; (2) been convicted or charged with a felony or misdemeanor; or (3) failed to file federal, state or city tax returns or pay taxes owed; and

(B) Neither the Contractor, nor any of the Contractor's Related Parties, has paid any third party or agent, either directly or indirectly, to aid in the securing of this Contract.

Attach a description of the events and circumstances of any exceptions to these statements.

III. Funds Used Solely for Public Purpose

The Contractor affirms, to the best of its knowledge, under penalty of perjury, that all funds expended pursuant to the terms of this Contract are intended to be used and will be used solely and directly for the public purpose or public purposes specified elsewhere in this Contract.

IV. Sponsoring Member(s)

The Sponsoring Member of the local legislative initiative pursuant to which this Contract will be funded is Hon. David Gantt.

V. Definitions

As used herein this Certification:

(1) "Affiliate" means any person or entity that directly or indirectly controls or is controlled by or is under common control or ownership with the specified party.

(2) "Contractor" means the party or parties receiving funds pursuant to the terms of this Contract.

(3) "Related Party" means: (i) the party's spouse, (ii) natural or adopted descendants of the party or of the party's spouse, (iii) any sibling of the party or of the party's spouse, (iv) any person sharing the home of any of the foregoing, (v) any staff member, employee, director, officer or agent of the party, and (vi) Affiliates or subcontractors of the party.

(4) "Sponsoring Member" means the sponsoring Assembly Member or State Senator that

sponsored the grant related to this Contract in the Fiscal Year 2013-14 New York State Budget.

The undersigned recognizes that this Certification is submitted for the express purpose of assisting the State of New York and political subdivisions to make a determination regarding the award of a contract or approval of a subcontract; acknowledges that the State of New York and political subdivisions may in their discretion, by means which they choose, verify the truth and accuracy of all statements made herein; acknowledges that knowing or intentional submission of false or misleading information may constitute a felony under the Penal Law Section 210.40 or a misdemeanor under Penal Law Section 210.45; and states that the information submitted in this Certification and any attached pages is true, accurate and complete.

Name of Contractor: City of Rochester
Address: 30 Church Street, Rochester NY 14614
Signature of Authorized Official/Date
_____
Lovely A. Warren, Mayor
Date: _____
Sworn to before me this
_____day of _____, 20__

_____
Notary Public

Section 3. This ordinance shall take effect immediately

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2015-5
Re: Appointment - Greater Rochester Sports Authority

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation confirming the appointment of Edward P. Hourihan, Jr., litigation attorney and managing member of Bond Schoeneck & King Attorneys, Rochester, New York, to the Greater Rochester Sports Authority (GRSA). Mr. Hourihan will fill the current vacancy on the Authority.

The GRSA, established by New York State Law, consists of three members, one of whom is appointed by the Mayor and subsequently confirmed by the Council; the other two members are appointed by the County Executive with confirmation by the County Legislature. Members serve until they are replaced or resign.

The GRSA, a not-for-profit public benefit corporation, manages Frontier Field, which is owned by Monroe County. The Authority oversees the operations of the stadium. Mr. Hourihan will represent the City's interest as the GRSA undergoes its planned dissolution. He brings relevant professional experience with public authorities law to this position.

Mr. Hourihan's resume is on file for your review in the City Clerk's office.

Respectfully submitted,
Lovely A. Warren
Mayor

Resolution No. 2015-5
(Int. No. 88)

Resolution approving appointment to the Greater Rochester Sports Authority

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

Section 1. The Council hereby approves the appointment of Edward P. Hourihan, Jr., litigation attorney and managing member of Bond Schoeneck & King PLLC, Rochester, New York, to the Greater Rochester Sports Authority.

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-61
Re: Acquisition of Land from the Rochester Urban Renewal Agency

Council Priority: Support the Creation of Effective Educational Systems

Transmitted herewith for your approval is legislation authorizing the acquisition of land from the Rochester Urban Renewal Agency (RURA) for $1.00. The parcel to be acquired is 485 North Clinton Avenue.

In January 2015, City Councilmembers noted that this parcel was listed as owned by RURA. However, this parcel is part of the land upon which School No. 9 was built. Under State Education Law, properties used for City schools are to be owned by the City in trust for the Rochester City School District (RCSD). After reviewing the title records, it appears that part of the land upon which the school was constructed was conveyed to the City, but this parcel was not conveyed.

The legislation will convey 485 North Clinton Avenue to the City, thereby correcting the title records so that the entire school property is held by the City in trust for the RCSD.

A public hearing is required for the RURA conveyance.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-61
(Int. No. 65)

Approving the acquisition of real property from the Rochester Urban Renewal Agency

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

Section 1. The Council hereby approves the acquisition of the following parcel from the Rochester Urban Renewal Agency for the sum of $1.00 to continue in use for Rochester City School District School #9:

Address: 485 North Clinton Avenue
S.B.L. #: 106.55-1-5.001

Section 2. Upon transfer of title to the City, any City taxes and other City charges, against said properties are hereby canceled.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Introductory No. 67
Re: Agreement - TransPro Consulting, LLC, Citywide Strategic Management Plan

Transmitted herewith for your approval is legislation establishing $78,540 as maximum compensation for an agreement with TransPro Consulting, LLC, Tampa, Florida, for the creation of a Citywide Strategic Management Plan. This agreement will be funded from the 2014-15 Budget of Undistributed Expenses. The term of the agreement is one year with the option to renew for an additional year.

The Citywide Strategic Management Plan will emphasize City priorities and provide clear indicators that demonstrate progress toward meeting the goals of increased job opportunities, educational quality, and neighborhood safety. The consultant will assist in developing the guiding vision statement from which City objectives and operational plans will be outlined and measured. Through the creation of a City dashboard or departmental scorecards, TransPro will provide a system for monitoring progress toward realizing tangible improvements for the citizens and businesses of Rochester. This reporting system will become the property of the City for continued use by staff.

Community engagement will be a central part of the Citywide Strategic Management Plan. The creation of an annual report based upon recent data will help the community understand the City's vision for Rochester's future. The impact of operational changes can be shared within the broader context of why they are made and what they produce. A critical component of the plan is to make the work of the City obvious and transparent to the public.

TransPro Consulting has a number of experts highly knowledgeable about Rochester and this region, including Mark Aesch, whose management skills turned an ailing Rochester-Genesee Regional Transportation Authority into the successful enterprise it is today. In addition, TransPro has experience working with other public entities such as the City of Detroit's Department of Transportation, Pasco County Schools in Florida (enrollment 72,000), Nassau County's Inter County Express, and the City of Las Vegas. For each of these municipalities, TransPro reduced costs and improved efficiency. Its work in Detroit gained national media attention, because TransPro helped the Department reduce costs by $38 million and improve customer satisfaction by 44% in one year. The City of Las Vegas adopted a performance-based management system that is helping the city meet its self-defined strategic goals.

TransPro was selected through a request for proposal process which is described in the attached summary.

Respectfully submitted,
Lovely A. Warren
Mayor

Introductory No. 67

AUTHORIZING AN AGREEMENT WITH TRANSPRO CONSULTING LLC FOR A CITYWIDE STRATEGIC MANAGEMENT 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 TransPro Consulting LLC for consultant services relating to the development of a Citywide Strategic Management Plan. The maximum compensation shall not exceed $78,540. The cost of this agreement will be funded from the 2014-15 Budget for Undistributed Expenses. The agreement shall have a term of one year, with one optional one-year renewal.

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.

Held in Committee.

By Councilmember Palumbo
March 17, 2015

To the Council:

The Neighborhood & Business Development Committee recommends for adoption the following entitled legislation:

Int. No. 68 - Authorizing the sale of real estate

Int. No. 69 – Authorizing a property tax exemp-

tion and authorizing an in lieu of tax agreement for the Wedgepoint Apartments Project

Int. No. 70 - Authorizing loan agreements for the Wedgepoint Apartments Project

Int. No. 71 - Authorizing a grant agreement with Scotts Miracle-Gro Company

Int. No. 72 - Resolution approving appointment to the City Planning Commission

Int. No. 73 - Appropriating funds and authorizing agreements for the Emergency Assistance Repair Program

The Neighborhood & Business Development Committee recommends for consideration the following entitled legislation:

Int. No. 74 - Amending the Zoning Code, Chapter 120 of the Municipal Code with regard to outdoor storage

Respectfully submitted,
Carla M. Palumbo
Carolee A. Conklin
Michael A. Patterson
Dana K. Miller
Loretta C. Scott
NEIGHBORHOOD & BUSINESS DEVELOPMENT COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-62
Re: Sale of Real Estate

Council Priority: Rebuilding and
Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation approving the sale of five 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.

The first three properties are vacant lots sold by negotiated sale to the adjacent owners. The owners will combine these lots with their existing properties.

The next two properties are unbuildable vacant lots, being sold for $1.00 (as per City policy) to the adjacent owners who will combine the lot with their existing properties.

The first year projected tax revenue for these five properties, assuming full taxation, current assessed valuations and current tax rates, is estimated to be $1,705.

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

Attachment No. AO-32

Ordinance No. 2015-62
(Int. No. 68)

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 the negotiated sale of the following parcels of vacant land with proposal:

Address	S.B.L.#	Lot Size	Sq. Ft.	Price	Purchaser
496 Avenue D, east ½	091.79-4-34	20x102	2,041	$225	Santago Casiano, Jr.
496 Avenue D, west ½	091.79-4-34	20x102	2,041	$225	Larry Copeland
48 Carter St	106.26-2-28.1	60x82	4,255	$425	Valentin Hernandez

Section 2. The Council hereby approves the negotiated sale of the following parcels of unbuildable vacant land for the sum of $1.00:

Address	S.B.L.#	Lot Size	Sq. Ft.	Purchaser
54 Bauman St	091.80-2-43	34x95	3,255	Clark Food Services, LLC*
589 Portland Av	106.26-2-26	78x75	5,329	Abdul Mohammed

*Jeffrey Clark, Sole Member

Section 3. 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 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-63 and
Ordinance No. 2015-64
Re: Wedgepoint Apartments

Council Priority: Rebuilding and
Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation related to the Wedgepoint Apartments project, a mixed-use, mixed-income development being undertaken by PathStone Development Corporation (PDC) in the South Wedge neighborhood.

This legislation will:

1. Authorize property tax exemptions and payment in-lieu-of taxes agreements for the Wedgepoint Apartments project, which will provide a 30-year exemption for an annual in lieu of payment equal to 10% of the project shelter rents (gross rents minus utility costs).

2. Authorize a loan agreement for a $400,000 construction/permanent loan with PDC or an affiliated partnership or housing fund development corporation to be formed by PDC, and appropriate and/or reappropriate HOME funds from the respective Affordable Housing Fund allocation of the Housing Development Fund to fund the loan as follows:

Amount	Year
$ 33,206.29	2011-12 HOME Program
140,000.00	2012-13 HOME Program
122,789.00	2013-14 HOME Program
104,004.71	2014-15 HOME Program
$400,000.00	Total

   The loan will serve initially as a non-amortizing 2% construction loan then at conversion to permanent financing become a 30-year, 2% interest-only loan with principal payment due at the end of the 30-year term.

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

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

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

The fund transfers listed above are needed to allow the City of Rochester to proceed with affordable housing projects that have received, or are anticipated to receive, funding awards.

Wedgepoint Apartments is a mixed-used, mixed-income development that will revitalize a strategically located vacant site at 390 South Avenue, the location of the former Downtown Motor Lodge. Wedgepoint Apartments will include two four-story buildings containing 60 apartments and three commercial units. The apartments will be a mix of one, two and three bedroom units; 80% of the units will be affordable to families earning 60% or less of the area median income and 20% of the units will be affordable to families earning between 61% and 90% of the area median income. Nine of the apartments will be set aside for blind and visually-impaired tenants who will receive services from the Association of the Blind and Visually Impaired. Wedgepoint Apartments will complement and bridge significant development that has occurred in the South Wedge area of Rochester in the past decade. The project was awarded funding through New York State Homes and Community Renewal's Early Round application for 9% low-income housing tax credits.

The sources and uses for the project are summarized below:

Uses	
Land/building	$ 600,000
Soft costs	1,440,000
Hard costs	11,085,489
Contingency	508,075
Development fee	1,491,842
Reserves	205,439
Working capital	80,500
Total	$15,411,345

Permanent Sources	
Conventional loan	$ 625,000
9% LIHTC	8,218,488
Housing Trust Fund Mortgage	3,600,000
Developer equity	200,000
NYS Comm Inv Fund	431,495
SLITHC	1,450,000
City of Rochester	400,000
HCR HOME	240,776
NeighborWorks	245,586
Total	$15,411,345

Workforce goals for the project are 6.9% women and 20% minorities

A State Environmental Quality Review Act (SEQR) review has been completed and a Negative Declaration has been issued. A National Environmental Policy Act (NEPA) review is underway and will be completed prior to entering into any agreements for the Wedgepoint Apartments project.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-33

Ordinance No. 2015-63
(Int. No. 69)

Authorizing a property tax exemption and authorizing an in lieu of tax agreement for the Wedgepoint Apartments Project

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

Section 1. Pursuant to Section 577 of the New York State Private Housing Finance Law, the Council hereby exempts from real property taxes, for a period of 30 years, the properties described below, to be owned by PathStone Development Corporation or an affiliated housing development fund corporation formed for the Wedgepoint Apartments Project, and to be used for housing as a part of the Wedgepoint Apartments Project:

Project Address	SBL #
390 South Avenue	121.48-1-47

Section 2. The Mayor is hereby further authorized to enter into an in-lieu-of-tax payment agreement for a period of thirty years with the housing development fund corporation, whereby the owner shall be obligated to make annual tax and in-lieu-of-tax payments to the City of Rochester equal in total to at least 10% of its annual "shelter rent". "Shelter rent" shall equal gross rents less utility costs.

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.

Passed unanimously.

Ordinance No. 2015-64
(Int. No. 70)

Authorizing loan agreements for the Wedgepoint Apartments Project

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

Section 1. The Mayor is hereby authorized to enter into loan agreements for construction financing and permanent financing with PathStone Development Corporation or a housing development fund corporation or partnership formed for the Wedgepoint Apartments Project. The construction financing loan agreement shall be in the amount of $400,000 at 2% interest, interest only to be paid annually. When the loan is converted to permanent financing, it shall be in the amount of $400,000 and for a term of 30 years with interest at 2% paid annually. Principal payment shall be deferred to the end of the term of the loan. The Mayor is authorized to adjust the interest rate and other terms and conditions of the loan in order to conform to legal requirements for tax credits and for the Project. This loan agreement shall be funded by $400,000 from the HOME Program as specified

below, which funds are hereby appropriated for said purpose:

Amount	Year
$ 33,206.29	2011-12 HOME Program
140,000.00	2012-13 HOME Program
122,789.00	2013-14 HOME Program
104,004.71	2014-15 HOME Program
$400,000.00	Total

Section 2. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate. The Mayor is authorized to execute such agreements and other documents as may be necessary to effectuate the agreement authorized herein and to adjust the interest rate and other terms and conditions of the loan in order to conform to legal and other requirements for the Project.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-65
Re: Grant Agreement - Scotts Miracle-Gro Company, Community Gardens

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation authorizing an agreement with Scotts Miracle-Gro Company for the receipt and use of a $40,000 GRO1000 grant. The term of this agreement is April 1, 2015 through March 31, 2018. The City will receive $25,000 in year one, and $7,500 in years two and three.

The grant will be used to assist in a community outreach initiative dedicated to bringing the benefits of gardens and green spaces to more neighborhoods. This project will be managed by the Northeast Neighborhood Service Center (NSC), and will provide gardening supplies and training opportunities to gardens and gardeners in all four quadrants of the city. Citizens and stakeholders are involved, and several established garden locations have been identified to participate. The gardens will grow both food and flowers.

The Northeast NSC will work in collaboration with Foodlink, Cornell Cooperative Extension, RIT, Home Depot, Wegmans, and other community partners interested in donating time and materials to promoting gardens, gardening, and increased access to whole foods, especially in neighborhoods lacking access to a fresh food grocery.

GRO1000 is a community outreach initiative that Scotts Miracle-Gro Company launched in 2011. The GRO1000 goal is to create 1,000 community gardens nationwide by 2018 in celebration of the company's 150th Anniversary.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-34

Ordinance No. 2015-65
(Int. No. 71)

Authorizing a grant agreement with Scotts Miracle-Gro Company

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 Scotts Miracle-Gro Company for receipt and use of $40,000 to be used for funding a community program to establish, improve and maintain community gardens and green spaces, and said amount is hereby appropriated for such purpose. The agreement shall be for a term of three years.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2015-6
Re: Board Appointment - City Planning Commission

Transmitted herewith for your approval is legislation confirming the appointment of one alternate to the City Planning Commission: Allan Richards, 23 Pearl Street, Rochester, New York 14607. Mr. Richards is currently the Coordinator of Public and Legislative Affairs for New York State Assemblyman Harry Bronson. Mr. Richards' resume is on file with the City Clerk.

Mr. Richards will serve as an alternate on the City Planning Commission until March 31, 2017.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-35

Resolution No. 2015-6
(Int. No. 72)

Resolution approving appointment to the City Planning Commission

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

Section 1. The Council hereby approves the appointment to the City Planning Commission of

the following person as an alternate for a term that expires on March 31, 2017:

Name	Address
Allan Richards	23 Pearl Street

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-66
Re: Emergency Assistance Repair Program

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation related to the continuation of the Emergency Assistance Repair Program (EARP). This legislation will appropriate $70,000 from the Housing Repair Programs allocation of the Housing Development Fund of the 2014-15 Community Development Block Grant (CDBG) for the City's use to operate the program.

EARP is a housing program designed to assist eligible homeowners to make emergency repairs to their homes. Eligible homeowners are those with household incomes at or below 80% of the area median income, who are current with city property tax payments and are in need of a water line replacement, hot water tank or furnace. EARP has been operating in-house with the assistance of Action for a Better Community to manage the application intake process. The work has been undertaken by vendors through the use of term agreements with the City. The vendors have been responsible for responding to requests for services and have been required to provide services within four hours from the time of the request. A City program manager has been responsible for overseeing the activities of the intake agency to ensure the efficient completion of applications by the homeowners. The program manager accepts and approves applications and coordinates vendors' work activities.

Ordinance No. 2014-282 authorized $50,000 from the 2014-15 CDBG to fund EARP. Along with $105,000 that was remaining in last year's program allocation, a total of $155,000 was made available to fund the program. As of February 16, 2015, a total of 72 property owners have been served at a cost of $133,569. It was forecasted that approximately 100 homeowners would be served through the program at an estimated cost of $155,000. Our projections were not accurate; due to the exceptionally harsh winter, emergency repairs have exceeded our expectations.

A total of $70,000 is being requested to continue funding EARP. This number was arrived at by averaging the amount of assistance that has been provided over the past six months ($22,260) and multiplying that by three, the expected number of the remaining months of winter (to be conservative).

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-66
(Int. No. 73)

Appropriating funds and authorizing agreements for the Emergency Assistance Repair Program

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

Section 1. The sum of $70,000, or so much thereof as may be necessary, is hereby appropriated from the Housing Repair Programs allocation of the Housing Development Fund of the 2014-15 Community Development Block Grant to fund the Emergency Assistance Repair Program to be operated by the City.

Section 2. The Mayor is hereby authorized to enter into such agreements as may be necessary to implement the Program.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

Councilmember Palumbo moved to return Int. No. 74 to Committee.

The motion was seconded by Councilmember Conklin.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Introductory No. 74
Re: Zoning Text Amendment - Outdoor Storage

Transmitted herewith for your approval is legislation amending the Zoning Code of the City of Rochester pertaining to the definition of and regulations for outdoor storage. This code change was precipitated by a court decision which ruled that our existing code language was "unconstitutionally vague." Therefore, this amendment proposes to clarify the definition of outdoor storage so that the restrictions on the activity, particularly on residential properties, are not unreasonably restrictive or unconstitutionally vague.

The City Planning Commission held an informational meeting on the proposed amendment on Monday, February 9, 2015. Four people spoke in support of the amendments, and two people spoke

in opposition. By a vote of 5-0, the City Planning Commission recommended approval. The recommendation and meeting minutes are attached.

There were two other proposed amendments presented to the City Planning Commission at their February meeting, as reflected in the minutes: potential changes regarding bars and restaurants in the C-1 and Overlay-Boutique Districts, and changes to the definition of live entertainment and background music. Additional consideration and coordination are required before these potential amendments can be transmitted for the Council's consideration.

A public hearing is required for the Zoning Text Amendment.

Respectfully submitted,
Lovely A. Warren
Mayor

Introductory No. 74

AMENDING THE ZONING CODE, CHAPTER 120 OF THE MUNICIPAL CODE WITH REGARD TO OUTDOOR STORAGE

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

Section 1. Chapter 120 of the Municipal Code, the Zoning Code, as amended, is hereby further amended by adding the following new definitions in Section 120-208 as follows:

COMMERCIAL /INDUSTRIAL MATERIALS Materials stored, warehoused, exchanged, used, consumed, assembled, repaired, salvaged, manufactured, generated, displayed, offered for sale, or discarded at a commercial or industrial use facility including, but not limited to, raw materials, equipment, parts, merchandise, construction materials, by-products, regardless of whether they are intended to be used, salvaged, or discarded.

CONTRACTOR STORAGE An outdoor area used for the storage of equipment and/or materials used for construction, building trades, landscaping services or maintenance including but not limited to building construction or renovation, heating, plumbing, roofing, landscaping and excavation.

GARBAGE All putrescible animal and vegetable waste resulting from growing, processing, marketing, and preparation of food items, including container in which packaged.

JUNK APPLIANCE Any household appliance, or parts thereof, including but not limited to, a stove, washing machine, dryer, dishwasher, freezer refrigerator, air conditioner, water heater lamp or lighting fixture, or television, electronic equipment and parts thereof, including but not limited to computers, copiers, fax machines and printers, lamps and lighting fixtures, which is placed outside of any residence or structure.

JUNK FURNITURE Placed, abandoned, discarded or irreparably damaged furniture including, but not limited to, sofas, upholstered and unupholstered chairs, mattresses, bed frames, desks, tables, and chests of drawers.

JUNK ITEM Worn out or discarded material of little or no value which is no longer intended or in condition for ordinary and customary use.

RUBBISH, LITTER AND DEBRIS Ordinary household or commercial trash, including but not limited to paper and paper products, barrels, cartons, boxes, cardboard, cans, glass metals, machinery, plastics, rubber crates, furniture, rugs, clothing, rags, mattresses, blankets, tires, automobile and other vehicle parts, lumber, brick, stone, and other building materials no longer intended or in condition for ordinary use.

STORAGE, CONTRACTOR See "contractor storage."

Section 2. Section 120-208 of the Municipal Code, the Zoning Code as amended is hereby amended by amending the definition of Outdoor Storage to read as follows:

~~OUTDOOR STORAGE~~

~~Storage of any materials, merchandise, stock, supplies, machines and the like that are not kept in a structure having at least four walls and a roof, regardless of how long such materials are kept on the premises. Outdoor storage shall not include junk and salvage yards, auto wrecking yards or the like.~~

OUTDOOR STORAGE The placing, maintaining, keeping or abandonment of junk, junk furniture, junk appliances, commercial or industrial materials, contractor storage, garbage, rubbish, litter and debris in a place other than a structure with a roof and fully enclosed on all sides.

Section 3. Section 120-175 of the Municipal Code, the Zoning Code is hereby repealed in its entirety, and a new Section 120-175 is hereby adopted to read as follows:

§ 120-175 Outdoor Storage

A. Prohibited Outdoor Storage

(1) Outdoor storage shall not be permitted in any zoning district, except as provided by subsection B of this Section. It shall be unlawful for any person to store, deposit, place, maintain or cause or permit to be stored, deposited, placed or maintained outdoors, any junk, junk furniture, junk appliance commercial/industrial materials, garbage, rubbish, litter and debris, as such terms are defined in Section 120-208, upon private property within in any zoning district, except as provided by subsection B of this Section.

(2) It shall be unlawful for any person to use any unenclosed front porch area or side porch area for the storage or placement of mattresses or upholstered furniture, within any zoning district.

B. Permitted Outdoor Storage

(1) Outdoor storage subject to the following restrictions may be authorized in the H-V and PMV districts by means of a special permit granted in accordance with Section 120-192B and the applicable district (H-V or PMV) regulations in this Chapter:

a. Outdoor storage shall not be allowed in the front yard.

b. Outdoor storage shall not occupy more than 10% of the entire lot area.

c. All outdoor storage shall be screened to ensure it is not visible from the public right-of-way or adjacent residential properties.

d. Screening shall be of sufficient height and density to completely hide the storage from public view.

e. Screening shall be of sufficient height and density to completely hide storage from major highways, passenger rail lines and other public accessways.

f. Display and storage of boats and boat trailers is permitted in the H-V district.

g. Any requirements established by the Planning Commission as a condition of granting a special permit for the use.

(2) Outdoor storage subject to the following restrictions may be authorized in the C-3 and M-1 districts by means of a special permit granted in accordance with Section 120-192B and the applicable district (C-3 or M-1) regulations in this Chapter:

a. Outdoor storage shall not be allowed in the front yard setback.

b. All outdoor storage shall be fully screened to ensure the area is not visible from the public right-of-way or adjacent residential properties.

c. Screening shall be of sufficient height and density to completely hide the storage from public view.

d. Screening shall be of sufficient height and density to completely hide storage from major highways, passenger rail lines and other accessways.

e. Contractor storage must be a minimum of 200 feet from a residential or open space district.

f. Any requirements established by the Planning Commission as a condition of granting a special permit for the use.

C. Exclusions. Subsections 120-175(A) and 120-175(B) shall not apply to the following:

(1) Wood intended for consumption on the premises in a wood burning stove, furnace or fireplace provided that the volume of wood does not exceed a face cord measuring no more than 4 feet high x 4 feet wide x 8 feet long, placed in the rear yard and stacked on a wood pallet or otherwise raised from the ground.

(2) Lawn, yard and/or garden ornaments, tools and machinery intended for use on the premises.

(3) Hoses and sprinklers used for watering lawns and gardens.

(4) Storage or placement and accumulation of materials in connection with a commercial operation conducted on the premises where such storage, placement and accumulation is situated, operated and authorized in accordance with this or any other chapter of the Municipal Code including, but not limited to, junkyards and salvage yards authorized pursuant to this Chapter and Chapter 66 of the Municipal Code.

(5) Temporary storage of contractor materials and equipment being used for the construction, renovation, or demolition of a building or structure on the premises for which a current building or demolition permit has been issued or other improvements not requiring a permit.

(6) Items that are prepared and placed for collection at curbside or elsewhere in compliance with the refuse and recyclable collection regulations in Chapter 20 of the Municipal Code.

Section 4. §120-51 of the Zoning Code, relating to special permit uses in the C-3 Regional Destination Center District is hereby amended by adding the following new subsection:

J. Outdoor storage, subject to the additional requirements set forth in §120-175.

Section 5. Subsection B of §120-76 of the Zoning Code, relating to special permit uses in the PMV Public Market Village District is hereby amended by adding the following new item:

(5) Outdoor storage, subject to the additional requirements set forth in §120-175.

Section 6. Subsection B of §120-77 of the Zoning Code, relating to special permit uses in the H-V Harbortown Village District is hereby amended by adding the following new item:

(14) Outdoor storage, subject to the additional requirements set forth in §120-175.

Section 7. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Held in Committee.

Councilmember Palumbo moved to discharge Int. No. 61 from Committee.

The motion was seconded by Councilmember Conklin.

The motion was adopted by the following vote:

Ayes - President Scott, Councilmember Conklin, Haag, McFadden, Miller, Palumbo, Patterson, Spaull - 8.

Nays - None - 0.

Councilmember Ortiz abstained because of a familial relationship.

Councilmember Palumbo moved to amend Int. No. 61.

The motion was seconded by Councilmember Patterson.

The motion was adopted by the following vote:

Ayes - President Scott, Councilmember Conklin, Haag, McFadden, Miller, Palumbo, Patterson, Spaull - 8.

Nays - None - 0.

Councilmember Ortiz abstained because of a familial relationship.

Introductory No. 61 was introduced February 18, 2015 and appears in its original form with its transmittal letter on page 48 of the current Council Proceedings

Ordinance No. 2015-67
(Int. No. 61, as amended)

Amending Ordinance No. 2014-277 authorizing loan agreements for the Eastman Gardens Project

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

Section 1. Ordinance No. 2014-277 authorizing loan agreements for the Eastman Gardens Project as amended is hereby further amended to alter the terms regarding Loan 1, to read as follows:

Section 1. The Mayor is hereby authorized to enter into loan agreements for construction financing and permanent financing with Eastman Gardens Associates LLC or a housing development fund corporation formed for the Eastman Gardens Project. The construction financing loan agreement designated as Loan Number 1 shall be in the amount of $600,000 at 2% interest, interest only to be paid annually. When the loan is converted to permanent financing, it shall ~~amortize over~~ be for a term of 30 years, with 0% interest. Payment of principal shall be as follows: $6,000 per year in years 1 through 5; $12,000 per year in years 6-15; and $30,000 per year in years 16-30. ~~with interest at 1% in years 1 through 5; 2% interest in years 6 through 15; and 6% interest in years 16 through 30. In years 1 and 2 up to one half of the payments due may be deferred if the City determines that such deferral is necessary to offset any rent concessions required to achieve full occupancy, based upon audited financial statements. Interest shall be payable annually at 1% in years 1 through 5; 2% interest in years 6 through 15; and 6% interest in years 16 through 30. Payment of principal shall be deferred until year 16, and beginning in year 16 the principal shall be amortized during years 16 through 30.~~ The Mayor is authorized to adjust the interest rate and other terms and conditions of the loan in order to conform to legal requirements for tax credits and for the Project. This loan agreement shall be funded by $300,000 from the Focused Investment Strategy allocation of 2012-13 Cash Capital of the Department of Neighborhood and Business Development, and $300,000 from the Affordable Housing Acquisition allocation of ~~2014-15~~ Prior Years' Cash Capital of the Department of Neighborhood and Business Development.

Section 2. The Mayor is hereby authorized to enter into loan agreements for construction financing and permanent financing with Eastman Gardens Associates LLC or a housing development fund corporation formed for the Eastman Gardens Project. The construction financing loan agreement designated as Loan Number 2 shall be in the amount of $600,000 at 0% interest. When the loan is converted to permanent financing, it shall be for a term of 30 years with interest ~~only payable annually~~ at 2% per year. Payment of the principal and interest shall be deferred until the end of the term. The Mayor is authorized to adjust the interest rate and other terms and conditions of the loan in order to conform to legal requirements for tax credits and for the Project. This loan agreement shall be funded by $600,000 from the Affordable Housing Fund allocation of the Housing Development Fund of the 2014-15 HOME Program, and said funds are hereby appropriated for this purpose.

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

deems to be appropriate.

Section 4. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed by the following vote:

Ayes - President Scott, Councilmembers Conklin, Haag, McFadden, Miller, Palumbo, Patterson - 7.

Nays - Councilmember Spaull - 1.

Councilmember Ortiz abstained because of a familial relationship.

By Councilmember Haag
March 17, 2015

To the Council:

The Parks & Public Works Committee recommends for adoption the following entitled legislation:

Int. No. 75 - Bond ordinance of the City of Rochester, New York, authorizing the issuance of $1,886,000 bonds of said City to finance the reconstruction of various water mains related to the 2015 Water Main Extension and Improvements Program in the City

Int. No. 76 - Bond ordinance of the City of Rochester, New York, authorizing the issuance of $1,429,000 bonds of said City to finance the cost of the Parking Garage Repair and Reconstruction Program in the City

Int. No. 77 - Authorizing an agreement for the Emergency Communications Facility Console Replacement Project

Int. No. 78 - Authorizing a professional services agreement with T.Y. Lin International for the Charles Carroll Plaza and Genesee Crossroads Parking Garage Roof Slab Reconstruction Project

Int. No. 79 - Authorizing agreements for materials testing services

Int. No. 80 - Authorizing agreements for the Public Market Winter Shed Renovation and Expansion Project

Int. No. 81 - Bond ordinance of the City of Rochester, New York, authorizing the issuance of $508,000 bonds of said City to finance the cost of design and construction of the Public Market Winter Shed Renovation and Expansion Project

The Parks & Public Works Committee recommends for Consideration the following entitled legislation:

Int. No. 82 - Authoring an amendatory agreement for resident project representation services for the Browncroft Neighborhood Street Lighting Project

Respectfully submitted,
Matt Haag
Elaine M. Spaull
Michael A. Patterson
Dana K. Miller
Loretta C. Scott
PARK & PUBLIC WORKS COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-68
Re: Water Main Extensions and Improvements Program

Council Priority: Jobs and Economic Development

Transmitted herewith for your approval is legislation related to the 2015 Water Main Extensions and Improvements program. This legislation will:

- Authorize the issuance of bonds totaling $1,886,000 and the appropriation of the proceeds thereof for the program.

Water main improvements will be conducted on the streets listed below. A new 12" water main will be installed on Portland Avenue (Clifford Avenue - Draper Street) as part of the planned street improvement project on Portland Avenue scheduled for 2015.

The Water Main Extensions and Improvements program provides for the scheduled replacement of deteriorated and deficient water mains. Of the approximately 600 miles within the City's distribution system, 382 miles are over 75 years of age, which is the expected useful life of water mains.

This bond will fund water main improvements on the following streets:

Name of Street	Reason for Replacement	Limits
Portland Avenue	10 Water Main Breaks	Clifford Avenue - Draper Street
Cimarron Street	7 Water Main Breaks	Mt. Hope Avenue - east dead end
Belknap Street	6 Water Main Breaks	Jay Street - Hollis Street
Bryan Street	4 Water Main Breaks	Dewey Avenue - 400' west of Archer Street
Burkhard Place	Very Low Flows - Deficient Fire Flows	South Avenue - east dead end

The streets identified herein are scheduled to begin construction in spring 2015 with completion in late fall 2015. Project inspection will be provided by

Water Bureau personnel.

The project results in the creation and/or retention of the equivalent of 20 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-36

Ordinance No. 2015-68
(Int. No. 75)

Bond ordinance of the City of Rochester, New York, authorizing the issuance of $1,886,000 bonds of said City to finance the reconstruction of various water mains related to the 2015 Water Main Extension and Improvements Program in the City

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 reconstruction of water mains along the streets described below as part of the 2015 Water Main Extension and Improvements Program in the City (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 $1,886,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of $1,886,000 bonds of the City and the levy and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

2015 Water Main Extension and Improvement Project: Water mains reconstruction and improvements on the following streets:

Portland Avenue
Cimarron Street
Belknap Street
Bryan Street
Burkhard Place

Section 2. Bonds of the City in the principal amount of $1,886,000 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, all 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 $1,886,000. 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 the 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 author-

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

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-69
Re: Annual Parking Garage Repair and Reconstruction Program

Council Priority: Jobs and Economic Development

Transmitted herewith for your approval is legislation authorizing the issuance of bonds totaling $1,429,000 and the appropriation of the proceeds thereof to finance the Annual Parking Garage Repair and Reconstruction Program.

Ordinance No. 2014-345 authorized an agreement with T.Y. Lin International for planning and design services for the garage program through 2015. Ordinance No. 2010-116 provides resident project representation (RPR) services for the annual garage program. Under these agreements, T.Y. Lin International performs comprehensive garage inspections, condition ratings, prioritization, structural design, and RPR services. They also develop both the annual and five-year, long-term capital program for the eight City-owned garages.

The bond appropriated herein will fund work on seven City-owned garages including: post-tensioned tendon repairs; deck waterproofing and sealing; repair to structural components; expansion joint repair; structural façade repairs and waterproofing; mechanical, electrical and plumbing system repairs; masonry repairs; and elevator repairs and replacements. The garages include: Genesee Crossroads, Mortimer Street, High Falls, South Avenue, Washington Square, Sister Cities, and Court Street. Work performed in the East End Garage under this year's construction project will be minimal since a separate rehabilitation project for this garage is planned for 2015-16.

A construction contract is scheduled to begin in summer 2015 with completion in spring 2016. Total cost of the parking garage improvements, including contingency, is estimated at $1,929,000 and will be funded as follows:

	2014-15 Bonds Requested Herein	2013-14 Cash Capital (Parking)	Total
Design	$ 0	$500,000	$ 500,000
Construction	1,429,000	0	1,429,000
Total	$1,429,000	$500,000	$1,929,000

The funding results in the creation and/or retention of the equivalent of 21 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-37

Ordinance No. 2015-69
(Int. No. 76)

Bond ordinance of the City of Rochester, New York, authorizing the issuance of $1,429,000 bonds of said City to finance the cost of the Parking Garage Repair and Reconstruction Program in the City

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 the reconstruction or construction of improvements to the Genesee Crossroads, Mortimer Street, High Falls, South Avenue, Washington Square, Sister Cities and Court Street Parking Garages in the City, being Class "A" buildings, as a part of the Parking Garage Repair and Reconstruction Program, including but not limited to post-tensioned tendon repairs, deck waterproofing and sealing, repair to structural components, expansion joint repair, structural façade repairs and waterproofing, mechanical, electrical and plumbing system repairs, masonry repair, and elevator repairs and replacements (the "Project"). The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is $1,929,000. The plan of financing includes the issuance of $1,429,000 bonds of the City, and said amount is hereby appropriated therefor, together with the application of $500,000 from 2013-14 Cash Capital (Parking) funds, and the levy and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient 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 $1,429,000 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 $1,429,000. 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 specific object or purpose for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of Section 11.00a.11 of the Law for a Class A building, is thirty (30) years.

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

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

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

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

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

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

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

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-70
Re: Agreement - SWBR Architecture, Engineering & Landscape Architecture, PC, Emergency Communications Facility Console Replacement

Council Priority: Public Safety

Transmitted herewith for your approval is legislation establishing $130,000 as maximum compensation for an agreement with SWBR Architecture, Engineering & Landscape Architecture, PC, Rochester, New York, for architectural and engineering services for the Emergency Communications Facility Console Replacement Project. The cost of the agreement will be financed as follows:

Source	Amount
Prior years Cash Capital	$ 1,500
2012-13 Cash Capital	18,360
2013-14 Cash Capital	65,000
2014-15 Cash Capital	45,140
Total	$130,000

The Emergency Communications Department serves 84 different public safety agencies. The project will include console replacements throughout the facility to accommodate computer system replacements being performed by the County. The renovation will also include a new training area, carpet replacement throughout, acoustical improvements, and other interior improvements. The project also includes moving some existing consoles to the 311 Center.

SWBR Architecture, Engineering & Landscape Architecture, PC will provide architectural and engineering services for schematic design through construction administration, including phased construction planning.

Schematic design will begin in spring 2015; it is anticipated that construction will begin in fall 2015 with scheduled completion in spring 2016. The overall project budget including purchase of the new consoles, less consultant fees, is $1,468,000. The agreement will result in the creation and/or retention of the equivalent of 1.4 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-38

Ordinance No. 2015-70
(Int. No. 77)

Authorizing an agreement for the Emergency Communications Facility Console Replacement 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 between the City and SWBR Architecture, Engineering & Landscape Architecture PC for architectural and engineering services for the Emergency Communications Facility Console Replacement Project in a maximum amount of $130,000. The agreement may extend until three (3) months after completion of a two-year guarantee inspection of the project for which the services are provided. Said amount shall be funded by $1,500 from the Prior Years' Cash Capital allocation; by $18,360 from the 2012-13 Cash Capital allocation; by $65,000 from the 2013-14 Cash Capital allocation; and by $45,140 from the 2014-15 Cash Capital allocation.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-71
Re: Agreement - T.Y. Lin International, Charles Carroll Plaza and Genesee Crossroads Parking Garage Roof Slab Reconstruction Project

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing $700,000 as maximum compensation for an agreement with T.Y. Lin International, Rochester, New York, for planning, landscape architectural and engineering services for the Charles Carroll Plaza and Genesee Crossroads Parking Garage Roof Slab Reconstruction Project. The cost of the agreement will be financed as follows:

Source	Amount
2012-13 Cash Capital	$250,000
2013-14 Parking Cash Capital	300,000
2014-15 Parking Cash Capital	150,000
Total	$700,000

The Charles Carroll Plaza and the multi-storied Genesee Crossroads Parking Garage that lies underneath are located on a prime waterfront parcel on the west side of the Genesee River in the city's Central Business District, between Andrews Street and Main Street, as shown in the attached map. The Charles Carroll Plaza sits atop of, and is supported by, the reinforced concrete parking garage below.

The project will address the garage roof slab structural and waterproofing system deterioration, and the plaza's deterioration, functionality and safety issues. The project will include the removal of portions of the plaza to perform structural repairs to the garage roof slab underneath, replace the slab waterproofing system, and reconstruct a new plaza.

T.Y. Lin International was selected for consultant services through a request for proposal process which is described in the attached summary.

Planning and design services for the project are anticipated to begin in spring 2015. Construction is anticipated to begin in winter 2016 with completion in winter 2017. The anticipated construction cost is approximately $4,185,000. This agreement will result in the creation and/or retention of the equivalent of 7.6 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-39

Ordinance No. 2015-71
(Int. No. 78)

Authorizing a professional services agreement with T.Y. Lin International for the Charles Carroll Plaza and Genesee Crossroads Parking Garage Roof Slab Reconstruction 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 between the City and T.Y. Lin International for planning, engineering and landscape architectural services for the Charles Carroll Plaza and Genesee Crossroads Parking Garage Roof Slab Reconstruction Project in the maximum amount of $700,000. The agreement may extend until three (3) months after completion of a two-year guarantee inspection of the project. Said amount shall be funded by $300,000 from the 2013-14 Parking Cash Capital allocation; by $150,000 from the 2014-15 Parking Cash Capital allocation; and by $250,000 from the 2012-13 Cash Capital allocation of the Department of Environmental Services.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-72
Re: Agreements - Materials Testing

Transmitted herewith for your approval is legislation authorizing agreements with the following companies for the provision of various services related to the testing and analysis of various construction materials:

Company
Address
Apex Environmental Group (AEG)
Rochester, NY 14618
Atlantic Testing Laboratories
Rochester, NY 14623
Barton & Loguidice, D.P.C.
Rochester, NY 14614
CME Associates, Inc.
Rochester, NY 14606
LaBella Associates, D.P.C.
Rochester, NY 14614
Lozier Environmental Consulting, Inc.
Rochester, NY 14609
Paradigm Environmental Services, Inc.
Rochester, NY 14608
Professional Service Industries, Inc.
N. Tonawanda, NY 14120
Safety Zone Environmental, LLC
Penfield, NY 14526
ROC Geotechnical Consulting
Rochester, NY 14623
Terracon Consultants - NY, Inc.
Hilton, NY 14468

The costs of the testing will be financed from the annual budgets of the Department of Environmental Services, contingent upon approval of future budgets, and, if necessary, the departments using the services, or from the capital funds appropriated for specific construction projects.

Testing services include: sampling and testing of soils, asbestos, asphalt, concrete, masonry, structural steel and road base materials and exploratory drilling. Such tests are routinely required by the Bureau of Architecture and Engineering for street, bridges, and building renovation projects.

All responding firms were recommended and were selected for materials testing services through a request for proposal process, which is described in the attached summary.

When tests are necessary, one or more of these companies will be utilized. The selection of a specific company will depend upon the type of test required, the company's special skills, and its ability to accommodate the City's schedule. The volume of tests will depend upon the number of construction projects that are authorized. The cost of the tests will be based on the unit prices specified in the company's proposal.

Each of the agreements will have a term of two years. Adjustment of the specified unit prices during the second year will be permitted but will be subject to approval by the City Engineer.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-40

Ordinance No. 2015-72
(Int. No. 79)

Authorizing agreements for materials testing services

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

Section 1. The Mayor is hereby authorized to enter into agreements with the following companies for the testing of various construction materials as required by the City:

Company
Address
Apex Environmental Group (AEG)
Rochester, NY 14618
Atlantic Testing Laboratories
Rochester, NY 14623
Barton & Loguidice, D.P.C.
Rochester, NY 14614
CME Associates, Inc.
Rochester, NY 14606
LaBella Associates, D.P.C.
Rochester, NY 14614
Lozier Environmental Consulting, Inc.
Rochester, NY 14609
Paradigm Environmental Services, Inc.
Rochester, NY 14608
Professional Service Industries, Inc.
N. Tonawanda, NY 14120
Safety Zone Environmental, LLC
Penfield, NY 14526
ROC Geotechnical Consulting
Rochester, NY 14623
Terracon Consultants - NY, Inc.
Hilton, NY 14468

Section 2. Each agreement shall have a term of two years. Each agreement shall provide for a test to be performed on an as needed basis and shall establish a unit price to be paid for a particular test. The unit price may be adjusted during the second year with the approval of the City Engineer. The cost of said agreements shall be funded from the annual budgets of the Department of Environmental Services and of the departments using the services, or from the capital funds appropriated for specific construction projects, contingent upon adoption thereof.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-73 and
Ordinance No. 2015-74

Re: Public Market Winter Shed
Renovation and Expansion Project

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

Transmitted herewith for your approval is legislation related to Public Market Winter Shed Renovation and Expansion Project. This legislation will:

1. Establish $580,000 as maximum compensation for an agreement with LeChase Construction Services, LLC, Rochester, New York, for construction management services for the project;

2. Authorize an amendatory agreement with T.Y. Lin International, Rochester, New York, for additional engineering and architectural services (including construction administration) for this project. This amendment will increase maximum compensation by $153,000 to a total of $1,083,000;

3. Authorize the issuance of bonds totaling $508,000 and the appropriation of the proceeds thereof to partially finance the project;

4. Authorize an agreement with Empire State Development Corporation (ESDC) for the receipt and use of 2013 and 2014 Consolidated Funding Application awards in the amount of $500,000 and $1,500,000, respectively, for a total of $2,000,000 in anticipated reimbursements for the project; and

5. Authorize an agreement with the Dormitory Authority of the State of New York (DASNY) for the receipt and use of $500,000, secured with the sponsorship of Assemblyman David Gantt, for the project.

In December 2010, City Council approved $300,000 for a design services agreement for the Public Market Renovation Project with T.Y. Lin International (Ord. No. 2010-433). A subsequent amendatory agreement was approved in September 2012 for $630,000 (Ord. No. 2012-374). In January 2012, a grant from the New York State Department of Agriculture and Markets was authorized for the rehabilitation and expansion of the winter shed ($1,800,000) and for market access and parking improvements ($200,000) via Ordinance No. 2012-53. In August 2012, Ordinance No. 2012-53 was amended to change the funding allocation from 2011-12 Cash Capital to anticipated reimbursements from the New York State Department of Agriculture and Markets (Ord. No. 2012-319).

The project includes the construction of a new open shed, site and utility work and the demolition and construction of a new winter shed and four food kiosks.

Planned funding for the project is shown in the following table:

Funding Sources	Design & Amendatory A	Design Amendatory B	Construction Estimated Including Contingency	Construction Management	Total
NYS Agriculture and Markets Grant	$275,000		$1,300,000	$225,000	$1,800,000
Bond appropriated herein		153,000		355,000	508,000
Future bonds			2,665,000		2,665,000
ESDC grants			2,000,000		2,000,000
DASNY grant			500,000		500,000
2012-13 Cash Capital	355,000				355,000
Prior year Cash Capital	300,000		200,000		500,000
Total	$930,000	$153,000	$6,665,000	$580,000	$8,328,000

LeChase Construction Services, LLC, as construction manager, will provide construction management and oversight. Funding for this agreement will be $225,000 from the New York State Department of Agriculture and Markets and $355,000 from the bonds authorized herein. T.Y. Lin International will provide additional engineering services and construction administrative functions for $153,000, funded from the bond authorized herein.

LeChase Construction Services, LLC was selected for construction management services through a request for proposal process which is described in the attached summary.

The project is scheduled to be bid in spring 2015. It is anticipated that construction will begin in fall 2015 with scheduled completion in spring 2017. The funding for the agreements established herein will result in the creation and/or retention of the equivalent of eight full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-41

Ordinance No. 2015-73
(Int. No. 80)

Authorizing agreements for the Public Market Winter Shed Renovation and Expansion Project

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

Section 1. The Mayor is hereby authorized to enter into an amendatory professional services agreement between the City and T.Y. Lin International for architectural and engineering design and construction supervision services for the Public Market Winter Shed Renovation and Expansion Project (the "Project") in the maximum amount of $153,000, increasing the total maximum amount of said agreement to $1,083,000. The agreement may extend until three (3) months after completion of a two-year guarantee inspection of the project. The cost of the amendatory agreement shall be funded by $153,000 from a bond ordinance to be authorized for this Project.

Section 2. The Mayor is hereby authorized to enter into a professional services agreement between the City and LeChase Construction Services LLC for construction management services for the Public Market Winter Shed Renovation and Expansion Project in the maximum amount of $580,000. The agreement may extend until three (3) months after completion of a two-year guarantee inspection of the project. The cost of the agreement shall be funded by $225,000 from grant funds from the New York State Department of Agriculture and Markets which were appropriated for this purpose by Ordinance No. 2012-319; and by $355,000 from a bond ordinance to be authorized for this Project.

Section 3. The Mayor is hereby authorized to enter into an agreement with the Dormitory Authority of the State of New York for receipt and use of grant funds in the amount of $500,000 for the Project, and said funds for anticipated reimbursements are hereby appropriated for said purpose

Section 4. The Mayor is hereby authorized to enter into agreements with the Empire State Development Corporation for receipt and use of grant funds in the amount of $500,000 and $1,500,000 for the Project, and said funds for anticipated reimbursements in the total amount of $2,000,000 are hereby appropriated for said purpose

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2015-74
(Int. No. 81)

Bond ordinance of the City of Rochester, New York, authorizing the issuance of $508,000 bonds of said City to finance the cost of design and construction of the Public Market Winter Shed Renovation and Expansion 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 the design and construction of the Public Market Winter Shed Renovation and Expansion Project, including but not limited to construction of a new open shed, site and utility work, and the demolition and construction of a new Winter Shed and four food kiosks, at the Public Market in the City (the "Project"). The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is estimated to be $8,328,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of $508,000 bonds of the City by this Ordinance and $2,665,000 in bonds of the City to be issued by a future Ordinance, together with $1,800,000 from grant funds from the New York State Department of Agriculture and Markets; $500,000 in grant funds from the Dormitory Authority of the State of New York; $2,000,000 in grant funds from the Empire State Development Corporation; $355,000 from 2012-13 Cash Capital and $500,000 from Prior Years' Cash Capital and the levy and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient 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 $508,000 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 $508,000. 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 specific object or purpose for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of 11.00a.11. of the Local Finance Law for a Class A building, is thirty

years.

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

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

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

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

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

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

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

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-75
Re: Amendatory Agreement - Bergmann Associates, Browncroft Neighborhood Street Lighting Project and Amending Local Improvement Ordinance No. 1658

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation related to the Browncroft Neighborhood Street Lighting Project. This legislation will:

1. Establish $50,000 as maximum compensation for an amendatory agreement with Bergmann Associates for additional resident project representation services (RPR). The original agreement was $90,000 (Ord. No. 2014-216), increasing total maximum compensation for RPR to $140,000; and

2. Authorize a technical amendment to Local Improvement Ordinance (LIO) No. 1658 Section 4, approved on June 19, 2012, to add an interest rate of 1% above the City's most recent long- term borrowing rate, as determined by the Director of Finance. This language was inadvertently omitted from the original ordinance.

The RPR amendment requested herein will be funded from the 2014-15 Budget of the Department of Environmental Services (DES) ($18,500), LIO No. 1658 ($15,300), 2012-13 Cash Capital ($8,300) and 2013-14 Cash Capital ($7,900).

The project, designed in-house, includes: installation of a new street lighting system including new concrete light poles; sidewalk access ramps to comply with Americans with Disabilities Act guidelines; and the replacement of hazardous sidewalks in select areas. Construction completion is anticipated by late spring 2015.

Funding for the additional RPR services are required for two reasons:

- The project's construction will extend beyond the original construction schedule. Work was added for changed site conditions after discovering that the existing underground conduit required design changes. Also, there was a delay in the start of the work because only one high bid was received. The City opted to negotiate a revised contract amount, thereby delaying the start by six weeks and adding a winter shutdown to the project, further extending the project's timeframe.

- Additional work was needed to inspect the

Rochester Gas & Electric (RG&E) gas main replacement work in the area. RG&E's lengthy trench excavation in the roadway required a higher level of inspection services than the DES Permit Office staff could provide. RPR services were necessary to protect the City's assets and to address construction concerns of residents.

The additional funding results in the creation and/or retention of the equivalent of 0.6 full-time jobs.

A public hearing is required for the amendment to LIO No. 1658.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-75
(Int. No. 82)

Authorizing an amendatory agreement for resident project representation services for the Browncroft Neighborhood Street Lighting Project

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

Section 1. The Mayor is hereby authorized to enter into an amendatory professional services agreement between the City and Bergmann Associates, P.C. for resident project representation services for the Browncroft Neighborhood Street Lighting Project. The amendment shall increase the maximum amount of the agreement by $50,000 to a total of $140,000. The agreement may extend until three months after completion of a two year guarantee inspection of the Project. Said amount shall be funded from $18,500 from the 2014-15 Budget of the Department of Environmental Services; $15,300 from funds appropriated by Local Improvement Ordinance No. 1658; $8,300 of 2012-13 Cash Capital and $7,900 of 2013-14 Cash Capital allocations of the Department of Environmental Services.

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

Section 3. Section 4 of Local Improvement Ordinance No. 1658 is hereby amended to read as follows:

Section 4. The additional construction costs relating to such street lighting upgrading, in an amount not to exceed $ 390,924.64, plus interest at the rate of 1% above the City's most recent long term borrowing rate as determined by the Director of Finance, shall be annually assessed and billed as Special Assessments against the parcels of property within the district for a period of 15 years, commencing with the 2013-14 year, or the tax year after completion of construction, whichever is later. Such amount shall be appropriated from the Special Assessments. Such assessments shall be billed on the regular tax bill and shall be due in one installment. Any assessment not paid by its due date shall be a lien upon the property billed and a personal obligation of the property owner.

Section 4. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

By Councilmember McFadden
March 17, 2015

To the Council:

The Public Safety, Youth & Recreation Committee recommends for adoption the following entitled legislation:

Int. No. 83 - Authorizing an agreement for an explosive detection canine team grant

Int. No. 84 - Authorizing an agreement for the motor vehicle theft and insurance fraud prevention program and amending the 2014-15 Budget

Int. No. 85 - Authorizing grant agreements for police/citizen patrols and community policing and amending the 2014-15 Budget

Int. No. 86 - Authorizing agreements and appropriating funds for the Summer of Opportunity Youth Program

Int. No. 87 - Authorizing amendatory agreements for the Teenage Pregnancy Prevention Program

Respectfully submitted,
Adam C. McFadden
Matt Haag
Elaine M. Spaull
Dana K. Miller
Loretta C. Scott
PUBLIC SAFETY, YOUTH & RECREATION COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-76
Re: Agreement - New York State Division of Homeland Security and Emergency Services, 2014 Explosive Detection Canine Team Enhancement Grant

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing an agreement with the New York State Division of Homeland Security and Emergency Services for the receipt and use of $19,750 for the 2014 Explosive Detection Canine Team En-

hancement Grant.

These funds will be used for the purchase of supplies, equipment and training to enhance the interoperability of the Police Department's Canine Team with the SWAT and Bomb Teams for tactical events.

This is the fourth year that the Police Department has received this grant. The term of the grant is from November 12, 2014 through August 31, 2016. No matching funds are required.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-76
(Int. No. 83)

Authorizing an agreement for an Explosive Detection Canine Team Grant

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Division of Homeland Security and Emergency Services for receipt and use of funding for the Rochester Police Department under the 2014 Explosive Detection Canine Team Grant Program in the amount of $19,750, which funds are hereby appropriated for said purpose. The term of this grant shall be November 12, 2014 through August 31, 2016.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-77
Re: Agreement - New York State Division of Criminal Justice Services, Motor Vehicle Theft and Insurance Fraud Prevention Grant

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing an agreement with the New York State Division of Criminal Justice Services for the receipt and use of $41,500 for the Motor Vehicle Theft and Insurance Fraud Prevention (MVTIFP) grant, and amending the 2014-15 Budget of the Police Department by $21,500 to reflect a portion of this grant.

This award, for the reduction of auto theft and insurance fraud, will provide overtime to support Police Department deployment in high-theft areas and increased investigations of insurance fraud. The grant also provides funds to train police officers in specialized anti-theft techniques and technology.

The previous MVTIFP award, authorized by City Council in January 2014 (Ord. No. 2014-18), resulted in 82 investigations of auto theft, 29 arrests, and approximately $84,720 in stolen vehicles recovered. Fringe is not included and no local match is required for this grant.

The term of this agreement is January 1, 2015 through December 31, 2015.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-42

Ordinance No. 2015-77
(Int. No. 84)

Authorizing an agreement for the Motor Vehicle Theft and Insurance Fraud Prevention Program and amending the 2014-15 Budget

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Division of Criminal Justice Services for receipt and use of funds for the Motor Vehicle Theft and Insurance Fraud Prevention Program in the amount of $41,500 and such funds are hereby appropriated for said purpose. The term of this agreement shall be January 1, 2015 through December 31, 2015.

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

Section 3. Ordinance No. 2014-160, the 2014-15 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Rochester Police Department by the sum of $21,500, which amount is hereby appropriated from funds to be received under the grant agreement authorized herein.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-78
Re: Agreements - New York State Division of Criminal Justice Services, Community Policing Grants

Council Priority: Public Safety

Transmitted herewith for your approval is legisla-

tion authorizing agreements with the New York State Division of Criminal Justice Services (DCJS) for the receipt and use of two legislative grants, and amending the 2014-15 Budget of the Police Department by $20,000.

The Police Department is receiving these awards from DCJS via Senator Robach in the form of legislative grants for $10,000 each, for a total of $20,000.

These grants are for police overtime for officers to walk with citizens, including members of PAC-TAC, clergy, and teens. These police and citizen sessions will continue the community policing concept on the streets of our city which will enhance police relations with residents by increasing opportunities to build positive relationships.

This is the first time we have received funds for this purpose. This grant does not include fringe and no funding match required.

The term of this agreement is January 1, 2015 through December 31, 2015.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-78
(Int. No. 85)

Authorizing grant agreements for police/citizen patrols and community policing and amending the 2014-15 Budget

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Division of Criminal Justice Services for receipt and use of funds for police/citizen patrols and community policing in the amount of $10,000 and such funds are hereby appropriated for said purpose. The term of this agreement shall be January 1, 2015 through December 31, 2015.

Section 2. The Mayor is hereby authorized to enter into a second agreement with the New York State Division of Criminal Justice Services for receipt and use of funds for police/citizen patrols and community policing in the amount of $10,000 and such funds are hereby appropriated for said purpose. The term of this agreement shall be January 1, 2015 through December 31, 2015.

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

Section 4. Ordinance No. 2014-160, the 2014-15 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Rochester Police Department by the sum of $20,000, which amount is hereby appropriated from funds to be received under the grant agreement authorized herein.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-79
Re: Summer of Opportunity Program

Council Priority: Jobs and Economic Development

Transmitted herewith for your approval is legislation related to the implementation of the 2015 Summer of Opportunity Program (SOOP). This legislation will:

1. Establish a total of $276,091 as maximum compensation for agreements with the following agencies to provide summer employment services to 221 youth:

Agency/Program	Amount
Ibero-American Action League, Inc./STEM - Arts	$ 24,996
Ibero-American Action League, Inc./Entrepreneurial	11,135
Baden Street Settlement of Rochester, Inc./Arts and Youth	15,654
Baden Street Settlement of Rochester, Inc./Multimedia	21,205
Rochester Community TV, Inc./Multimedia Design Team	11,700
Rochester Community TV, Inc./Youth Production Team	14,050
Caring and Sharing Child Care Center, Inc.	34,000
North East Area Development, Inc.	42,237
Southwest Area Neighborhood Association	18,860
Foodlink, Inc.	14,960
Friends of the GardenAerial d/b/a Greentopia	14,928
Rochester Technology and Manufacturing Association	25,310
Rochester Youth for Christ	27,056
Total	$276,091

These agreements will be funded from $250,000 in State funding (below) and from $26,091 included in the proposed 2015-16 Budget of the Department of Recreation and Youth Services, contingent upon Council approval.

2. Authorize an agreement with the New York State Department of Labor for the receipt and use of a $250,000 summer jobs program grant, received through the efforts of Senator Joseph Robach.

Program Overview
The City's SOOP collaborates with RochesterWorks' Summer Youth Employment Program (SYEP) to conduct joint recruitment and applica-

tion intake for all applicants ages 14 to 20 years old seeking summer employment. Job readiness training and parent orientation are also provided. Funding for the activities of SOOP and SYEP is separate.

Externally Administered Work Experience (Tier 1)
A request for proposal (RFP) was issued jointly by SOOP and SYEP, the details for which are attached. A total of 35 proposals were received from 30 agencies. Twenty-seven proposals were approved for funding. The approved proposals were then divided between the City and RochesterWorks, based on applicant preference of wages or stipends, history working with the agencies, and ages of the youth to be served. Agencies proposed working with either 14-15 year olds, or 16+ year olds; SOOP's priority is 14-15 year olds.

Funder		
City SOOP	RochesterWorks SYEP	Total
Number of programs		
13 programs	14 programs	27 programs
Total funding		
$276,091	$484,867	$760,958
Age 14-15		
170	154	324
Age 16-20		
51	140	191
Total Youth		
221	294	515

Internally Administered Jobs (Tier 2)
In addition to the positions above, the City plans to provide 265 jobs; however, since many of those positions will be funded from the 2015-16 Community Development Block Grant, approval will not be requested until May, at the same time that the Consolidated Community Development Plan is presented to Council.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-43

Ordinance No. 2015-79
(Int. No. 86)

Authorizing agreements and appropriating funds for the Summer of Opportunity Youth Program

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

Section 1. The Mayor is hereby authorized to enter into agreements to implement the Summer of Opportunity Youth Program with the organizations listed below for the maximum amounts stated below. The cost of said agreements shall be funded by $250,000 from the funds appropriated in Section 2 of this Ordinance and by $26,091 from the 2015-16 Budget of the Department of Recreation and Youth Services, contingent upon its adoption.

Agency/Program	Amount
Ibero-American Action League, Inc./STEM-Arts	$ 24,996
Ibero-American Action League, Inc./Entrepreneurial	11,135
Baden Street Settlement of Rochester, Inc./Arts and Youth	15,654
Baden Street Settlement of Rochester, Inc./Multimedia	21,205
Rochester Community TV, Inc./Multimedia Design Team	11,700
Rochester Community TV, Inc./Youth Production Team	14,050
Caring and Sharing Child Care Center, Inc.	34,000
North East Area Development, Inc.	42,237
Southwest Area Neighborhood Association	18,860
Foodlink, Inc.	14,960
Friends of the GardenAerial, Inc. d/b/a Greentopia	14,928
Rochester Technology and Manufacturing Association	25,310
Rochester Youth for Christ	27,056
Total	$276,091

Section 2. The Mayor is hereby authorized to enter into an agreement with the New York State Department of Labor for the receipt and use of a $250,000 grant for a summer jobs program, and such funds are hereby appropriated for the Summer of Opportunity Youth Program.

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

Section 4. The agreements shall be for a term of one year with an option to extend for an additional one year if funds remain in the original appropriation.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-80
Re: Amendatory Agreements - Federal Teenage Pregnancy Prevention Program

Council Priority: Public Safety

Transmitted herewith for your approval is legislation related to the Teenage Pregnancy Prevention (TPP) Program funded by the U.S. Department of Health and Human Services. This legislation will authorize amendatory agreements to increase maximum compensation with the following participating agencies:

Agency	Year 5 Amount	Added Year 4 Carry-Over	Final Amount
Coordinated Care Services	$ 129,275	$ 40,000	$ 169,275
Baden St. Settlement	208,065	20,000	228,065
Community Place of Rochester	79,370	5,000	84,370
YWCA	128,619	10,000	138,619
University of Rochester	359,988	37,611	397,599
Sub-total	$ 905,317	$112,611	$1,017,928
City	594,388	40,278	634,666
Total	$1,499,705	$152,889	$1,652,594

The amendatory agreements reallocate unspent funds (approximately 10% of the grant) from the fourth year of TPP to support the fifth year. These funds will be included in the City's Teenage Pregnancy Prevention Special Revenue Fund and will be used to cover follow-up and retention activities for current and previous participants, professional development, marketing and dissemination of the program evaluation.

The fifth and final year of TPP began September 1, 2014, as approved in Ordinance No. 2014-261.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-80
(Int. No. 87)

Authorizing amendatory 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 amendatory agreements with the following organizations for Program Year 5 in amounts not to exceed the added amounts stated below for services under the Federal Teenage Pregnancy Prevention Program:

Agency	Year 5 Amount	Added Year 4 Carry-Over	Final Amount
Coordinated Care Services	$ 129,275	$ 40,000	$ 169,275
Baden St. Settlement	208,065	20,000	228,065
Community Place of Rochester	79,370	5,000	84,370
YWCA	128,619	10,000	138,619
University of Rochester	359,988	37,611	397,599
	$ 905,317	$112,611	$1,017,928

Section 2. The amendatory agreements shall obligate the City to pay an amount not to exceed $112,611, in addition to the $905,317 in funds appropriated by Ordinance No. 2014-261, and said amount, or so much thereof as may be necessary, is hereby appropriated from the funds previously received from the United States Department of Health and Human Services for this Program.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

The meeting was adjourned at 8:10 p.m.

HAZEL L. WASHINGTON
City Clerk

* * * * *

REGULAR MEETING
APRIL 14, 2015

Present - President Scott, Councilmembers Conklin, Haag, McFadden, Miller, Ortiz, Palumbo, Patterson, Spaull - 9

Absent - None - 0.

The Council President requested the Council to rise for a Moment of Silence.

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

Recognition Ceremony

Retirement:
Environmental Services
Robert Morrison
*James P. DiNardo
Neighborhood and Business Development
*Joseph F. Lake
Police Department
*Philip E. Sindoni
*Paul J. Walther
Did not attend meeting.

APPROVAL OF THE MINUTES
By Councilmember Conklin

RESOLVED, that the minutes of the Regular Meeting of March 17, 2015 be approved as published in the official sheets of the Proceedings.

Adopted unanimously.

COMMUNICATIONS FROM THE MAYOR, COUNCIL PRESIDENT, CORPORATE OFFICERS AND OTHERS.

The following communications are hereby directed to be received and filed:

The Mayor submits the following:

Administrative Cancellation or Refund of Erroneous Taxes and Charges 4178-15
Public Disclosure - CDBG Participation 4179-15
Quarterly Report - NBD Loans & Grants Report 4180-15

The Council submits a Disclosure of Interest Form from Councilmember McFadden on Int. No. 91.

PRESENTATION AND REFERENCE OF PETITIONS AND OTHER COMMUNICATIONS.

Councilmember McFadden submits a petition with 107 signatures regarding speeding cars on Mt. Hope Avenue Petition No. 1707

PUBLIC HEARINGS.

Pursuant to law public hearing will now be had on the following matter:

Approving the lease of the Manhattan Square Tennis Bubble and Facility by the Rochester Urban Renewal Agency to Thyroff Tennis LLC Int. No. 94 No speakers.

Approving the lease of the Manhattan Square Tennis Bubble and Facility by the Rochester Urban Renewal Agency to Thyroff Tennis LLC Int. No. URA-4 No speakers.

Local Improvement Ordinance - establishing the cost of assessments related to the High Falls Business Improvement District and authorizing an agreement Int. No. 100 No speakers.

Local Improvement Ordinance - establishing the cost of special work and services related to the South Avenue/Alexander Street Open Space District Int. No. 101 No speakers.

Local Improvement Ordinance - establishing the cost of the upgrading of street cleaning for the East Avenue/Alexander Street Entertainment District Int. No. 102 No speakers.

Establishing a six-month moratorium on permits, certificates of zoning compliance and use and area variances for certain commercial establishments in the Residential, C-1 Neighborhood Center or O-B Overlay Boutique zoning district within the City Int. No. 103 6 speakers: Alex White, David Ahl, Mary D'Alessandro, Larry King, Gwendolyn Kelly, Lisa Jacques.

Amending the Official Map by dedicating a parcel at 2102 Culver Road and a part of a parcel at 2092 Culver Road as additional right-of-way Int. No. 114 No speakers.

Amending the Official Map by abandonment of a portion of Wayne Place Int. No. 115 No speakers.

Continuation of Local Improvement Ordinance No. 1552 relating to street lighting enhancements on St. Paul Street Int. No. 116 No speakers.

Continuation of Local Improvement Ordinance No. 1472 relating to street lighting enhancements on Lake Avenue Int. No. 117 No speakers.

Local Improvement Ordinance - establishing the operating and maintenance costs of street lighting special assessment districts Int. No. 118 No speakers.

Local Improvement Ordinance - establishing the operating and maintenance costs of special assessments for streetscape enhancements Int. No. 119 No speakers.

Local Improvement Ordinance - care and embellishment of street malls for 2015 Int. No. 120 No speakers.

Local Improvement Ordinance - snow removal at the Public Market Int. No. 126 No speakers.

Local Improvement Ordinance - security services at the Public Market Int. No. 127 No speakers.

REPORTS OF STANDING COMMITTEES AND ACTION THEREON

By Councilmember Conklin
April 14, 2015

To the Council:

The Finance Committee recommends for adoption the following entitled legislation:

Int. No. 89 - Authorizing cancellation of taxes and charges

Int. No. 90 - Authorizing the receipt and use of funds from Rochester Gas & Electric Corporation and amending the 2014-15 Budget

Int. No. 91 - Approving wage and salary increases for employees of the Rochester Housing Authority

Int. No. 92 - Authorizing an agreement with Rochester Research Associates LLC and Compliance & Administrative Services of New York dba CASNY for compliance field inspection services

Int. No. 134 - Amending the 2014-15 Budget to transfer funds from Contingency for wage increases in the Police Department and the Fire Department

Respectfully submitted,
Carolee A. Conklin
Carla M. Palumbo
Jacklyn Ortiz
Loretta C. Scott
FINANCE COMMITTEE

Received, filed and published

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-81
Re: Cancellation or Refund of
Erroneous Taxes and Charges

Transmitted herewith for your approval is legislation approving the cancellation or refund of taxes and charges totaling $14,073.70.

The property located at 222-224 Hollenbeck Street had been vacant since June 2007 and was a candidate for demolition. The prior owner had been fined for code violations and the charges were added to the 2014-15 tax bill prior to the sale of the property on April 11, 2014. The new owner has secured a Certificate of Occupancy application and has made substantial progress in correcting the violations. A referral has been made to the Municipal Codes Violations Bureau to initiate a judgment against the former owner.

If these cancellations are approved, total cancellations thus far for 2014-15 will be as follows:

	Accounts	Amounts
City Council	74	$162,651.54
Administrative	225	115,201.30
Total	299	$277,852.84

These cancellations represent 0.111% of the taxes receivable as of July 1, 2014.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-81
(Int. No. 89)

Authorizing cancellation of taxes and charges

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

Section 1. The City Treasurer is authorized to cancel the following taxes and charges.

(A) The property located at 222-224 Hollenbeck Street had been vacant since June of 2007 and was a candidate for demolition. The prior owner had been fined for code violations and the charges were added to the 2014-15 tax bill prior to the sale of the property on 4/11/2014. The new owner has secured a Certificate of Occupancy application and has made substantial progress in correcting the violations. A referral has been made to Municipal Codes Violations Bureau to initiate a judgment against the former owner.

S.B.L. #:	91.70-2-56
Class:	H
Address:	222-224 Hollenbeck St.
Tax Year:	2015
Cancelled:	$14,073.70
Subtotal:	$14,073.70
Grand Total:	$14,073.70

Section 2. If full or partial payment of the aforesaid taxes and charges has been made and received, the City Treasurer is hereby authorized and directed to remit to the owner of the parcel the amount of said payment without interest.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-82
Re: Budget Amendment - Rochester Gas
& Electric, Reimbursement

Transmitted herewith for your approval is legislation authorizing the receipt and use of a $518,122.84 reimbursement from Rochester Gas & Electric (RG&E) and amending the 2014-15 Cash Capital Budget by $518,200 to reflect said amount.

The reimbursement covers additional costs incurred by the City as a result of delays in three street reconstruction projects because of conflicts in construction due to RG&E facilities that existed in the City right-of-way. The impacted projects and the corresponding reimbursements are as follows:

ArtWalk/University Avenue	$200,383.00
Broad/Chestnut	161,475.00
Stone Street	156,264.84
Total	$518,122.84

The Law Department and Department of Environmental Services were able to successfully negotiate with RG&E for reimbursement of the additional costs incurred in finalizing these street projects. Funds designated for other street programs were initially used to cover the shortfalls, so the reimbursement will be used to replenish those street program funds.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-82
(Int. No. 90)

Authorizing the receipt and use of funds from Rochester Gas & Electric Corporation and amending the 2014-15 Budget

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

Section 1. The Council hereby authorizes the receipt and use of funds in the amount of $518,122.84 from Rochester Gas & Electric Corporation to reimburse additional costs incurred in street reconstruction projects. Ordinance No. 2014-160, the 2014-15 Budget, is hereby amended by increasing the revenue estimates and Cash Capital appropriations by the amount of $518,200.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-83
Re: Rochester Housing Authority - Wage and Salary Increase

Transmitted herewith for your approval is legislation authorizing wage and salary increases for bargaining unit and non-bargaining unit employees of the Rochester Housing Authority (RHA). The increase will be 2.5% for the 2015 fiscal year (October 1, 2014 - September 30, 2015) and will be retroactive. The proposed wage adjustment follows nearly one year of negotiations. Negotiations continue for a longer term contract.

The wage and salary increase was unanimously approved by RHA's Board of Commissioners at their February 25, 2015 meeting.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-45

Ordinance No. 2015-83
(Int. No. 91)

Approving wage and salary increases for employees of the Rochester Housing Authority

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

Section 1. Pursuant to Section 32 of the New York State Public Housing Law, the Council hereby approves wage and salary increases of 2.5% for bargaining unit and non-bargaining unit employees of the Rochester Housing Authority (RHA) for the RHA fiscal year beginning October 1, 2014, as approved by the Board of Commissioners of the Rochester Housing Authority on February 25, 2015.

Section 2. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Scott, Councilmembers Conklin, Haag, Miller, Ortiz, Palumbo, Patterson, Spaull - 8.

Nays - None - 0.

Councilmember McFadden abstained because of a professional relationship.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-84
Re: Agreement - Compliance and Administrative Services of New York and Rochester Research Associates, LLC, Compliance Field Inspection Services for Public Works Projects

City Council Priority: Jobs and Economic Development

Transmitted herewith for your approval is legislation establishing $13,000 as maximum compensation for an agreement with Compliance and Administrative Services of New York, Rochester, New York, and $13,000 as maximum compensation for an agreement with Rochester Research Associates, LLC, Rochester, New York, for each firm to provide Compliance Field Inspection Services for public works projects. The cost of these two agreements will be funded from the 2014-15 Budget of the Department of Finance. The term of each of these agreements will be for one year, with the option of two additional one-year renewals. Subsequent costs will be funded from the annual budgets of the Department of Finance, contingent upon approval.

These two companies will be engaged to assist the Department of Finance contract compliance staff by monitoring job sites to ensure that contractors and subcontractors are meeting the requirements of New York State Labor Law and M/W/DBE and workforce goals of the City's public works contracts. Each consultant will conduct field investigations and provide reports to the contract administrator and M/WBE Officer regarding findings of compliance or non-compliance with the contract requirements.

Using two firms provides redundancy and the flexibility to conduct more inspections during peak construction periods. The firms were selected through a request for proposal process which is described in the attached summary.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-46

Ordinance No. 2015-84
(Int. No. 92)

Authorizing an agreement with Rochester Research Associates LLC and Compliance & Administrative Services of New York dba CASNY for compliance field inspection services

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

Section 1. The Mayor is hereby authorized to enter into an agreement with Rochester Research Associates LLC for compliance field inspection services in an amount not to exceed $13,000. Said agreement shall have a term of one year with the option of two 1 year renewals. The cost of said agreement shall be funded from the 2014-15 Budget of the Department of Finance, and any renewal shall be funded from future Budgets of said Department contingent upon adoption.

Section 2. The Mayor is hereby authorized to

enter into an agreement with Compliance & Administrative Services of New York dba CASNY for compliance field inspection services in an amount not to exceed $13,000. Said agreement shall have a term of one year with the option of two 1 year renewals. The cost of said agreement shall be funded from the 2014-15 Budget of the Department of Finance, and any renewal shall be funded from future Budgets of said Department contingent upon adoption.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-85
Re: Budget Amendment - Police and Fire Wage Settlements

Council Priority: Public Safety

Transmitted herewith for your approval is legislation amending the 2014-15 Budget by:

1. Transferring $3,361,400 from Contingency to the budget of the Rochester Police Department (RPD) for salary and wages pursuant to the Locust Club contract settlement;

2. Transferring $2,275,700 from Contingency to the budget of the Rochester Fire Department (RFD) for salary and wages pursuant to the agreement reached through mediation and subsequent ratification by the Local 1071 of the International Association of Fire Fighters, Inc. (IAFF); and

3. Transferring $562,800 from Contingency to Undistributed to fund the fringe benefits associated with settlement of the contracts and corresponding salary adjustment for disabled fire personnel.

The increases to the RPD and RFD budgets are necessitated by the recent settlements with the Locust Club and IAFF, respectively. When the 2014-15 Budget was adopted in June 2014, wage rates had not yet been established for employees represented by either collective bargaining unit as both contracts had expired June 30, 2013. Negotiations with both unions began early in 2013 prior to contract expiration. Multiple sessions were held with both unions in an attempt to reach consensus on wage adjustments and other operational matters.

Negotiations with the Locust Club ultimately proved successful in October 2014 when terms of a successor agreement were approved and ratified by the membership of the Police Locust Club. The following salary increases were approved:

Effective Date	Percent Increase
July 1, 2013	3.0%
July 1, 2014	2.0%
July 1, 2015	3.0%

In addition to the base salary increases, a modest adjustment to shift differential for individuals working night hours was granted to the Locust Club. The City was also afforded some operational flexibility in terms of transfers and realignments that should assist in moving forward with the proposed reorganization of the Rochester Police Department. The total expected wage cost, excluding benefits of the Locust Club settlement for the current year, is $3,361,400. Sufficient funds for the 3% retroactive wage adjustment for 2013-14 were accounted for in a year-end accrual.

After several unsuccessful negotiation sessions with IAFF, the City ultimately filed for impasse on May 2, 2014. The City and IAFF agreed to a tentative settlement after a third mediation session held in January 2015 which was ratified by their membership on March 23, 2015. In addition to agreeing to the same salary increases that the Locust Club received, members certified as Emergency Medical Technicians will receive $150 more per year to maintain their certification and an additional premium will be granted to personnel attaining specific levels of certification while working in the Fire Investigation Unit. In return, IAFF withdrew their improper practice charge against the City related to impact issues over the provision of fire service to the town of West Brighton. The total expected wage cost excluding benefits of the IAFF settlement for the current year is $2,275,700. A sufficient accrual exists for the 2013-14 retroactive wage adjustment of 3%.

The total expected fringe cost for both settlements consisting of FICA is $431,200 which will be funded by the proposed transfer from Contingency to Undistributed. No adjustment will be made for pension costs as the impact of the Locust Club settlement will not occur until the City's February 2016 pension bill. Due to the timing of the IAFF settlement, the full impact to the pension bill will not occur until February 2017. Sufficient funds for the pension increase will be accounted for in the proposed 2015-16 and 2016-17 Budgets, respectively, contingent upon City Council approval. Disabled fire personnel paid from Undistributed are also entitled to the same wage adjustments as active IAFF members which results in an incremental expense of $131,600.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-85
(Int. No. 134)

Amending the 2014-15 Budget to transfer funds from Contingency for wage increases in the Police Department and the Fire Department

BE IT ORDAINED, by the Council of the City

of Rochester as follows:

Section 1. Ordinance No. 2014-160, the 2014-15 Budget of the City of Rochester, as amended, is hereby further amended by transferring the sum of $3,361,400 from the Contingency allocation to the Budget of the Police Department, to fund salary and wage increases resulting from the collective bargaining agreement with the Rochester Police Locust Club covering the period of July 1, 2013 through June 30, 2016.

Section 2. Ordinance No. 2014-160, the 2014-15 Budget of the City of Rochester, as amended, is hereby further amended by transferring the sum of $2,275,700 from the Contingency allocation to the Budget of the Fire Department, to fund salary and wage increases resulting from the collective bargaining agreement with Local 1071 of the International Association of Firefighters covering the period of July 1, 2013 through June 30, 2016.

Section 3. Ordinance No. 2014-160, the 2014-15 Budget of the City of Rochester, as amended, is hereby further amended by transferring the sum of $562,800 from the Contingency allocation to the Budget for Undistributed Expenses, to fund fringe benefit costs resulting from collective bargaining agreements and corresponding salary increases for disabled fire personnel.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Palumbo
April 14, 2015

To the Council:

The Neighborhood & Business Development Committee recommends for adoption the following entitled legislation:

Int. No. 93 - Authorizing the sale of real estate

Int. No. 95 - Authorizing receipt and use of grant funds and authorizing agreements for the Brownfields Cleanup Revolving Loan Fund

Int. No. 96 - Resolution approving appointments to the Board of Examiners of Stationary Engineers ~~&~~ and Refrigeration Operators, the Electrical Examining Board, and the Elevator Examining Board as amended

Int. No. 97 - Authorizing an agreement with Bergmann Associates, P.C. to provide technical assistance in the update of the City's Comprehensive Plan

Int. No. 98 - Authorizing an agreement with the Port of Charlotte Merchants Association for production of a visitor's guide and promotional materials

Int. No. 99 - Authorizing a professional services agreement for producing and editing informational television programs

Int. No. 135 - Authorizing a professional services agreement for economic analysis of renovation options for the Blue Cross Arena at the War Memorial

The Neighborhood & Business Development Committee recommends for consideration the following entitled legislation:

Int. No. 94 - Approving the lease of the Manhattan Square Tennis Bubble and Facility by the Rochester Urban Renewal Agency to Thyroff Tennis LLC

Int. No. 100 - Local Improvement Ordinance - establishing the cost of assessments related to the High Falls Business Improvement District and authorizing an agreement

Int. No. 101 - Local Improvement Ordinance - establishing the cost of special work and services related to the South Avenue/Alexander Street Open Space District

The following entitled legislation is being held in Committee:

Int. No. 102 - Local Improvement Ordinance - establishing the cost of the upgrading of street cleaning for the East Avenue/Alexander Street Entertainment District

Int. No. 103 - Establishing a six-month moratorium on permits, certificates of zoning compliance and use and area variances for certain commercial establishments in the Residential, C-1 Neighborhood Center or O-B Overlay Boutique zoning district within the City

Respectfully submitted,
Carla M. Palumbo
Carolee A. Conklin
Michael A. Patterson
Loretta C. Scott
NEIGHBORHOOD & BUSINESS DEVELOPMENT COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-86
Re: Sale of Real Estate

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation approving the sale of six 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.

The first four properties are vacant lots sold by negotiated sale to the adjacent owners. The owners will combine these lots with their existing properties.

The next two properties are unbuildable vacant lots, being sold for $1.00 (as per City policy) to the adjacent owners who will combine the lot with their existing properties.

The first year projected tax revenue for these six properties, assuming full taxation, current assessed valuations and current tax rates, is estimated to be $2,299.

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

Attachment No. AO-47

Ordinance No. 2015-86
(Int. No. 93)

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 the negotiated sale of the following parcels of vacant land with proposal:

I. Negotiated Sale - Vacant Land with Proposal

Address	S.B.L. #	Lot Size	Sq. Ft.	Price	Purchaser
36 Beach St	091.61-3-19	50 x 203	10,047	$600.00	Frank Garcia & Larry Ferris
578 Chili Av	120.55-3-18.1	46 x 97	4,007	$8,000.00	Charles & Bonita Cutaia
6 Fien St, east pt	106.46-1-14	41 x 52	2,132	$163.50	Theresa Smith
6 Fien St, west pt	106.46-1-14	41 x 85	3,485	$262.50	James Culver

Section 2. The Council hereby approves the negotiated sale of the following parcels of unbuildable vacant land for the sum of $1.00:

II. Negotiated Sale - Unbuildable Vacant Land

Unbuildable	S.B.L. #	Lot Size	Sq. Ft.	Purchaser
16 Judson St	120.58-3-3-56	28 x 100	2,822	Outreach Community Center*
63 Rauber St	106.39-4-12	35 x 83	2,846	James G. Ransome, Jr.

* Herman Dailey, Executive Director; Elaine Dailey, Vice President; Johnny Laws, Member; Ruben Lowrey, Member; Denise Logan, Member

Section 3. 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 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-87
Re: Grant Acceptance - Brownfields
Cleanup Revolving Loan Fund

Council Priority: Jobs and Economic
Development

Transmitted herewith for your approval is legislation authorizing the receipt and use of a $330,661 grant from the

United States Environmental Protection Agency (EPA) Brownfields Cleanup Revolving Loan Fund.

The City of Rochester's Brownfields Cleanup Revolving Loan Fund was established in 2011 with an EPA award of $500,000 (Ord. No. 2011-272). The original $500,000 appropriation and the City-funded match of $100,000 have been expended. The proposed award of supplemental funds for the Brownfields Cleanup Revolving Loan Fund is the first federal grant approved since receiving the Investing in Manufacturing Communities Partnership (IMCP) designation.

Under the guidelines of the EPA-approved program, resources are provided to private businesses and real estate developers to clean up brownfields as part of economic development projects. Priority for funding is based on the extent to which the project meets the City's overall economic development goals of job creation and retention, increase in the tax base, and addition to the inventory of available land for commercial or industrial development. The program is available to industrial firms, including wholesale, distribution and industrial service businesses. There is flexibility to support cleanup of former industrial sites for redevelopment of multi-family housing if fund balances permit.

Funding is used for actions associated with removing, mitigating or preventing the release of a hazardous substance or contaminant, including capping of contaminated soils, excavation, removal of contaminated soils, drums, barrels, tanks or other containers of hazardous substances and containment or treatment of hazardous materials. The program requires that the borrower participate in a New York State environmental program. It also provides funding for asbestos abatement and demolition, with oversight by the New York State Department of Labor (DOL).

The Departments of Neighborhood and Business Development (NBD) and Environmental Services (DES) jointly manage the fund. DES is responsible for reviewing eligibility under applicable environmental law, and reviewing the Analysis of Brownfields Cleanup Alternatives prepared by the applicant prior to selection of a cleanup remedy. The applicant is responsible for publicizing the proposed cleanup plan and making it available for public review.

NBD is responsible for marketing the program, analyzing the economic development impact of the proposed project, financial feasibility analysis, deal structuring, underwriting, loan commitment and disbursement of funds.

The EPA determines the final site and borrower eligibility. The New York State Department of Environmental Conservation (DEC) or DOL provide case management and technical oversight for all cleanup activities supported by the fund. Loan recipients are required to enter into an appropriate brownfields cleanup agreement, stipulation agreement or consent order with DEC.

The EPA grant requires a 20% cost share, which is funded by closing fees and interest paid by borrowers, in-kind services of City staff, and Community Development Block Grant funds which will be provided to borrowers to pay for the cost of oversight.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-87
(Int. No. 95)

Authorizing receipt and use of grant funds and authorizing agreements for the Brownfields Cleanup Revolving Loan Fund

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 Environmental Protection Agency for receipt and use of $330,661 in grant funds from the Brownfields Revolving Loan Fund Program to finance the Brownfields Cleanup Revolving Loan Fund, and said amount is hereby appropriated for said purpose. The Mayor is hereby authorized to enter into agreements for the operation and implementation of the fund.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2015-7
Re: Re-appointments - Board of Examiners of Stationary Engineers and Refrigeration Operators, Electrical Examining Board and Elevator Examining Board

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation re-appointing board members to serve additional three-year terms on the following boards:

Board of Examiners of Stationary Engineers and Refrigeration Operators:

Name	Original Appointment	Term Extension Date
Kaiser, Michael	March 2012	December 31, 2017

Electrical Examining Board:

Name	Original Appointment	Term Extension Date
Parkes, Walter	January 1977	December 31, 2017
Schaut, Dennis	January 1996	December 31, 2017
Armstrong, Joseph	March 2000	December 31, 2017
Crescuillo, Andrew	November 2002	December 31, 2017
Stiewe, William	March 2007	December 31, 2017
DeNoto, Robert	December 2011	December 31, 2017

Elevator Examining Board:

Name	Original Appointment	Term Extension Date
Goodlein, Glenn	January 1994	December 31, 2017
Sickler, Randall	January 1998	December 31, 2017
Rothfuss, Jr., Alan	December 2006	December 31, 2017
Donatelli, Michael	November 2011	December 31, 2017
Ferris, Michael	February 2011	December 31, 2017

All board members hold the licenses and certifications required of their membership. The reappointees' resumes are on file in the City Clerk's Office.

Respectfully submitted,
Lovely A. Warren
Mayor

Resolution No. 2015-7
(Int. No. 96, as amended)

Resolution approving appointments to the Board of Examiners of Stationary Engineers ~~&~~ and Refrigeration Operators, the Electrical Examining Board, and the Elevator Examining Board

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

Section 1. The Council hereby approves the reappointment of the following members to the Board of Examiners of Stationary Engineers ~~&~~ and Refrigeration Operators, the Electrical Examining Board, and the Elevator Examining Board for terms to expire as set forth below:

Board of Examiners of Stationary Engineers ~~&~~ and Refrigeration Operators:

Name	Original Appointment	Term Extension Date
Kaiser, Michael	March 2012	December 31, 2017

Electrical Examining Board:

Name	Original Appointment	Term Extension Date
Parkes, Walter	January 1977	December 31, 2017
Schaut, Dennis	January 1996	December 31, 2017
Armstrong, Joseph	March 2000	December 31, 2017
~~Crescuillo~~Crescuillo, Andrew	November 2002	December 31, 2017
Stiewe, William	March 2007	December 31, 2017
DeNoto, Robert	December 2011	December 31, 2017

Elevator Examining Board:

Name	Original Appointment	Term Extension Date
Goodlein, Glenn	January 1994	December 31, 2017
Sickler, Randall	January 1998	December 31, 2017
Rothfuss, Jr., Alan	December 2006	December 31, 2017
Donatelli, Michael	November 2011	December 31, 2017
Ferris, Michael	February 2011	December 31, 2017

Section 2. This resolution shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-88
Re: Agreement - Bergmann Associates, P.C., Comprehensive Plan Update

Transmitted herewith for your approval is legislation establishing $100,000 as maximum compensation for an agreement with Bergmann Associates, P.C., Rochester, New York, to provide technical assistance and overall process coordination and facilitation in the update of the City's Comprehensive Plan, to be known as "The Rochester 2025 Plan," and appropriating $100,000 from the Community Planning and Leadership Development allocation of the Neighborhood and Asset-Based Planning Fund of the 2014-15 Community Development Block Grant to fund the cost of the agreement. The agreement will have a term of two years.

The consultant team will assist City staff in the preparation of portions of the new document and will also assist with demographic data analysis, graphics and public outreach efforts, including web-based technologies. The consultant's work on

the Comprehensive Plan Update Process will take approximately twelve months.

Bergmann Associates, P.C. was selected through a request for proposal process, which is described in the attached summary.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-48

Ordinance No. 2015-88
(Int. No. 97)

Authorizing an agreement with Bergmann Associates, P.C. to provide technical assistance in the update of the City's Comprehensive Plan

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 between the City and Bergmann Associates, P.C. to provide technical assistance and overall process coordination and facilitation in the update of the City's Comprehensive Plan. The maximum amount shall be $100,000. Said amount shall be funded from the Community Planning and Leadership Development allocation of the Neighborhood and Asset-Based Planning Fund of the 2014-15 Community Development Block Grant, and said amount is hereby appropriated for this purpose. The agreement shall have a term of two years.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-89
Re: Agreement - Port of Charlotte Merchants Association, Promotion of Charlotte

Council Priority: Enhance Neighborhoods and Promote Development

Transmitted herewith for your approval is legislation establishing $15,780 as maximum compensation for an agreement with the Port of Charlotte Merchants Association to create a visitor's guide, advertisements, and maps of points of interest. This agreement will be funded from the 2009-10 and 2010-11 Community Development Block Grant (CDBG) ($170 and $2,580, respectively) and 2011-12 CDBG Quadrant Plan Support allocation of the Neighborhood and Asset Based Planning Fund ($1,080) and the 2014-15 Budget of the Department of Neighborhood and Business Development ($11,950). The term of the agreement is eighteen months.

The visitor's guide, along with advertisement in major local magazines, will support the goal of the City's Comprehensive Plan to make Charlotte into the local traveler's destination point. The new area map will point out historical sites to visit while also listing businesses, so that a family can plan a day trip or weekend stay.

The cost for these services is based on estimates provided by the Port of Charlotte Merchants Association.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-49

Ordinance No. 2015-89
(Int. No. 98)

Authorizing an agreement with the Port of Charlotte Merchants Association for production of a visitor's guide and promotional materials

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 in an amount not to exceed $15,780 with the Port of Charlotte Merchants Association to produce a Visitor's Guide, advertisements, and maps for points of interest. The cost of the agreement shall be funded as follows: $170 from the 2009-10 Community Development Block Grant Quadrant Plan Support allocation of the Neighborhood and Asset Based Planning Fund; $2,580 from the 2010-11 Community Development Block Grant Quadrant Plan Support allocation of the Neighborhood and Asset Based Planning Fund; $1,080 from the 2011-12 Community Development Block Grant Quadrant Plan Support allocation of the Neighborhood and Asset Based Planning Fund; and $11,950 from the 2014-15 Budget of the Department of Neighborhood and Business Development (totaling $15,780). Said agreement shall have a term of 18 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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-90
Re: Agreement - Rochester Community Television, Southeast Quadrant Promotion

Council Priority: Creating and Sustaining

a Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing $2,400 as maximum compensation for an agreement with Rochester Community Television (RCTV) to create television programs highlighting the Southeast Quadrant. The source of funds is the 2014-15 Budget of the Department of Neighborhood and Business Development. The term of the agreement is one year.

RCTV will produce studio interview programs that feature a variety of guests and address issues relevant to Rochester's southeast neighborhoods, commercial strips and neighborhood associations, including housing, community events, schools and safety. The programs will include field footage from the southeast neighborhoods to illustrate the topics under discussion.

The shows will be aired on RCTV-Channel 15 to promote the neighborhoods of the southeast. neighborhood associations will also use it to share with the community as a recruitment tool. It will not be used as a vehicle to advertise local businesses.

This project is included in the Quadrant Plan to promote neighborhood collaborations.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-90
(Int. No. 99)

Authorizing a professional services agreement for producing and editing informational television programs

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 between the City and Rochester Community Television, Inc. for producing and editing informational television programs highlighting the Southeast Quadrant neighborhoods, including topics such as commercial strips and neighborhood associations, housing, community events, schools and safety. The maximum amount shall be $2,400. The agreement shall be for a term of one year. Said amount shall be funded from the 2014-15 Budget of the Department of Neighborhood and Business Development.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-91
Re: Agreement - C. H. Johnson Consulting Inc., Economic Analysis of Renovation Options for Blue Cross Arena at the War Memorial

Transmitted herewith for your approval is legislation establishing $80,000 as maximum compensation for an agreement with C. H. Johnson Consulting, Inc., Chicago, Illinois, for an economic analysis of renovation options for the Blue Cross Arena at the War Memorial. The cost of this agreement will be funded from 2013-14 Cash Capital.

The consultant will perform a detailed analysis of local market demand for sports and entertainment offerings and develop a comprehensive study which evaluates the financial feasibility of the recommendations made by Populous in the Facility Assessment Report dated June 2014. The analysis will assist the City in determining the viability and prioritization of the renovations noted in the Populous report. The analysis will also provide the basis for the City's negotiations for a long-term management agreement with the goal of maximizing profitability of the arena.

The consultant will identify facility strategies used in competitive and comparable markets while developing long-range demand projections for facility programming. Market data and demand projections will serve as the basis for the consultant to develop a ten-year operating pro-forma detailing revenues and expenses. These projections will serve as the basis for determining (1) the City's return on investment, (2) phasing of the renovations and (3) validation of Populous' recommendations of renovations and upgrades. The report will include an economic and fiscal analysis outlining local and regional benefits of the proposed renovations in alignment with the City's economic development objectives. The report will be a critical component in the City's efforts to secure assistance for the renovation project through the Upstate Revitalization Initiative.

C. H. Johnson Consulting, Inc. was selected through a request for proposal process, which is described in the attached summary.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-50

Ordinance No. 2015-91
(Int. No. 135)

Authorizing a professional services agreement for economic analysis of renovation options for the Blue Cross Arena at the War Memorial

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 between the City and C. H. Johnson Consulting, Inc.

for an economic analysis of renovation options for the Blue Cross Arena at the War Memorial. The maximum amount shall be $80,000. Said amount shall be funded from the 2013-14 Cash Capital allocation. The agreement shall have a term of one year.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-92
Re: Lease Agreement-Thyroff Tennis, LLC, Manhattan Square Tennis Bubble and Facility

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation authorizing a new lease agreement between Thyroff Tennis, LLC and the Rochester Urban Renewal Agency for the Manhattan Tennis Bubble and Facility located at 47 Savannah Street in the Southeast Loop Urban Renewal District.

The current lease, which was authorized in May 2004 (Ord. No. 2004-135) and renewed through July 31, 2015 via Ordinance No. 2006-393, provides for the use, maintenance, and operation of the Manhattan Tennis Bubble and Facility. There are currently 204 paid members at the Tennis Club.

The proposed new lease term will be for a period of two years commencing August 1, 2015 and expiring on July 31, 2017. The lease will obligate the operators to continue to allow and promote the free use of the courts by city youth at various times throughout the school year and summer months for the Love-15 program designed and supervised by the Department of Recreation and Youth Services.

The required rental payment will be 5% of gross court rental revenues up to $130,000 and 7% of gross court rental revenues in excess of $130,000. For 2013-14, revenue to the City was $3,540.

Rental payments will be paid to the City on a quarterly basis.

A public hearing is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-92
(Int. No. 94)

Approving the lease of the Manhattan Square Tennis Bubble and Facility by the Rochester Urban Renewal Agency to Thyroff Tennis LLC

WHEREAS, the Rochester Urban Renewal Agency (hereinafter called "Agency") has received a proposal from Thyroff Tennis LLC(hereinafter called "Lessee"), for the lease of the Manhattan Square Tennis Bubble & Facility, located at 47 Savannah Street in the Southeast Loop Urban Renewal District, for the operation of the Manhattan Square Tennis Bubble & Facility for a term of two years commencing August 1, 2015 and ending July 31, 2017; and

WHEREAS, an annual rental price of 5% of the gross revenues from tennis court rental of $130,000 or less and 7% of gross revenues greater than $130,000 has been established by the Secretary of the Agency and the Lessee shall agree to the free use of the courts by City youth at various times under programs designed and supervised by the City Department of Recreation and Youth Services; and

WHEREAS, the City Council, pursuant to Article 15 of the General Municipal Law, has held a public hearing on April 14, 2015 to consider the proposed lease of said parcel by the Agency; and

WHEREAS, it was determined:

1. That the Agency has designated the Lessee in accordance with its rules, criteria and procedures for the selection and designation of a Lessee as a qualified and eligible sponsor;

2. That the use of said parcel by the Lessee and the terms of the lease for said parcel are satisfactory;

3. That lease of said land by negotiation is the appropriate method of making the land available;

4. That the Lessee possesses the qualifications and financial resources necessary to lease the parcel in accordance with the Urban Renewal Plan;

5. That the proposed rental price is a satisfactory price and not less than the fair value of the parcel for use in accordance with the Urban Renewal Plan;

6. That the proposed lease complies with the provisions Articles 15 and 15A of the General Municipal Law; and

7. That the lease of said parcel is satisfactory.

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

Section 1. The Council approves the designation of the Lessee by the Agency as a qualified and eligible Lessee to lease the parcel.

Section 2. The Council hereby approves the method and lease of said parcel by the Agency to said Lessee.

Section 3. The Council hereby authorizes the lease of said parcel by the Agency for the proposed rent in accordance with the provisions of Articles 15 and 15A of the General Municipal Law on the terms established by the Agency as set forth above.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Local Improvement Ordinance No. 1693
Re: High Falls Business Improvement District

Council Priority: Creating and Sustaining a Culture of Vibrancy

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

1. Approve the 2015-16 Budget totaling $25,000 submitted by the High Falls BID Board.

2. Establish $25,000 as the 2015-16 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 owner's 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

Attachment No. AO-51

Local Improvement Ordinance No. 1693
(Int. No 100)

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 2015-16 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, 2015.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Local Improvement Ordinance No. 1694
Re: South Avenue/Alexander Street Open Space District LIO No. 1537

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

Transmitted herewith for your approval is legislation authorizing the use of $6,500 of unspent money from the South Avenue/Alexander Street Open Space District for the cost of maintaining the open space at 62 Alexander Street. No assessment is needed for the 2015-16 fiscal year.

The South Avenue/Alexander Street Open Space District provides for maintenance of the landscaped open space, including cutting grass, trimming shrubs, watering, weeding, picking up and removing trash, performing fall leaf clean-up, utilities, and repairing structures and pavement installed in the open space.

The cost for these services is based on estimates provided by the Business Association of the South Wedge Area. The work will be done through an agreement with South Wedge Area Neighborhood Council, a not-for-profit associated with the Business Association.

A public hearing is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Local Improvement Ordinance No. 1694
(Int. No. 101)

Local Improvement Ordinance - establishing the cost of special work and services related to the South Avenue/Alexander Street Open Space 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 2015-16 fiscal year for the South Avenue/Alexander Street Open Space District is established at $6,500, which amount shall be funded from $6,500 of unspent funds from prior years. The amount to be assessed and billed on the 2015-16 tax bill in accordance with Local Improvement Ordinance No. 1537 shall be 0. Any assessment not paid by its due date shall be a lien upon the property billed and a personal obligation of the property owner.

Section 2. The Council further designates the South Wedge Area Neighborhood Council to perform the special work and services and the Mayor is authorized to enter into an agreement with the Association for this purpose.

Section 3. The agreement shall obligate the City to pay an amount not to exceed $6,500, and said amount, or so much thereof as may be necessary, is hereby appropriated from the assessments authorized herein.

Section 4. The agreement shall contain such terms and conditions as the Mayor deems to be appropriate.

Section 5. This ordinance shall take effect on July 1, 2015.

Passed unanimously.

Councilmember Palumbo moved to discharge Int. No. 102 from Committee.

The motion was seconded by Councilmember Spaull.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Local Improvement Ordinance No. 1695
Re: East Avenue/Alexander Street
Entertainment District

Council Priority: Creating and Sustaining
a Culture of Vibrancy

Transmitted herewith for your approval is legislation reauthorizing the East Avenue/Alexander Street Entertainment District and establishing the amount of $20,400 for special assessments for the district for the 2015-16 fiscal year.

This assessment provides for additional trash removal on Saturday and Sunday, from 3:00 a.m. to 5:00 a.m., from April through October, to address trash resulting from the increased activity in the district during this period. The assessment covers the additional cost of these services and is apportioned among the properties within the district that cater to the patrons of the establishments (i.e., bars, restaurants and parking lots which profit from the patrons).

For the 2015-16 budget, the fixed fee for additional street cleaning services will be determined by type of establishment and square footage, as agreed upon by the entertainment establishments and property owners in the district. The total annual charge was estimated by the Department of Environmental Services.

All affected properties have been examined and any change in use is reflected in the attached list of subject properties. The operating assessment is apportioned among properties based on type and function of their use, using the following schedule:

Code	Use	Annual Charge
1	Parking lot under 2,500 Sq Ft	$217
2	Parking lot 2,500-4,999 Sq Ft	$422
3	Parking lot 5,000-9,999 Sq Ft	$627
4	Parking lot 10,000 Sq Ft or more	$855
5	Small sit down restaurant	$217
6	Take out restaurant/smaller bar	$422
7	Large bar/sit down restaurant	$980

This assessment will be included on the annual tax bill of the affected properties. Residential properties with no entertainment venues or parking lots are not affected.

A public hearing is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Local Improvement Ordinance No. 1695
(Int. No. 102)

Local Improvement Ordinance - establishing the cost of the upgrading of street cleaning for the East Avenue/Alexander Street Entertainment District

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

Section 1. The 2015 budget for the upgrading of street cleaning and trash removal services for the East Avenue/Alexander Street Entertainment District is established at $20,400 and the charge per Code shall be as set forth below, and said amount is hereby appropriated from the Special Assessments and shall be assessed and levied on the 2015-16 tax bill in accordance with Local Improvement Ordinance No. 1631 as amended by Local Improvement Ordinance No. 1666.

Code	Use	Annual Charge
1	Parking Lot under 2500 Sq Ft	$217
2	Parking Lot 2500-4999 Sq Ft	$422
3	Parking Lot 5000-9999 Sq Ft	$627
4	Parking Lot 10000 Sq Ft or more	$855
5	Small Sit Down Restaurant	$217
6	Take Out Restaurant/Smaller Bar	$422
7	Large Bar/Sit Down Restaurant	$980

Section 2. This ordinance shall take effect on July 1, 2015.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Introductory No. 103
Re: Zoning Text Amendment - Moratorium on Building Permits, Zoning Permits and Variances for Certain Commercial Establishments in the Residential, C-1 (Neighborhood Center) and O-B (Overlay Boutique) Zoning Districts

Transmitted herewith for your approval is legislation amending the Zoning Code of the City of Rochester by establishing a six month moratorium on the consideration and granting of applications for building and land use permits for establishments that may serve or sell alcoholic beverages in a Residential, C-1 (Neighborhood Center) or O-B (Overlay Boutique) zoning district.

The purpose of the moratorium is to give the City an opportunity to evaluate and address the implications of a recent court decision that annulled the City Zoning Code requirement of an 11:00 p.m. closing time on bars and restaurants that are in the C-1 (Neighborhood Center) zoning district. The ruling stated that the City's right to set closing hours for establishments licensed by the State Liquor Authority (SLA) to sell alcoholic beverages for consumption on the premises is preempted by the SLA's closing hour of 2:30 a.m. in Monroe County.

This ruling also has the potential to affect the City's ability to regulate closing hours in the C-1 and other zoning districts for other types of establishments possessing alcohol beverage licenses, including convenience stores, drug stores and other stores licensed to sell beer and/or wine coolers for consumption off the premises. The SLA's closing hour for those establishments is 2:00 a.m. in Monroe County.

The City will use the six month moratorium to review and evaluate the actual and potential impacts that SLA closing hours for licensed alcoholic beverage establishments may have on residential neighborhoods within the Residential, C-1, and O-B districts and, if necessary, modify the Zoning Code to mitigate any significant adverse impacts on residential neighborhoods.

The City Planning Commission held an informational meeting on the proposed moratorium on March 16, 2015. Three people spoke in support of the moratorium; none spoke in opposition. By a vote of 7-0, the Commission recommended approval. Minutes from the meeting are attached.

Pursuant to the requirements of Article 8 of the New York State Environmental Conservation Law and Chapter 48 of the City Code, the proposed moratorium is a Type II Action requiring no further review.

A public hearing is required for the zoning text amendment.

Respectfully submitted,
Lovely A. Warren
Mayor

Introductory No. 103

ESTABLISHING A SIX-MONTH MORATORIUM ON PERMITS, CERTIFICATES OF ZONING COMPLIANCE AND USE AND AREA VARIANCES FOR CERTAIN COMMERCIAL ESTABLISHMENTS IN THE RESIDENTIAL, C-1 NEIGHBORHOOD CENTER OR O-B OVERLAY BOUTIQUE ZONING DISTRICT WITHIN THE CITY

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

WHEREAS, in order to give the City an opportunity to evaluate and address the implications of a recent court decision that annulled the City Zoning Code requirement of 11 p.m. closing time on bars and restaurants that are in the C-1 Neighborhood Center zoning district, the City of Rochester hereby intends to place a six-month moratorium on the acceptance of, and on the approval of, applications for building and zoning permits, special permits, certificates of zoning compliance and use and area variances for the following uses:

A) in the Residential, C-1 Neighborhood Center or O-B Overlay Boutique zoning district within the City: 1) bars, 2) cocktail lounges, 3) taverns, 4) restaurants, 5) retail sales and service, full-line food store, 6) retail sales and service, low-impact, serving or selling any food or beverage, and 7) retail sales and service, high-impact, serving or selling any food or beverage; and

B) in the O-B Overlay Boutique zoning district: 1) retail sales and service limited to the sale of specialty food;

WHEREAS, in a lawsuit against the City brought by Obsession Bar and Grill, Inc. (Obsession), an establishment located in the C-1 zoning district licensed by the New York State Liquor Authority ("SLA") to serve alcoholic beverages, New York State Supreme Court Justice John Ark annulled a decision of City Zoning Board of Appeals that required Obsessions to close at 11 p.m. on weeknights and annulled a City Zoning Code provision that requires all bars and restaurants located in the C-1 district to close at 11 p.m. every day of the week (the "Obsession ruling");

WHEREAS, the Obsession ruling is premised on the judicial finding that the Zoning Code closing hours are preempted by the New York State Alcoholic Beverage Control Law, which in Monroe County, requires SLA-licensed bars and restaurants to cease selling alcoholic beverages at 2 a.m. and allows the establishments to stay open another 30 minutes for customers to finish the drinks they have purchased;

WHEREAS, the City of Rochester appealed the Obsession ruling to the State Supreme Court Appellate Division for the Fourth Department, which, on June 13, 2014, affirmed the lower court's decision;

WHEREAS, the City sought permission to appeal the Appellate Division's decision to the Court of Appeals, the State's highest court, first from the Appellate Division, which denied the City's request on September 26, 2014, and then from the Court of Appeals itself, which denied the City's request on December 18, 2014;

WHEREAS, there are no further appeals or other judicial remedies available to the City to obtain a reversal or modification of the Obsession ruling;

WHEREAS, the Zoning Code in Chapter 120 of the Municipal Code provides for the placement of certain commercial uses in the R-1, R-2, and R-3 Residential, C-1 and O-B zoning districts with conditions and restrictions that are designed to make them compatible with the adjacent or nearby residential neighborhoods in order to, in the words of the Zoning Code: "provide neighborhood-scale shopping and service opportunities" that "preserve, promote and protect a quality of urban residential living" (§120-16 for R-2 district); provide "small-scale commercial uses offering primarily convenience shopping and services for adjacent residential uses" that are "unobtrusive and conducted at a scale and density compatible with the surrounding neighborhood" (§120-33 for C-1); and "protect and enhance older City neighborhoods… suitable for certain small-scale commercial uses that can exist proximate to neighborhoods without adversely affecting the residential environment…" (§120-104 for O-B);

WHEREAS, the night-time closing hours established in these districts are intended to preserve the compatibility of commercial uses with their residential neighbors;

WHEREAS, in addition to the 11 p.m. closing hours for bars and restaurants located in the C-1 District, the Zoning Code specifies closing hours for the full range of commercial uses in the Residential, C-1, and O-B districts, including offices, retail sales and services, food stores, restaurants, as well as bars, cocktail lounges and taverns, that are uniform within each district, including 9 p.m. in the Residential zoning districts and 11 p.m. in the C-1 and O-B districts;

WHEREAS, in Monroe County, the closing time for SLA-licensed establishments established in accordance with the NYS Alcohol Beverage Control Law is 2:30 a.m. on weekdays and Sundays for establishments, such as restaurants and bars, selling liquor, wine and/or beer for on-premises consumption (alcohol service ends at 2:00 a.m. plus 30 minutes for patrons to finish their drinks) and 2:00 a.m. for retail locations, such as convenience stores, groceries and pharmacies, selling beer and/or wine coolers for off-premises consumption; and

WHEREAS, therefore, the City Council of the City of Rochester finds that:

(1) The establishment of reasonable nighttime closing hours is very important to making commercial establishments compatible with their residential neighbors, in order to protect neighbors from the noise, lights, and traffic that naturally arise with the nighttime operations of commercial establishments and the comings and goings of their customers.

(2) When the City adopted its Zoning Code regulations that allow commercial uses within or adjacent to the residential neighborhoods within the Residential, C-1 and O-B zoning districts it was assumed that the City had the authority to regulate night-time hours of commercial establishments.

(3) The judicial decision in the Obsession case requires the City to allow bars and restaurants in the C-1 district that purvey alcoholic beverages to remain open until 2:30 a.m.

(4) The City has not had sufficient opportunity to review the actual and potential impacts that the later closing hours for alcoholic beverage establishments would have on the residential neighborhoods within the Residential, C-1, and O-B districts. If it is ascertained that the extended nighttime hours will harm adjoining residential neighbors, the City will have to consider modifying its Zoning Code to mitigate the harm.

(5) A sixth-month moratorium on establishments within the City's Residential, C-1 and O-B zoning districts that are or may become eligible to serve or sell alcoholic beverages is an appropriate use of the City's zoning powers in order to provide time to evaluate and address the impact of the Obsession ruling on the City's goal to protect and promote residential neighborhoods that are enhanced with compatible neighborhood-scale commercial uses.

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

Section 1. There shall be a moratorium extending until October 31, 2015 on the acceptance of, and on the approval of, applications for building and zoning permits, special permits, certificates of zoning compliance and use and area variances for the following uses:

A) in the Residential, C-1 Neighborhood Center or O-B Overlay Boutique zoning district within the City: 1) bars, 2) cocktail lounges, 3) taverns, 4) restaurants, 5) retail sales and service, full-line food store, 6) retail sales and service, low-impact, serving or selling any food or beverage, and 7) retail sales and service, high-impact, serving or selling any food or beverage; and

B) in the O-B Overlay Boutique zoning district:

1) retail sales and service limited to the sale of specialty food;

This moratorium shall apply without regard to whether the applicant claims or disclaims an intent to purvey alcoholic beverages.

Section 2. It is hereby acknowledged that this local law is inconsistent with the provisions of NYS General City Law Section 81-B to the extent that it temporarily stays the City of Rochester Zoning Board of Appeals from exercising its jurisdiction over applications for use and area variances for the uses that are subject to the moratorium. The City Council hereby finds that this temporary inconsistency is appropriate in this instance because the moratorium is necessary to Section 2. It is hereby acknowledged that this local law is inconsistent with the provisions of NYS General City Law Section 81-B to the extent that it temporarily stays the City of Rochester Zoning Board of Appeals from exercising its jurisdiction over applications for use and area variances for the uses that are subject to the moratorium. The City Council hereby finds that this temporary inconsistency is appropriate in this instance because the moratorium is necessary to advance the City's interests in the evaluation, adoption and amendment of zoning regulations that will promote its Comprehensive Plan goal to protect and promote residential neighborhoods that are enhanced with compatible neighborhood-scale commercial uses in its Residential, C-1 and O-B zoning districts consistent with NYS General City Law Sections 20(25) and 28-A. Therefore, the moratorium in this local law complies with the Constitution and statutes of the State. NYS Constitution, Article IX, Section 2; NYS Municipal Home Rule Law Sections 10 and 22; and NYS Statute of Local Government Section 10.

Section 3. This local law shall take effect immediately, and shall apply to applications filed after the date it is enacted.

Held in Committee.

By Councilmember Haag
April 14, 2015

To the Council:

The Parks & Public Works Committee recommends for adoption the following entitled legislation:

Int. No. 104 - Authorizing an agreement with the New York State Department of Transportation for snow removal

Int. No. 105 - Authorizing a professional services agreement with LaBella Associates, DPC for environmental investigation and remedial services for the former Emerson Street Landfill

Int. No. 106 - Bond Ordinance of the City of Rochester, New York authorizing the issuance of $694,800 Bonds of said City to finance the additional cost of environmental clean-up of the former Emerson Street Landfill in the City

Int. No. 108 - Authorizing amendatory professional services agreements for the Portland Avenue Revitalization Project

Int. No. 109 - Bond Ordinance of the City of Rochester, New York authorizing the issuance of $834,000 Bonds of said City to finance the construction of water mains related to the Portland Avenue Revitalization Project

Int. No. 110 - Authorizing the acceptance of an easement as part of the Lake Avenue Lighthouse Trail and Overlook Project

Int. No. 111 - Authoring an amendatory agreement with Stantec Consulting Services, Inc. for services related to various firehouse generators

Int. No. 112 - Authorizing an agreement with Clark Patterson Engineers, Surveyor, Architects and Landscape Architect DPC for renovation of the Parking and Municipal Code Violations Bureau

Int. No. 113 - Authorizing an agreement with Architectura PC for architectural and engineering services

Int. No. 130 - Authorizing an agreement with Abundant Life Faith Center, Inc. for a job training and placement program

Int. No. 131 - Authorizing an agreement with North East Area Development, Inc. for a job training and placement program

Int. No. 132 - Authorizing an agreement with Baden Street Settlement, Inc. for a job training and placement program

Int. No. 133 - Authorizing an agreement with the Center for Employment Opportunities, Inc. for a job training and placement program

The Parks & Public Works Committee recommends for consideration the following entitled legislation:

Int. No. 114 - Amending the Official Map by dedicating a parcel at 2102 Culver Road and a part of a parcel at 2092 Culver Road as additional right of way

Int. No. 115 - Amending the Official Map by abandonment of a portion of Wayne Place

Int. No. 116 - Continuation of Local Improvement Ordinance No. 1552 relating to street lighting enhancements on St. Paul Street

Int. No. 117 - Continuation of Local Improvement Ordinance No. 1472 relating to street lighting enhancements on Lake Avenue

Int. No. 118 - Local Improvement Ordinance - establishing the operating and maintenance costs of street lighting special assessment districts

Int. No. 119 - Local Improvement Ordinance - establishing the operating and maintenance costs of

special assessments for streetscape enhancements

Int. No. 120 - Local Improvement Ordinance - care and embellishment of street malls for 2015

The following entitled legislation is being held in Committee:

Int. No. 107 - Authorizing the acceptance of right of way abandoned by the New York State Department of Transportation along South Avenue

Respectfully submitted,
Matt Haag
Elaine M. Spaull
Michael A. Patterson
Loretta C. Scott
PARK & PUBLIC WORKS COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-93
Re: Agreement - New York State Department of Transportation, Snow and Ice Removal Services

Transmitted herewith for your approval is legislation authorizing a one-year extension of an existing agreement with the New York State Department of Transportation (NYSDOT) for the provision by the City of snow and ice removal services on the following State highways:

1. Lake Avenue, from Lyell Avenue to West Ridge Road; and

2. Plymouth Avenue, from Commercial Street to Troup Street.

The total length of these two streets is 2.7 miles. The City has provided these services since 1978 pursuant to periodic agreements. The most recent agreement was authorized by City Council in February 2014 (Ordinance No. 2014-39). This legislation will extend the agreement to June 30, 2017, as required by the NYSDOT.

The requirement for an agreement for snow removal services on Plymouth Avenue will be eliminated in the future, when jurisdiction of the street is formally transferred from the State to the City.

The State will reimburse the City $72,053.90 for snow and ice removal performed during the 2014-15 winter season, which is $11,907.99 more than the prior year.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-93
(Int. No. 104)

Authorizing an agreement with the New York State Department of Transportation for snow removal

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

Section 1. The Mayor is hereby authorized to enter into a one-year extension of an agreement with the New York State Department of Transportation for the provision by the City of snow and ice removal services on Lake Avenue, from Lyell Avenue to West Ridge Road, and on Plymouth Avenue, from Commercial Street to Troup Street, through June 30, 2017. The agreement shall obligate the State to reimburse the City for such services in the amount of $72,053.90 for services during the 2014-15 season.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-94 and
Ordinance No. 2015-95
Re: Agreement - LaBella Associates, D.P.C., Former Emerson Street Landfill

Council Priority: Deficit Reduction and Long-Term Financial Stability; Rebuilding and Strengthening Neighborhood Housing; Jobs and Economic Development

Transmitted herewith for your approval is legislation related to environmental investigation and remedial services at the Former Emerson Street Landfill (FESL). This legislation will:

1. Establish $1,223,000 as maximum compensation for an agreement with LaBella Associates, D.P.C. (LaBella), Rochester, New York, for soil vapor intrusion (SVI) assessment and mitigation services, and remedial investigation and pre-remedial services at the FESL. The agreement will have an initial term of three years with provisions for renewal for an additional two-year period.

2. Authorize the issuance of bonds in the amount of $ 694,800 and appropriate the proceeds thereof to finance a portion of the cost of the agreement.

The balance of the agreement, $528,200, will be financed from bonds previously authorized by City Council (Ord. No. 2012-27).

This new agreement is necessary due to project delays associated with extended review and comment periods required by the New York State Department of Environmental Conservation (NYSDEC) for key reporting submittals prepared

by LaBella under the current agreement. In part due to the complexity of the site, NYSDEC and Health Department reviews and comment processes have taken more than three years to complete. The current agreement with LaBella expires this month, and substantial aspects of the NYSDEC required work have not yet been completed.

Background
In 2006, new requirements regarding soil vapor intrusion were issued by the New York State Department of Health (NYSDOH). In September 2009, the NYSDEC issued an order on consent to the City requiring soil vapor investigation and mitigation for conditions associated with the City's FESL site. The City signed the order agreeing to additional investigations of the landfill. LaBella was selected through a request for proposal process and authorized to provide services related to the vapor intrusion assessments and other associated landfill related environmental services (Ord. No. 2010-13). A subsequent amendatory agreement with LaBella increased compensation by $1 million to a total of $1,539,500, and provided for the extension of the agreement for an additional year (Ord. No. 2012-27). The current LaBella amendatory agreement expired on March 22, 2015.

The City owned and operated the approximately 250-acre FESL landfill from the 1940s through 1971 for the disposal of municipal waste. Today, the FESL area consists of 38 privately-owned parcels and seven City-owned parcels, and represents approximately $55 million in assessed value. Environmental investigations completed by the NYSDEC and the City from the late 1980s to 2002 identified soil and groundwater contamination, and landfill gas containing methane in some locations on the FESL. Since 1992, the City has performed several environmental investigation, clean-up and landfill gas mitigation projects within the FESL. As a result of these efforts, the majority of properties on the FESL were delisted from the NYSDEC Inactive Hazardous Waste Registry. As a result of the work recently completed by LaBella, the City proposed to delist an additional 13.3 acres of land which is being considered by the City for a photovoltaic power generating site. The NYSDEC is anticipated to render a decision on granting delisting within the next sixty days.

In order to facilitate the evaluation of the properties, and to relieve the owners of any financial burden associated with potential contamination as a result of the landfill, the City established a property owner and business assistance program in 2010, which enabled the City to gain voluntary access to 37 of the privately-owned properties on the FESL. The initial vapor intrusion assessment included a survey of all occupied buildings on the FESL site, and a comprehensive review of all previous studies and historical information. Sampling of groundwater and installation of groundwater monitoring wells provided additional data related to volatile organic compounds. Each building was evaluated for vapor intrusion potential due to the landfill.

A vapor intrusion assessment report was submitted to the involved State agencies in 2011. After a lengthy review and evaluation of the report, the NYSDEC is requiring additional SVI investigation and potential vapor mitigation at seven parcels. The primary source of potential vapor intrusion at these properties is a plume of chlorinated solvents contaminated groundwater emanating from the City-owned parcel at 1655 Lexington Avenue. Under the proposed agreement, the City's Division of Environmental Quality (DEQ) and LaBella will continue to coordinate with individual property owners in order to complete the required SVI testing.

Under the proposed agreement, LaBella will complete the work to comply with NYSDEC Order of Consent requirements, which include building-specific SVI investigations, and the design, installation, and initial operation of required SVI mitigation systems. Additional new requirements are also being stipulated by the NYSDEC. In response to these new requirements, LaBella will now complete a remedial investigation, prepare a feasibility study, and implement pilot clean-up activities to address contaminated soil and groundwater at the primary source of contamination.

The new agreement is recommended based on LaBella's detailed understanding of vapor intrusion and contamination conditions at the FESL and its familiarity and working relationships with the individual property owners, their facilities and business operations. It is anticipated that this phase of the project will take approximately three years to complete, with some additional monitoring thereafter. Additional soil vapor mitigation services beyond those proposed for the agreement are not anticipated. However, future additional groundwater remediation at 1655 Lexington Avenue may be required by the NYSDEC in order to fully address the primary source area of contamination.

This phase of the project results in the creation or retention of the equivalent of ten full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-52

Ordinance No. 2015-94
(Int. No. 105)

Authorizing a professional services agreement with LaBella Associates, DPC for environmental investigation and remedial services for the former Emerson Street Landfill

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, DPC for environmental investigation and remedial services for the former Emerson Street Landfill. The maximum amount shall be $1,223,000. The agreement shall extend for a term of 3 years, with options to renew for an additional 2 year term. Said amount shall be funded by

$528,200 appropriated by Bond Ordinance No. 2012-27 for this project and by $694,800 from a bond ordinance to be adopted for this purpose.

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.

Passed unanimously.

Ordinance No. 2015-95
(Int. 106)

Bond Ordinance of The City Of Rochester, New York authorizing the issuance of $694,800 Bonds of said City to finance the additional cost of environmental clean-up of the former Emerson Street Landfill in the City

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 the "City"), is hereby authorized to finance the additional cost of the environmental investigation, mitigation and remedial services for the former Emerson Street Landfill in the City (the "Site"). The total estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is $1,223,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of $694,800 bonds of the City, together with the application of $528,200 bonds previously appropriated in Ordinance No. 2012-27, and the levy and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient 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 $694,800 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 improvement 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 $694,800. 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 specific object or purpose for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of Section 11.00a.6-e of the Law, is twenty (20) 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 of (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 Section 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 from prescribed by Section 81.00 of the law in "The Daily Record," a newspaper published in Rochester, New York, have a general circulation in the City and hereby designated the official newspaper of said City for such publication.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-96 and
Ordinance No. 2015-97
Re: Amendatory Agreement - Wendel WD Architecture, Engineering, Surveying & Landscape Architecture, PC, Portland Avenue Revitalization Project

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation related to the Portland Avenue Revitalization Project. This legislation will:

1. Establish $90,000 as maximum compensation for an amendatory agreement with Wendel WD Architecture, Engineering, Surveying & Landscape Architecture, PC (Wendel), Rochester, New York, for additional water main design for the project;

2. Establish $86,000 as maximum compensation for an amendatory agreement with Wendel for resident project representation (RPR) services for additional water main work, and amend the agreement with KCI Engineering of New York (KCI) to authorize the agreement with Wendel instead;

3. Authorize the issuance of bonds totaling $834,000 and the appropriation of the proceeds thereof to partially finance the water main construction portion of the project.

In May 2013, Council established maximum compensation of $125,000 for a design agreement with KCI via Ordinance No. 2013-142 which was subsequently transferred to Wendel by assignment of contract. This amendment will increase maximum compensation by $90,000 for a total of $215,000. The cost of the amendatory agreement will be financed from 2011-12 ($77,000) and 2013-14 ($13,000) Water Cash Capital. The agreement may extend until three months after completion of a two-year guarantee inspection of the project.

The original KCI agreement for RPR services was authorized in July 22, 2014 (Ord. No. 2014-227). This amendment will increase maximum compensation by $86,000 for a total of $250,000, and revise the authorization with KCI to Wendel, which has acquired KCI. The project has been delayed and the original agreement was not executed. The cost of the amendatory agreement will be financed from the water bond authorized herein.

The Portland Avenue Revitalization project (Lux Street - Norton Street) consists of the following: new decorative street lighting system; banners on lighting pole arms; bump-outs at intersections for safer pedestrian crossing distances and traffic calming; special sidewalk treatments at the bump-outs; raised center median to address accidents at the curve; high visibility crosswalks; new on-street bicycle facilities and signage; temporary pavement striping; gateway features at the Norton Street and Portland Avenue intersection; and landscaping. A federally-funded milling and resurfacing project will follow the beautification project, and will: mill the pavement; install permanent pavement striping and decorative crosswalks; replace hazardous sidewalks; replace broken curbs; and replace curb ramps that do not meet current Americans with Disabilities Act standards. Prior to the recent catastrophic water main break, the planned improvements were focused on water service replacements and cathodic protection of the water main. However, after the number of breaks on this main, the scope of water work has expanded to include complete replacement of the water main, side street connections, and eight fire hydrants.

The final design will begin in spring 2015; it is anticipated that construction will begin in late summer 2015. The additional water improvements will result in the creation and/or retention of the equivalent of ten full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-53

Ordinance No. 2015-96
(Int. No. 108)

Authorizing amendatory professional services agreements for the Portland Avenue Revitalization Project

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

Section 1. The Mayor is hereby authorized to enter into an amendatory professional services agreement between the City and Wendel WD Architecture, Engineering, Surveying & Landscape Architecture PC for design services for the Portland Avenue Revitalization Project. The amendment shall increase maximum compensation authorized by Ordinance No. 2013-142 by $90,000 to a total of $215,000 and shall also change the name of the consultant from KCI Engineering of New York to Wendel WD Architecture, Engineering Surveying & Landscape Architecture PC. The agreement may extend until three (3) months after completion of a two-year guarantee inspection of the project. Said amendatory amount of $90,000 shall be funded by $77,000 from the 2011-12 Water Cash Capital allocation and $13,000 from the 2013-14 Water Cash Capital allocation.

Section 2. The Mayor is hereby authorized to enter into an amendatory professional services agreement between the City and Wendel WD Architecture, Engineering Surveying & Landscape Architecture PC for resident project representation services for the Portland Avenue Revitalization Project. The amendment shall increase maximum compensation authorized by Ordinance No. 2014-227 by $86,000 to a total of $250,000. The agree-

ment may extend until three (3) months after completion of a two-year guarantee inspection of the project. Said amendatory amount of $86,000 shall be funded from a bond ordinance for water main construction to be authorized for this project.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2015-97
(Int. No. 109)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of $834,000 Bonds of said City to finance the construction of water mains related to the Portland Avenue Revitalization 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 construction of certain water mains related to the Portland Avenue Revitalization Project in the City (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 $834,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of $834,000 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 $834,000 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 $834,000. 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 the 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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-98
Re: Easement Acceptance - Lighthouse Trail and Overlook

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation authorizing the acceptance of an easement at 4554 Lake Avenue to provide for construction improvements and public use of the Lighthouse Trail and Overlook. Rochester Gas & Electric Corporation has agreed to grant an easement over an unused portion of their property, consisting of .28 acres. The land abuts the City-owned parcel at 4576 Lake Avenue to the north and County-owned parcel at 20 Lighthouse Street to the south, and provides continuity for public access to the trail.

The cost of the easement is $14,150, based on an independent property appraisal prepared by Bruckner, Tillett, Rossi, Cahill & Associates. The easement and associated legal fees will be funded from the bond appropriated via Ordinance No. 2013-330.

The project, which is part of the Port of Rochester Marina and Mixed-Use Development Plan, will provide pedestrian access from Lake Avenue to the Lighthouse property. The trail will be located along the crest above the Port of Rochester and provide vantage points for views of historic and scenic significance to the community, including the lighthouse and waterfront. The project is partially funded from a $150,000 New York State Department of State grant authorized via Ordinance No. 2013-328.

Construction is estimated to cost $278,000 and is anticipated to begin in fall 2015 with completion by the end of the year.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-54

Ordinance No. 2015-98
(Int. No. 110)

Authorizing the acceptance of an easement as part of the Lake Avenue Lighthouse Trail and Overlook Project

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

Section 1. The Council hereby approves the acceptance of a permanent easement for construction and public use of trail and overlook improvements over the following parcels as part of the Lake Avenue Lighthouse Trail and Overlook Project:

Address Owner	S.B.L. # Sq. Ft.
4554 Lake Avenue Rochester Gas & Electric Corporation	047.62-01-017 approx. 0.28 acres

Section 2. The cost of the easement shall be $14,150 and said cost plus any legal or closing costs shall be funded from the bond funds appropriated in Ordinance No. 2013-330

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-99
Re: Amendatory Agreement - Stantec Consulting Services Inc., Firehouse Generators

Transmitted herewith for your approval is legislation establishing $20,000 as maximum compensation for an amendatory agreement with Stantec Consulting Services Inc., Rochester, New York, for resident project representation (RPR) services for the firehouse generator project. The amendment will be financed from 2012-13 Cash Capital.

The original agreement with Stantec Consulting Services Inc. was authorized in April 2013 after a request for proposal process in the amount of $105,000 (Ord. No. 2013-98). This amendment will increase maximum compensation to a total of $125,000.

The project included various services for the installation of emergency standby generators at five firehouses:

Engine 7 Firehouse
873 Genesee Street
Engine 12 Firehouse
160 Wisconsin Street
Engine 5 Firehouse
450 Lyell Avenue
Engine 10 Firehouse
1477 Dewey Avenue
Engine 1/Truck 1 Firehouse
315 Monroe Avenue

Construction was awarded to East Coast Electric in June 2014 and is anticipated to be complete in spring 2015. Construction cost is $433,942.

The original agreement provided for the following services:

- Analysis and existing report verification of program schematic design
- Design development
- Contract documents
- Bid/Award
- Construction administration
- Commissioning

The amendatory agreement will provide compensation for:

- RPR services

The amendatory agreement will result in the creation and/or retention of the equivalent of 0.2 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-55

Ordinance No. 2015-99
(Int. No 111)

Authorizing an amendatory agreement with Stantec Consulting Services Inc. for services related to various firehouse generators

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 between the City and Stantec Consulting Services Inc. for resident project representation services for the installation of emergency standby generators at various firehouses. The amendment shall increase the maximum amount by $20,000 to a total of $125,000. The agreement may extend until three (3) months after completion of a two-year guarantee inspection of the project. Said amendatory amount shall be funded from the 2012-13 Cash Capital allocation.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-100
Re: Agreement - Clark Patterson Engineers, Surveyor, Architects and Landscape Architect, DPC, Parking and Municipal Code Violations Bureau Renovation

Transmitted herewith for your approval is legislation establishing $60,000 as maximum compensation for an agreement with Clark Patterson Engineers, Surveyor, Architects and Landscape Architect, DPC (Clark Patterson), Rochester, New York, for architectural and engineering program development and schematic design services for the Parking and Municipal Code Violations Bureau Renovation. The cost of the agreement will be financed from the 2014-15 Budget of Undistributed Expenses.

The project includes the renovation of the existing public hearing and payment areas, and City office spaces of the Parking and Municipal Code Violations Bureau at 42-50 South Avenue. The office processes payments and conducts hearings related to tickets issued for Municipal Parking violations, Red Light Camera Safety Program violations, and Municipal Code violations including fines for Certificate of Occupancy, "Get Tough" tickets, building permit violations, and animal control tickets.

The present space and layout is inadequate for its current usage, service, and security demands. The waiting areas are too small, and the facility, restrooms and service counters are not code compliant with the Americans with Disabilities Act. The facility requires security upgrades throughout and the HVAC system is antiquated and requires replacement. Asbestos and mold remediation will be required throughout much of the facility.

Clark Patterson was selected for program development and schematic design services through a request for proposal process, which is described in the attached summary. The agreement may extend until six (6) months after acceptance of the design and report.

Program development and schematic design services will begin in spring 2015 with anticipated completion in winter 2015-16. The agreement will result in the creation and/or retention of the equivalent of 0.6 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-56

Ordinance No. 2015-100
(Int. No. 112)

Authorizing an agreement with Clark Patterson Engineers, Surveyor, Architects and Landscape Architect DPC for renovation of the Parking and Municipal Code Violations Bureau

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 between the City and Clark Patterson Engineers, Surveyor, Architects and Landscape Architect DPC for architectural and engineering services for the renovation of the Parking and Municipal Code Violations Bureau. The maximum amount shall be $60,000. The agreement may extend until six months after completion and acceptance of the design and report. Said amount shall be funded from the 2014-15 Budget for Undistributed Expenses.

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 im-

mediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-101
Re: Agreement - Architectura, P.C., Baden Park Concession Stand

Council Priority: Creating and Sustaining a Culture of Vibrancy; Public Safety; Rebuilding and Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation establishing $55,000 as maximum compensation for an agreement with Architectura, P.C., Rochester, New York, for architectural and engineering services for a concession stand in Baden Park. The cost of the agreement will be financed from 2011-12 Cash Capital.

The project is funded by an Economic Development Capital Assistance Program grant from the Dormitory Authority of the State of New York via Ordinance No. 2011-403. The $300,000 grant was secured with the sponsorship of Senator Joseph Robach.

The project includes the design of a concession stand at Baden Park. The consultant will provide engineering and architectural design, bid, construction administration and resident project representation services for the project. Architectura, P.C., was selected for architectural and engineering services through a request for proposal process, which is described in the attached summary.

The construction cost is estimated at $245,000.

Design will begin in spring 2015. It is anticipated that construction will begin in fall 2015. The agreement will result in the creation and/or retention of the equivalent of 0.6 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-57

Ordinance No. 2015-101
(Int. No. 113)

Authorizing an agreement with Architectura PC for architectural and engineering 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 between the City and Architectura PC for architectural and engineering services for design and resident project representation services for a concession stand at Baden Park. The maximum amount shall be $55,000. The agreement may extend until three (3) months after completion of a two-year guarantee inspection of the project. Said amount shall be funded from the 2011-12 Cash Capital allocation.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-102 and
Ordinance No. 2015-103
Re: Agreement - Abundant Life Faith Center, Inc. and North East Area Development, Inc., Job Training Program

Council Priority: Jobs and Economic Development

Transmitted herewith for your approval is legislation authorizing agreements with the Abundant Life Faith Center, Inc. and North East Area Development, Inc. (NEAD) to partner with the City in a transitional job training and placement program. Maximum compensation for each of the agreements will be $30,400. The agreements will have a term of one year and be funded from the 2014-15 ($9,550) and 2015-16 ($20,850) Budgets of the Department of Environment Services, contingent upon adoption of the latter budget.

Participants in the program are required to live in the City of Rochester. Each of the two organizations will provide a work crew comprised of at least three people and supervision for a period of 26 weeks, commencing on May 4, 2015. The work crew will perform agreed upon services and assignments as determined by City staff and consisting of litter collection and hand- sweeping. In addition to the core services and assignments performed in the spring and summer, the group will be available for snow and ice control as needed during the winter. Each group will provide supervision of the crew. The City shall provide performance expectations and reviews of the work performed.

Each of the three people comprising each group's work crew will work five hours a day for five days a week. Both groups will provide litter collection and hand-sweeping on City sidewalks, street corners and curb lanes, and 100 feet along all adjacent cross streets at their intersection in both directions (please see the attached map). The respective work areas will be solely assigned as defined in the succeeding paragraph.

Abundant Life Faith Center will be responsible for Chili Avenue from Thurston to Jefferson Avenues, Genesee Street from Chili to Congress Avenues, Congress Avenue from Genesee to Custer Streets, and Jefferson Avenue from Cottage to Brown Streets. NEAD will be responsible for N. Good-

man Street from Garson to Clifford Avenues, Webster Avenue from N. Goodman to Bay Streets, Bay Street from Webster Avenue to Culver Road, and Parsells Avenue from Webster Avenue to Culver Road.

Results from last year's program with Abundant Life Faith Center were favorable, with neighborhood businesses, merchants and private citizens giving the program positive reviews. There were six participants in the program. This is the first time NEAD will be providing this service.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-58

Ordinance No. 2015-102
(Int. No. 130)

Authorizing an agreement with Abundant Life Faith Center, Inc. for a job training and placement program

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

Section 1. The Mayor is hereby authorized to enter into an agreement with Abundant Life Faith Center, Inc. for a job training and placement program. The maximum compensation to be paid by the City shall be $30,400. Said amount shall be funded by $9,550 from the 2014-15 and $20,850 from the 2015-16 Budgets of the Department of Environmental Services contingent upon adoption of said future Budget. The agreement shall have a term of one year.

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.

Passed unanimously.

Ordinance No. 2015-103
(Int. No. 131)

Authorizing an agreement with North East Area Development, Inc. for a job training and placement program

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

Section 1. The Mayor is hereby authorized to enter into an agreement with North East Area Development, Inc. for a job training and placement program. The maximum compensation to be paid by the City shall be $30,400. Said amount shall be funded by $9,550 from the 2014-15 and $20,850 from the 2015-16 Budgets of the Department of Environmental Services contingent upon adoption of said future Budget. The agreement shall have a term of one year.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ord. No. 2015-104
Re: Agreement - Baden Street
Settlement, Job Training Program

Council Priority: Jobs and Economic Development

Transmitted herewith for your approval is legislation establishing $38,000 as maximum compensation for an agreement with Baden Street Settlement to partner with the City in a transitional job training and placement program. The agreement will have a term of one year and be funded from the 2014-15 ($12,150) and 2015-16 ($25,850) Budgets of the Department of Environment Services, contingent upon adoption of the latter budget.

Participants in the program are required to live in the City of Rochester. Baden Street Settlement will provide a work crew comprised of at least three people and supervision for a period of 26 weeks, commencing on May 4, 2015. The work crew will perform agreed upon services and assignments as determined by City staff and consisting of litter collection and hand-sweeping. In addition to the core services and assignments performed in the spring and summer, the group will be available for snow and ice control as needed during the winter. Baden Street Settlement will provide supervision of the crew. The City will provide performance expectations and reviews of the work performed.

Each of the three people comprising the work crew will work five hours a day for five days a week. Litter collection and hand sweeping will occur on City sidewalks, street corners and curb lanes on Lake Avenue from Driving Park to Brown Street, Lyell Avenue from Hague Street to Lake Avenue, Smith Street from Lake Avenue to St. Paul Street, St. Paul Street from Norton to St. Bridget's Streets, St. Bridget's Street and 100 feet along all adjacent cross streets at their intersection in both directions (please see the attached map). This work area will be solely assigned to Baden Street Settlement.

Results from last year's program with Baden Street Settlement were favorable, with neighborhood businesses, merchants and private citizens giving the program positive reviews. There were six participants.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-59

Ordinance No. 2015-104
(Int. No. 132)

Authorizing an agreement with Baden Street Settlement, Inc. for a job training and placement program

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

Section 1. The Mayor is hereby authorized to enter into an agreement with Baden Street Settlement, Inc. for a job training and placement program. The maximum compensation to be paid by the City shall be $38,000. Said amount shall be funded by $12,150 from the 2014-15 and $25,850 from the 2015-16 Budgets of the Department of Environmental Services contingent upon adoption of said future Budget. The agreement shall have a term of one year.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-105
Re: Agreement - Center for Employment Opportunities, Inc., Job Training Program

Transmitted herewith for your approval is legislation establishing $56,000 as maximum compensation for an agreement with the Center for Employment Opportunities (CEO) to partner with the City in a transitional job training and placement program. The agreement will have a term of one year and be funded from the 2014-15 ($16,200) and 2015-16 ($39,800) Budgets of the Department of Environment Services, contingent upon adoption of the latter budget.

Participants in the program have criminal conviction(s), are currently under criminal justice supervision and live in the City of Rochester. CEO will provide a work crew comprised of six people and one supervisor to the City for a period of 26 weeks, commencing on May 4, 2015. The work crews will perform agreed upon services and assignments as determined by City staff and consisting of litter collection and hand-sweeping. In addition to the core services and assignments performed in the spring and summer, the group will be available for snow and ice control as needed during the winter. CEO will provide supervision of the crews. The City shall provide performance expectations and reviews of the work performed.

Each of the six people comprising the work crew will work six and one-half hours a day for four days a week. Litter collection and hand-sweeping will occur on City sidewalks, street corners and curb lanes on Norton Street, Clifford Avenue, Upper Falls/Cleveland and Central Park, all from N. Clinton Avenue to North Street, and N. Clinton Avenue, Joseph Avenue, Hudson Avenue and North Street, all from Norton Street to Central Park. The area will also include 100 feet along all adjacent cross streets at their intersection in both directions (please see the attached map). This work area will be solely assigned to CEO.

Results from last year's program with CEO were favorable, with neighborhood businesses, merchants and private citizens giving the program positive reviews. There were 35 participants in the program.

CEO will submit invoices to the New York State Department of Corrections and Community Supervision (DOCCS) for payment of the services provided, and the City will reimburse DOCCS for the City's use of the CEO crews.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-60

Ordinance No. 2015-105
(Int. No. 133)

Authorizing an agreement with the Center for Employment Opportunities, Inc. for a job training and placement program

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the Center for Employment Opportunities, Inc. (CEO) for a job training and placement program. The maximum compensation to be paid by the City shall be $56,000. The agreement may provide that CEO will submit invoices to the New York State Department of Corrections and Community Supervision (DOCCS) for payment of the services provided, and the City shall reimburse DOCCS for the City's use of the CEO crews. Said amount shall be funded by $16,200 from the 2014-15 and $39,800 from the 2015-16 Budgets of the Department of Environmental Services contingent upon adoption of said future Budget. The agreement shall have a term of one year.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-106
Re: Official Map Amendment -

Dedication of 2102 Culver Road
and a portion of 2092 Culver
Road as additional Right-of-Way

Transmitted herewith for your approval is legislation amending the Official Map by dedicating the City parcel at 2102 Culver Road, and a portion of the City parcel at 2092 Culver Road as additional right-of-way. This legislation is necessary to provide right-of-way access to 2100 Culver Road. The City took the property at 2100 Culver Road in tax foreclosure in 1978, sold it in 1980 with a 15-foot strip reserved along Culver Road for highway purposes, and now needs to dedicate the 15-foot strip as right-of-way, so that the owner can complete a sale of his property, which is otherwise land-locked.

The City Planning Commission, in its March 16, 2015 meeting, recommended approval of this dedication by a vote of 7-0. Minutes of that meeting, along with the application, are attached.

Pursuant to the requirements of Article 8 of the New York State Environmental Conservation Law and Chapter 48 of the City Code, the proposal is a Type II Action requiring no further environmental review.

A public hearing is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-61

Ordinance No. 2015-106
(Int. No. 114)

Amending the Official Map by dedicating a parcel at 2102 Culver Road and a part of a parcel at 2092 Culver Road as additional right of way

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 dedicating to street purposes the following parcels:

LEGAL DESCRIPTION OF LANDS TO BE DEDICATED AS CULVER ROAD RIGHT OF WAY
#2102 CULVER ROAD & PART OF #2902 CULVER ROAD
T.A. # 092.720-01-033.002 & PART OF T.A. #092.720-01-032

All that tract or parcel of land, situate in the City of Rochester, County of Monroe, State of New York, being part of Town Lot 50, Township 14, Range 7 and being more particularly bounded and described as follows: Beginning at a point on the easterly ROW line of Culver Road (80.0' ROW) at the southwest corner of Lot R-2 of Municipal Subdivision No. 17-50, as filed in the Monroe County Clerk's Office in Liber 110 of Maps, Page 14, said corner being the Point or Place of Beginning; thence

1) Westerly, along the extension of the south line of said Lot R-2, a distance of 15.25 feet to a point; thence

2) Southerly, along the easterly ROW line of Culver Road (64.75' ROW), a distance of 124.63 feet to the northwest corner of lands previously dedicated as additional Culver Road ROW by Ordinance No. 89-147; thence

3) Easterly, along said additional ROW, a distance of 15.82 feet to the northeast corner thereof; thence

4) Northerly, parallel with the existing easterly ROW line of Culver Road (64.75' ROW), a distance of 119.6 feet, more or less, to the said southwest corner of Lot R-2, being the Point or Place of Beginning.

Hereby intending to describe a parcel of land 15.25 feet in width to be dedicated as additional ROW and intending to bring Culver Road ROW to a uniform width of 80.0 feet.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-107
Re: Official Map Amendment - Abandon
a Portion of Wayne Place

Council Priority: Rebuilding and
Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation amending the Official Map by authorizing the proposed abandonment of a portion of Wayne Place.

The property owner of 25 Judson Terrace applied for a permit to construct a security fence to impede walk-through from the neighborhood, and was advised to apply for right-of-way abandonment to provide the space needed for the fence. Upon approval, the property owner will purchase the abandoned right-of-way from the City's Real Estate Division.

The City Planning Commission, at its February 9, 2015 meeting, recommended approval of this abandonment by a vote of 5-0. Minutes of that meeting, along with the application, are attached.

Pursuant to the requirements of Article 8 of the New York State Environmental Conservation Law and Chapter 48 of the City Code, the proposal is a Type II Action requiring no further environmental review.

A public hearing is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-62

Ordinance No. 2015-107
(Int. No. 115)

Amending the Official Map by abandonment of a portion of Wayne Place

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 changing and deleting therefrom the following described property, heretofore dedicated to street purposes and constituting a portion of Wayne Place:

LEGAL DESCRIPTION OF PROPOSED LANDS
TO BE ABANDONED - WAYNE PLACE

All that tract or parcel of land, situate in the City of Rochester, County of Monroe, State of New York, being part of Town Lot 170 of the 20,000 Acre Tract, and being more particularly bounded and described as follows: Beginning at the southeast corner of lands dedicated as additional Wayne Place ROW by Ordinance No. 86-415, said corner also being the southeast corner of Lot 12 of the George S. Thompson Subdivision, as filed in the Monroe County Clerk´s Office in Liber 8 of Maps, Page 75, and being the Point or Place of Beginning; thence

1) Westerly, along the south line of said Wayne Place ROW and said Lot 12, a distance of 40.0 feet to the southwest corner thereof; thence

2) Northerly, along the west line of said ROW and Lot 12, a distance of 25.0 feet to a point; thence

3) Easterly, parallel with the south line of said Wayne Place ROW and Lot 12, a distance of 5.0 feet to a point; thence

4) Southerly, parallel with the west line of said ROW and Lot 12, a distance of 17.0 feet to a point; thence

5) Easterly, parallel with the south line of said Wayne Place ROW and Lot 12, a distance of 35.0 feet to the east line of said ROW and Lot 12; thence

6) Southerly, along the east line of said ROW and Lot 12, a distance of 8.0 feet to the Point or Place of Beginning.

Hereby intending to describe a parcel of land containing 405± square feet.

Being a portion of lands conveyed to the City of Rochester by a deed dated April 30, 1980 and filed in Liber 5793 of Deeds, Page 296.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Local Improvement Ordinance No. 1696,
Local Improvement Ordinance No. 1697,
Local Improvement Ordinance No. 1698 and
Local Improvement Ordinance No. 1699
Re: Local Improvement Ordinance -
Special Assessment Districts

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

Transmitted herewith for your approval is legislation renewing the Lake Avenue and St. Paul Street special assessment districts and establishing the 2015-16 budgets for those and ten other special assessment districts. Ten

districts provide for street lighting enhancements; three for streetscape enhancements. The districts and assessments are as follows:

Local Imp. Ord.	District	2015-16	2014-15	Variance	Capital/ Operating	Type
1547	Wilson Boulevard	$477.81	$512.58	$-34.77	Operating	Street lighting
1502	Lyell Avenue I	$1,845.38	$2,032.32	$-186.52	Operating	Street lighting
1503	Lyell Avenue II	$1,952.93	$2,133.61	$-180.68	Operating	Street lighting
1413	Monroe I	$1,251.11	$1,327.85	$-76.74	Operating	Street lighting
1412	Monroe II	$545.34	$578.80	$-33.46	Operating	Street lighting
1429	Cascade Historic	$1,505.51	$1,528.75	$-74.25	Operating	Street lighting
1430	Cascade Historic	$8,000.00	$6,000.00	$2,000.00	Capital & Operating	Streetscape
1619	Norton Street URD	$2,815.00	$2,815.00	$ -0-	Capital & Operating	Streetscape
1652	Mt Hope Streetscape	$30,000.00	$30,000.00	$ -0-	Operating	Streetscape
1601	Norton Street URD	$1,231.84	$1,290.96	$-59.12	Operating	Street lighting
1472	Lake Avenue	$3,564.93	$3,769.79	$-204.86	Operating	Street lighting
1552	St. Paul Street	$454.39	$484.62	$-30.23	Operating	Street lighting
1627	East Main Street	$316.79	$336.45	$-19.66	Operating	Street lighting

Public hearings on renewing the Monroe districts and the assessments for all the districts are required.

Respectfully submitted,
Lovely A. Warren
Mayor

Local Improvement Ordinance No. 1696
(Int. No. 116)

Continuation of Local Improvement Ordinance No. 1552 relating to street lighting enhancements on St. Paul Street

WHEREAS, by Local Improvement Ordinance No. 1552, the City provided for the levying of local improvement assessments to fund the cost of street lighting enhancements on St. Paul Street; and

WHEREAS, said Local Improvement Ordinance was authorized for a term of 10 years, and the Council desires to continue said Local Improvement Ordinance for an additional period of 10 years.

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

Section 1. Local Improvement Ordinance No. 1552 relating to street lighting enhancements on St. Paul Street is hereby re-enacted for an additional period of 10 years, commencing on July 1, 2015 and ending June 30, 2025.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Local Improvement Ordinance No. 1697
(Int. No. 117)

Continuation of Local Improvement Ordinance No. 1472 relating to street lighting enhancements on Lake Avenue

WHEREAS, by Local Improvement Ordinance No. 1472, the City provided for the levying of local improvement assessments to fund the cost of street lighting enhancements on Lake Avenue; and

WHEREAS, said Local Improvement Ordinance was authorized for a term of 15 years, and the Council desires to continue said Local Improvement Ordinance for an additional period of 15 years.

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

Section 1. Local Improvement Ordinance No. 1472 relating to street lighting enhancements on Lake Avenue is hereby re-enacted for an additional period of 10 years, commencing on July 1, 2015 and ending June 30, 2025.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Local Improvement Ordinance No. 1698
(Int. No. 118)

Local Improvement Ordinance - establishing the operating 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 and maintenance of special assessment districts for street lighting enhancements during 2015-16:

Street Lighting District	Amount	LIO
Wilson Boulevard	$ 477.81	1547
Lyell Avenue I	1,845.38	1502
Lyell Avenue II	1,952.93	1503
Monroe Avenue I	1,251.11	1672
Monroe Avenue II	545.34	1671
Cascade Historic	1,505.51	1429
Norton Street Urban Renewal	1,231.84	1601
Lake Avenue	3,564.93	1472
St. Paul Street	454.39	1552
East Main Street	316.79	1627

Section 2. This ordinance shall take effect on July 1, 2015.

Passed unanimously.

Local Improvement Ordinance No. 1699
(Int. No. 119)

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 2015-16:

Streetscape District	New Amount	LIO
Cascade Historic	$ 8,000	1430
Norton Street Urban Renewal	2,815	1619
Mt. Hope	30,000	1652

Section 2. This ordinance shall take effect on July 1, 2015.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Local Improvement Ordinance No. 1700
Re: Care and Embellishment of Street Malls

Council Priority: Rebuilding and
Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation authorizing the care and embellishment of street malls during 2015-16 and the assessment of the associated costs of $25,325 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 clean-up. 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 2015-16	LIO 1683 2014-15	Variance	Reason for Variance
Arnold Park	$ 2,116	$ 1,275	$ 841	Increased budgeted amounts for lawn care, full and spring cleanups and plants.
Hazelwood Terrace	800	740	60	Increased budgeted amount for plants.
Hillside Avenue	0	1,250	-1,250	Using surplus from prior years.
Huntington Park	3,600	3,600	0	N/A
Lafayette Park	0	3,456	-3,456	Discontinued participation in program.
Nunda Boulevard	7,184	7,009	175	Increased budgeted amounts for tree pruning and grass seed. *Note: performs own mowing, trimming, tree care.*
Oxford Street	9,336	10,438	-1,102	No change to annual budget. Using surplus from prior years. *Note: performs own mowing, trimming, tree care, leaf pickup.*
Rundel Park	903	903	0	N/A
Sibley Place	1,386	1,682	-296	No change to annual budget. Using surplus from prior years.
Total	$25,325	$30,353	-$5,028	

The Department of Environmental Services Bureau of Operations provides mowing and trimming, tree pruning and leaf pickup unless otherwise noted on the chart above (see 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 and Embellishment Fund.

A public hearing on these assessments is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Local Improvement Ordinance No. 1700
(Int. No. 120)

Local Improvement Ordinance - care and embellishment of street malls for 2015

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

Section 1. It is hereby determined that for 2015 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	$ 2,116
Hazelwood Terrace	800
Hillside Avenue	0
Huntington Park	3,600
Lafayette Park	0
Nunda Boulevard	7,184
Oxford Street	9,336
Rundel Park	903
Sibley Place	1,386
Total	$25,325

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, 2015.

Section 4. The total cost of such improvements and work, estimated at $26,325, shall be charged as heretofore described in this ordinance and paid from the Local Improvement 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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Introductory No. 107
Re: Land Transfer - New York State Department of Transportation, South Avenue Right-of-Way

Council Priority: Creating and Sustaining a Culture of Vibrancy; Rebuilding and Strengthening Neighborhoods

Transmitted herewith for your approval is legislation related to improvements at Erie Harbor Park and South Avenue, from Court Street to Capron Street. This legislation will approve the acceptance of a portion of South Avenue right-of-way abandoned by the New York State Department of Transportation.

South Avenue, from Court Street to Capron Street, fronts Erie Harbor Park and is considered a prime riverfront site. The land is currently an underutilized site and is identified in the Center City Master Plan as Erie Harbor Park. Ownership of the property is mixed with the principal parties being the City of Rochester, New York State and the Farash Foundation. Several easements cross the property making private development challenging.

In 2010, the community-led Erie Harbor Park Master Plan was completed for the site based on a public-private partnership between the City and the Farash Corporation. The master plan includes public improvements for increased waterfront access, waterfront promenades, a pedestrian bridge with viewing platforms, improvements to the 1815 Johnson Seymour Mill Race, lighting upgrades, interpretive signage, benches, bike racks, and landscaping amenities. The master plan envisions and recommends a medium-sized (less than 25,000 sq. ft.) mixed-use development that's fully intertwined with the public improvements.

Acceptance of a portion of the South Avenue right-of-way abandoned by the New York State Department of Transportation greatly facilitates access to the property from a public and private standpoint. Ownership of the South Avenue right-of-way offers the City flexibility and efficiency in developing an improved streetscape, establishing alternate traffic patterns, evaluating parking needs and working with interested developers. It also helps advance numerous initiatives recommended in the Erie Harbor Park Master Plan.

Respectfully submitted,
Lovely A. Warren
Mayor

Introductory No. 107

AUTHORIZING THE ACCEPTANCE OF RIGHT OF WAY ABANDONED BY THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION ALONG SOUTH AVENUE

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

Section 1. The Council hereby approves the acceptance of right of way abandoned by the New York State Department of Transportation under an Official Order, constituting a portion of South Avenue from Court Street to Capron Street as described below. The Mayor is hereby authorized to enter into any agreement necessary to acquire said right of way abandoned by New York State, said right of way to remain in transportation use and said agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

LEGAL DESCRIPTION OF PROPOSED LANDS TO BE TRANSFERRED FROM NEW YORK STATE TO THE CITY OF ROCHESTER

All that tract or parcel of land, situate in the City of Rochester, County of Monroe, State of New York, being part of Town Lot 8 & 36, 3rd Division, and being more particularly bounded and described as follows: Beginning at the intersection of the south ROW line of Court Street (64' ROW) and the west ROW line of South Avenue (80' ROW), said intersection being the Point or Place of Beginning; thence

1) S 11° 47' 40" E, along the east line of NYS Appropriation, Map 1312 R-1, Parcel 1364, a distance of 449.12 feet to a point on the north line of NYS Appropriation, Map 1329, Parcel 1389, and also being the westerly projection of the south ROW line of Woodbury Boulevard (86.73' ROW); thence

2) S 78° 12' 20" W, along said projection, a distance of 72.00 feet to a point; thence

3) S 64° 41' 00" W, through lands of the State of New York, a distance of 88.21 feet to the southeast corner of a permanent easement, Map 1312 R-1, Parcel 1368 to the; thence

4) N 03° 11' 43" E, along the east line of said easement, a distance of 90.75 feet to the northeast corner thereof; thence

5) N 52° 35' 19" E, along lands of the State of New York, a distance of 78.59 feet to a point on the west line of a permanent easement, Map 1312 R-1, Parcel 1366; thence

6) S 08° 26' 40" E, along said west line, a distance of 15.00 feet to the southwest corner thereof, and the west line of said Appropriation, Map 1312 R-1, Parcel 1364; thence

7) N 60° 50' 26" E, along said west line, a distance of 6.91 feet to an angle point; thence

8) N 02° 21' 04" E, continuing along said west line, a distance of 140.69 feet to an angle point; thence

9) N 08° 48' 08"W, continuing along said west line, a distance of 162.58 feet to an angle point; thence

10) N 78° 58' 09" E, continuing along said west line, a distance of 12.00 feet to an angle point; thence

11) N 09° 11' 11" W, continuing along said west line, a distance of 62.46 feet to the said south ROW line of Court Street, being the Point or Place of Beginning.

Hereby intending to describe a parcel of land, containing 0.498 acres, more or less, all as shown on a map entitled "Proposed Lands To Be Transferred From New York State To The City Of Rochester", dated March 20, 2015, prepared by Jacek M. Szymanski, P.L.S., City Surveyor.

Section 2. This ordinance shall take effect immediately

Held in Committee.

By Councilmember McFadden
April 14, 2015

To the Council:

The Public Safety, Youth & Recreation Committee recommends for adoption the following entitled legislation:

Int. No. 121 - Authorizing an agreement with The Protectives Inc. for auxiliary services

Int. No. 122 - Authorizing an agreement for administration of claims for loss and injury under City Charter Section 8A-6 for the Rochester Police Department

Int. No. 124 - Authorizing receipt and use of a grant from DuPont Electronics & Communications and amending the 2014-15 Budget

Int. No. 125 - Authorizing agreements for the Summer Food Service Program

The Public Safety, Youth & Recreation Committee recommends for consideration the following entitled legislation:

Int. No. 126 - Local Improvement Ordinance - snow removal at the Public Market

Int. No. 127 - Local Improvement Ordinance - security services at the Public Market

The following entitled legislation is being held in Committee:

Int. No. 123 - Reappropriating unspent funds from prior years Justice Assistance Grants

Respectfully submitted,
Adam C. McFadden
Matt Haag
Elaine M. Spaull
Loretta C. Scott
PUBLIC SAFETY, YOUTH & RECREATION COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-108
Re: Agreement - The Protectives, Inc., Auxiliary Fire Service

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing an agreement with The Protectives, Inc. for the continued provision of auxiliary services to the Rochester Fire Department (RFD). The most recent agreement, authorized via Ordinance No. 2012-116, expires June 30, 2015. This agreement includes provision for the use of certain City facilities, medical services and financial support and has a term of three years.

The Protectives, Inc., established in 1858, is a volunteer firefighter assistance organization that works with the RFD. Its mission is to provide both fire and non-fire salvage services to city residents at emergency incidents. The Protectives provide assistance to the RFD and protect the private property of citizens from unnecessary damage by performing the following activities:

- Covering or removing property
- Recovering family valuables
- Providing ventilation through the use of smoke-ejecting fans
- Setting-up emergency scene lighting
- Pumping water from flooded buildings
- Securing broken windows and doors

Over 25,000 hours of services are provided annually by approximately 35 active members who each volunteer a minimum of twelve hours per week. The RFD provides 5,600 square feet of space with-

in the Chestnut Street Firehouse facility for office, storage and bunking purposes, and a truck and driver to transport equipment.

To ensure the health and safety of emergency responders, the RFD will provide annual Hepatitis B vaccination and annual physicals to The Protectives members who use breathing apparatus at the fire scene. Similar vaccinations and annual physicals are currently provided by the City to other emergency personnel, as required under state and federal regulations.

City funds support the operating and administrative costs of the program including, but not limited to, facility maintenance, administrative services, office supplies, and accident and sickness insurance. The annual amounts of $52,000, $53,000 and $54,000 will be funded from the 2015-16, 2016-17 and 2017-18 Budgets of the RFD, respectively, contingent upon Council approval.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-108
(Int. No. 121)

Authorizing an agreement with The Protectives Inc. for auxiliary services

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

Section 1. The Mayor s hereby authorized to enter into an agreement between the City and The Protectives, Inc. for property protection, salvage and related services to the Fire Department. Said agreement shall be for a term of three years, with maximum amounts of $52,000 in FY 2015-16, $53,000 in 2016-17 and $54,000 in 2017-18. The Fire Department shall also be obligated to pay for the costs of physical examinations and hepatitis B vaccinations for members of The Protectives Inc. Said amounts shall be funded from the 2015-16 Budget and subsequent Budgets of the Fire Department, contingent upon approval of said budgets.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-109
Re: Agreement - PMA Management Corporation, Third Party Administrator

Council Priority: Public Safety

Transmitted herewith for your approval is legislation establishing $63,400 as maximum compensation for a fourteen-month agreement with PMA Management Corporation for administration of 8A6 claims for the Rochester Police Department (RPD). The cost of this agreement will be funded from the 2014-15 ($13,400) and 2015-16 ($50,000) Budgets of the RPD, contingent upon approval of the latter budget.

RPD previously administered City Charter 8A6 duty-related injury claims internally. However, as this process requires an increased level of expertise with specific knowledge that is continuously changing, RPD finds it can no longer efficiently and accurately track and process claims in-house. PMA Management Corporation has been identified for reviewing and processing medical bills for duty-related claims for current and retired sworn employees. PMA Management Corporation was selected through a request for proposal (RFP) process conducted by the Department of Human Resources in April 2013, and the corporation is currently the City's administrator for Workers' Compensation. Because the type of work and services to be provided to RPD under this contract will be similar to those provided under the existing Worker's Compensation contract, and because the RFP for that contract was conducted fairly recently, it was decided that a new RFP for this contract would not be necessary.

The term of the agreement will be May 1, 2015 through June 30, 2016, with the option to renew for two additional one-year periods at an annual maximum cost of $50,000.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-63

Ordinance No. 2015-109
(Int. No. 122)

Authorizing an agreement for administration of claims for loss and injury under City Charter Section 8A-6 for the Rochester Police 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 between the City and PMA Management Corporation for administration of claims for loss and injury under City Charter Section 8A-6 for the Rochester Police Department in an amount not to exceed $63,400. Said amount shall be funded by $13,400 from the 2014-15 Budget of the Police Department and $50,000 from the 2015-16 Budget of the Police Department contingent upon approval of said Budget.

Section 2. The agreement shall have a term beginning May 1, 2015 and ending June 30, 2016. The agreement may be renewed for up to two addi-

tional one year periods and if renewed, the maximum annual compensation shall be $50,000 and the cost shall be funded from future Budgets of the Police Department, contingent upon approval of said Budgets.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-110
Re: Budget Amendment - Cash Capital

Council Priority: Public Safety

Transmitted herewith for your approval is legislation amending the 2014-15 Cash Capital Budget by $4,000 to reflect the receipt and use of a donation from DuPont for the purchase of police body armor.

For more than 200 years, DuPont has brought world-class science and engineering to the global marketplace through innovative products, materials and services. Their market-driven innovation introduces thousands of new products and patent applications every year, serving markets as diverse as agriculture, nutrition, electronics and communications, safety and protection, home and construction, transportation and apparel.

Body armor is made with DuPont Kevlar fiber and can mean the difference between life and serious injury or death for those in the military, emergency response, and law enforcement fields. DuPont Electronics and Communications, located at 69 Seneca Avenue, is donating $4,000 to the Rochester Police Department to enable the purchase of six additional bulletproof vests for officers.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-110
(Int. No. 124)

Authorizing receipt and use of a grant from DuPont Electronics & Communications and amending the 2014-15 Budget

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

Section 1. The Council hereby authorizes receipt and use of $4,000 of grant funding from DuPont Electronics & Communications for the purchase of police body armor and any agreement necessary for said purpose.

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

Section 3. Ordinance No. 2014-160, the 2014-15 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and Cash Capital appropriations of the Rochester Police Department by the sum of $4,000, which amount is hereby appropriated from funds to be received under the grant funds authorized herein.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-111
Re: Summer Food Service Program

Transmitted herewith for your approval is legislation authorizing an agreement with the New York State Department of Education for the receipt and use of $337,700 in anticipated reimbursements for the 2015 Summer Food Service Program (SFSP), and establishing $270,900 as maximum compensation for an agreement with the Rochester City School District (District) for the preparation and delivery of the breakfasts and lunches. The reimbursement amount will be included in the proposed 2015-16 Budget of the Department of Recreation and Youth Services (DRYS) to fund the agreement and City costs, contingent upon approval of said budget.

SFSP provides free breakfast and lunch to City children aged 18 and under and to disabled persons over 18 who are enrolled in a school year program for children with disabilities. The program will operate June 29 to August 21. Sites will be selected based upon proximity to youth service activities and satisfactory past participation in the program.

The program is administered by the City and reimbursed by the State Education Department, using federal funding. The District will prepare and deliver the meals to the program sites. Federal regulations strongly encourage the City to first consider the local school district as the source for obtaining meal service, and do not require competitive bid procedures when doing so. In recent years, the District has become more responsive to requests to increase the quality and appeal of meals. The federal reimbursement rates and projected numbers of meals for this year are as follows:

Meals	Rate per Meal	Reimbursement	
Breakfast			
56,600	$2.0375	$115,323	
Lunch			
62,000	$3.5875	222,425	
118,600		$337,700	Rounded Total

In addition to funding the agreement with the District, a total of $66,800 will be used to fund: the salaries of City staff - one coordinator, two monitors, and a clerk ($39,600); refuse pickup ($16,200); mileage ($2,000); outreach ($5,500); and supplies ($3,500).

The 2014 program was authorized via Ordinance No. 2014-101. The number of meals served in past years are provided below:

	2010	2011	2012	2013	2014
Breakfast	40,275	39,178	34,725	39,146	49,246
Lunch	66,119	65,737	57,577	58,281	57,368
Total	106,394	104,915	92,302	97,427	106,614

An assessment in 2012 by the Center for Governmental Research for the Rochester Area Community Foundation (RACF) indicated that there is a greater need for summer meals to be provided to children in the city. In response, there have been increased efforts to publicize the program to older youth, parents, and potential sites. Such promotion will continue this year under the guidance of the Summer Meals Planning Committee, which includes representatives from the three major sponsors of Summer Meals (DRYS, District and Foodlink), RACF and the Finger Lakes Health Systems Agency, with the assistance of the Ad Council. In addition to traditional and social media, planned outreach will include automated calls to District parents and print communications sent home by the District at the end of the school year.

Last year's menu is attached. This will be revised to ensure that meals appeal to youth, based on the results of a meal tasting by youth (tentatively planned for May 14). Meals are served at all R-Centers, and at churches and not-for-profit agencies. Last year's site list is attached. Revisions will be made as a result of outreach efforts. The revised list will then be distributed to parents and agencies, and posted on the City's and others' websites.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-64

Ordinance No. 2015-111
(Int. No. 125)

Authorizing agreements for the Summer Food Service Program

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Department of Education for the receipt and use of anticipated reimbursements in the amount of $337,700 for the 2015 Summer Food Service Program.

Section 2. The Mayor is hereby further authorized to enter into an agreement with the Rochester City School District for the preparation and delivery of meals pursuant to the Program, contingent upon receipt of such funding. The agreement shall obligate the City to pay an amount based on the unit cost of the meals, not to exceed $270,900, and said amount, or so much thereof as may be necessary and received, shall be funded from the 2015-16 Budget of the Department of Recreation and Youth Services, contingent upon adoption of said budget.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Local Improvement Ordinance No. 1701 and
Local Improvement Ordinance No. 1702
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 the 2015-16 fiscal year. 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 p.m. to 5:00 a.m., Monday through Saturday, and all day on Sunday and certain holidays. 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 2015-16 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 assessment will be $5,888.07, which is an increase of $14.58 from the prior year.

Security Services: For 2015-16 security services, the fixed fee will be $1,190 per property, while the front footage fee will be $15.03 per foot. The total amount of the assessment will be $39,761.18, which is unchanged from the prior year.

	Fixed Fee	# Properties	Subtotal	Footage Fee	Footage	Subtotal	Total
Snow							
2014-15	$100	15	$1,500.00	$3.00	1,457.83	$4,373.49	$5,873.49
2015-16	$100	15	$1,500.00	$3.01	1,457.83	$4,388.07	$5,888.07
						Change	+ $14.58
Security							
2014-15	$1,190	15	$17,850.00	$15.03	1,457.83	$21,911.18	$39,761.18
2015-16	$1,190	15	$17,850.00	$15.03	1,457.83	$21,911.18	$39,761.18
						Change	0

Public hearings for these assessments are required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-65

Local Improvement Ordinance No. 1701
(Int. No. 126)

Local Improvement Ordinance – snow removal at the Public Market

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

Section 1. The Council authorizes special snow plowing and salting services for the Public Market during the fiscal year from July 1, 2015 to June 30, 2016.

Section 2. 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 2015-16 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 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. The parcels to be assessed are as follows:

Property Address	SBL No.	Front Footage
248 N. Union St.	106.660-0001-014	558.27
171 Railroad St.	106.670-0001-078	190.25
60 Public Market	106.590-0003-008	40
64-66 Public Market	106.590-0003-009	40
68-70 Public Market	106.590-0003-010	40
50-52 Public Market	106.590-0003-006	40
55-57 Public Market	106.590-0003-007	40
59 Pennsylvania Ave.	106.590-0003-005.1	81.50
35 Pennsylvania Avenue	106.590.0003-002.1	120
16-18 Public Market	106.590-0003-001	40
25 Pennsylvania Avenue	106.580-0003-026	40
17-23 Pennsylvania Avenue	106.580-0003-027	40
15 Pennsylvania Avenue	106.580-0003-028	40

11 Pennsylvania Avenue	106.580-0003-029	19.57
9 Pennsylvania Avenue	106.580-0003-030	128.24

Section 3. The snow plowing and salting services shall be provided by competitive contract. 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, 2015 and shall be due in one installment.

Section 5. This ordinance shall take effect on July 1, 2015.

Passed unanimously.

Local Improvement Ordinance No. 1702
(Int. No. 127)

Local Improvement Ordinance- security services at the Public Market

Section 1. The Council authorizes special security services for the Public Market during the fiscal year from July 1, 2015 to June 30, 2016.

Section 2. 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 2015-16 year shall be $39,761.18. The amount to be assessed against each parcel shall include a fee of $1,190 per parcel plus $15.03 per foot of frontage. The frontage 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. The parcels to be assessed are as follows:

Property Address	SBL No.	Front Footage
248 N. Union St.	106.660-0001-014	558.27
171 Railroad St.	106.670-0001-078	190.25
60 Public Market	106.590-0003-008	40
64-66 Public Market	106.590-0003-009	40
68-70 Public Market	106.590-0003-010	40
50-52 Public Market	106.590-0003-006	40
55-57 Public Market	106.590-0003-007	40
59 Pennsylvania Ave.	106.590-0003-005.1	81.50
35 Pennsylvania Avenue	106.590.0003-002.1	120
16-18 Public Market	106.590-0003-001	40
25 Pennsylvania Avenue	106.580-0003-026	40
17-23 Pennsylvania Avenue	106.580-0003-027	40
15 Pennsylvania Avenue	106.580-0003-028	40
11 Pennsylvania Avenue	106.580-0003-029	19.57
9 Pennsylvania Avenue	106.580-0003-030	128.24

Section 3. The security services shall be provided by competitive contract. 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, 2015 and shall be due in one installment.

Section 5. This ordinance shall take effect on July 1, 2015.

Passed unanimously.

Councilmember McFadden moved to discharge Int. No. 123 from Committee.

The motion was seconded by Councilmember Spaull.

Adopted unanimously.

Councilmember McFadden moved to amend Int. No. 123.

The motion was seconded by Councilmember Spaull.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-112
Re: 2011, 2012, 2013 and 2014 Justice Assistance Grants

Council Priority: Public Safety

Transmitted herewith for your approval is legislation reappropriating a total of $181,100 in unused funding from the 2011, 2012, 2013 and 2014 Justice Assistance Grants (JAGs).

Each of the 2011, 2012 and 2013 JAGs was originally appropriated for an agreement with the County of Monroe and to cover a Victims Services Specialist position in the Family and Victims Services Section of the Rochester Police Department (RPD). The salary portion of each grant is greater than the amount of the salary, so there are funds remaining in each of these grants. The 2014 JAG was originally appropriated for an agreement with the County of Monroe, to cover a Victims Services Specialist position in the Family and Victims Services Section of RPD and for a consultant to improve the services that RPD provides reluctant victims and/or witnesses to secure their cooperation and enhance prosecutions of violent crimes.

Due to the loss of Stop Violence Against Women and Office of Victims Services grants, which total the equivalent of 1.5 positions, RPD is reallocating the remaining funds in the 2011, 2012 and 2013 JAGs and the funds for the consultant in the 2014 JAG to fund one full-time and one part-time position in the Family and Victims Services Section. Although fringe is allowable in these grants, RPD will need to request a change to the funding from the grantor, including the request for fringe benefits. It is possible that the grantor may not approve fringe at this time on these existing grants. The 2011 grant will be used for as much salary as possible before its ending date. Salary expenditures are dependent upon the ability to fill positions. It is anticipated that filling positions by May 1, 2015 will allow us to spend up to $28,000 without fringe, or up to $39,000 if fringe is allowed, of the 2011 JAG funds on salary. Up to $11,000, or up to $15,400 with fringe, of these funds will be in fiscal year 2015. Any funding that is not spent due to a delay in hiring will be used to purchase police equipment, such as a SAFE child machine for use by the Neighborhood Service Centers.

The amounts from each grant are summarized below:

Grant Year	Ord. No.
Original Amount	Amount to be Reappropriated
2011 JAG $257,229	2011-259 $ 58,500
2012 JAG $207,121	2012-217 45,100
2013 JAG $191,357	2013-264 36,800
2014 JAG $201,254	2014-190 40,700
Total	$181,100

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-112
(Int. No. 123, as amended)

Reappropriating unspent funds from prior years Justice Assistance Grants

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

Section 1. The Council hereby authorizes the reappropriation of unspent funds from the Justice Assistance Grants that were previously appropriated for victims services as set forth below. The unspent funds to be reappropriated totaling $181,100 shall be appropriated to fund salaries and fringe benefits to the extent allowed by the United States Department of Justice of one full-time and one part-time position in the Family and Victims Services Unit of the Police Department during the remainder of FY 2014-15 and in FY 2015-16 and 2016-17 subject to adoption of those Budgets, and to purchase police equipment.

Grant Year	Ord. No.
Original Amount	Amount to be Reappropriated
2011 JAG $257,229	2011-259 $ 58,500
2012 JAG $207,121	2012-217 45,100
2013 JAG $191,357	2013-264 36,800
2014 JAG $201,254	2014-190 40,700
Total	$181,100

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Spaull
April 14, 2015

To the Council:

The Arts & Culture Committee recommends for adoption the following entitled legislation:

Int. No. 128 - Authorizing an agreement for the ROC the Park Concert Series

Int. No. 129 - Authorizing an agreement for the Rochester Summerfest

Respectfully submitted,

Elaine M. Spaull
Adam C. McFadden
Jacklyn Ortiz
Loretta C. Scott
ARTS & CULTURE COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-113
Re: Agreement - Carlton Wilcox LIVE, ROC the Park Concerts at MLK Park

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing $55,000 as maximum compensation for an agreement with Ronald Carlton Wilcox, d/b/a Carlton Wilcox LIVE, Rochester, New York, for booking regional artists and producing the 2015 ROC the Park Concerts. The cost of this agreement will be financed from the 2015-16 Budget of the Bureau of Communications, pending approval of said budget.

A similar agreement with Carlton Wilcox LIVE was executed in 2014 for $30,000. This year's cost increase is due to a shift of production and site management costs from the City to the producer. This proposal was selected through a request for proposal process, the summary of which is attached.

The outdoor concert series will take place at Dr. Martin Luther King, Jr. Memorial Park at Manhattan Square on July 25, August 16 and September 5, and will feature regional and local Motown, gospel, and jazz/neo-soul themes, respectively. Carlton Wilcox LIVE will provide talent booking, site management, production, marketing, food and beverage vending coordination, concert security and clean-up services for the series.

Last summer, 1,900 attendees enjoyed the inaugural season of ROC the Park. A $5 admission fee (except for children 12 and under) was collected to help defray City costs, which included Rochester Police Department traffic control and pedestrian assistance and Department of Environmental Services equipment rentals. The same $5 admission fee will be collected by the City in 2015.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-66

Ordinance No. 2015-113
(Int. No. 2015-128)

Authorizing an agreement for the ROC the Park Concert Series

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

Section 1. The amount of $55,000 is hereby established as the maximum compensation to be paid to Ronald Carlton Wilcox dba Carlton Wilcox LIVE for a professional services agreement for booking and production services for the 2015 ROC the Park Concert Series. The cost of said agreement shall be funded from the 2015-16 Budget of the Bureau of Communications, contingent upon adoption thereof.

Section 2. The agreement shall have a term of one year.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-114
Re: Agreement - 2Strive Media, Inc., Rochester SummerFest

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing $175,000 as maximum compensation for an agreement with 2Strive Media, Inc. (principal: Liliana Ruiz), Rochester, New York, for booking national and regional artists and the overall production of the 2015 Rochester SummerFest. The cost of this agreement will be financed from the 2014-15 ($150,000) and 2015-16 ($25,000) Budgets of the Bureau of Communications, contingent upon approval of the latter.

2Strive Media was selected through a request for proposal process, the summary of which is attached. Five proposals were received. Interviews were held with two finalists and 2Strive Media was chosen.

The Rochester SummerFest will move outdoors this year to Sahlen's Stadium. It will take place on July 10-11. 2Strive Media will provide national and regional talent booking for an urban audience, overall site management, marketing, sponsorship solicitation, ticket sales, and administration for the two-day event. Tickets will be available in the $20-$70 range, with higher options for V.I.P. treatment.

Included in the City's investment are public safety services and equipment rental not to exceed $15,000 of in-kind value. No City revenue component is planned for 2015.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-67

Ordinance No. 2015-114
(Int. No. 129)

Authorizing an agreement for the Rochester Summerfest

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

Section 1. The amount of $175,000 is hereby established as the maximum compensation to be paid to 2Strive Media, Inc. for a professional services agreement for booking and production services for the Rochester Summerfest. The agreement shall also commit the City to provide public safety services and site equipment with a value not to exceed $15,000 for the concert series. The cost of said agreement shall be funded by $150,000 from the 2014-15 Budget and $25,000 from the 2015-16 Budget of the Bureau of Communications, contingent upon adoption thereof.

Section 2. The agreement shall have a term of one year.

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.

Passed unanimously.

The meeting was adjourned at 8:26 p.m.

HAZEL L. WASHINGTON
City Clerk

* * * * *

SPECIAL MEETING
APRIL 23, 2015
5:30 P.M.

Present - President Scott, Councilmember Haag, Miller, Ortiz, Palumbo, Patterson, Spaull - 7.

Absent - Councilmembers Conklin, McFadden - 2.

The Council President requested the Council to rise for a Moment of Silence.

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

REPORTS OF STANDING COMMITTEES
AND ACTION THEREON

By President Scott
April 23, 2015

To the Council:

The Committee Of The Whole recommends for adoption the following entitled legislation:

Int. No. 136 - Resolution confirming the appointment of the Commissioner of Neighborhood and Business Development

Respectfully submitted,
Carolee A. Conklin
Matt Haag
Adam C. McFadden
Jacklyn Ortiz
Carla M. Palumbo
Michael A. Patterson
Elaine M. Spaull
Dana K. Miller
Loretta C. Scott
COMMITTEE OF THE WHOLE

Received, filed and published

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2015-8
Re: Confirming Appointment - Commissioner of the Department of Neighborhood and Business Development

Transmitted herewith for your approval is legislation confirming, as required by the City Charter, the appointment of Baye M. Muhammad as Commissioner of the Department of Neighborhood and Business Development.

Mr. Muhammad's resume is available for review in the City Clerk's Office.

Respectfully submitted,
Lovely A. Warren
Mayor

Resolution No. 2015-8
(Int. No. 136)

Resolution confirming the appointment of the Commissioner of Neighborhood and Business Development

WHEREAS, the Mayor has appointed Baye M. Muhammad to the position of Commissioner of the Department of Neighborhood and Business Development, subject to confirmation by the City Council, and

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

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Rochester hereby confirms the appointment of Baye M. Muhammad as Commissioner of the Department of Neighborhood and Business Development.

This resolution shall take effect immediately.

Adopted unanimously.

The meeting was adjourned at 5:41 P.M.

Hazel L. Washington
City Clerk

* * * * *

REGULAR MEETING
MAY 19, 2015

Present - President Scott, Councilmembers Conklin, Haag, McFadden, Miller, Palumbo, Patterson, Spaull - 8

Absent - Councilmember Ortiz - 1.

The Council President requested the Council to rise for a Moment of Silence.

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

Recognition Ceremony
Retirement:
Environmental Services
*Jeffery Raymond Magee, Sr.
*William C. McCray
Fire Department
*Robert P. Duemmel
Police Department
*Frank J. Adorante
*Lourdes Baez
*Timothy C. O'Halloran
*Nelson V. Soto
*Lorraine A. Strem
*Angel A. Vazques
**Did not attend meeting.*

APPROVAL OF THE MINUTES
By Councilmember Haag

RESOLVED, that the minutes of the Regular Meeting of April 14, 2015 and the Special Meeting of April 23, 2015 be approved as published in the official sheets of the Proceedings.

Adopted unanimously.

COMMUNICATIONS FROM THE MAYOR, COUNCIL PRESIDENT, CORPORATE OFFICERS AND OTHERS.

The following communications are hereby directed to be received and filed:

The Mayor submits the following:
Administrative Cancellation or Refund of Erroneous Taxes and Charges 4181-15
Quarterly Reports (3)
Delinquent Receivables 4182-15
Schedule of Revenue and Expenditures 4183-15
Professional Services Agreements Less Than or Equal to $10,000 4184-15
Public Disclosure - HOME Participation 4185-15

The Council submits Disclosure of Interest Forms from Councilmember Haag on Int. Nos. 147 through 150, Councilmember Palumbo on Int. No. 145 and Int. Nos. 147 through 150, and Councilmember Spaull on Int. Nos. 147 through 150.

PRESENTATION AND REFERENCE OF PETITIONS AND OTHER COMMUNICATIONS.

Councilmember Patterson submits petition with 50 signatures for resident-only parking from P.A.C.K Neighborhood Group. Petition No. 1708

Councilmember Spaull submits petition with 32 signatures opposing the proposed parking rate hike at the East End Garage Petition No. 1709

Councilmember McFadden submits petition with 80 signatures in favor of the police participating in a community-based racial justice training that consists of members of the RPD and Rochester residents. Petition No. 1710

PUBLIC HEARINGS.

Pursuant to law, public hearing will now be had on the following matter:

Local Improvement Ordinance - establishing the operating and maintenance costs of neighborhood commercial or residential parking areas as amended Int. No. 175 No speakers

Local Improvement Ordinance for the continuation of Local Improvement Ordinance No. 1382 relating to the Lyell Avenue Commercial Parking Lot Int. No. 175A No speakers.

Approving the Consolidated Community Development Plan 2015-16 Annual Action Plan and the 2015-16 through 2019-20 Consolidated Community Development Plan Int. No. 147 No speakers

Authorizing the submission of the Consolidated Community Development Plan 2015-16 Annual Action Plan and the 2015-16 through 2019-20 Consolidated Community Development Plan and execution of grant agreements with the United States Department of Housing and Urban Development Int. No. 148 No speakers.

Appropriation of funds for the City Development Fund Int. No. 149 No speakers

Authorizing Amended Consolidated Community Development Program Annual Action Plans Int. No. 150 No speakers.

Local Improvement Ordinance establishing the cost of the special work and services of the Downtown Enhancement District Int. No. 166 No speakers.

REPORTS OF STANDING COMMITTEES AND ACTION THEREON

By Councilmember Conklin
May 19, 2015

To the Council:

The Finance Committee recommends for adoption the following entitled legislation:

Int. No. 137 - Approving the apportionment of taxes and charges

Int. No. 138 - Amending Chapter 90 of the Municipal Code with respect to fees for inspections

Int. No. 139 - Amending Ordinance No. 2013-404 which authorized the extension of the tax exemption and payment in lieu of tax agreement for the St. Bernard's Housing Project

Int. No. 140 - Resolution approving appointment to the Civil Service Commission

Int. No. 178 - Determining and certifying base proportions, current percentages, and base percentages for the 2015 Assessment Roll

Int. No. 179 - Determining and certifying base proportions, assessed value, and net changes in assessed value for the 2015 Assessment Roll

Int. No. 180 - Authorizing an agreement with the Dormitory Authority of the State of New York for receipt and use of grant funds

The Finance Committee recommends for consideration the following entitled legislation:

Int. No. 175 - Local Improvement Ordinance - establishing the operating and maintenance costs of neighborhood commercial or residential parking areas as amended

Int. No. 175A - Local Improvement Ordinance for the continuation of Local Improvement Ordinance No. 1382 relating to the Lyell Avenue Commercial Parking Lot

The following entitled legislation is being held in Committee:

Int. No. 182 - Official Action Ordinance regarding the planning expenses for Phase II of the Rochester Joint Schools Construction Board Facilities Modernization Program

Respectfully submitted,
Carla M. Palumbo
Jacklyn Ortiz
Dana K. Miller
Loretta C. Scott
FINANCE COMMITTEE

Received, filed and published

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-115
Re: Apportionment of Taxes and Charges - Subdivided or Combined Properties

Council Priority: Deficit Reduction and Long-Term Financial Stability

Transmitted herewith for your approval is legislation authorizing the apportionment of taxes and charges for 117 properties. This apportionment has been certified by the Assessor and is authorized by Section 6-78 of the City Charter.

The apportionment consists of City and School taxes and special district charges on properties subdivided or combined in fiscal year 2014-15. These taxes and charges, which total $202,176.91, will be added to the new accounts established by the subdivisions or combinations of the former accounts. The list of affected properties is attached.

If the proposed apportionment is approved, the taxes and charges will be added to the July 2015 tax bills of the new accounts. Owners of the subdivided or combined properties will be notified in writing of the potential charges in May 2015.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-68

Ordinance No. 2015-115
(Int. No. 137)

Approving the apportionment of taxes and charges

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

Section 1. The Council hereby approves the apportionment of taxes and charges upon various parcels of land as certified by the Assessor of the City of Rochester, pursuant to Section 6-78 of the Charter of the City of Rochester on April 1, 2015, in accordance with the list which is available in the Office of the City Clerk.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-116
Re: Code Amendment - Repealing Property Inspection Fees

Transmitted herewith for your approval is legislation repealing Section 90-21 of the Municipal Code with regard to property inspection fees. This section of the Code authorizes the City to impose an inspection fee, also known as a case management fee, of $100 in any case where a notice and order has not been complied with by the property owner within one year.

In a recent court case, *D'Alessandro v Kirkmire*, the New York State Appellate Division, Fourth Department ruled that this ordinance was unconstitutional because it imposed a penalty without the

necessary opportunity to contest the penalty through a due process review.

This revision of the Municipal Code is necessary to bring the Code into compliance with the court's ruling on constitutional law. This revision only affects the section of the Code that authorizes a property inspection fee. Property owners are still required to maintain their property in accordance with the Code and to comply with notices and orders issued by the City to correct violations. Those who fail to correct violations are subject to ticketing and fines. Those fines are imposed through a process that meets constitutional requirements by giving the owner the opportunity to request a hearing and present evidence to contest the fine before the Municipal Code Violations Bureau (MCVB) pursuant to Chapter 13-A of the Municipal Code. Chapter 13-A also gives the owner the right to a hearing, an appeal to the MCVB Appeals Board, and a review in court under Civil Practice Law and Rules Article 78.

This court ruling and the proposed amendment are not expected to significantly restrict the City's ability to enforce the Code.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-69

Ordinance No. 2015-116
(Int. No. 138)

Amending Chapter 90 of the Municipal Code with respect to fees for inspections

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

Section 1. Section 90-21 of the Municipal Code titled "fees for inspections" is hereby repealed in its entirety.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-117
Re: Amending Ordinance No. 2013-404 - St. Bernard's Housing Project

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation amending Ordinance No. 2013-404 to correct the tax exemption and payment in-lieu-of tax (PILOT) agreement for the St. Bernard's Housing Project. In 2013, City Council authorized the extension of the tax exemption and in-lieu-of tax agreement for this affordable housing project, applying it to a parcel at 2260 Lake Avenue. The St. Bernard's Housing Project also includes the adjoining parcel at 2280 Lake Avenue, however, and Ordinance No. 2013-404 was intended to cover both parcels.

This amendment, therefore, is a technical amendment to correct the property description for the purposes of the tax exemption. Both parcels have been covered by the PILOT agreement since the project was developed, so this correction will not affect payments to the City.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-117
(Int. No. 139)

Amending Ordinance No. 2013-404 which authorized the extension of the tax exemption and payment in lieu of tax agreement for the St. Bernard's Housing Project

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

Section 1. Section 1 of Ordinance No. 2013-404 is hereby amended to read as follows:

Ordinance No. 2013-404

Section 1. The Council hereby approves the extension of the tax exemption authorized by Ordinance No. 1995-325 for the parcel at 2260 Lake Avenue, SBL No. 75.670-1-2.4, and the parcel at 2280 Lake Avenue, SBL No. 75.67-1-2.3, the site of the St. Bernard's Housing Project, until June 2017.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2015-9
Re: Appointment - Civil Service Commission

Council Priority: Jobs and Economic Development

Transmitted herewith for your approval is legislation confirming the appointment of Fernàn R. Cepero, 109 Linden Street, Rochester, New York 14620, to the Civil Service Commission. He will fill a position that was most recently held by Diane Larter, whose term has expired.

Mr. Cepero's term will extend to May 31, 2021. A copy of his resume is available for review in the Office of the City Clerk.

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

Respectfully submitted,

Lovely A. Warren
Mayor

Attachment No. AO-70

Resolution No. 2015-9
(Int. No. 140)

Resolution approving appointment to the Civil Service Commission

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

Section 1. The Council hereby approves the appointment to the Civil Service Commission of the following person for a term that expires on May 31, 2021:

Name	Address
Fernan R. Cepero	109 Linden Street

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-118 and
Ordinance No. 2015-119
Re: Tax Apportionment Assessment
Classes - Tax Shift

Council Priority: Deficit Reduction and
Long-Term Financial Stability

Transmitted herewith for your approval is legislation certifying certain calculations related to the apportionment of property taxes between the homestead and non-homestead assessment classifications. Such certification is required by Article 19 of the New York State Real Property Tax Law.

The certification involves the determination of the "base proportion." In general, the base proportion for each class represents the share of the property tax levy to be allocated to that class. This determination process involves two computations. The first is the calculation of the current base proportions using 1989 and 2014 data. The second is the calculation of the adjusted base proportions using 2014 and 2015 data. Both calculations are attached.

The current base proportions, as calculated by the formula specified by Article 19, are as follows:

Homestead:	.4268639
Non-Homestead:	.5731361
Total:	1.0000000

In comparison, the new adjusted base proportions are as follows:

Homestead:	.4256026
Non-Homestead:	.5743974
Total:	1.0000000

The new proportions result in the following shifts in the share of the tax levy allocated to each class:

Homestead:	-0.02
Non-Homestead:	+0.02

These calculations have been reviewed by the New York State Office of Real Property Services.

The actual tax burden is also determined by the tax levy and final assessment changes. These figures will be detailed in the proposed budget to be released on May 15, 2015.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-71

Ordinance No. 2015-118
(Int. No. 178)

Determining and certifying base proportions, current percentages, and base percentages for the 2015 Assessment Roll

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

Section 1. Under Section 1903 of the Real Property Tax Law, the Council determines the current base proportions, current percentages, and base percentages for the City's 2015 Assessment Roll as follows:

	Homestead Class	Non-Homestead Class
Current base proportions	42.68639%	57.31361%
Current percentage	61.10490%	38.89510%
Base percentage	52.03550%	47.96450%

Section 2. The City Clerk is hereby directed to certify the figures set forth above to the State Board of Equalization and Assessment.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2015-119
(Int. No. 179)

Determining and certifying adjusted base proportions, assessed value, and net changes in assessed value for the 2015 Assessment Roll

Section 1. Under Section 1903 of the Real Property Tax Law, the Council determines the adjusted base proportions, assessed value, and net changes in assessed value for the City's 2015 Assessment Roll as follows:

	Homestead Class	Non-Homestead Class
Adjusted base proportion	.4256026	.5743974
Taxable assessed value	3,624,234,732	2,355,796,695
Net change in assessed value from 2014 resulting from physical and quantity changes	+1,595,400	+9,972,452
Net change in assessed value from 2014 resulting from other than physical and quantity changes	-2,093,900	-16,086,810

Section 2. The City Clerk is hereby directed to certify the figures set forth above to the State Board of Real Property Services.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-120
Re: Grant Agreement- Dormitory Authority of the State of New York, Capital Projects

Council Priority: Public Safety; Jobs and Economic Development

Transmitted herewith for your approval is legislation related to $20,700,000 in assistance from the Dormitory Authority of the State of New York (DASNY). This legislation will:

1. Authorize the City's applications to DASNY to fund capital projects, and

2. Authorize any necessary agreements with DASNY for the receipt and use of grant funds.

Secured through the efforts of the New York State Assembly, this $20,700,000 in capital assistance from DASNY will be used during the 2015-16 fiscal year of the proposed five-year, 2016-20 Capital Improvement Program. The City will apply for support through three funding streams as outlined below.

- $7,160,000 in New York State Technology and Development Program funds for capital costs associated with police body cameras, the purchase and installation of various equipment, and technology improvements.

- $13,340,000 in State and Municipal Facilities Program funds for capital costs associated with various infrastructure improvements and the purchase of police vehicles.

- $200,000 in Community Capital Assistance Program funds for capital costs associated with a feasibility study for the Bulls Head Development Project.

No matching funds are required.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-120
(Int. No. 180)

Authorizing an agreement with the Dormitory Authority of the State of New York for receipt and use of grant funds

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

Section 1. The Mayor is hereby authorized to apply for grants and to enter into an agreement or agreements with the Dormitory Authority of the State of New York for receipt and use of $20,700,000 in grant funds to be used for capital projects to be identified in the City Capital Improvement Program. The amount and terms of the agreement may be adjusted if necessary due to availability of funds or other requirements of the grantor.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Local Improvement Ordinance No. 1703 and
Local Improvement Ordinance No. 1704
Re: Special Assessment District Parking Lots

Council Priority: Jobs and Economic Development

Transmitted herewith for your approval is legislation authorizing special assessment district neighborhood commercial and residential parking lots and appropriating $57,255 for the operation and maintenance of the parking lots during 2015-16.

Most of the City's Special Assessment District parking lots were established by City Council in 1979, as follows: Culver/Merchants, Monroe Avenue/Oxford Square Lot, North Street, Lyell Avenue, and Woodside/Goodwill. A sixth lot was created in 2011-12 for Mt. Hope Avenue 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, private companies under contract to the City, or the property owners themselves.

The Lyell Avenue Special Assessment District is expiring April 30, 2015. This legislation will renew the District for an additional ten years.

The total assessments required and total appropriation for 2015-16 is:

Lot Name	15/16 Budget	14/15 Budget	Variance	Reason
Lyell Avenue	$10,345	$ 9,745	$ 600	Snowplowing and lot repairs
Monroe/Oxford	16,200	16,200	0	n/a
Woodside/Goodwill	11,760	8,810	2,950	Insurance increase and asphalt repairs
Culver/Merchants	9,780	6,900	2,880	Snowplowing and lot repairs
North Street	12,850	14,400	-1,550	14/15 Fence was replaced, 15/16 Asphalt repair
Mt. Hope	1,000	1,000	0	n/a
Subtotal	$61,935	$57,055	$4,880	
Culver/Merchants	0	-6,900	6,900	Prior years carry over
Monroe/Oxford	-2,900	-2,200	-700	Prior years carry over
Total	$59,035	$47,955	$11,080	

A summary of appropriations by district is attached.

A public hearing is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-72

Local Improvement Ordinance No. 1703
(Int. No. 175, as amended)

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

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 local improvement ordinances, and said new assessments are hereby appropriated from the LIO Parking Lots Fund for the operation and maintenance of parking areas and neighborhood commercial or residential parking lots during 2015-16:

Parking Lots	Assessment	Prior Years Amounts	Appropriation
North Street Commercial Lot	$12,850	$ 0	$12,850
Monroe Avenue/Oxford Square Off-Street Lot	13,300	2,900	16,200
Culver/Merchants Commercial Lot	~~8,000~~ 9,780	0	~~8,000~~ 9,780
Woodside/Goodwill Street Off-Street Lot	11,760	0	11,760
Lyell Avenue Commercial Lot	10,345	0	10,345
Mt. Hope Commercial Lot	1,000	0	1,000
Total	$~~57,255~~ 59,035	$2,900	$~~60,155~~ 61,935

Section 2. This ordinance shall take effect on July 1, 2015.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

Local Improvement Ordinance No. 1704
(Int. No. 175A)

Local Improvement Ordinance for the continuation of Local Improvement Ordinance No. 1382 relating to the Lyell Avenue Commercial Parking Lot

WHEREAS, by Local Improvement Ordinance No. 1382, the City provided for the levying of local improve-

ment assessments to fund the cost of special work and services related to the Lyell Avenue Commercial Parking Lot, and extended it by Local Improvement Ordinance No. 1548; and

WHEREAS, the Council desires to continue said Local Improvement Ordinance for an additional period of ten years.

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

Section 1. Local Improvement Ordinance No. 1382, relating to the levying of local improvement assessments to fund the cost of special work and services related to the Lyell Avenue Commercial Parking Lot, is hereby re-enacted for an additional period of ten years, commencing on July 1, 2015 and ending June 30, 2025.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Councilmember Conklin moved to discharge Int. No. 182 from Committee.

The motion was seconded by Councilmember Palumbo.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-121
Re: Spending Authorization - Rochester Schools Modernization Program

City Council Priority: Support the Creation of Effective Educational Systems

Transmitted herewith for your approval is legislation related to the Rochester Schools Modernization Program (RSMP). This legislation will:

1. Authorize the reimbursement of costs incurred for preliminary expenses in the planning and development of Phase II school projects; and

2. Authorize a Municipal Cooperation Agreement between the City of Rochester, the Rochester City School District (RCSD) and the Rochester Joint Schools Construction Board (RJSCB) for reimbursement to the RCSD of funds provided to the RJSCB for initial Phase II costs from the proceeds of a Bond Anticipation Note (BAN) expected to be issued by the City of Rochester in October 2015.

The RJSCB was created by Chapter 416 of the Laws of 2007 of the State of New York ("the Act") for the design, reconstruction, or rehabilitation of school buildings (collectively known as the "Phase I Projects"). The State legislation provided for a maximum cost and bond authorization of up to $325 million.

Legislation for Phase II of the RSMP was signed into law by the Governor on December 17, 2014 and authorized up to 26 projects in Phase II of the RSMP. This includes a District Wide Technology Program involving technology upgrades and infrastructure work at several of the Phase II schools. The total cost authorized for Phase II projects is a maximum of $435 million.

Authorization to incur preliminary expenses for the RJSCB Phase II program is requested at this time to enable a continuous transition from the Phase I projects to the Phase II projects at Monroe and East High Schools, and to minimize the time that Monroe High School students are relocated to "swing space" at Marshall High School. The Monroe campus includes School #15 which will be included in the initial work planned. City Council must authorize expenditures in advance if such expenditures will eventually be reimbursed with the proceeds of City BANs or Bonds.

The RCSD and RJSCB expect to incur preliminary expenses in the planning and development of the Phase II school projects (collectively known as the "Initial Projects") and pending the availability of the proceeds of the Phase II Bonds, have requested that the City loan funds to RCSD to reimburse the costs of the following:

- Professional fees and planning expenses incurred in preparation for the substantial rehabilitation of East High School, Monroe High School and School #15;

- Implementation of the District Wide Technology Program, Phase II A; and

- Expenses incurred in connection with the development of the Phase II "Master Plan".

The Municipal Cooperation Agreement will authorize RCSD to provide preliminary funding to the RJSCB for the Initial Projects in an amount not to exceed $2.7 million. It also authorizes reimbursement to RCSD from the proceeds of BANs if and when City Council authorizes issuance of the BANs. BAN issuance is currently planned for October 2015. RJSCB and RCSD must meet specified terms and conditions, as determined by the State, prior to the time City Council will be requested to authorize issuance of the BANs. The estimated amount of the BANs is approximately $16 million. The balance of approximately $13.3 million will be used for the design costs for additional Phase II schools, as yet to be determined by the RJSCB Phase II Program Manager in concurrence with the City and the RCSD.

BANs to be issued by the City will mature before or at the legally maximum period of one year. This will provide temporary financing to pay costs for the RSMP until the long-term financing bonds are issued, according to the parameters of the Act. At that time, the New York State Education Department will have determined the amount of State Building Aid to be reimbursed for these projects,

and the timing and amount of that annual inflow of aid can be matched more closely to the debt service payments on long-term bonds. It is anticipated that the RJSCB will issue bonds through the County of Monroe Industrial Development Agency and those proceeds will be used to pay off the BANs proposed herein.

All costs related to issue the bonds and interest, as well as repayment of the bonds, will be the responsibility of the RCSD.

Transmitted herewith are the resolutions authorizing participation in the Municipal Cooperation Agreement adopted by the RJSCB on May 4, 2015 and the RCSD Board of Education on May 7, 2015.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-73

Ordinance No. 2015-121
(Int. No. 182)

Official Action Ordinance regarding the planning expenses for Phase II of the Rochester Joint Schools Construction Board Facilities Modernization Program

WHEREAS, the City of Rochester, in the County of Monroe, New York (the "City") has cooperated with the Rochester City School District (the "School District") and the Rochester Joint Schools Construction Board (the "RJSCB") in furtherance of the School District's Facilities Modernization Program, and

WHEREAS, the RJSCB was created by the "Rochester School Facilities Modernization Program Act" (Chapter 416 of the Laws of 2007, as amended by Chapter 533 of the Laws of 2014) (the "Act"). Pursuant to the Act, the RJSCB is authorized to manage the design, reconstruction or rehabilitation of existing school buildings for their continued use as schools of the School District (the "Facilities Modernization Program" or "Program"), and to create, coordinate efforts to enable compliance with, and monitor and report on, a program-wide diversity plan for the Program. RJSCB, the School District and the City have entered into a Cooperative Agreement dated as of February 22, 2010 (the "Cooperative Agreement") in order to clarify the agency arrangement and delegation of authority among the School District, the City and the RJSCB, as well as their respective obligations and expectations to achieve the objectives of the Act, and

WHEREAS, the County of Monroe Industrial Development Agency ("COMIDA") has issued approximately $282,155,000 School Facility Revenue Bonds (Rochester Schools Modernization Project) in three (3) segments for Phase I of the Program (the "Phase I Bonds") and the Act has been amended to authorize an additional $435,000,000 in indebtedness to fund Phase II of the Program (the "Phase II Bonds").

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

Section 1. The School District and RJSCB expect to incur preliminary expenses in the planning and development of the Phase II school projects and, pending the availability of the proceeds of the Phase II Bonds, have requested that the City loan funds to the School District to reimburse the costs of (i) professional fees and planning expenses incurred in preparation for the substantial rehabilitation of East High School, Monroe High School and School #15, (ii) implementation of the District Wide Technology Program, Phase II A and (iii) expenses incurred in connection with the development of the Phase II "Master Plan" (collectively, the "Initial Projects"). The estimated preliminary costs for the planning and design of the Initial Projects is approximately $16,000,000, not more than $2,700,000 of which may be expended prior to hiring the new Project Manager for Phase II.

Section 2. The City intends to finance those expenses, following the hiring of the Project Manager for Phase II, in October of 2015 with the proceeds of the issuance and sale of its tax exempt Bond Anticipation Notes ("BANs"), expected to be repaid from the proceeds of the Phase II Bonds. This Ordinance is a declaration of "official intent" adopted pursuant to the requirements of Treasury Regulation 1.150-2 in order to qualify current expenses incurred for reimbursement with the proceeds of the BANs and the Phase II Bonds. Issuance of the City's BANs shall be authorized by a subsequent ordinance of the City Council.

Section 3. To effectuate the foregoing, the Mayor is hereby authorized to enter into a Municipal Cooperation Agreement among the City, the School District and RJSCB, in form and substance to be approved by the City's Corporation Counsel.

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Palumbo
May 19, 2015

To the Council:

The Neighborhood & Business Development Committee recommends for adoption the following entitled legislation:

Int. No. 141 - Authorizing the sale of real estate

Int. No. 142 - Authorizing the acceptance of real estate by donation

Int. No. 143 - Authorizing a lease agreement and amended lease agreements for space in the Port Terminal Building <u>as amended</u>

Int. No. 144 - Authorizing an agreement with the Landmark Society of Western New York, Inc. for a website update for the promotion of City neighborhoods and housing programs

The following entitled legislation is being held in Committee:

Int. No. 145 - Authorizing an agreement and appropriating funds from the 2015-16 Consolidated Community Development Plan for landlord/tenant services

Int. No. 146 - Authorizing an agreement and appropriating funds for the Foreclosure Prevention Program

Int. No. 147 - Approving the Consolidated Community Development Plan 2015-16 Annual Action Plan and the 2015-16 through 2019-20 Consolidated Community Development Plan

Int. No. 148 - Authorizing the submission of the Consolidated Community Development Plan 2015-16 Annual Action Plan and the 2015-16 through 2019-20 Consolidated Community Development Plan and execution of grant agreements with the United States Department of Housing and Urban Development

Int. No. 149 - Appropriation of funds for the City Development Fund

Int. No. 150 - Authorizing Amended Consolidated Community Development Program Annual Action Plans

Respectfully submitted,
Carla M. Palumbo
Michael A. Patterson
Dana K. Miller
Loretta C. Scott
NEIGHBORHOOD & BUSINESS DEVELOPMENT COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-122
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.

The first property is a vacant lot sold by negotiated sale to the adjacent owner. The owner will combine this lot with his existing property.

The second property is an unbuildable vacant lot, being sold for $1.00 (as per City policy) to the adjacent owner who will combine the lot with their existing property.

The first year projected tax revenue for these two properties, assuming full taxation, current assessed valuations and current tax rates, is estimated to be $698.

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

Attachment No. AO-74

Ordinance No. 2015-122
(Int. No. 141)

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 the negotiated sale of the following parcel of vacant land with proposal:

Address:	256 Avenue C
S.B.L.#:	091.77-3-12
Lot Size:	40x120
Sq. Ft.:	4,800
Price:	$425
Purchaser:	Luis A. Ofray

Section 2. The Council hereby approves the negotiated sale of the following parcel of unbuildable vacant land for the sum of $1.00:

Address:	7 Fulton Avenue
S.B.L.#:	105.60-1-35
Lot Size:	45x59
Sq. Ft.:	2,102
Purchaser:	Community Facilities, Inc.*

Officers: Mark H. Fuller, President; James M. Whalen, CFO/Treasurer

Section 3. 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 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-123
Re: Real Estate Donations

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation related to the acceptance by donation of certain real properties from the seller, Wells Fargo Bank, NA. Council authorization is necessary to accept the following parcels:

Address	Purpose
47 Ripley Street	Surplus Auction Sale
52 Miller Street	Sale to adjoining owners

Accepting these donations will allow the City to continue to manage the disposition of salvageable properties in various neighborhoods. The single-family home at 47 Ripley Street is in the Beechwood Focused Investment Strategy Area and can be marketed and sold to a buyer who would rehabilitate the property within twelve months and obtain a Certificate of Occupancy. The vacant lot at 52 Miller Street can be combined with the City-owned lot at 46 Miller Street and offered for sale to the adjoining owners for additional green space.

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

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-75

Ordinance No. 2015-123
(Int. No. 142)

Authorizing the acceptance of real estate by donation

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

Section 1. The Council hereby authorizes the acceptance of the donation of real estate parcels from the Wells Fargo Bank NA as follows:

Address	SBL No.	Purpose
47 Ripley St.	106.68-2-6	Surplus auction sale
52 Miller St.	106.43-1-43	Sale to adjoining owner

Section 2. Upon transfer of title to the City, any City taxes and other City charges against said properties are hereby canceled.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-124
Re: Lease Agreement and Amending Ordinance No. 2014-274 - Port Terminal Building

Transmitted herewith for your approval is legislation authorizing a one-year lease agreement between the City and CheeWay LLC, d/b/a Cheeburger Cheeburger, and amending Ordinance No. 2014-274. Cheeburger Cheeburger has operated in the Port Terminal Building since 2005. The restaurant will continue to occupy approximately 2,886 square feet of space and their new lease will have a term of one-year with four one-year renewal options. The rental rate for the first year will be reduced due to disruptions to the business operation of the commercial tenant as a result of the marina construction project. Following the first year of the lease, the construction is anticipated to be substantially complete and the rent will increase accordingly. The rental rate will be $1,187.50 per month for the first year of the lease with subsequent renewals at $2,375 per month.

This ordinance will also amend Ordinance No. 2014-274 to extend the reduced rental rate for California Rollin' and Abbotts Frozen Custard for an additional year as a result of the construction delays associated with the marina construction project. California Rollin' and Abbott's Frozen Custard will continue their current rental rate of $1,125 and $475 per month, respectively.

The original construction schedule estimated that the marina would be complete in the spring/summer of 2015; delays have pushed the completion date out one year to the spring/summer of 2016.

The rental rates were established by an independent appraisal by Kevin Bruckner, MAI, as of May 3, 2014.

The Mayor is hereby authorized to amend the terms of the agreement and the existing agreements as required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-76

Ordinance No. 2015-124
(Int. No. 143, as amended)

Authorizing a lease agreement and amended lease agreements for space in the Port Terminal Building

WHEREAS, the City of Rochester has received proposals for the continued lease of space in the Port Terminal Building; and

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

WHEREAS, the terms of the leases are reasonable and necessary in light of their intended purpose and the public will benefit throughout the term of the leases.

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

Section 1. The Council hereby approves an amendment to the lease agreement with Abbott's Frozen Custard, Inc. for the lease of approximately 750 square feet of commercial space on the first floor of the Port Terminal Building authorized by Ordinance No. 2014-274. The amendment shall provide that the first renewal year shall be at a monthly rent of $475, and any additional renewal periods shall be at a monthly rent of $950.

Section 2. The Council hereby further approves an amendment to the lease agreement with California Rollin' II for the lease of approximately 2,088 square feet of commercial space on the first floor of the Port Terminal Building authorized by Ordinance No. 2014-274. The amendment shall provide that the first renewal year shall be at a monthly rent of $1,125, and any additional renewal periods shall be at a monthly rent of $2,250.

~~Section 3. The Council hereby approves a lease agreement with CheeWay LLC dba Cheeburger Cheeburger. for the lease of approximately 2,886 square feet of commercial space in the Port Terminal Building for a period of one year at a monthly rental rate of $1,187.50. The lease shall have four one-year renewal options and if renewed the monthly rental rate shall be $2,375.~~

~~Section 4~~. Section 3. The lease agreements shall contain such additional terms and conditions as the Mayor or her designee deems to be appropriate.

~~Section 5~~. Section 4. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-125
Re: Agreement - Landmark Society of Western New York, Inc., Website Redevelopment

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation establishing $11,042 as maximum compensation for an agreement with the Landmark Society of Western New York, Inc. to update the website that has hosted City Living Sundays to reflect the program's re-branding and greater outreach as Celebrate City Living. The cost of this agreement will be funded from the remaining balance of the Improve the Housing Stock and General Property Conditions allocation of the 2005-06 Community Development Block Grant appropriated by Ordinance No. 2005-309. The term of the agreement will be one year.

The Landmark Society of Western New York, Inc. will help promote Celebrate City Living by updating the website it originally developed for The Home Room, a City initiative. This website will now be used for the promotion and data analysis of Celebrate City Living. The website will collect data on participants using the site to research living in the city and maintain data on people attending Celebrate City Living, an annual event highlighting the benefits of living in the city. This data will be analyzed to plan for future innovations and improvements to the website and annual event.

As a partner in the Celebrate City Living Coalition and host of the Rochester City Living website, the Landmark Society of Western New York, Inc. is spearheading the website redevelopment. A Justification Statement for not issuing a request for proposals is attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-77

Ordinance No. 2015-125
(Int. No. 144)

Authorizing an agreement with the Landmark Society of Western New York, Inc. for a website update for the promotion of City neighborhoods and housing programs

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 Landmark Society of Western New York, Inc. in an amount not to exceed $11,042 with the Landmark Society of Western New York, Inc. for a website update and data collection for the promotion of City neighborhoods and housing programs. The cost of the agreement shall be funded by $11,042 in unspent funds appropriated from the 2005-06 Community Development Block Grant by Ordinance No. 2005-309. The agreement shall have a term of one year.

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

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Introductory No. 145
Re: 2015-16 Consolidated Community Development Plan - Landlord Tenant Services

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation related to the Landlord Tenant Services program as described in the 2015-16 Annual Action Plan of the Consolidated Community Development Plan (Con Plan), contingent upon Council adoption of the Con Plan. This legislation will:

1. Appropriate $85,000 from the Improve the Housing Stock and Property Conditions fund of the 2015-16 Con Plan for implementation of the Landlord Tenant Services program; and

2. Establish $85,000 as maximum compensation for an agreement with the Legal Aid Society of Rochester, New York, Inc. to provide housing stabilization services to tenants and landlords. The cost of the agreement will be financed from the appropriation herein.

The Legal Aid Society will serve as lead agency in partnership with Legal Assistance of Western New York. Services for both landlords and tenants include:

- Training for landlords on operating rental property as a business, and compliance with fair housing quality standards; and

- Eviction prevention services for tenants to re-establish or attain stable housing situations.

The City will enter into agreements for this program only with organizations that are in compliance with federal regulations. If funds are different, not available, or are less than anticipated, the agreement amounts and terms will be adjusted accordingly.

Agreement terms will be for nine months.

Respectfully submitted,
Lovely A. Warren
Mayor

Introductory No. 145

AUTHORIZING AN AGREEMENT AND APPROPRIATING FUNDS FROM THE 2015-16 CONSOLIDATED COMMUNITY DEVELOPMENT PLAN FOR LANDLORD/TENANT SERVICES

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

Section 1. The Mayor is hereby authorized to enter into an agreement to implement the Landlord/Tenant Services Program with the Legal Aid Society of Rochester NY Inc. in a maximum amount of $85,000. The term of the agreement shall be nine months. The agreement shall be funded by $85,000 from the Improve Housing Stock and Property Conditions Fund of the 2015-16 Consolidated Community Development Plan, which amount is hereby appropriated for the program. If funds are not available or are less than anticipated, the agreement amounts and terms shall be adjusted accordingly.

Section 2. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate. The City will enter into agreements for this program only with organizations that are in compliance with federal regulations.

Section 3. This ordinance shall take effect immediately.

Held in Committee

TO THE COUNCIL
Ladies and Gentlemen:

Introductory No. 146
Re: 2015-16 Consolidated Community Development Plan - Foreclosure Prevention Services

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation related to foreclosure prevention activities as described in the 2015-16 Consolidated Community Development Plan (Con Plan), contingent upon its adoption. This legislation will:

1. Appropriate a total of $195,600 from the 2015-16 Improve Housing Stock and Property Conditions fund of the Community Development Block Grant (CDBG) of the Con Plan for implementation of foreclosure prevention services.

2. Establish maximum compensation for agreements with two agencies to provide foreclosure prevention services. The cost of these agreements will be financed from the funds appropriated herein.

Agency	Amount
The Housing Council in the Monroe County Area, Inc.	$170,100
Empire Justice Center	25,500
	$195,600

These two organizations are uniquely qualified. The Housing Council in the Monroe County Area, Inc. is a HUD-approved Housing Counseling Agency with the capacity to handle a large volume of cases. The Housing Council's services include review of households' financial circumstances and negotiation with lenders to resolve mortgage arrears. The Empire Justice Center is a leader in developing statewide standards for legal services for foreclosure prevention. The Empire Justice

Center will provide legal advice and litigation services when required by analysis of clients' circumstances.

The City will enter into agreements for this program only with organizations that are in compliance with Federal regulations. If funds are different, not available, or are less than anticipated, the agreement amounts and terms will be adjusted accordingly.

Agreement terms will be for nine months.

Respectfully submitted,
Lovely A. Warren
Mayor

Introductory No. 146

AUTHORIZING AN AGREEMENT AND APPROPRIATING FUNDS FOR THE FORECLOSURE 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 to implement the Foreclosure Prevention Program with the Housing Council of the Monroe County Area, Inc. in a maximum amount of $170,100.

Section 2. The Mayor is hereby authorized to enter into an agreement to implement the Foreclosure Prevention Program with the Empire Justice Center in a maximum amount of $25,500.

Section 3. The agreements shall obligate the City to pay an amount not to exceed $195,600, and said amount, or so much thereof as may be necessary, shall be funded from the Improve Housing Stock and Property Conditions Fund of the 2015-16 Consolidated Community Development Plan, which amount is hereby appropriated for the program. If funds are not available or are less than anticipated, the agreement amounts and terms shall be adjusted accordingly.

Section 4. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate. The City will enter into agreements for this program only with organizations that are in compliance with federal regulations.

Section 5. The agreements shall be for a term of nine months.

Section 6. This ordinance shall take effect immediately.

Held in Committee

TO THE COUNCIL
Ladies and Gentlemen:

Introductory No. 147,
Introductory No. 148,
Introductory No. 149 and
Introductory No. 150
Re: 2015-16 through 2019-20 Consolidated Community Development Plan and 2015-16 Annual Action Plan

Council Priority: Rebuilding and Strengthening Neighborhood Housing; Jobs and Economic Development

Transmitted herewith for your approval is legislation related to the 2015-16 through 2019-20 Consolidated Community Development Plan and the 2015-16 Annual Action Plan. This legislation will:

1. Approve the 2015-16 through 2019-20 Consolidated Community Development Plan and the 2015-16 Annual Action Plan.

2. Authorize the submission of the Plans to the U.S. Department of Housing and Urban Development (HUD).

3. Authorize agreements with HUD for the receipt and use of grants to fund the Annual Action Plan.

4. Appropriate $150,000 in Urban Development Action Grant principal and interest repayments projected to be received during the 2015-16 program year for the City Development Fund.

5. Amend the 2008-09, 2009-10, 2010-11, 2011-12, 2012-13, 2013-14, and 2014-15 Consolidated Community Development Plan-Annual Action Plans by transferring Community Development Block Grant (CDBG) funds as follows: from 2008-09, $4,283.43 from Job Creation/Youth Development allocation of General Community Needs and $133,563.56 from the Focused Investment Strategy allocation of the Neighborhood Asset Planning Fund; from 2009-10, $75,183.68 from the Focused Investment Strategy allocation of the Neighborhood Asset Planning Fund; from 2010-11, $29,947.01 from the Job Creation/Youth Development allocation of General Community Needs; from 2011-12, $23,609.97 of the Focused Investment Strategy allocation from the Neighborhood Asset Based Planning Fund; from 2012-13, $27,165.50 from the Focused Investment Strategy allocation of the Neighborhood Asset Planning Fund and $0.44 from the Employment Opportunity Training (Youth Training Academy) allocation of General Community Needs; from 2013-14, $552,835 from the Focused Investment Strategy allocation of the Neighborhood Asset Planning Fund; and from 2014-15, $1,392,772 from the Focused Investment Strategy allocation of the Neighborhood Asset Planning Fund and $9,354.41 from the Job Creation/Youth Development allocation of General Community Needs to the Infrastructure Improvements allocation of General Community Needs for a total of $2,248,715 of CDBG funds to a new line, Infrastructure Improvement allocation, for the respective years.

In addition, reprogram 2013-14, $200,000 from the Focused Investment Strategy allocation of the Neighborhood Asset Planning Fund to the Demolition allocation of the Housing Development Fund. Reprogram 2013-14, $25,000 and 2014-15 $50,000 from Fire Department Small Equipment allocation of General Community Needs to Business Development Loan and Grant Program of Promote Economic Stability. Attached is a chart showing the reprogramming and transfer of funds.

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

The Consolidated Community Development Plan consists of a Strategic Plan and Annual Action Plans. The Plan addresses the U.S. Department of Housing and Urban Development's planning and application requirements for their formula grant programs, which include: the Community Development Block Grant, HOME Investment Partnerships, Emergency Solutions Grant Program, and Housing Opportunities for Persons with AIDS. HUD requires jurisdictions to prepare multi-year strategies and one-year action plans for use of federal funds. The Strategic Plan covers the period July 1, 2015 through June 30, 2020. The Annual Action Plan covers the period July 1, 2015 through June 30, 2016.

The Annual Action Plan describes specific projects and activities that will be undertaken in the coming year with federal funds to address priority needs. Community input was solicited at public meetings held on January 14, 20 and 22, 2015. In addition, ten focus group meetings were held and a survey was available on-line and in print for public comment.

The estimated total of funds available for 2015-16 is $14,314,798 from the following sources:

CDBG	$ 7,791,818
HOME	1,758,789
Emergency Solutions Grant	709,872
HOPWA	680,604
CDF	150,000
CDBG Program Income	600,000
HOME Program Income	100,000
Reallocation of Prior Year CDBG Funds	2,523,715
Total	$14,314,798

The amount of federal allocations, program income, City Development Fund and reprogrammed funds available to address the priority needs and strategies is estimated to be $14,314,798. These funds will be used for the following purposes: Promote Economic Stability ($1,380,000); Improve the Housing Stock ($9,284,186); Respond to General Community Needs ($2,686,115); and Other ($964,497).

Significant allocation highlights include:

- $1,030,000 for Business Development Financial Assistance Program
- $2,248,715 for Infrastructure Improvements
- $854,043 for the Homeownership Fund
- $270,000 for Job Creation and Youth Development

Approval by the City Council of the Annual Action Plan is required by HUD. Approval of the City Development Fund is required by Resolution 83-26 (adopted May 24, 1983).

A public hearing on the 2015-16 through 2019-20 Consolidated Community Development Plan, the 2015-16 Annual Action Plan, and the reprogramming of funds is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Introductory No. 147

APPROVING THE CONSOLIDATED COMMUNITY DEVELOPMENT PLAN 2015-16 ANNUAL ACTION PLAN AND THE 2015-16 THROUGH 2019-20 CONSOLIDATED COMMUNITY DEVELOPMENT PLAN

WHEREAS, there is pending before this Council the Draft Consolidated Community Development Plan/2015-16 Annual Action Plan to be financed with $14,314,798 available to the City of Rochester from the Community Development Block Grant, HOME Investment Partnerships, Emergency Solutions Grant Program, Housing Opportunities for Persons with AIDS Program, Urban Development Action Grant loan and interest repayments, other program income and reallocation of prior year funds, and the 2015-16 through 2019-20 Consolidated Community Development Plan; and

WHEREAS, the proposed plans were prepared according to an approved Citizen Participation Plan and reflect public comments and consultations; and

WHEREAS, notice of the proposed plan was published in the Democrat and Chronicle on April 18, 2015; and

WHEREAS, citizens, public agencies and other interested parties were invited to submit comments by May 19, 2015; and

WHEREAS, the City Council has reviewed the needs, strategies and proposed actions with City staff; and

WHEREAS, the City Council conducted a public hearing on the Draft Consolidated Community Development Plan/2015-16 Annual Action Plan and the needs, strategies, proposed actions and annual performance and the 2015-16 through 2019-20 Consolidated Community Development Plan; and

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

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

Section 1. The Council hereby adopts the Draft Consolidated Community Development Plan/2015-16 Annual Action Plan and the 2015-16 through 2019-20 Consolidated Community Development Plan.

Section 2. The Mayor is hereby directed to prepare detailed programs and specifications for the various actions and to submit said plans to City Council for approval prior to implementation.

Section 3. This ordinance shall take effect immediately.

Held in Committee

Introductory No. 148

AUTHORIZING THE SUBMISSION OF THE CONSOLIDATED COMMUNITY DEVELOPMENT PLAN 2015-16 ANNUAL ACTION PLAN AND THE 2015-16 THROUGH 2019-20 CONSOLIDATED COMMUNITY DEVELOPMENT PLAN AND EXECUTION OF GRANT AGREEMENTS WITH THE UNITED STATE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

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

Section 1. The Mayor is hereby authorized to submit the Consolidated Community Development Plan/2015-16 Annual Action Plan, and the 2015-16 through 2019-20 Consolidated Community Development Plan to the United States Department of Housing and Urban Development. The Mayor is hereby further authorized to provide any such information that may be required and to execute all necessary grant agreements with the United States Department of Housing and Urban Development for the Program Year beginning July 1, 2015.

Section 2. This ordinance shall take effect immediately.

Held in Committee.

Introductory No. 149

APPROPRIATION OF FUNDS FOR THE CITY DEVELOPMENT FUND

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

Section 1. As part of the Consolidated Community Development Plan/2015-16 Annual Action Plan, the Council hereby appropriates the sum of $150,000 in anticipated UDAG Loan Repayment Funds and reversionary interest payments and interest, to be utilized as capital for the City Development Fund.

Section 2. The Mayor is hereby authorized to enter into such agreements as may be necessary for the implementation of programs funded by the appropriations made herein.

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

Section 4. This ordinance shall take effect immediately.

Held in Committee.

Introductory No. 150

AUTHORIZING AMENDED CONSOLIDATED COMMUNITY DEVELOPMENT PROGRAM ANNUAL ACTION PLANS

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

Section 1. The Council hereby approves amendments to prior year Consolidated Community Development Annual Action Plans as set forth below:

Amendments:

Amend the 2008-09, 2009-10, 2010-11, 2011-12, 2012-13, 2013-14, and 2014-15 Consolidated Community Development Plan-Annual Action Plans by transferring Community Development Block Grant (CDBG) funds in the amount of 2008-09 $4,283.43 from Job Creation/Youth Development allocation of General Community Needs, and $133,563.56 from the Focused Investment Strategy allocation of the Neighborhood Asset Planning Fund; 2009-10 $75,183.68 from the Focused Investment Strategy allocation of the Neighborhood Asset Planning Fund; 2010-11 $29,947.01 from the Job Creation/Youth Development allocation of General Community Needs; 2011-12 $23,609.97 of the Focused Investment Strategy allocation from the Neighborhood Asset Based Planning Fund; 2012-13 $27,165.50 from the Focused Investment Strategy allocation of the Neighborhood Asset Planning Fund and $.44 from the Employment Opportunity Training (Youth Training Academy) allocation of General Community Needs; 2013-14 $552,835 from the Focused Investment Strategy allocation of the Neighborhood Asset Planning Fund; and 2014-15 $1,392,772 from the Focused Investment Strategy allocation of the Neighborhood Asset Planning Fund and $9,354.41 from the Job Creation/Youth Development allocation of General Community Needs to the Infrastructure Improvements allocation of General Community Needs for a total of $2,248,715 of CDBG funds to a new line, Infrastructure Improvement allocation for the respective years. In addition, $200,000 from the 2013-14 Focused Investment Strategy allocation of the Neighborhood Asset Planning Fund is transferred to the Demolition allocation of the Housing Development Fund. Amend the 2013-14 and 2014-15 CDBG by

transferring $25,000 from 2013-14 and $50,000 from 2014-15 Fire Department Small Equipment allocation of General Community Needs to the Business Development Loan and Grant Program of Promote Economic Stability.

Section 2. The Director of Finance shall record all transfers herein and shall have the authority to make adjustments to the amounts set forth which may have changed prior to the adoption of this ordinance.

Section 3. This ordinance shall take effect immediately.

Held in Committee.

By Councilmember Haag
May 19, 2015

To the Council:

The Parks & Public Works Committee recommends for adoption the following entitled legislation:

Int. No. 151 - Authorizing an agreement with Vanguard Engineering PC for resident project representation services for the Cobbs Hill/Nunda Neighborhood Street Lighting Project and the Cobbs Hill Drive Curb Replacement Project

Int. No. 152 - Authorizing an amendatory professional services agreement for the Turning Point Park Trailhead Parking Lot Expansion Project

Int. No. 153 - Authorizing a professional services agreement with T.Y. Lin International for the Parking Garage Repair and Reconstruction Program

Int. No. 154 - Authorizing agreements and appropriating funds for the Ridgeway Avenue Transportation Improvement Project (Ramona Street - Minder Street)

Int. No. 155 - Bond Ordinance of the City of Rochester, New York authorizing the issuance of $314,000 bonds of said City to finance the costs of construction of streets as part of the Ridgeway Avenue Transportation Improvement Project (Ramona Street - Minder Street) as amended

Int. No. 156 - Bond Ordinance of the City of Rochester, New York authorizing the issuance of $1,233,000 bonds of said City to finance the costs of construction of water mains as part of the Ridgeway Avenue Transportation Improvement Project (Ramona Street - Minder Street) as amended

Int. No. 157 - Appropriating funds for street improvement projects from anticipated reimbursements from the Rochester Pure Waters District

Int. No. 158 - Authorizing a professional services agreement with Wendel WD Architecture, Engineering, Surveying & Landscape Architecture PC for the Cathodic Protection of Conduits 2 & 3 in Rush and Mendon Project

Int. No. 159 - Authorizing an agreement for waste water quality testing services

Int. No. 160 - Amending the Municipal Code with respect to wholesale water rates

Int. No. 161 - Authorizing an agreement for water quality testing services

Int. No. 162 - Authorizing an agreement with Bergmann Associates, P.C. to provide assistance in the development of the City's Climate Action Plan

Int. No. 163 - Amending Ordinance No. 2015-94 and Ordinance No. 2015-95 regarding the environmental investigation and remedial services for the former Emerson Street Landfill

Int. No. 164 - Authorizing an agreement and appropriating funds for the Train Bridge Overlook Project

Int. No. 165 - Authorizing an intermunicipal agreement with the County of Monroe for water testing services at Durand Eastman Beach

Int. No. 177 - Bond Ordinance of the City of Rochester, New York authorizing the issuance of ~~$2,377,000~~ $2,237,000 bonds of said City to finance the reconstruction of certain streets related to the 2015 Milling and Resurfacing Program as amended

Int. No. 181 - Amending the 2014-15 Budget to transfer funds from Contingency to Cash Capital

The Jobs, Parks & Public Works Committee recommends for consideration the following entitled legislation:

Int. No. 166 - Local Improvement Ordinance establishing the cost of the special work and services of the Downtown Enhancement District

Respectfully submitted,
Matt Haag
Elaine M. Spaull
Michael A. Patterson
Dana K. Miller
Loretta C. Scott
PARK & PUBLIC WORKS COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-126
Re: Agreement - Vanguard Engineering, PC, Cobbs Hill/Nunda Neighborhood Street Lighting and Cobbs Hill Drive Curb Replacement Projects

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Transmitted herewith for your approval is legisla-

tion establishing $170,000 as maximum compensation for an agreement with Vanguard Engineering, PC, Rochester, New York, for resident project representation (RPR) services for the Cobbs Hill/Nunda Neighborhood Street Lighting and Cobbs Hill Drive Curb Replacement projects. The agreement will be funded as follows: 2014-15 Cash Capital ($85,000), 2013-14 Cash Capital Water Fund ($17,000), 2012-13 Cash Capital ($17,000), Bond Ordinance No. 2008-129 for street lighting improvements ($39,300), and Local Improvement Ordinance No. 1677 ($11,700).

The Cobbs Hill/Nunda Neighborhood Street Lighting Project includes installing new concrete lighting poles, new fixtures with LED lamps, and conduit system, replacement of hazardous sidewalks in select locations, drainage improvements and installation of sidewalk ramps. Bids for construction were received on April 7, 2015 with M L Caccamise Electric Corporation submitting the apparent low bid of $522,224. The separately purchased street lighting materials, including concrete poles and LED harp fixtures, are partially funded from the Local Improvement Ordinance No. 1677 and valued at $230,300. Construction of the Cobbs Hill/Nunda Neighborhood Street Lighting Project is expected to begin in late spring 2015 and be complete in fall 2015. The affected streets are listed below:

Street	
From	To
Beckwith Terrace	
Cobbs Hill Drive	Winton Road N.
Bengal Terrace	
Hillside Avenue	South End City Line
Castlebar Road	
Cobbs Hill Drive	Winton Road N.
Cobbs Hill Drive	
Hillside Avenue	Highland Avenue
Nunda Boulevard	
Cobbs Hill Drive	Winton Road N.
Pinnard Street	
Bengal Terrace	Cobbs Hill Drive
Rosegrey Terrace	
San Gabriel Drive	Beckwith Terrace
San Gabriel Drive	
Cobbs Hill Drive	Winton Road N.

The Cobbs Hill Drive Curb Replacement Project includes: new granite stone curbs, underdrain, concrete sidewalk, driveway aprons, water main, catch basins, and lawn restoration. Construction is anticipated in summer 2015 at an estimated cost of $695,000, with planned completion in spring 2016.

Vanguard was selected for RPR services through a request for proposal process, which is described in the attached summary. The RPR services agreement will result in the creation and/or retention of the equivalent of 1.9 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-78

Ordinance No. 2015-126
(Int. No. 151)

Authorizing an agreement with Vanguard Engineering PC for resident project representation services for the Cobbs Hill/Nunda Neighborhood Street Lighting Project and the Cobbs Hill Drive Curb Replacement Project

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

Section 1. The Mayor is hereby authorized to enter into an agreement with Vanguard Engineering PC for resident project representation services for the Cobbs Hill/Nunda Neighborhood Street Lighting Project and the Cobbs Hill Drive Curb Replacement Project in the maximum amount of $170,000. The agreement shall be funded as follows: 2014-15 Cash Capital ($85,000), 2013-14 Cash Capital Water Fund ($17,000), 2012-13 Cash Capital ($17,000), funds appropriated by Bond Ord. No. 2008-129 for street lighting improvements ($39,300) and special assessment funds authorized by Local Improvement Ordinance No. 1677 ($11,700).

Section 2. The agreement may extend until three months after completion and acceptance of a two year guarantee inspection of the Project.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-127
Re: Amendatory Agreement - Stantec Consulting Services, Turning Point Park Improvements Project

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation related to the Turning Point Park Improvements Project. This legislation will establish $37,000 as maximum compensation for an amendatory agreement with Stantec Consulting Services for additional resident project representation (RPR) services. The original agreement was $68,000 (Ord. No. 2014-183); the amendment increases the total maximum compensation for RPR services to $105,000. The RPR amendment requested herein will be funded from 2011-12 Cash Capital ($13,000) and Prior Years' Cash Capital ($24,000).

Stantec Consulting Services' design of this project began in 2009 (Ord. No 2009-320), and included assisting the City in securing a New York State Environmental Facilities Corporation 2010 Green Innovation Grant in the amount of $552,000 to fund

a portion of the park improvements (Ord. No. 2011-303). The design agreement was later amended to incorporate the additional grant requirements in the construction and an expanded scope of improvements (Ord. No. 2011-397).

The improvements to Turning Point Park include: a porous pavement parking lot; new porous pavement sidewalks on Boxart Street; associated improvements to trails; rain gardens; a scenic overlook; and educational signage. The planned parking lot will accommodate approximately 40 parking spaces, an increase from the current parking capacity of 32 spaces.

Hydrolawn of Buffalo (Hydrolawn) was awarded the contract valued at $527,000 in summer 2014, with scheduled completion in fall 2014. Hydrolawn later defaulted on their contract, and did not complete the work as anticipated. Hydrolawn's bond company is now responsible for work and has scheduled completion in late spring 2015. To date, Hydrolawn has been assessed $12,000 in liquidated damages for the 2014 delays with additional liquidated damages at $500 per day for the 2015 construction delays. The liquidated damages will be withheld from the final payment to the bond company and fund a portion of the additional RPR costs requested herein, with the remainder funded from project contingencies. It is not anticipated that the City will incur additional costs as a result of Hydrolawn's default and the extended construction time.

This amendatory agreement for RPR services will fund the additional staffing needed during the extended construction schedule and the additional work required as a result of the default. The agreement will result in the creation and/or retention of the equivalent of 0.4 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-127
(Int. No. 152)

Authorizing an amendatory professional services agreement for the Turning Point Park Trailhead Parking Lot Expansion Project

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

Section 1. The Mayor is hereby authorized to enter into an amendatory professional services agreement between the City and Stantec Consulting Services, Inc. for resident project representation services for the Turning Point Park Trailhead Parking Lot Expansion Project. The amendment shall increase the maximum amount by $37,000 to a total of $105,000. The agreement may extend until six (6) months after completion and acceptance of the construction of the Project. Said amount shall be funded by $13,000 from the 2011-12 Cash Capital allocation and $24,000 from prior years Cash Capital.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-128
Re: Agreement - T.Y. Lin International, Garage Repair and Reconstruction Program

Transmitted herewith for your approval is legislation establishing $153,000 as maximum compensation for an agreement with T.Y. Lin International, Rochester, New York, for resident project representation (RPR) services for the Garage Repair and Reconstruction Program. The term of the agreement will be for one year with four optional one-year renewals. The cost of the agreement will be funded from the 2014-15 Parking Cash Capital allocation, and any renewals will be funded from the Parking Cash Capital allocation of subsequent budgets, contingent upon the adoption of said budgets, or a bond ordinance to be issued for the Garage Repair and Reconstruction Program.

In 2014, the City retained T.Y. Lin International for a multi-year agreement for planning and design services for the garage program (Ord. No. 2014-345). Under the agreement, T.Y. Lin International is currently performing comprehensive garage inspections, condition ratings, prioritization, structural design and developing both the annual and five-year long-term capital program for the City garages.

The annual garage maintenance contract is derived from this program and includes reconstruction and repair work to the City's eight garages: Genesee Crossroads, Mortimer, High Falls, South Avenue, East End, Washington Square, Sister Cities and Court Street (Bausch & Lomb).

Proposed work in the garages will involve: post-tensioned tendon repairs, deck waterproofing and sealing; repair to structural components; expansion joint repair; structural façade repairs and waterproofing; mechanical, electrical and plumbing system repairs; masonry repair; and elevator repairs and replacements. The estimated construction value for the 2015 garage maintenance contracts is $1,159,000.

T.Y. Lin International was selected for RPR services based on its familiarity with the project. A full justification for not issuing a request for proposals is attached.

It is anticipated that construction will begin in June 2015 with completion in January 2016. The number of jobs created and/or retained through this RPR agreement is 1.6 full-time positions.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-79

Ordinance No. 2015-128
(Int. No. 153)

Authorizing a professional services agreement with T.Y. Lin International for the Parking Garage Repair and Reconstruction Program

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 between the City and T.Y. Lin International for resident project representation services for the Parking Garage Repair and Reconstruction Program. The agreement shall have a maximum amount of $153,000. The agreement shall have a term of one year with four optional one year renewals. The cost of the agreement shall be funded from the 2014-15 Parking Cash Capital allocation, and any renewals shall be funded from the Parking Cash Capital allocations in subsequent budgets, contingent upon the adoption of said budgets, or a bond ordinance to be adopted for the repair and reconstruction of parking facilities.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-129,
Ordinance No. 2015-130 and
Ordinance No. 2015-131
Re: Ridgeway Avenue Transportation Improvement Project (Ramona Street - Minder Street)

Council Priority: Jobs and Economic Development

Transmitted herewith for your approval is legislation related to the Ridgeway Avenue Transportation Improvement Project (Ramona Street - Minder Street). This legislation will:

1. Appropriate $5,846,060 from anticipated reimbursements from the Federal Highway Administration (FHWA) to finance the federal share of the project; and

2. Appropriate $1,096,136 from anticipated reimbursements from the New York State (NYS) Marchiselli Aid Program to finance the NYS share of the project; and

3. Authorize the issuance of bonds totaling $314,000 and the appropriate the proceeds thereof to finance the local share of the street improvements; and

4. Authorize the issuance of bonds totaling $1,233,000 and the appropriate the proceeds thereof to finance the local share of the water improvements; and

5. Establish $998,000 as maximum compensation for an agreement with Stantec Consulting Services for resident project representation (RPR) services.

This federal aid project, administered by the City through the NYS Department of Transportation, is identified in the City's current Capital Improvement Program. The City is qualified to receive up to 80% of the eligible project costs from the FHWA and up to 75% of the eligible local share project costs from the NYS Marchiselli Aid Program.

Project participation and design services were authorized via Ordinance Nos. 2008-179, 2010-333 and 2014-320. Design agreements with Rochester & Southern Railroad, Inc. and CSX Railroad were authorized in Ordinance No. 2010-17 and Ordinance No. 2014-320, respectively.

The project features include: rehabilitation and reconstruction of the pavement, reconfiguration of the roadway, and improvements to the intersection, drainage system, curb, traffic signal, signage, sidewalk, streetscape, landscaping, and water distribution system. The City will be reimbursed from the Rochester Pure Waters District for their portion of the drainage system improvements.

Stantec Consulting Services was selected to provide RPR services through a request for proposal process, which is described in the attached summary. Funding for the agreement is shown in the table below.

Bids for construction were received on April 16, 2015. The apparent low bid of $5,888,888 was submitted by Mark Cerrone, Inc. which is 13 % less than the engineer's estimate. An additional $443,598 will be allocated for contingencies including street lighting, tree plantings and City administration reimbursements.

Funding for the project is as follows:

Source	Construction	Contingency and City Administration	RPR	Future Railroad Agreements	Total
FHWA	$3,903,976	$320,484	$661,600	$ 960,000	$5,846,060
NYS	731,996	60,090	124,050	180,000	1,096,136
Street Bond	196,604	20,346	37,050	60,000	314,000
Water Bond	1,019,590	40,610	172,800	0	1,233,000
County Traffic	14,948	1,192	2,500	0	18,640
RPWD	21,774	876	0	0	22,650
Total	$5,888,888	$443,598	$998,000	$1,200,000	$8,530,486

Rochester & Southern Railroad and CSX Railroad will be undertaking improvements as part of this project and agreements to authorize that work will be requested in future legislation.

The project will begin construction in late spring 2015, and will be substantially complete by the fall of 2016. The project's construction and RPR services will result in the creation and/or retention of the equivalent of 79.6 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-80

Ordinance No. 2015-129
(Int. No. 154)

Authorizing agreements and appropriating funds for the Ridgeway Avenue Transportation Improvement Project (Ramona Street - Minder Street)

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with Stantec Consulting Services Inc. for Resident Project Representation (RPR) services for the Ridgeway Avenue Transportation Improvement Project (Ramona Street - Minder Street) in a maximum amount of $998,000. The agreement may extend until three (3) months after completion of a two year guarantee inspection of the project. The cost of said agreement shall be funded by $661,600 from anticipated reimbursements to be received from the Federal Highway Administration; $124,050 from anticipated reimbursements to be received from New York State; $37,050 from funds appropriated by a bond ordinance to be adopted for the street improvements of this project; $172,800 from funds appropriated by a bond ordinance to be adopted for the water improvements of this project; and $2,500 from anticipated reimbursements from Monroe County for this project.

Section 2. The sum of $1,096,136 is hereby appropriated from anticipated reimbursements to be received from the New York State Marchiselli Aid Program to finance a portion of the costs of the Ridgeway Avenue Transportation Improvement Project (Ramona Street - Minder Street).

Section 3. The sum of $5,846,060 is hereby appropriated from anticipated reimbursements to be received from the Federal Highway Administration to finance a portion of the costs of the Ridgeway Avenue Transportation Improvement Project (Ramona Street - Minder Street). The Mayor is hereby authorized to enter into an agreement for the receipt and use of said funds.

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2015-130
(Int. No. 155, as amended)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of $314,000 bonds of said City to finance the costs of construction of streets as part of the Ridgeway Avenue Transportation Improvement Project (Ramona Street - Minder Street)

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the costs of construction of streets as part of the Ridgeway Avenue Transportation Improve-

ment Project (Ramona Street - Minder Street) ("the "Project"). The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is $8,530,487, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of $1,233,000 bonds of the City to finance water main construction as part of said Project, $314,000 bonds of the City to finance street construction as part of said Project, $5,846,060 in funds to be received from the Federal Highway Administration, $1,096,136 in anticipated reimbursements from the New York State Marchiselli Aid Program, $18,640 in funds to be received from Monroe County and $22,650 in funds to be received from the Rochester Pure Waters District, 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 $314,000 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 $314,000. 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 the class of objects or purposes described in Section 1 of this Ordinance, within the limitations of 11.00 a. 20 of the Local Finance 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.

New text is underlined

Passed unanimously.

Ordinance No. 2015-131
(Int. No. 156, as amended)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of $1,233,000 bonds of said City to finance the costs of construction of water mains as part of the Ridgeway Avenue Transportation Improvement Project (Ramona Street - Minder Street)

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the costs of construction of water mains as part of the Ridgeway Ave-

nue Transportation Improvement Project (Ramona Street - Minder Street) ("the "Project"). The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is $8,530,487, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of $1,233,000 bonds of the City to finance water main construction as part of said Project, $314,000 bonds of the City to finance street construction as part of said Project, $5,846,060 in funds to be received from the Federal Highway Administration, $1,096,136 in anticipated reimbursements from the New York State Marchiselli Aid Program, $18,640 in funds to be received from Monroe County and $22,650 in funds to be received from the Rochester Pure Waters District, 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 $1,233,000 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 $1,233,000. 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 the class of objects or purposes described in Section 1 of this Ordinance, within the limitations of 11.00 a.1 of the Local Finance Law, is 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.

New text is underlined

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-132
Re: Agreement - Rochester Pure Waters District, Street Improvement Projects

Transmitted herewith for your approval is legislation authorizing the receipt and use of $750,000 in anticipated reimbursements from the Rochester Pure Waters District (RPWD) to fund eligible portions of sewer costs on street improvement projects in accordance with the agreement authorized in Ordinance No. 2010-438.

Street improvements can require ancillary repairs to the sewer system including adjustments, repairs,

replacements, and improvements to the sewer system manholes and catch basins. In the agreement referenced above, RPWD assumed responsibility for these maintenance costs and agreed to reimburse the City annually for the work.

The street improvement projects eligible for the RPWD reimbursement appropriated herein include, but are not limited to, the following projects:

- Arlington Street
- Asphalt Milling and Resurfacing 2015 Preventive Maintenance Contract 1
- Asphalt Milling and Resurfacing 2015 Preventive Maintenance Contract 2
- Asphalt Milling and Resurfacing 2015 Preventive Maintenance Crittenden Boulevard
- Asphalt Milling and Resurfacing City Residential Contract 1
- Asphalt Milling and Resurfacing City Residential Contract 2
- Cobbs Hill Drive Lighting and Street Improvements
- Center City Two Way Conversion Phase 2
- Hincher Street Group
- Lake Avenue
- Portland Avenue Revitalization
- Ridgeway Avenue

Construction is planned to begin during the 2015 construction season. The sewer improvements will result in the creation and/or retention of the equivalent of 8.2 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-132
(Int. No. 157)

Appropriating funds for street improvement projects from anticipated reimbursements from the Rochester Pure Waters District

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

Section 1. The sum of $750,000 in anticipated reimbursements from the Rochester Pure Waters District pursuant to the agreement authorized by Ordinance No. 2010-438 is hereby appropriated to fund eligible portions of sewer costs of street improvement projects.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-133
Re: Agreement - Wendel WD Architecture, Engineering, Surveying & Landscape Architecture, PC, Cathodic Protection of Conduits 2 and 3 in Rush and Mendon

Transmitted herewith for your approval is legislation establishing $300,000 as maximum compensation for an agreement with Wendel WD Architecture, Engineering, Surveying & Landscape Architecture, PC (Wendel), Rochester, New York, to provide engineering design services for a cathodic protection system that will prevent further corrosion of approximately four miles each of water-supply Conduits 2 and 3 located within the towns of Rush and Mendon. The cost of this agreement will be financed from Bond Ordinance No. 2005-361.

Approximately 26 miles of Conduits 2 and 3, from the south end of the conduit system near Hemlock Lake to New York State Route 65 (Clover Street) in Mendon, were cathodically protected in 2006 to inhibit external corrosion of the water mains, which are over 100 years old. This current project will involve surveying and mapping the remaining unprotected sections of Conduits 2 and 3 between Clover Street and the Rush Reservoir, and designing a cathodic protection system and several conduit interconnections to improve hydraulic operations and system redundancy when a section of conduit needs to be temporarily shut down for repair or maintenance. The cathodic protection system and conduit interconnections are anticipated to be constructed by the Water Bureau's Upland Operations Supply and Maintenance Division after the final design has been completed.

Wendel was selected for these design services through a request for proposal process, which is described in the attached summary. The agreement may extend until twelve months after acceptance of the final design documentation.

Preliminary design will begin in summer 2015, with final design completed by summer 2016. The agreement will result in the creation and/or retention of the equivalent of 3.2 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-81

Ordinance No. 2015-133
(Int. No. 158)

Authorizing a professional services agreement with Wendel WD Architecture, Engineering, Surveying & Landscape Architecture PC for the Cathodic Protection of Conduits 2 & 3 in Rush and Mendon 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 between the City and Wendel WD Architecture, Engineering Surveying & Landscape Architecture PC for engineering design services for the Cathodic Protection of Conduits 2 & 3 in Rush and Mendon Project. The maximum amount shall be $300,000. The agreement may extend until 12 months after acceptance of final design documentation. The cost of the agreement shall be funded by bond funds appropriated by Ordinance No. 2005-361.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-134
Re: Agreement- Life Science Laboratories, Inc., Waste Water Testing Services

Transmitted herewith for your approval is legislation establishing $1,500 as maximum compensation for an agreement with Life Science Laboratories, Inc., Wayland, New York, for waste water quality testing services at the Hemlock Water Filtration Plant. The term of this agreement shall be for one year, with the option of extending the agreement for two additional one-year terms. The agreement will be funded from the 2014-15 Budget of the Department of Environmental Services (DES), and any renewals will be funded from subsequent budgets of DES, contingent upon adoption of said budgets.

In order to comply with the City's National Pollutant Discharge Elimination System (NPDES) permit, backwash water must be tested twice monthly before it re-enters Hemlock Lake. Life Science Laboratories, Inc. is approved for the analysis of waste water in conformance with the National Environmental Laboratory Accreditation Conference and the New York State Department of Health Environmental Laboratory Approval Program. City Council previously approved a similar agreement in April 2012 (Ord. No. 2012-151). It is anticipated that this testing requirement will be necessary for the life of the Hemlock Water Filtration Plant.

Life Science Laboratories, Inc. was selected through a request for proposals process, which is described in the attached summary. The firm was chosen primarily because of its lower cost, close proximity to the Hemlock Water Filtration Plant and its past history of providing excellent analytical services to the Water Bureau.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-82

Ordinance No. 2015-134
(Int. No. 159)

Authorizing an agreement for waste water quality testing 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 between the City and Life Science Laboratories, Inc. for waste water quality testing services. The maximum annual amount shall be $1,500. The term of the agreement shall be one year with two optional one year renewals. Said amount shall be funded from the 2014-15 Budget of the Department of Environmental services and any renewal period shall be funded from future Budgets contingent upon adoption thereof.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-135
Re: Code Amendment - Wholesale Water Rate Increase, Town and Village of Lima

Council Priority: Deficit Reduction and Long-Term Financial Stability

Transmitted herewith for your approval is legislation amending Section 23-37 of the Municipal Code by raising the wholesale water rate for Water Districts 1 and 2 in the Town of Lima (including the Village of Lima). The current rate of $1.55 per 1,000 gallons was approved by Council in April 2014 (Ord. No. 2014-87). This amendment will increase that amount by 1.62%, based on the Consumer Price Index (CPI) for the 2014 calendar year. This equals a $0.03 increase for a proposed rate of $1.58 per 1,000 gallons.

Lima consumed approximately 70,287,000 gallons of water in 2014. The new rate will be effective July 1, 2015, and is expected to result in an additional $2,100 in revenue.

Future rate adjustments to the wholesale rate will be based upon changes in the CPI. Rate changes are expected to be proposed on an annual basis for Lima.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-135
(Int. No. 160)

Amending the Municipal Code with respect to wholesale water rates

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

Section 1. Section 23-37 of the Municipal Code, relating to water fees, as amended, is hereby further amended by amending subsection F(9) thereof to read in its entirety as follows:

(9) Wholesale rate: ~~$1.55~~ $1.58 per 1,000 gallons for Water Districts 1 and 2 of the Town of Lima.

Section 2. This ordinance shall take effect on July 1, 2015.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-136
Re: Agreement - Eurofins Eaton Analytical, Inc., Water Quality Testing Services

Transmitted herewith for your approval is legislation establishing $15,000 as maximum compensation for an agreement with Eurofins Eaton Analytical, Inc. (formerly Underwriters Laboratory), South Bend, Indiana, for water quality testing services at the Hemlock Water Filtration Plant. The term of this agreement will be for one year, with the option of extending the agreement for two additional one-year terms. The agreement will be funded from the 2014-15 Budget of the Department of Environmental Services (DES), and any renewals will be funded from subsequent budgets of DES, contingent upon adoption of said budgets.

As part of the New York State Sanitary Code (SSC), Title 10 NYCRR, Part 5, Subpart 5-1, Public Water Systems must perform system-wide water quality monitoring. Much of this monitoring stems from requirements from the U.S. Environmental Protection Agency and consists of testing for chlorine disinfection by-products, lead, copper and other contaminants, as required for the City's Annual Water Quality Report. The requirements are very stringent and compliance is critical to the safety of the drinking water. Although the Water Bureau maintains a New York State accredited laboratory, it is impractical and very expensive to test for all of the requirements in the SSC. As a result, the Water Bureau contracts with an outside testing lab each year. City Council previously approved a similar agreement in April 2014 via Ordinance No. 2014-89. It is anticipated that this testing requirement will be required for the duration of the life of the Hemlock Water Filtration Plant.

Through a request for proposal process in 2014, the City selected Pace Analytical for water quality testing services. Unfortunately, Pace Analytical's performance did not meet the Water Bureau's standards, which are based upon the stringent water quality requirements noted above. For this reason, their contract was not continued and the City chose Eurofins Eaton Analytical, Inc., the second and only other lab which submitted a proposal in 2014, to provide these water testing services. This laboratory was used by the Water Bureau prior to the most recent contract, and has always provided impeccable service.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-136
(Int. No. 161)

Authorizing an agreement for water quality testing 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 between the City and Eurofins Eaton Analytical, Inc. for water quality testing services. The maximum annual amount shall be $15,000. The term of the agreement shall be one year with two optional one year renewals. Said amount shall be funded from the 2014-15 Budget of the Department of Environmental services and any renewal period shall be funded from future Budgets contingent upon adoption thereof.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-137
Re: Agreement - Bergmann Associates, Community-Wide Climate Action Plan

Transmitted herewith for your approval is legislation establishing $109,000 as maximum compensation for an agreement with Bergmann Associates, Rochester, New York, for the development of a community-wide climate action plan (CAP). The cost of the agreement will be financed from $100,000 in New York State Energy Research and Development Authority (NYSERDA) Cleaner, Greener Communities grant funds appropriated in

September 2014 via Ordinance No. 2014-287 and $9,000 from 2014-15 Cash Capital. The agreement will have an initial term of three years with the option to renew for an additional two-year period.

NYSERDA's Cleaner, Greener Communities grant is designed to promote community planning projects that will align with regional sustainability goals and lead to community-wide reductions of greenhouse gas emissions. The community-wide CAP will create an integrated framework for the city to mitigate greenhouse gas emissions, adapt to climate change and spur economic growth. It will use knowledge gained from the City of Rochester's past sustainability efforts, such as the CAP for City facilities and operations, and sustainability models from both the Rochester Energy Plan and Finger Lakes Regional Sustainability Plan. The community-wide CAP includes the following tasks:

1. Complete a community-wide Greenhouse Gas Emissions Inventory Report;

2. Work with community stakeholders to develop a set of goals, strategies and actions that will reduce greenhouse gas emissions and move Rochester toward being a more sustainable city; and

3. Prepare a City of Rochester community-wide CAP that describes current greenhouse gas emissions and forecasts future emissions; identifies a target greenhouse gas reduction goal; and provides specific approaches to meet the target reduction goal.

Bergmann Associates will work in conjunction with the Department of Environmental Services (DES) Division of Environmental Quality and the Department of Neighborhood and Business Development Bureau of Planning and Zoning to develop the CAP. It is anticipated that the final CAP will be adopted as part of the City's comprehensive plan.

DES issued a request for proposals for this project, as described in the attached summary. Bergmann Associates, teaming with the Brendle Group, was selected based on its experience working on planning projects in the local community, expertise in stakeholder engagement, ability to meet the City's schedule, and the quality and cost of the proposal. The Brendle Group has extensive expertise preparing community-wide CAPs for cities.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-83

Ordinance No. 2015-137
(Int. No. 162)

Authorizing an agreement with Bergmann Associates, P.C. to provide assistance in the development of the City's Climate Action Plan

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 between the City and Bergmann Associates, P.C. to provide assistance in the development of the City's Climate Action Plan. The maximum amount shall be $109,000. Said amount shall be funded by $100,000 in funds from the New York State Energy Research and Development Authority appropriated in Ordinance No. 2014-287, and $9,000 from the 2014-15 Cash Capital allocation. The agreement shall have a term of 3 years with an option to renew for an additional 2 years.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-138
Re: Amending Ordinance Nos. 2015-94 and 2015-95- Former Emerson Street Landfill, Technical Corrections

Transmitted herewith for your approval is legislation amending Ordinance Nos. 2015-94 and 2015-95 which were adopted in April 2015, to correct references to previously authorized bond ordinances as the source of funds for the additional environmental cleanup of the Former Emerson Street Landfill (FESL). This legislation will:

1. Amend Ordinance No. 2015-94, Section 1 to correct the reference to the previously authorized bond from Ordinance No. 2012-27 to Ordinance No. 2012-26; and

2. Amend Ordinance No. 2015-95, Section 1 to correct the reference to the previously authorized bond from Ordinance No. 2012-27 to Ordinance No. 2012-26.

Ordinance No. 2015-26 will finance the balance of the agreement with LaBella Associates ($528,200) for additional soil vapor intrusion assessment and mitigation services, and remedial and pre-remedial services at the FESL. LaBella Associates was first selected for this work via Ordinance No. 2010-14. However, this original agreement is referenced incorrectly in the transmittal as Ordinance No. 2010-13. The correction to the transmittal for Ordinance Nos. 2015-94 and 2015-95 is noted herein to clarify the record of agreements and events related to the FESL.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-138
(Int. No. 163)

Amending Ordinance No. 2015-94 and Ordinance No. 2015-95 regarding the environmental investigation and remedial services for the former Emerson Street Landfill

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

Section 1. Section 1 of Ordinance No. 2015-94 is hereby amended to correct the reference therein to a prior bond ordinance as follows:

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with LaBella Associates, DPC for environmental investigation and remedial services for the former Emerson Street Landfill. The maximum amount shall be $1,223,000. The agreement shall extend for a term of 3 years, with options to renew for an additional 2 year term. Said amount shall be funded by $528,200 appropriated by Bond Ordinance No. 2012-~~27~~26 and Bond Ordinance No. 2010-14 for this project and by $694,800 from a bond ordinance to be adopted for this purpose.

Section 2. Section 1 of Ordinance No. 2015-95 is hereby amended to correct the reference therein to a prior bond ordinance as follows:

Section 1. The City of Rochester, in the County of Monroe, New York (herein called the "City"), is hereby authorized to finance the additional cost of the environmental investigation, mitigation and remedial services for the former Emerson Street Landfill in the City (the "Site"). The total estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is $1,223,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of $694,800 bonds of the City, together with the application of $528,200 bonds previously appropriated in Ordinance No. 2012-~~27~~26 and Bond Ordinance No. 2010-14 and the levy and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-139
Re: Agreement - New York State Department of State, Fiscal Year 2015 Local Waterfront Revitalization Program Grant

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation authorizing an agreement with the New York State Department of State (NYSDOS) for the receipt and use of $200,000 from the Fiscal Year 2015 Local Waterfront Revitalization Program (LWRP) grant. These funds will partially reimburse the cost of the Train Bridge Overlook Project.

The Train Bridge Overlook Project will reuse the abutment of the former CSX Railroad swing bridge for pedestrian waterfront access to the Genesee River. As part of the City's LWRP, the NYSDOS will reimburse the City for 50% of the cost of the design and construction of the project. These funds are provided under NYS Title 11 of the Environmental Protection Fund for municipal LWRPs. The local match will be funded from 2015-16 Cash Capital, contingent upon adoption of said budget.

It is anticipated that the Train Bridge Overlook Project will be completed in sufficient time for the City to submit all reporting requirements and vouchers for reimbursement by the grant deadline of March 31, 2018. The grant funds will result in the creation and/or retention of the equivalent of 2.2 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-139
(Int. No. 164)

Authorizing an agreement and appropriating funds for the Train Bridge Overlook Project

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

Section 1. The Mayor is hereby authorized to enter into an agreement with New York State Department of State for the receipt and use of $200,000 in anticipated reimbursements from the Local Waterfront Revitalization Program for the Train Bridge Overlook Project, and said amount is hereby appropriated for said purpose.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-140
Re: Intermunicipal Agreement - Monroe County, Durand Eastman Beach Water Testing

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

Transmitted herewith for your approval is legisla-

tion establishing $10,000 as maximum compensation for an intermunicipal agreement with Monroe County for water testing services at Durand Eastman Beach. The cost of this agreement will be funded from the 2014-15 and 2015-16 Budgets of the Department of Recreation and Youth Services (DRYS), contingent upon approval of the latter budget. The term of this agreement will be for one year, with the option of three one-year renewals. The optional renewals would be funded from subsequent budgets of DRYS, contingent upon their approval.

Under the agreement, the County Health Department will collect water samples daily at locations determined by the Health Department along the beach. This data, and historical data, will be used for making decisions on whether to open or close the beach for water quality reasons, in the same manner as decisions are made for Ontario Beach. In addition, the County will continue to make available to the public a telephone hot-line which includes both Ontario and Durand Eastman Beach information.

The most recent Council approval for these services was in June 16, 2009 via Ordinance No. 2009-202.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-140
(Int. No. 165)

Authorizing an intermunicipal agreement with the County of Monroe for water testing services at Durand Eastman Beach

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the County of Monroe for water testing services at Durand Eastman Beach in the maximum amount of $10,000. The agreement shall have a term of 1 year with three optional 1 year renewals. The cost of the agreement shall be funded from the 2014-15 and 2015-16 Budget of the Department of Recreation and Youth Services and any renewal shall be funded from the future Budgets of said Department contingent upon adoption thereof.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-141
Re: 2015 Milling and Resurfacing,
Residential Street Improvements

Transmitted herewith for your approval is legislation authorizing the issuance of bonds totaling $2,237,000 and appropriating the proceeds thereof to partially finance the Milling and Resurfacing 2015, Residential Street Improvements project.

This project consists of: milling and resurfacing various city streets; performing spot sidewalk replacement and ramp improvements; repairing curbs; improving catch basins; adjusting water valves; and installing pavement markings and traffic calming features.

The milling and resurfacing program improves the street system and extends the useful life of the city's streets. It is an effective program that reduces long-term street maintenance costs. The list of streets to be partially funded from the bond appropriated herein is attached.

The construction contract includes several traffic calming features which comply with the City's Complete Streets Policy. In the ABC Streets Neighborhood, speed humps, speed cushions (as part of a bike boulevard on Harvard Street) and a new pedestrian refuge island at Harvard and Calumet Streets will be added. In the Park Central Neighborhood, speed cushions and symbols at Canterbury and Harvard Streets will be installed. The Cobbs Hill Neighborhood will get bicycle symbols on the pavement, and Stanton and Sawyer Streets will get speed humps.

Bids for construction were received on April 14, 2015. The apparent low bid of $1,869,000 was submitted by Sealand Contractors Corp., which is 11% less than the engineer's estimate. An additional $186,900 will be allocated for contingencies.

The funding sources for the project are as follows:

Funding	Construction	Contingency	Total
Street Bond authorized herein	$1,515,704	$721,296	$2,237,000
2012-13 Cash Capital Water Fund	14,552	0	14,552
2013-14 Cash Capital Water Fund	24,445	3,900	28,345
2014-15 Monroe County Pure Waters	202,258	20,226	222,484
2013-14 Cash Capital	67,634	274	67,908
2014-15 Cash Capital	44,407	11,204	55,611
Total	$1,869,000	$756,900	$2,625,900

A public meeting will be held prior to construction to review the proposed locations of the speed humps, speed cushions and bicycle symbols.

Construction is anticipated to begin in summer 2015, with anticipated completion in spring 2016. This project will result in the creation and/or retention of the equivalent of twenty full-time jobs.

Respectfully submitted,

Lovely A. Warren
Mayor

Attachment No. AO-84

Ordinance No. 2015-141
(Int. No. 177, as amended)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of ~~$2,377,000~~ $2,237,000 Bonds of said City to finance the reconstruction of certain streets related to the 2015 Milling and Resurfacing Program

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 reconstruction of certain streets related to the 2015 Milling and Resurfacing Program in the City, including those streets as may be identified for inclusion in the Program by the City Engineer (the "Project") and on file in the office of the City Engineer. The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is $2,625,900, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of ~~$2,377,000~~ $2,237,000 bonds of the City to finance said appropriation; $14,552 from 2012-13 Water Fund Cash Capital; $28,345 from 2013-14 Water Fund Cash Capital; $222,484 from ~~Monroe County Pure Waters~~ Rochester Pure Waters District reimbursements; $67,908 from 2013-14 Cash Capital; $55,611 from 2014-15 Cash Capital, and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of ~~$2,377,000~~ $2,237,000 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 ~~$2,377,000~~ $2,237,000. 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. 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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-142
Re: Budget Amendment - Midtown HVAC and Sahlen Stadium Scoreboard

Council Priority: Jobs and Economic Development; Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation amending the 2014-15 Budget by transferring $1,150,000 from Contingency to Cash Capital to fund:

1. $800,000 for design and construction of a new HVAC system in the Midtown Parking Garage, and

2. $350,000 for replacement of the main video display board at Sahlen Stadium.

The underground Midtown Parking Garage is in need of a new HVAC system that meets current code requirements for underground parking ventilation. The new system also is essential for providing heat to protect the structural integrity of the building envelope, aged concrete, and electrical, plumbing, fire protection and elevator piping and components. These funds will provide for the design and construction of the system, construction oversight and commissioning. This project needs to be designed quickly for installation prior to the next heating season to meet code and prevent damage to the garage.

The Sahlen Stadium scoreboard is the facility's main video display board and requires complete replacement at a cost of approximately $350,000.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-142
(Int. No. 181)

Amending the 2014-15 Budget to transfer funds from Contingency to Cash Capital

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

Section 1. Ordinance No. 2014-160, the 2014-15 Budget of the City of Rochester, as amended, is hereby further amended by transferring the sum of $1,150,000 from the Contingency allocation to Cash Capital to fund capital projects for design and construction of a new HVAC system in the Midtown Parking Garage ($800,000), and for replacement of the main video display board at Sahlen Stadium ($350,000).

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Local Improvement Ordinance No. 1705
Re: Downtown Enhancement District 2015-16 Budget

Transmitted herewith for your approval is legislation approving the 2015-16 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, and reauthorized regularly since then, provides an enhanced level of care and maintenance in the downtown area. 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 2015-16 based upon the 26 year cumulative increase in the CPI (94.3%) is $777,200. The recommended assessment is $604,100, an increase of $8,300 (1.4%). The advisory board agreed to keep the use of fund balance at $120,000 to partially offset employee benefits.

Category of Expense	2014-15	2015-16	Variance
Personnel Total	$641,900	$639,500	$-2,400
Salary and wages	*426,200*	*425,100*	*-1,100*
Employee Benefits	*215,700*	*214,400*	*-1,300*
Operational Expenses	128,900	139,600	10,700
Materials and supplies	*63,600*	*61,300*	*-2,300*
Contractual Services	*65,300*	*78,300*	*13,000*
Contingency (wage increase)	0	0	0
Less: Operating Revenues	-55,000	-55,000	0
Net Expense	715,800	724,100	8,300
Less: Use of Fund Balance	-120,000	-120,000	0
Required Assessment	$595,800	$604,100	$8,300

The proposed budget was approved by the Downtown Enhancement District Advisory Board on January 15, 2015 by a vote of 6-0.

A public hearing on the District assessment is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-85

Local Improvement Ordinance No. 1705
(Int. No. 166)

Local Improvement Ordinance establishing the cost of the special work and services 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 2015-16 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 and 1686, is established at $604,100, 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, and the sum of $120,000 from the fund balance and $55,000 from operating revenues, or so much thereof as may be necessary, are hereby appropriated to fund the Downtown Enhancement District for the fiscal year.

Section 2. This ordinance shall take effect on July 1, 2015.

Passed unanimously.

By Councilmember McFadden
May 19, 2015

To the Council:

The Public Safety, Youth & Recreation Committee recommends for adoption the following entitled legislation:

Int. No. 167 - Authorizing an agreement with LeadsOnline LLC for a retail transactions reporting system

Int. No. 169 - Authorizing agreements for a Summer Literacy Program in R-Centers

Int. No. 170 - Authorizing an agreement with the Monroe County Department of Public Health for the Tobacco Compliance Grant Program

Int. No. 176 - Authorizing an agreement with Hillside Family of Agencies for a Youth Job Readiness Training program as amended

The following entitled legislation is being held in Committee:

Int. No. 168 - Authorizing amendatory agreements and appropriating funds for the Summer of Opportunity Youth Program

Respectfully submitted,
Adam C. McFadden
Matt Haag

Elaine M. Spaull
Dana K. Miller
Loretta C. Scott
PUBLIC SAFETY, YOUTH & RECREATION COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-143
Re: Agreement - LeadsOnline, Retail Transactions Reporting System

Council Priority: Public Safety

Transmitted herewith for your approval is legislation establishing $34,000 annually as maximum compensation for an agreement with LeadsOnline, Plano, Texas, for continued online reporting of transactions conducted at pawnbrokers, secondhand dealers, and scrap yards. The term of this agreement is three years, and will be funded from the 2014-15 and subsequent Budgets of the Police Department, contingent upon their approval.

In March 2012, City Council amended the Municipal Code via Ordinance Nos. 2012-120, 2012-121 and 2012-122, requiring the daily upload of all reportable transactions at pawnbrokers, secondhand dealers and scrap yards to an electronic reporting service provided by the Rochester Police Department (RPD). To ensure compliance, and at the direction of RPD, these establishments are currently using LeadsOnline to report their transactions. This agreement will continue to provide an online database, as required by the Code, and assist RPD in quickly identifying suspicious transactions to improve the likelihood of recovering stolen property.

LeadsOnline serves a dual purpose for RPD by ensuring compliance with City regulations and providing case support for on-going investigations. LeadsOnline provides a suite of query, analytical, and reporting tools with which to analyze transaction data and compliance metrics. Information from LeadsOnline is also accessed by crime analysts and investigators to research transaction logs for stolen property for both local and national transactions, often directly contributing to solvability factors in active investigations.

The term of this agreement will be June 15, 2015 to June 14, 2018.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-86

Ordinance No. 2015-143
(Int. No. 167)

Authorizing an agreement with LeadsOnline LLC for a retail transactions reporting system

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

Section 1. The sum of $34,000, or so much thereof as may be necessary, is hereby established as the annual compensation to be paid for a professional services agreement between the City and LeadsOnline LLC for online reporting of transactions conducted by Pawnbrokers, Secondhand Dealers, Junkyard Operators, Junk Dealers and Scrap Processors. Said amount shall be funded from the 2014-15, 2015-16, 2016-17 and 2017-18 Budgets of the Rochester Police Department contingent upon adoption thereof. The term of the agreement shall be from June 15, 2015 through June 14, 2018.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-144
Re: Agreements - Summer Literacy Program in R-Centers

Council Priority: Support the Creation of Effective Educational Systems

Transmitted herewith for your approval is legislation related to a Summer Literacy Program in R-Centers:

1. Authorize an agreement with the Rochester City School District (RCSD) for the receipt and use of $63,200; and

2. Establish $37,200 as maximum compensation for an agreement with Encompass Resources for Learning, Inc., Henrietta, New York. The term of the agreement will be June 29 through September 30, 2015. Half of the cost of this agreement ($18,600) will be funded from the amount to be received herein from RCSD, and the other half ($18,600) will be funded from the 2015-16 Budget of the Department of Recreation and Youth Services (DRYS), contingent upon approval by Council.

The Summer Literacy Program will be modeled after the successful collaboration that RCSD and the Rochester Public Library (RPL) have had in the provision of enhanced summer programming aimed at maintaining and improving children's reading skills. This summer, the RPL plans to operate Learning Labs at five libraries and employ 30 youth as Literacy Aides.

DRYS will replicate this program by establishing summer Learning Labs at four R-Centers (Adams, Flint, Gantt and South) and one summer camp (Lake Riley Lodge). RCSD leadership has identi-

fied up to thirty high school students who will be employed as Literacy Aides at the Learning Labs, and serve as tutors, instructors and youth role models for students in grades K-6. The Literacy Aides will work twenty hours per week for seven weeks, at a total cost of $44,600, including wages, benefits, and program materials.

In addition, Encompass Resources for Learning will implement curriculum-based services for youth in grades K-6 while working closely with the Literacy Aides. Encompass has successfully provided these services to the RPL for the past two summers, and was selected through a request for proposals conducted by the RPL in 2013.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-144
(Int. No. 169)

Authorizing agreements for a Summer Literacy Program in R-Centers

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 Rochester City School District for receipt and use of $63,200 in anticipated reimbursements to fund a Summer Literacy Program in R-Centers. The agreement shall be for a term of one year.

Section 2. The Mayor is hereby authorized to enter into an agreement with Encompass Resources for Learning Inc. for services related to a Summer Literacy Program in R-Centers. The maximum amount shall be $37,200. Said amount shall be funded as follows: $18,600 from the anticipated reimbursements from the Rochester City School District authorized in Section 1 hereof; and $18,600 from the 2015-16 Budget of the Department of Recreation and Youth Services, contingent upon adoption. The agreement shall be for a term June 29, 2015 through September 30, 2015.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-145
Re: Agreement - Monroe County, Tobacco Compliance Grant

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing an agreement with the Monroe County Department of Public Health for the receipt and use of up to $40,000 for a Tobacco Compliance grant. No matching funds are required.

The Department of Public Health will reimburse costs of up to $40,000 in overtime and fringe benefits ($29,481 of overtime; $10,519, fringe) for compliance checks conducted April 1, 2015 through March 31, 2016. This agreement will continue the enforcement program begun in April 1998, under which the Police Department conducts inspections of licensed tobacco outlets in the City. These inspections track compliance with the age restrictions on tobacco sales by using underage "agents" who attempt to buy tobacco products. Police Officers accompanying the purchasers will record and report any illegal underage sales, and will inspect the sellers' premises for compliance with restrictions on product placement, as well as possession of proper documents and certificates.

This enforcement program was most recently approved in November 2014 (Ord. No. 2014-354). During 2014-15, 471 compliance checks were completed.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-145
(Int. No. 170)

Authorizing an agreement with the Monroe County Department of Public Health for the Tobacco Compliance Grant 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 Monroe County Department of Public Health for receipt and use of $40,000 of funding for the Tobacco Compliance Grant Program.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-146
Re: Agreement - Hillside Family of Agencies, Youth Job Readiness Training

Council Priority: Support the Creation of Effective Educational Systems

Transmitted herewith for your approval is legislation establishing $25,000 as maximum compensation for an agreement with the Hillside Family of

Agencies' Hillside Work-Scholarship Connection for a Youth Job Readiness Training program. The term of this agreement will be for one year and the cost will be funded from the Job Creation/Youth Development allocation of the 2014-15 Community Development Block Grant (CDBG).

Under the program, Hillside will provide up to fifty high school seniors with 26 hours of job readiness training which will include: resume writing; mock interviews; computer-based job searches and applications; communication skills; dealing with problems, opportunities and decisions; and working with others.

Hillside was selected for this service through a request for proposal process which is described in the attached summary.

As necessary with CDBG funding, the City will enter into agreements only with organizations that are in compliance with federal regulations. If funds are different, not available, or are less than anticipated, the agreement amounts and terms will be adjusted accordingly.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-87

Ordinance No. 2015-146
(Int. No. 176, as amended)

Authorizing an agreement with Hillside Family of Agencies for a Youth Job Readiness Training 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 Hillside Family of Agencies for a Youth Job Readiness Training program. The maximum amount shall be $25,000. The cost of this agreement shall be funded from the Job Creation/Youth Development allocation of the 2014-15 Community Development Block Grant (CDBG). The agreement shall have a term of ~~one year~~ not more than nine months.

Section 2. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate. The City will enter into agreements for this program only with organizations that are in compliance with federal regulations. If funds are different, not available, or are less than anticipated, the agreement amounts and terms will be adjusted accordingly.

Section 3. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Introductory No. 168
Re: Amendatory Agreements - Summer of Opportunity Program

Council Priority: Jobs and Economic Development

Transmitted herewith for your approval is legislation related to the implementation of the 2015 Summer of Opportunity Program (SOOP). This legislation will:

1. Appropriate $174,000 from the Job Creation/Youth Development allocation of the 2015-16 Community Development Block Grant (CDBG), contingent upon approval of the Consolidated Community Development Plan by Council;

2. Authorize an amendatory agreement with the New York State Department of Labor (NYS DOL) for the receipt and use of an additional $50,000 of summer jobs program grant funding (for a total of $300,000) received through the efforts of Senator Joseph Robach;

3. Authorize amendatory agreements with Baden Street Settlement of Rochester, Inc. to be funded from the NYS DOL funds described above:

Program	Original Amount	Added	Revised Total
Arts and Youth	$15,654	$1,600	$17,254
Multimedia	$21,205	$1,800	$23,005

SOOP Program Overview
The City's SOOP collaborates with the separately-funded RochesterWorks' Summer Youth Employment Program (SYEP) to conduct joint recruitment and application intake for all applicants ages fourteen to twenty years old seeking summer employment. There are two parts of the program: work experience through external contracts with agencies who take on groups of youth (Tier 1), and direct City-provided jobs (Tier 2). There will be a total of 451 jobs.

In March, Council authorized the acceptance of $250,000 in NYS DOL grant funding, and approved thirteen external agency contracts (Tier 1), serving 221 youth, at a total cost of $276,091 (Ord. No. 2015-79). Under the two amendatory agreements herein (necessitated due to a calculation error during the request for proposals review), the external agency total is now $279,491.

Updated Funding Summary	
2015-16 Job Creation/Youth Development CDBG	$174,000
NYS DOL Grant	300,000
2015-16 DRYS Budget (contingent upon Council approval)	51,491
Total Funding	$525,491

Updated Program Summary	
External Agency Contracts (Tier 1)	$279,491
Internal Jobs (Tier 2)	246,000
Total Program Expenses	$525,491

Internally Administered Jobs (Tier 2)
Under Tier 2, SOOP jobs are provided by the City and private sector businesses, for a total of 230 positions. These jobs are based on the City pay schedule, and payroll is administered directly by the City. Dream BIG^2 (Believe In Guys & Girls) is a program that will focus on life skills enrichment, leadership development, and college awareness for youth in the 9th, 10th and 11th grades. It will serve forty students for fifteen weeks in the fall, and forty students for fifteen weeks in the spring. A $225 stipend will be given at the end of each fifteen-week cycle for the students that finish with a 90% attendance rate. SOOP private sector jobs will be contracted out to businesses and employers interested in hiring youth for the summer and year-round. These youth will be paid $9.00 per hour, twenty hours per week, for six weeks.

Program		No. of Youth	Funding
DRYS:	Recreation Youth Worker	50	
	Junior Recreation Leader	15	
	Biz Kid$	10	
		75	$126,750
Teens on Patrol (TOPS)		10	18,900
SOOP City Hall		15	28,350
Dream BIG^2		80	18,000
	City subtotal	180	192,000
SOOP Private Sector		50	54,000
	Tier 2 Jobs Total	230	$246,000

Respectfully submitted,
Lovely A. Warren
Mayor

Introductory No. 168

AUTHORIZING AMENDATORY AGREEMENTS AND APPROPRIATING FUNDS FOR THE SUMMER OF OPPORTUNITY YOUTH PROGRAM

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

Section 1. The Mayor is hereby authorized to enter into amendatory agreements to implement the Summer of Opportunity Youth Program with the organization listed below for the maximum amounts stated below. The cost of said agreements shall be funded by $3,400 from the funds appropriated in Section 2 of this Ordinance.

Baden Street Settlement of Rochester, Inc./Arts and Youth: Original amount $15,654; added amount $1,600, new total $17,254.

Baden Street Settlement of Rochester, Inc./Multimedia: Original amount $21,205; added amount $1,800, new total $23,005.

Section 2. The Mayor is hereby authorized to enter into an amendatory agreement with the New York State Department of Labor for the receipt and use of an additional $50,000 grant for a summer jobs program, and such funds are hereby appropriated for the Summer of Opportunity Youth Program.

Section 3. The sum of $174,000 is hereby appropriated for the Summer of Opportunity Program from the Job Creation/Youth Development allocation of the 2015-16 Community Development Block Grant contingent upon approval thereof.

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

Section 5. The agreements shall be for a term of one year with an option to extend for an additional one year if funds remain in the original appropriation.

Section 6. This ordinance shall take effect immediately.

Held in Committee.

By Councilmember Spaull
May 19, 2015

To the Council:

The Arts & Culture Committee recommends for adoption the following entitled legislation:

Int. No. 171 - Authorizing an agreement with the Rochester Philharmonic Orchestra for public concerts

Int. No. 172 - Establishing maximum compensation for a professional services agreement for the Party in the Park ticket sales and box office management

Int. No. 173 - Authorizing an agreement for fireworks displays

Int. No. 174 - Authorizing an agreement for the Maplewood Rose Celebration

Respectfully submitted,
Elaine M. Spaull
Adam C. McFadden
Jacklyn Ortiz
Dana K. Miller
Loretta C. Scott
ARTS & CULTURE COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-147
Re: Agreement - Rochester Philharmonic Orchestra, Music Performances

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing $70,000 as maximum compensation for an agreement with the Rochester Philharmonic Orchestra (RPO), Rochester, New York, for music performances. The cost of the agreement will be funded from the 2014-15 ($60,000) and 2015-16 ($10,000) budgets of the Bureau of Communications, contingent upon approval of the latter budget.

The RPO will provide one full orchestra concert on Main Street for a free performance during the City's 2015 July 4 celebration. In addition, the RPO will present two free "Around the Town" concerts at City R-Centers during the 2015 summer months. Similar concerts were held at R-Centers in 2014 under a separate funding grant secured by the RPO through the ROCmusic program. As ROCmusic is an after-school music education program, this collaboration at R-Centers is a natural fit and should once again be well-received and well-attended. In addition, four ensemble concerts will be scheduled in neighborhood spaces throughout the city.

Similar agreements with the RPO have been authorized annually since 1987. This year's agreement includes the addition of four neighborhood concerts at an additional cost of $10,000.

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

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-88

Ordinance No. 2015-147
(Int. No. 171)

Authorizing an agreement with the Rochester Philharmonic Orchestra for public concerts

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

Section 1. The sum of $70,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an agreement between the City and the Rochester Philharmonic Orchestra for public concerts. Said amount shall be funded by $60,000 from the 2014-15 Budget and $10,000 from the 2015-16 Budget of the Bureau of Communications, contingent upon adoption thereof. The agreement shall have a term of one year.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-148
Re: Agreement - SMG/Blue Cross Arena at the War Memorial, Party in the Park Box Office and Ticket Sales Management Services

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing $17,800 as maximum compensation for an agreement with SMG/Blue Cross Arena at the War Memorial (Jeff Calkins, Manager) for box office management services and on-site ticket sales during Windstream Party in the Park and ROC the Park events. The cost of this agreement will be funded from the 2014-15 ($12,800) and 2015-16 ($5,000) budgets of the Bureau of Communications, contingent upon approval of the latter budget.

SMG will provide on-site ticket sales and dedicated, licensed security personnel for such sales at two to three locations during nine Windstream Party in

the Park events and three ROC the Park events. This will include printing tickets, handling cash, managing the box office, and reporting through Ticketmaster, in addition to ticket sales at the Blue Cross Arena at the War Memorial box office.

A similar agreement with SMG was authorized in May 2014 (Ord. No. 2014-153) at a cost of $14,463. The difference of $3,337 is largely attributable to the potential addition of a second ticket sales location and additional personnel at the ROC the Park concerts.

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

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-89

Ordinance No. 2015-148
(Int. No. 172)

Establishing maximum compensation for a professional services agreement for the Party in the Park ticket sales and box office management

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

Section 1. The sum of $17,800, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and SMG/Blue Cross Arena at the War Memorial for Party in the Park ticket sales and box office management. Of said amount, $12,800 shall be funded from the 2014-15 Budget of the Bureau of Communications; $5,000 shall be funded from the 2015-16 Budget of the Bureau of Communications, contingent upon adoption of said budget. The agreement shall have a term of one year.

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.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2015-149
Re: Agreement - Young Explosives Corporation, Fireworks Displays

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing $47,000 as maximum compensation for an agreement with Young Explosives Corporation, Brighton, New York, to provide fireworks displays. The term of the agreement is one year, and the cost will be funded from the 2015-16 Budget of the Bureau of Communications, contingent upon adoption of said budget.

The firm will provide large aerial fireworks displays on July 4, 2015 and December 31, 2015 and a ground fireworks display on December 5, 2015. The July 4 display will last for about twenty minutes. The December 31 display will be part of the New Year's Eve Celebration in downtown Rochester and will last for about eighteen minutes. Both displays will be launched over the Genesee River. The December 5 ground fireworks display will highlight the season opening of the Martin Luther King, Jr. Park Ice Rink.

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

The most recent agreement for similar services was authorized in May 2014 (Ord. No. 2014-106). That agreement included $3,500 for the Department of Recreation and Youth Services to provide fireworks for the Maplewood Rose Celebration. This year, the Maplewood Neighborhood Association will assume that cost.

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

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-90

Ordinance No. 2015-149
(Int. No. 173)

Authorizing an agreement for fireworks displays

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

Section 1. The sum of $47,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Young Explosives for fireworks displays. Said amount shall be funded by $47,000 from the 2015-16 Budget of the Bureau of Communications, contingent upon adoption of said budget. The term of the agreement shall be one year.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-150
Re: Agreement - Maplewood Neighborhood Association, Maplewood Rose Celebration

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing $7,500 as maximum compensation for an agreement with the Maplewood Neighborhood Association (MNA) for the provision of services for the Maplewood Rose Celebration. The agreement will have a term of one year and will be funded from the 2014-15 Budget of the Department of Recreation and Youth Services.

The Maplewood Rose Celebration will be held on June 12, 13 and 14, 2015. The MNA will provide booking services, logistical coordination for musical performances throughout the event, and a fireworks display by Young Explosives Corporation, the only fireworks company in the area, on Friday night. MNA was selected for these services based on their familiarity with the event and successful outcomes in previous years. A justification for not issuing a request for proposals is attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-91

Ordinance No. 2015-150
(Int. No. 174)

Authorizing an agreement for the Maplewood Rose Celebration

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

Section 1. The sum of $7,500, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and the Maplewood Neighborhood Association for booking services and logistical coordination for the Maplewood Rose Celebration. Said amount shall be funded from the 2014-15 Budget of the Department of Recreation and Youth Services. The term of the agreement shall be one year.

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.

Passed unanimously.

The meeting was adjourned at 8:10 p.m.

HAZEL L. WASHINGTON
City Clerk

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SPECIAL MEETING
JUNE 9, 2015
3:00 P.M.

Present - President Scott, Councilmember Conklin, Haag, Miller, McFadden, Ortiz, Palumbo, Patterson, Spaull - 9.

Absent - None - 0.

The Council President requested the Council to rise for a Moment of Silence.

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

INTRODUCTION OF AND ACTION UPON LOCAL LAWS, ORDINANCES AND RESOLUTIONS

Councilmember Conklin moved to discharge Int. No. 145 from Committee.

The motion was seconded by Councilmember McFadden.

Adopted by the following vote:

Ayes - President Scott, Councilmembers Conklin, Haag, McFadden, Miller, Ortiz, Patterson, Spaull - 8.

Nays - 0.

Councilmember Palumbo abstained because of a professional relationship.

Introductory No 145 was introduced May 19, 2015 and appears in its original form with its transmittal letter on page 146 of the current Council Proceedings.

Attachment No. AO-92

Ordinance No. 2015-151
(Int. No. 145)

Authorizing an agreement and appropriating funds from the 2015-16 Consolidated Community Development Plan for landlord/tenant services

Passed by the following vote:

Ayes - President Scott, Councilmembers Conklin, Haag, McFadden, Miller, Ortiz, Patterson, Spaull - 8.

Nays - 0.

Councilmember Palumbo abstained because of a professional relationship.

Councilmember Palumbo moved to discharge Int.

No. 146 from Committee.

The motion was seconded by Councilmember Patterson.

Adopted unanimously.

Introductory No 146 was introduced May 19, 2015 and appears in its original form with its transmittal letter on page 146 of the current Council Proceedings.

Attachment No. AO-93

Ordinance No. 2015-152
(Int. No. 146)

Authorizing an agreement and appropriating funds for the Foreclosure Prevention Program

Passed unanimously.

Councilmember Palumbo moved to discharge Int. No. 147 from Committee.

The motion was seconded by Councilmember Conklin.

Adopted unanimously.

Introductory No 147 was introduced May 19, 2015 and appears in its original form with its transmittal letter on page 147 of the current Council Proceedings.

Attachment No. AO-94

Ordinance No. 2015-153
(Int. No. 147)

Approving the Consolidated Community Development Plan 2015-16 Annual Action Plan and the 2015-16 through 2019-20 Consolidated Community Development Plan

Passed unanimously.

Councilmember Palumbo moved to discharge Int. No. 148 from Committee.

The motion was seconded by Councilmember Spaull.

Adopted unanimously.

Introductory No 148 was introduced May 19, 2015 and appears in its original form with its transmittal letter on page 147 of the current Council Proceedings.

Attachment No. AO-94

Ordinance No. 2015-154
(Int. No. 148)

Authorizing the submission of the Consolidated Community Development Plan 2015-16 Annual Action Plan and the 2015-16 through 2019-20 Consolidated Community Development Plan and execution of grant agreements with the United State Department of Housing and Urban Development

Passed unanimously.

Councilmember Haag moved to discharge Int. No. 149 from Committee.

The motion was seconded by Councilmember Spaull.

Adopted unanimously.

Introductory No 149 was introduced May 19, 2015 and appears in its original form with its transmittal letter on page 147 of the current Council Proceedings.

Attachment No. AO-94

Ordinance No. 2015-155
(Int. No. 149)

Appropriation of funds for the City Development Fund

Passed unanimously.

Councilmember Palumbo moved to discharge Int. No. 150 from Committee.

The motion was seconded by Councilmember Patterson.

Adopted unanimously.

Introductory No 150 was introduced May 19, 2015 and appears in its original form with its transmittal letter on page 147 of the current Council Proceedings.

Attachment No. AO-94

Ordinance No. 2015-156
(Int. No. 150)

Authorizing Amended Consolidated Community Development Program Annual Action Plans

Passed unanimously.

Councilmember Spaull moved to discharge Int. No. 168 from Committee.

The motion was seconded by Councilmember Patterson.

Adopted unanimously.

Introductory No 168 was introduced May 19, 2015 and appears in its original form with its transmittal letter on page 168 of the current Council Proceedings.

Ordinance No. 2015-157
(Int. No. 168)

Authorizing amendatory agreements and appropriating funds for the Summer of Opportunity Youth Program

Passed unanimously.

The meeting was adjourned at 3:25 P.M.

HAZEL L. WASHINGTON
City Clerk

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PUBLIC HEARING MEETING
CITY/CITY SCHOOL DISTRICT BUDGETS
JUNE 10, 2015
5:30 P.M.

Present - President Scott, Councilmember Conklin, Haag, Miller, McFadden, Ortiz, Palumbo, Patterson, Spaull - 9.

Absent - None - 0.

The Council President requested the Council to rise for A Moment of Silence.

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

PUBLIC HEARINGS

Pursuant to law, public hearings will now be had on the following matter.

Adoption of Budget estimates for municipal purposes for the 2015-16 fiscal year, appropriation of sums set forth therein, and approving commercial refuse fees Int. No. 238 10 Speakers: Barbara Lacker-Ware, Jeremy Coleman, Mike Bleeg, David Markakis, Kaelyn Rich, Dr. Jeff Kaczorowski, Brigit Hurley, Adrian Elim, Anita Jones, Howard Eagle.

Confirming the assessments, amounts and charges to be inserted in the Annual Tax Rolls for the Fiscal Year commencing July 1, 2015 and expiring June 30, 2016 Int. No. 243 No speakers.

Local Improvement Ordinance - Street cleaning, street and sidewalk snow removal, and hazardous sidewalk repair commencing July 1, 2015 and expiring June 30, 2016 Int. No. 242 No speakers.

Adoption of the Budget estimates for School purposes for the Fiscal Year commencing July 1, 2015 and expiring June 30, 2016, and appropriation of sums set forth therein Int. No. 239 3 Speakers: Adrian Elim, Anita Jones, Luis Aponte.

The meeting was adjourned at 6:18 p.m.

Hazel L. Washington
City Clerk

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REGULAR MEETING
JUNE 16, 2015

Present - President Scott, Councilmembers Conklin, Haag, McFadden, Miller, Ortiz, Palumbo, Patterson, Spaull - 9

Absent - 0.

The Council President requested the Council to rise for a Moment of Silence.

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

Recognition Ceremony
Retirement:
Environmental Services
Giovanni D'Alessandro
*Philip A. Foss
Finance Department
*Marie P. Burgos
Emergency Communications
*Richard W. Kirby
City Clerk's Office
*Betsy P. Indivino
Fire Department
*Joseph G. Childs
*Stephen J. Laboski
*Daniel M. Mancuso
*Therese Mancuso
*John D. McDermott
*Thomas P. Mulhern, Jr.
Police Department
Lorraine Strem
*Anne Marie Garland
*Elaine F. Hosmer
*H. Wilson Johnson
*Mark J. Lembke
*Jeffrey N. Nobles
**Did not attend meeting.*

APPROVAL OF THE MINUTES
By Councilmember McFadden

RESOLVED, that the minutes of the Regular Meeting of May 19, 2015 and the Special Meeting of June 9, 2015 be approved as published in the official sheets of the Proceedings.

Adopted unanimously.

COMMUNICATIONS FROM THE MAYOR, COUNCIL PRESIDENT, CORPORATE OFFICERS AND OTHERS.

The following communications are hereby directed to be received and filed:

The Mayor submits the following:
Administrative Cancellation or Refund of Erroneous Taxes and Charges 4186-15
Public Disclosure - CDBG Business Association Support Program Participation 4187-15
Public Disclosure - CDBG Participation 4188-15

The Council submits Disclosure of Interest

Forms from Councilmember Haag on Int. Nos. 191, 199, 235, and 239, Councilmember Spaull on Int. Nos. 197, 200, and 214, Councilmember Conklin on Int. No. 212, and Council Vice President Miller on Int. No. 197.

PRESENTATION AND REFERENCE OF PETITIONS AND OTHER COMMUNICATIONS.

Councilmember Conklin submits a petitions with 32 signatures opposing the proposed parking rates for the East End Garage. Petition No. 1711

Councilmember Palumbo submits a petition with 66 signatures requesting that the Milling and Resurfacing Project in Charlotte be expedited. Petition No. 1712

Councilmember Patterson submits a petition with 97 signatures requesting that Eugenio Maria de Hostos Charter School occupy the property at 27 Zimbrich Street. Petition No. 1713

PUBLIC HEARINGS.

Pursuant to law, public hearing will now be had on the following matter:

The acquisition of parcels for the Dewey Avenue and Driving Park Avenue Intersection Realignment Project by negotiation or condemnation pursuant to New York State Eminent Domain Procedure Law 4 Speakers: James McIntosh, Laurie Casbaugh, Michael Flaum, Bill Collins.

Authorizing agreements and appropriating funds for the Buyer Assistance Program Int. No. 202 No speakers.

Authorizing agreements and appropriating funds for the Homebuyer Training Program Int. No. 203 No speakers

Changing the zoning classification of 4 Edgewood Park from R-2 Medium Density Residential District to C-2 Community Center District Int. No. 204 4 Speakers: Andy Hart, Barbara Hoffman, Staci Colaprete, Dawn Noto.

Changing the zoning classification of 818 Hudson Avenue and 28, 32, 36, 42, and 46 Herald Street from R-1 low Density Residential District to M-1 Industrial District and changing the zoning classification of 854 Hudson Avenue from C-1 Neighborhood Center District to M-1 Industrial District Int. No. 205 1 Speaker: Tom Iles.

Approving pavement width changes to East Broad Street, South Clinton Avenue and Mortimer Street Int. No. 220 No speakers.

Changing the traffic flow on East Broad Street from one-way westbound to two-way traffic Int. No. 221 No speakers.

Changing the traffic flow on South Clinton Avenue from one-way northbound to two-way traffic Int. No. 222 No speakers.

Approving pavement width changes on Lake Avenue Int. No. 223 No speakers.

REPORTS OF STANDING COMMITTEES AND ACTION THEREON

By Councilmember Conklin
June 16, 2015

To the Council:

The Finance Committee recommends for adoption the following entitled legislation:

Int. No. 183 - Approving the commitment of funds for property tax relief and retirement costs

Int. No. 184 - Authorizing a professional services agreement for development of an entry level Firefighter examination

Int. No. 185 - Authorizing a professional services agreement for real estate title services

Int. No. 186 - Authorizing competitive grant applications

Int. No. 187 - Resolution supporting Consolidated Funding Grant Application

Int. No. 236 - Resolution approving the 2015-16 debt limit for general municipal purposes

Int. No. 237 - Resolution supporting Consolidated Funding Grant Application

Int. No. 242 - Local Improvement Ordinance – street cleaning, street and sidewalk snow removal, and hazardous sidewalk repair commencing July 1, 2015 and expiring June 30, 2016

Int. No. 243 - Confirming the assessments, amounts and charges to be inserted in the annual tax rolls for the fiscal year commencing July 1, 2015 and expiring June 30, 2016

Int. No. 244 - Amending the Municipal Code with respect to refuse fees

Int. No. 245 - Amending the Municipal Code with respect to water rates

Int. No. 246 - Amending the Municipal Code with respect to parking rates

Int. No. 247 - Amending the Municipal Code with respect to permit fees <u>as amended</u>

The following entitled legislation is being held in Committee:

Int. No. 238 - Adoption of Budget estimates for Municipal Purposes for the 2015-16 fiscal year, appropriation of sums set forth therein, and approving commercial refuse fees <u>as amended</u>

Int. No. 239 - Adoption of the Budget estimates for School purposes for the fiscal year commencing July 1, 2015 and expiring June 30, 2016, and ap-

propriation of sums set forth therein

Int. No. 240 - Levying taxes for Municipal Purposes for the fiscal year commencing July 1, 2015 and expiring June 30, 2016

Int. No. 241 - Levying taxes for School purposes for the fiscal year commencing July 1, 2015 and expiring June 30, 2016

Respectfully submitted,
Carolee A. Conklin
Carla M. Palumbo
Jacklyn Ortiz
Dana K. Miller
Loretta C. Scott
FINANCE COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-158
Re: Committing Tax Relief and Retirement Reserves

Council Priority: Deficit Reduction and Long Term Financial Stability

Transmitted herewith for your approval is legislation authorizing the commitment of previously assigned funds for Property Tax Relief and Retirement Costs in accordance with Governmental Accounting Standards Board (GASB) Statement 54 *Fund Balance Reporting and Government Fund Type Definitions.*

From the surplus available at the end of 2013-14, the Director of Finance, as authorized in the City Charter, assigned an additional $2,619,100 to Property Tax Relief and an additional $6,000,000 to Retirement Costs. In order to change the classification from *assigned* to *committed*, City Council action is required. These commitments would bring the total General Fund Balance committed for Property Tax Relief to $28,525,600 and for Retirement Costs to $27,929,000. These balances will be further reduced by the appropriation of similar amounts, $2,619,100 for Property Tax Relief and $6,000,000 for Retirement Costs, in the 2014-15 Approved Budget.

The committed fund balance classification includes amounts that can be used only for the specific purposes determined by the action of City Council. Specifically, funds committed for Property Tax Relief (formerly the Tax Relief Reserve) can only be used to address future projected budget deficits; and funds committed to Retirement Costs (formerly the Retirement Reserve) will be used to manage future retirement costs.

These additional funds are available as a result of favorable 2013-14 year-end variances attributable to savings from personnel vacancies and related fringe benefits, additional delinquent property tax revenue, sales tax collections, unanticipated revenue and the cancellation of unspent prior year encumbrances.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-158
(Int. No. 183)

Approving the commitment of funds for property tax relief and retirement costs

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

Section 1. The Council hereby approves the commitment of $2,619,100 to Property Tax Relief for its designated purpose to assist in addressing future projected budget deficits. The Council hereby further approves the commitment of $6,000,000 to Retirement Costs to assist in managing projected increases in retirement costs.

Section 2. The funds to be committed shall be funded from the surplus available from the 2013-14 Budget, said funds having previously been assigned to the purpose of tax relief, and to the purpose of retirement by the Director of Finance pursuant to the authority granted to him by the City Charter.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-159
Re: Agreement - Fire and Police Selection, Inc. Entry Level Firefighter Written Examination

Council Priority: Public Safety; Jobs and Economic Development

Transmitted herewith for your approval is legislation establishing $20,650 as maximum compensation for a two-year agreement with Fire and Police Selection, Inc., Folsom, California, for the development of an entry level Firefighter written examination, with an option for a two-year renewal. The agreement will be funded from the 2015-16 and future budgets of the Department of Human Resource Management, contingent upon approval of said budgets.

On April 24, 2016, the current Firefighter Civil Service Eligible List will be four years old, which is the maximum duration allowed for a Civil Service Eligible List under New York State Civil Service Law. As a result, a new test will need to be administered to allow for the hiring of new Firefighters after the expiration of the current Civil Service Eligible List.

Fire and Police Selection, Inc. was selected through a request for proposals process described in the attached summary.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-95

Ordinance No. 2015-159
(Int. No. 184)

Authorizing a professional services agreement for development of an entry level Firefighter examination

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 between the City and Fire and Police Selection, Inc. for development of an entry level Firefighter examination for a term of two years with an optional two-year renewal. The maximum amount shall be $20,650. Said amount shall be funded from the 2015-16 Budget of the Department of Human Resource Management, and if renewed, the maximum amount shall be $20,650 for the renewal period and shall be funded from future budgets of the Department of Human Resource Management, contingent upon the adoption of said budgets.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-160
Re: Agreement - Independent Title Agency, LLC, Real Estate Title Services

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation authorizing an agreement with Independent Title Agency, LLC, Brighton, New York, for the continued provision of real estate title services, for a term of one year with two annual renewals. The maximum cost of the agreement will be $250,000 per year, which will be financed from the 2015-16, 2016-2017, and 2017-18 Budgets of Undistributed Expenses, contingent upon adoption of said budgets.

Each year, the City requires title services for properties that are involved in tax foreclosure proceedings and real estate transactions. Currently, these services have been provided by Independent Title Agency under agreements authorized by City Council in 2002, 2005, 2006, 2009, and 2012.

For the last tax foreclosure, Independent Title Agency searched 1,067 titles. For this year's action, the firm is expected to search approximately 1,619 titles.

On April 10, 2015, the Law Department issued a request for proposals for the provision of these services, as described in the attached summary.

Under the proposed agreement, Independent Title Agency will provide title services, as well as prepare creditor notification letters for properties in foreclosure, for the fees per parcel as listed below. The price for foreclosure searches is the same as the fees provided in the current agreement.

Service	Proposed Fee	Current Fee
Preliminary (10-year) report	$ 95	$ 95
Update of prior preliminary report	70	70
Full (60-year) report with prior preliminary search	200	200
Full search without prior preliminary search	260	260

Respectfully submitted,
Lovely Warren
Mayor

Attachment No. AO-96

Ordinance No. 2015-160
(Int. No. 185)

Authorizing a professional services agreement for real estate title 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 between the City and Independent Title Agency, LLC, for provision of real estate title services for a term of one year with two optional one year renewals. The maximum annual amount shall be $250,000 per year. Said amounts shall be funded from the 2015-16, 2016-17 and 2017-18 Budgets for Undistributed Expenses, contingent upon adoption of said budgets.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-161
Re: Competitive Grant Applications - Fiscal Year 2015-16

Transmitted herewith for your approval is legislation authorizing certain competitive grant applications for the 2015-16 fiscal year. This legislation helps streamline the application process. Council has approved such grant applications annually since 2007.

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

Grant applications will continue to require individual Council endorsement when:

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

Reports on funds received will be presented to Council on request.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-97

Ordinance No. 2015-161
(Int. No. 186)

Authorizing competitive grant applications

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

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

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

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

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

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

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

Section 7. This ordinance shall be in effect for the 2015-16 fiscal year.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2015-10
Re: Grant Application - 2015-16 New York State Consolidated Funding Application

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation endorsing a 2015-16 New York State Consolidated Funding Application (CFA) by Geva Theatre Center for renovation of its historic armory. This project is supported by the City of Rochester and consistent with City policy.

The CFA is the single point of entry for accessing up to $750 million in State funding from eleven State agencies: Empire State Development; Canal Corporation; Energy Research and Development Authority; Environmental Facilities Corporation; Homes and Community Renewal; Department of Labor; Power Authority; Office of Parks, Recreation, and Historic Preservation; Department of State; Department of Environmental Conservation; and Council on the Arts. Geva's application includes funding from the New York Main Street Grant, which requires municipal legislation endorsing applications from external agencies. Applications are due on July 31, 2015.

Geva's project will transform its nearly 150-year-old historic armory building into a world-class 21st-century performance facility. Geva Theatre Center is New York State's largest and most attended professional theater outside of Manhattan. Having recently renovated and restored the exterior of the building and mechanical systems, the final element of the project is interior renovation. This portion of the renovation will: transform the café and bar into a full-service bistro that showcases the rich agriculture and wine of the Finger Lakes region; create dynamic and interactive displays for the lobby that highlight the history of Geva's building and productions; renovate the two theaters; and build new entertainment suites for donors, business leaders and community groups to meet and host events.

The City's endorsement will ensure that Geva has the opportunity to compete for CFA grant funds as listed below:

Agency	Project	State Funding Programs	Total Project Cost	State Request	Geva's Capital Campaign
Geva Theatre Center	Geva Theater Historic Armory Renovation	NY Main Street Program Empire State Development Market NY Program	$3,000,000	$850,000	$2,150,000

Respectfully submitted,
Lovely A. Warren
Mayor

Resolution No. 2015-10
(Int. No. 187)

Resolution supporting Consolidated Funding Grant Application

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

Section 1. The Council hereby endorses the application for funding not to exceed the following through the 2015-16 Consolidated Funding Application by an external organization for the following project in the City set forth, and the Council finds that the application and project are consistent with City policies and goals:

Agency	Project	State Funding Programs	Total Project Cost	State Request	Geva's Capital Campaign
Geva Theatre Center	Geva Theater Historic Armory Renovation	NY Main Street Program Empire State Development Market NY Program	$3,000,000	$850,000	$2,150,000

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2015-11
Re: 2015-16 Debt Limit

Council Priority: Deficit Reduction and
Long Term Financial Stability

Transmitted herewith for your approval is legislation establishing the Debt Limit and Debt Rollover and Debt Extension amounts for the 2015-16 Budget.

2015-16 Debt Limit
The Debt Limit for tax supported borrowing is equal to the amount of principal on outstanding debt to be redeemed during the fiscal year for which the limit is established. The calculation excludes the redemption of principal on any borrowing approved as an exception to the Debt Limit and is further reduced by specific revenues attributable to bonded debt. The resulting Debt Limit for 2015-16 is $19,045,000.

Attached is the 2015-16 Debt Authorization Plan which calls for borrowing of $19,045,000 in tax supported funds. As a result of the reversion of the Parking Fund to being tax-supported, principal repayments of $2,899,000 for Parking are included within this limit, thereby limiting new debt to the same amount which will result in a revision to the proposed 2015-16 Capital Improvement Plan. The Plan also includes an additional $4,452,000 supported by the City's Water Fund.

Debt Rollover 2014-15 and 2013-14
The Debt Authorization Plans for the current and the two immediately prior fiscal years can remain open contingent upon the approval of the rollover amounts. This provides flexibility in the timing of authorizations which vary depending upon project timing, availability of supporting funds, and the participation of private sector partners. The rollover amounts equal the difference between the debt limit for any fiscal year and the sum of the authorizations made from the debt plan associated with that fiscal year. This sum may be further reduced by the amount of unauthorized items in the debt plan that are no longer necessary. The presentation of the rollover also includes any modifications made to the debt plan. Such rollovers do not result in authorizations exceeding the allowable authorization for any year.

2014-15: The Debt Limit for this year was $16,921,000. Of that amount, $1,989,000 has been authorized, leaving a balance of $14,932,000. Approval of a rollover in that amount is requested. The attached Debt Authorization Plan for 2014-15 itemizes projects remaining for that year and the details of the changes resulting from advanced funding.

2013-14: The Debt Limit for this year was $16,113,000. Of that amount, $7,165,000 has been authorized, leaving a balance of $8,948,000. Approval of a rollover in that amount is requested. The attached Debt Authorization Plan for 2013-14 itemizes projects remaining for that year.

Time Limit Extensions for 2012-13, 2011-12, 2010-11, 2009-10, 2008-09 and 2007-08

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

2012-13 Project

Purpose	Amount
S-5 Public Market Wintershed rehabilitation	$ 492,000
E-6 Investigation and Remediation contaminated sites w/in city	150,000
O-6 Transient Marina Facilities development	400,000
T-2 Milling & Resurfacing street rehabilitation	3,122,000
T-2 Residential Street street rehabilitation	1,562,000
Total 2012-13 Extension	$5,726,000

2011-12 Project

Purpose	Amount
T-3 Milling & Resurfacing street rehabilitation	$ 124,000
T-4 Residential Street street rehabilitation	1,843,000
T-3 Pavement Program rehabilitation	239,000
Total 2011-12 Extension	$2,206,000

2010-11 Project

Purpose	Amount
F-1 Rundel Library Renovations renovation	$3,680,000
G-9 Midtown Redevelopment III street rehabilitation	213,000
F-2 Investigation and Remediation contaminated sites w/in city	540,000
Total 2010-11 Extension	$4,433,000

2009-10 Project

Purpose	Amount
T-2 Mt. Hope Avenue Phase II street rehabilitation	$ 80,000
F-2 Hazardous Waste Remediation Seneca	550,000
Total 2009-10 Extension	$630,000

2008-09 Project

Purpose	Amount
G-8 Capron Street/South Avenue downtown development	$237,000
Total 2008-09 Extension	$237,000

2007-08 Project

Purpose	Amount
F-2 Hazardous Waste Remediation contaminated sites w/in city	$ 280,000
G-8 Historic Aqueduct Redevelopment Broad St. aqueduct renovation	324,000
F-2 Investigation and Remediation contaminated sites w/in city	545,000
Total 2007-08 Extension	$1,149,000

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

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-98

Resolution No. 2015-11
(Int. No. 236)

Resolution approving the 2015-16 debt limit for general municipal purposes

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Rochester, that it is the intent and policy of the City to limit the amount of bonds and notes authorized in fiscal year 2015-16 to $19,045,000 for general municipal purposes.

BE IT FURTHER RESOLVED, unused authorizations from the debt limits for fiscal years 2013-14 and 2014-15 shall continue to be available, but no

authorization included in the debt limit for a prior fiscal year, if not actually approved by the City Council, shall be carried-over and included in the limit for this fiscal year. By this resolution, the Council specifically approves inclusion for this fiscal year of unused authorizations from the debt limit for fiscal year 2012-13 relating to the Public Market Wintershed, hazardous waste investigation and remediation, development of transient marina facilities, milling and resurfacing and residential street rehabilitation; for fiscal year 2011-12 relating to milling and resurfacing, street rehabilitation and the pavement program; for fiscal year 2010-11 relating to Rundel Library renovations, Midtown Redevelopment III, and hazardous waste investigation and remediation at contaminated City sites; for fiscal year 2009-10 relating to hazardous waste investigation and remediation at contaminated City sites, and street rehabilitation including but not limited to Mount Hope Avenue; for fiscal year 2008-09 relating to downtown development near Capron Street-South Avenue, and for fiscal year 2007-08 relating to hazardous waste investigation and remediation at contaminated City sites and Historic Aqueduct Redevelopment.

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

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

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

This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2015-12
Re: Grant Application - 2015-16 New York State Consolidated Funding Application

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation endorsing a 2015-16 New York State Consolidated Funding Application (CFA) by the North Winton Village Neighborhood Association for the East Main Street Revitalization Project from Culver to Winton Roads. This project is supported by the City of Rochester and consistent with City policy.

The CFA is the single point of entry for accessing up to $750 million in State funding from eleven State agencies: Empire State Development; Canal Corporation; Energy Research and Development Authority; Environmental Facilities Corporation; Homes and Community Renewal; Department of Labor; Power Authority; Office of Parks, Recreation, and Historic Preservation; Department of State; Department of Environmental Conservation; and, Council on the Arts. The North Winton Village Neighborhood Association's application is for funding from the New York Main Street Program grant, which requires municipal legislation endorsing applications from external agencies. Applications are due on July 31, 2015.

The Neighborhood Association plans to improve the physical environment along East Main Street by assisting with the rehabilitation of commercial properties in order to stabilize and revitalize North Winton Village. Their goal, as reflected in a community visioning process, is to re-establish this portion of East Main Street as a vibrant commercial corridor that serves local residents and draws consumers from beyond the immediate locale. Those businesses receiving assistance will provide matching funds, and additional funding opportunities will be sought. Seventeen properties have committed to participation in this project.

The City's endorsement will ensure that the North Winton Village Neighborhood Association has the opportunity to compete for CFA grant funds as listed below:

Agency	Project	State Funding Programs	Total Project Cost	State Request
North Winton Village Neighborhood Association	East Main Street Revitalization Project	NY Main Street Program	$1,069,650	$250,000

Respectfully submitted,
Lovely A. Warren
Mayor

Resolution No. 2015-12
(Int. No. 237)

Resolution supporting Consolidated Funding Grant Application

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

Section 1. The Council hereby endorses the application for funding not to exceed the following through the 2015-16 Consolidated Funding Application by an external organization for the following project in the City set forth, and the Council finds that the application and project are consistent with City policies and goals:

Agency	Project	State Funding Programs	Total Project Cost	State Request
North Winton Village Neighborhood Association	East Main Street Revitalization Project	NY Main Street Program	$1,069,650	$250,000

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Local Improvement Ordinance No. 1706,
Ordinance No. 2015-162,
Ordinance No. 2015-163,
Ordinance No. 2015-164,
Ordinance No. 2015-165,
Ordinance No. 2015-166,
Ordinance No. 2015-167,
Ordinance No. 2015-168,
Ordinance No. 2015-169 and
Ordinance No. 2015-170
Re: 2015-16 Budget

Council Priority: Deficit Reduction and
Long Term Financial Stability

Transmitted herewith for your approval is legislation related to the 2015-16 Budget. This legislation will:

1. Approve appropriations and establish revenue estimates for the City and City School District;

2. Authorize the tax levies required to finance appropriations for the City and City School District;

3. Authorize the budgets and related assessments for the Local Works program;

4. Confirm the assessments required for the following programs:

   a. Street mall maintenance
   b. Neighborhood parking lot operation
   c. Public Market snow removal and security services
   d. Street lighting and streetscape districts
   e. Downtown Enhancement District
   f. High Falls Improvement District
   g. St. Paul Street Streetscape
   h. Mt. Hope Streetscape
   i. Upper East Alexander Entertainment-Refuse
   j. Arnold Park Monument

5. Confirm the addition to the tax roll of various assessments, fees, and unpaid charges; and

6. Authorize certain fee increases and Charter and Code changes.

Details of the above actions related to the 2015-16 proposed budget of the City submitted to City Council on May 15, 2015 are summarized below:

1. Total appropriations of $1,303,420,897 allocated for the City and the School District

	Proposed 2015-16	Amended 2014-15	$ Difference	% Difference
City	$ 501,602,300	$ 503,629,200	$ -2,026,900	- 0.4
School	801,818,597	792,977,696	8,840,901	+1.1
Total	$1,303,420,897	$1,296,606,896	$ 6,814,001	+0.5

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

	Proposed 2015-16	Amended 2014-15	$ Difference	% Difference
City	$ 451,395,370	$ 453,422,270	$ - 2,026,900	-0.4
School	688,673,597	679,832,696	8,840,901	+1.3
Total	$1,140,068,967	$1,133,254,966	$ 6,814,001	+0.6

2. Total tax levies of $171,949,400 for the City and City School District

	Proposed 2015-16	Amended 2014-15	$ Difference	% Difference
Tax Revenue	$163,351,930	$163,351,930	$ 0	0.0
Tax Reserve	8,597,470	8,597,470	0	0.0
Tax Levy	$171,949,400	$171,949,400	$ 0	0.0

3. Total appropriations for the Local Works fund of $20,429,300 and total assessments of $19,712,000

	Proposed 2015-16	Amended 2014-15	$ Difference	% Difference
Street Maintenance	$ 5,392,109	$ 5,362,462	$ 29,647	0.6
Sidewalk Repair	980,221	550,670	429,551	78.0
Roadway Plowing	10,380,805	10,198,095	182,710	1.8
Sidewalk Plowing	2,958,865	3,406,273	-447,408	-13.1
Total	$19,712,000	$19,517,500	$ 194,500	1.0

4. Program Assessments

On April 14, 2015, the following budgets were approved: security and snow removal at the Public Market; East Avenue and Alexander Street Entertainment District; High Falls Business Improvement District; South Avenue/Alexander Street Open Space District(use of prior year assessments); street malls; and street lighting and streetscapes. The budgets for the Downtown Enhancement District and parking lots were approved on May 19, 2015. Downtown Special Services was not renewed. The assessments required are as follows:

	Proposed 2015-16	Amended 2014-15	$ Difference	% Difference
Street Malls	$ 25,325	$ 30,353	$ -5,028	-16.6
Parking Lots	59,035	43,055	15,980	37.1
Public Market	45,649	45,635	14	0.0
Lighting and Streetscapes	27,130	41,335	-14,205	-34.4
Downtown Special Services	0	464,252	-464,252	-100.0
Downtown Enhancement	604,100	595,800	8,300	1.4
High Falls	25,000	25,000	0	0.0
South Alexander Open Space	0	6,500	-6,500	-100.0
St. Paul Street Streetscape	20,649	20,649	0	0.0
Mt. Hope Streetscape	30,000	30,000	0	0.0
East/Alexander Entertainment	20,400	20,099	301	1.5

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

	Proposed 2015-16	Amended 2014-15	$ Difference	% Difference
Delinquent Refuse	$ 570,002	$ 557,104	$ 12,898	2.3
Delinquent Water	5,933,255	5,724,767	208,488	3.6
Code Enforcement	105,465	63,508	41,957	66.1
Supplemental and Omitted Taxes	178,061	184,115	-6,054	-3.3
Local Improvements	1,413	1,627	-214	-13.2
Demolitions	393,873	213,881	179,992	84.2

Encroachments	3,725	3,725	0	0.0
Rehabilitation	241,380	174,516	66,864	38.3
Code Violations	2,269,160	2,573,485	-304,325	-11.8
Arnold Park Monuments	5,118	5,118	0	0.0
Case Management Fees	0	260,420	-260,420	-100.0

6. Fee increases & Code Changes

6A. A local works increase is proposed to balance the Local Works Fund. The proposed increase is expected to result in $156,400 additional revenue.

6B. Water rate increases are proposed to balance the Water Fund. The proposed increases are expected to result in $396,000 additional revenue based upon a slight reduction in consumption. Consumption charges and fire service charges, including the Holly high-pressure consumption charge, are proposed to increase 1.7%. Increases are also proposed for the 5/8", 3/4", 8" and 10" base meter charge, however the 1" through 6" base meter charges will remain the same.

6C. A residential refuse rate increase is proposed to balance the Refuse Fund. The proposed increase is expected to result in $410,000 additional residential revenue. Rates to be charged for residences with small businesses are also clarified in the proposed legislation.

6D. An increase in parking garage rates is necessary to balance the Parking Fund resulting in approximately $105,300 additional revenue. This additional revenue consists of the following: a $1 increase in monthly parking rates resulting in $60,300; Rochester Philharmonic Concerts will be charged at the special event rate of $7 per event resulting in $32,400; and the student rate at East End increases 25 cents per hour resulting in $12,600.

6E. Amend the City Code to increase the permit fees charged for street work and street encroachments. This change will result in incremental revenues of approximately $40,000 over the 2014-15 revenue estimate. A new weekly inspection fee of $200 for excavation of trenches greater than fifty feet is proposed to offset the additional expense to ensure proper restoration and safety.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-99

Local Improvement Ordinance No. 1706
(Int. No. 242)

Local Improvement Ordinance - Street cleaning, street and sidewalk snow removal, and hazardous sidewalk repair commencing July 1, 2015 and expiring June 30, 2016

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

Section 1. The Council finds and declares (1) that it is in the public interest to provide street cleaning, snow removal services on the streets and sidewalks, and the repair of hazardous sidewalks in the City of Rochester during the fiscal year from July 1, 2015 to June 30, 2016, (2) that the provision of such service benefits the properties abutting on such streets and sidewalks, and (3) that the cost of providing such services should be borne by the benefitted properties according to the benefit received by such properties.

Section 2. The Commissioner of Environmental Services shall cause the following improvements and work to be provided on streets, sidewalks and lots in the City of Rochester during the fiscal year July 1, 2015 to June 30, 2016:

A. The removal of snow from such sidewalks and the repair of such hazardous sidewalks as the Commissioner may direct.

B. The removal of snow and ice from the roadway of such streets as the Commissioner may direct, including the use of sodium chloride, calcium chloride, and other chemicals or abrasives for the treatment of slippery or icy pavement as deemed necessary by the Commissioner.

C. The cleaning and/or flushing of such streets as the Commissioner may direct, including hand-cleaning, tank flushing, mechanical sweeping, and the collection and removal of brush, leaves, and debris.

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

Section 4. The cost of providing such street cleaning and street snow removal services for the 2015-16 fiscal year shall be assessed against all parcels of property that abut a street, reflecting the benefit to be derived by such

parcels from such services. The cost of providing such sidewalk repair and snow removal services for the 2015-16 fiscal year shall be assessed against all parcels of property that abut a sidewalk, reflecting the benefit to be derived by such parcels from such services.

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

Section 6. The total cost of such services to be assessed on July 1, 2015 shall be $19,712,000 consisting of $5,392,109 for street and lot maintenance, $980,221 for sidewalk repair, $10,380,805 for roadway snow removal and $2,958,865 for sidewalk snow removal services. Such total amount constitutes an estimate of the amount necessary to pay contractors to provide services and to cover the costs of providing services with City crews between July 1, 2015 and June 30, 2016, less any miscellaneous revenues estimated to be collected during the same period, plus a reasonable reserve for uncollected assessments. All assessments collected shall be paid into the Local Works Fund, and all costs incurred shall be paid from such fund. The amounts assessed herein are appropriated for that purpose.

Section 7. The amount assessed on July 1, 2015 shall be billed on the tax bill and shall be due in one installment. Delinquent assessments collected more than 60 days into a fiscal year subsequent to the fiscal year billed shall be credited as revenue in the year collected and applied against costs in that fiscal year.

Section 8. This ordinance shall take effect on July 1, 2015.

Passed unanimously.

Ordinance No. 2015-162
(Int. No. 243)

Confirming the assessments, amounts and charges to be inserted in the annual tax rolls for the fiscal year commencing July 1, 2015 and expiring June 30, 2016

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

Section 1. The following assessments, amounts and charges, and the allocation of said amounts against properties in the City, as set forth in roll or rolls on file in the City Clerk's Office, to be inserted into the annual tax rolls for the fiscal year commencing July 1, 2015 and expiring June 30, 2016 are hereby in all respects confirmed:

Street and Lot Maintenance	$ 5,392,109.12
Roadway Snow Removal	10,380,805.46
Sidewalk Snow Removal	2,958,864.50
Hazardous Sidewalk Repair	980,220.92
Delinquent Refuse	570,001.94
Delinquent Water Charges	5,933,254.99
Supplemental Taxes	177,960.32
Omitted Taxes	100.26
Street Malls	25,325.00
Arnold Park Monuments	5,118.27
Parking Lots	59,035.00
Code Enforcements	105,465.00
Code Violations	2,269,160.00
Downtown Enhancement	604,100.00
Public Market Plowing	5,888.07
Public Market Security	39,761.18
Encroachment Fees	3,725.00
Rehabilitation Charges	241,379.76
Lyell Avenue Street Lights - District I	1,845.38
Lyell Avenue Street Lights - District II	1,952.93
Wilson Blvd. Street Lights	477.81
Monroe Avenue Lights I	1,251.11
Monroe Avenue Lights and Sidewalk II	545.34
Norton Street Lights	1,231.84
Norton Street Streetscape	2,815.00
Cascade Lights	1,505.51
Cascade Streetscape	8,000.00
Lake Avenue Lights	3,564.93
High Falls Business Improvement District	25,000.00
St. Paul Street Streetscape	20,649.38
St. Paul Street Lighting	454.39
Rundel Park Lighting	3,168.68
Upper East Alexander Refuse	20,400.00
East Main Street Lights	316.79
Mt. Hope Streetscape	30,000.00
Demolition	393,873.04
Local Improvements	1,413.38

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2015-163
(Int. No. 244)

Amending the Municipal Code with respect to refuse fees

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

Section 1. Section 20-24 of the Municipal Code, Residential and commercial user refuse fees, as amended is hereby further amended by amending subsection A(1) - (3) thereof to read in its entirety as follows:

(1) Fees:

Number of Dwelling Units	Annual Fee
1	$380.00
2	764.00
3	847.00

(2) Any residence requiring service and not billed for service on the tax bill will be billed on a pro-rata residential rate per quarter.

(3) Residences/home occupations. The fees for residences which also contain home occupations, for example, beauty parlors, garages, doctor's/dentist's offices, are:

Number of Dwelling Units	Annual Fee
1	$764.00
2	847.00

A property with three (3) dwelling units and a home occupation will be charged according to the commercial rate schedule.

Section 2. This ordinance shall take effect on July 1, 2015.

Passed unanimously.

Ordinance No. 2015-164
(Int. No. 245)

Amending the Municipal Code with respect to water rates

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

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

A. Consumption rates.

(1) Consumption Charge; schedule of rates.

Gallons Consumed per Month	Charge per 1,000 Gallons
0 to 300,000	$3.44
300,001 to 1,000,000	$3.09
1,000,001 to 13,000,000	$2.41
Over 13,000,000	$1.37

(2) Base Charge.

Size of Meter (inches)	Charge per Month
5/8"	$7.32
¾"	$10.98
1"	$37.62
1 ½"	$55.72
2"	$74.53
3"	$186.25
4"	$372.15
6"	$557.90
8"	$825.45
10"	$1,082.93

C. Fire-service charges.

(1) Domestic fire-service charge.

Size of First Check Valve (inches)	Charger per Quarter
Up to 2"	$40.00
4"	$79.00
6"	$156.00
8"	$310.00
10"	$458.00
12"	$659.00

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

Size of First Check Valve (inches)	Charge per Quarter
Up to 2"	$109.00
4"	$219.00
6"	$292.00
8"	$582.00
10"	$859.00

(3) Holly high-pressure consumption charge: $10.52 per 1,000 gallons.

Section 2. This ordinance shall take effect on July 1, 2015.

Passed unanimously.

Ordinance No. 2015-165
(Int. No. 246)

Amending the Municipal Code with respect to parking rates

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

Section 1. Section 111-119 of the Municipal Code, Fees for use of space in parking garages and hours of operation, as amended, is hereby further amended by amending subsection A(1) and to read in its entirety as follows:

(1) Short-term rates, which shall apply from 6:00 a.m. or 6:30 a.m. to garage closing, depending upon the garage schedule: $2 for the first two hours, and $2 for each hour thereafter, or any part thereof, up to the daily maximum. There shall be a student rate of $1.00 per hour in the East End Garage, up to the daily maximum.

Section 2. Section 111-119 of the Municipal Code, Fees for use of space in parking garages and hours of operation, as amended, is hereby further amended by amending subsections A(6)(a)-(h) to read in their entirety as follows:

(a) Court Street Garage: $88 for parking in the general area, $54 for parking in the rooftop area, $104 for parking in the premium area, and $135 for parking in the reserved area.

(b) Genesee Crossroads Garage: $88.

(c) High Falls Garage: $71 for parking in the general area and $114 for parking in the reserved area.

(d) South Avenue Garage and Midtown Garage:

$88.

(e) Sister Cities Garage: $88 for parking in the general area and $104 for parking in the premium area.

(f) Mortimer Street Garage: $54 for parking in the garage and in the surface lot.

(g) Washington Square Garage: $88 for parking in the general area of the garage, $104 for parking in the reserved area of the garage, and $26 for parking in the Wadsworth Square Lot.

(h) East End Garage: $73 for general parking, $48 for residential parking, and $42.25 for student parking.

Section 3. This ordinance shall take effect on July 1, 2015.

Passed unanimously.

Ordinance No. 2015-166
(Int. No. 247, as amended)

Amending the Municipal Code with respect to permit fees

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

Section 1. Section 104-18 of the Municipal Code, relating to tests on street restoration, as amended, is hereby further amended to read in its entirety as follows:

The City has the right to order a test on any street restoration in order to determine if the work has been completed in accordance with City specifications. If the test shows the street restoration to be acceptable, the testing costs will be borne by the City. If the first test shows the street restoration to be unacceptable, the permit holder must pay the amount of $640, and for additional tests the amount of $850, in addition to making the proper restoration. No further permits will be issued to said permit holder until the invoice for the testing and penalty have been paid.

Section 2. Section 104-57 of the Municipal Code, relating to fees for streets and street encroachments, as amended, is hereby further amended by amending subsections A through I thereof to read in their entirety as follows:

A. Applications for permits required by this chapter for the following activities or objects shall be made in writing to the City Engineer, shall contain such information as the City Engineer may require and shall be accompanied by the following fees. Where a permit from the City Engineer is required and no other fee is specified herein, the fee shall be $70.

Activity or Object	Code Section	Fee	Length of Permit
Anode protection work	104-13	$10 per location outside pavement	
Street construction	104-15	$15 per linear foot	
Sidewalk construction or repair	104-15	$35 for each street along which sidewalk runs	
New residential driveways (defined as any driveway accommodating 3 cars or fewer on a parcel used for residential purposes only)	104-25	$130	
New commercial driveways (any driveway not included as a residential driveway as defined above)	104-25	$450	
Enlargement of existing driveways (per linear foot)	104-25	$35	
Extended maintenance fee, reconstructed street excavation	104-20		
50 square feet or less		$660	
51 to 100 square feet		$1,910	
101 to 150 square feet		$3,820	
Over 150 square feet		$6,360	
Trenches less than 50 feet in length		Based on square feet as above	
Trenches greater than 50 feet in length		$1,870, plus $11.00 per linear foot	

Extended maintenance fee, resurfaced street excavation	104-20		
50 square feet or less		$330	
51 to 100 square feet		$1,020	
101 to 150 square feet		$1,800	
Over 150 square feet		$3,600	
Trenches less than 50 feet in length		Based on square feet as above	
Trenches greater than 50 feet in length		$1,010, plus $8.80 per linear foot	
Street reconstruction cost sharing	104-27		
Heavy-duty pavement		$10 per square foot	
Medium-duty pavement		~~$10~~ 8 per square foot	
Light-duty pavement		~~$10~~ 6 per square foot	
Fixed projection (architectural character)	104-33	$230	
Entrance details	104-33	$70	
Architectural details	104-33	$70	
Balconies and fire escapes	104-33	$340	
Marquees	104-33	$70	
Awnings	104-33	$70	5 years
Flagpoles	104-33	$70	
Light fixtures	104-33	$70	
Signs	104-33	$70	
Storm enclosures	104-33	$70	6 months
Sidewalk cafes (initial fee for three tables, four chairs per table)	104-33	$120	8 months
Sidewalk cafes (more than three tables)	104-33	$40 per additional table with four chairs	8 months
Moving a building	104-23	$230 per move	
Street obstruction	104-24	$50	1 day
		$360	1 month
Phone booth installation	104-24	$160	Annual
Resurfacing existing driveway	104-13	$50 per driveway	
		$260	Annual
Utility pole installation	104-13	$180	
Interference with survey monument	104-22	$400 per occurrence	
Excavations	104-13		
50 square feet or less		$125	
51 to 100 square feet		$270	
101 to 150 square feet		$510	
Over 150 square feet		$1,050	
Trenches less than 50 feet in length		Based on square feet as above	
Trenches greater than 50 feet in length		$340, plus $1.10 per linear foot	1 week
		$200 inspection fee	
Banners	104-33	$50	1 month
Bridges	104-33	$230 initially;	1 year
		$35 thereafter	1 year
Footings	104-34	$70	
Foundation walls	104-34	$70	
Vaults and areaways	104-34		
100 square feet or less		$110 initially;	1 year
		$35 thereafter	1 year
101 to 500 square feet		$230 initially;	1 year
		$60 thereafter	1 year
Over 500 square feet		$340 initially;	1 year
		$85 thereafter	1 year
Tunnels	104-34	$230 initially;	1 year
		$120 thereafter	1 year

B. Utility companies and other companies performing work in the City may pay an annual maintenance fee of $1,430 per company which shall include the fees for all work other than work requiring excavation in the City rights-of-way. The fee for a one-time use permit for an oversized or overweight vehicle as required by § 111-78 of the Municipal Code shall be $230. An annual permit for one oversized or over-

weight vehicle shall be $680, while an annual permit for four or more vehicles shall be $2,700.

C. There shall be an additional fee for performing work for which a permit is required and for which no permit has been obtained or for which a permit was obtained but the work has been stopped by the City Engineer. The additional fee shall be equal to the applicable permit fee. The applicable permit fee shall also be paid.

D. The City Engineer shall have the power to waive the permit fee for that work done by a contractor performing or accommodating a City project or a project of another government agency.

E. Where multiple openings are made, the permit fee shall be the lesser of the fee based upon the total square footage of the multiple openings or the sum of the fees for the individual openings.

F. The fee for a building wall permit authorized by § 5-35 of the City Charter and §104-30 of the Code of the City of Rochester shall be $450.

G. The annual fee for vaults and areaways, bridges and tunnels shall be a lien upon the adjoining parcel or parcels of real property which they benefit. At the option of the Director of Finance, such fees may be added to the annual real property tax bill for such parcels.

H. Fees for excavation in the right-of-way. No fee shall be required for excavation in the right-of-way, provided that the work does not disturb the street or public sidewalk and is for the renewal of residential water service only.

I. If work is not completed within the time established in a permit and a reinspection is required, a fee of $80 per visit shall be required in addition to any other permit fees.

Section 3. This ordinance shall take effect on July 1, 2015.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

Councilmember Conklin moved to discharge Int. No. 238 from Committee.

The motion was seconded by Councilmember Palumbo

Adopted unanimously.

Ordinance No. 2015-167
(Int. No. 238, as amended)

Adoption of Budget estimates for municipal purposes for the 2015-16 fiscal year, appropriation of sums set forth therein, and approving commercial refuse fees

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

Section 1. The budget estimate for municipal purposes for the fiscal year July 1, 2015 to June 30, 2016, providing for the expenditure of $501,602,300, is in all respects adopted, confirmed, fixed, and determined.

Section 2. The sums of money designated in the budget estimate for municipal purposes for the fiscal year 2015-16 are hereby authorized to be expended and the sum of $501,602,300 is hereby appropriated for the current expenses of the departments and agencies; cash capital; debt service; and for the other purposes therein, in the manner provided by law, as listed below:

City Council and Clerk	$ 1,881,300	
Administration	8,761,200	
Neighborhood and Business Development	~~13,855,000~~	13,848,200
Environmental Services	83,704,200	
Finance	12,573,600	
Information Technology	7,798,800	
Law	1,937,100	
Library	11,316,600	
Recreation and Youth Services	~~11,273,800~~	11,324,300
Emergency Communications	13,709,600	
Police	90,921,100	
Fire	48,706,500	
Undistributed Expenses	135,556,000	
Contingency	~~1,750,000~~	1,706,300

Cash Capital	21,226,000
Debt Service	36,631,500
Sub-total	$501,602,300
Tax Reserve	2,642,470
Total	$504,244,770

Section 3. The budget estimate of the current revenues and other receipts, other than real estate taxes and the School Tax Relief (STAR) funds, for municipal purposes for the fiscal year 2015-16 is hereby fixed and determined at $451,395,370 and said sum is appropriated for the purposes set forth in the budget estimate.

Section 4. The budget estimate for the fiscal year 2015-16 providing for the raising of taxation on real estate for municipal purposes of the sum of $52,849,400 is hereby adopted.

Section 5. Pursuant to subsection 20-24B(1) of the Municipal Code, the Council hereby approves the fees for collection of commercial refuse and recyclables as proposed by the Mayor for fiscal year 2015-16.

Section 6. This ordinance shall take effect on July 1, 2015.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

Councilmember Conklin moved to discharge Int. No. 239 from Committee.

The motion was seconded by Councilmember Spaull.

Adopted unanimously.

Ordinance No. 2015-168
(Int. No. 239)

Adoption of the budget estimates for school purposes for the fiscal year commencing July 1, 2015 and expiring June 30, 2016, and appropriation of sums set forth therein

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

Section 1. The budget estimate for school purposes for the fiscal year July 1, 2015 to June 30, 2016, providing for the expenditure of $801,818,597, is in all respects adopted, confirmed, fixed, and determined.

Section 2. The sums of money designated in the budget estimate for school purposes for the fiscal year 2014-15 are hereby authorized to be expended and the sum of $801,818,597 is hereby appropriated to the Board of Education for the following purposes:

Operations	$738,181,700
Cash Capital	11,100,700
Debt Service	52,536,197
Subtotal	801,818,597
Tax Reserve	5,955,000
Total	$807,773,597

Section 3. The budget estimate of the current revenues and other receipts, other than real estate taxes, for school purposes for the fiscal year 2015-16 is hereby fixed and determined at $688,673,597 and said sum is appropriated for the purposes set forth in the budget estimate.

Section 4. The budget estimate for the fiscal year 2015-16 providing for the raising of taxation on real estate for school purposes of the sum of $119,100,000 is hereby adopted.

Section 5. This ordinance shall take effect on July 1, 2015.

Passed unanimously.

Councilmember Conklin moved to discharge Int. No. 240 from Committee.

The motion was seconded by Councilmember Palumbo.

Adopted unanimously.

Ordinance No. 2015-169
(Int. No. 240)

Levying taxes for municipal purposes for the fiscal year commencing July 1, 2015 and expiring June 30, 2016

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

Section 1. The sum of $52,849,400, which sum is deemed by the Council sufficient with other revenues to produce from collection during the fiscal year commencing July 1, 2015 and expiring June 30, 2016 the amount required to meet the budget estimates for municipal purposes, is hereby levied on all taxable real property in the City of Rochester, as set forth in the assessment rolls, for the fiscal year commencing July 1, 2015 and expiring June 30, 2016.

Section 2. The Director of Finance shall cause the taxes levied above to be inserted in the assessment rolls for the fiscal year commencing July 1, 2015 and expiring June 30, 2016.

Section 3. This ordinance shall take effect on July 1, 2015.

Passed unanimously.

Councilmember Conklin moved to discharge Int. No. 241 from Committee.

The motion was seconded by Councilmember Spaull.

Adopted unanimously.

Ordinance No. 2015-170
(Int. No. 241)

Levying taxes for school purposes for the fiscal year commencing July 1, 2015 and expiring June 30, 2016

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

Section 1. The sum of $119,100,000, which sum is deemed by the Council sufficient with other revenues to produce from collection during the fiscal year commencing July 1, 2015 and expiring June 30, 2016 the amount required to meet the budget estimates for school purposes, is hereby levied on all taxable real property in the City of Rochester, as set forth in the assessment rolls, for the fiscal year commencing July 1, 2015 and expiring June 30, 2016.

Section 2. The Director of Finance shall cause the taxes levied above to be inserted in the assessment rolls for the fiscal year commencing July 1, 2015 and expiring June 30, 2016.

Section 3. This ordinance shall take effect on July 1, 2015.

Passed unanimously.

By Councilmember Palumbo
June 16, 2015

To the Council:

The Neighborhood & Business Development Committee recommends for adoption the following entitled legislation:

Int. No. 188 - Authorizing the sale of real estate

Int. No. 189 - Authorizing sale of real estate and an agreement with the Greater Rochester Housing Partnership for the Neighborhood Builders - Strategic Homeownership Infill Development Project

Int. No. 190 - Authorizing a lease agreement with Foodlink, Inc.

Int. No. 191 - Authorizing an agreement with High Tech Rochester Inc. for business assistance services

Int. No. 192 - Authorizing an agreement with the Greater Rochester Enterprise for business development services

Int. No. 194 - Appropriating funds and authorizing agreements for the Healthy Homes Program

Int. No. 195 - Authorizing an application and agreement for the lead hazard control program

Int. No. 196 - Ordinance accepting the City of Rochester Draft Local Waterfront Revitalization Program Update

Int. No. 197 - Authorizing Consolidated Funding Grant applications and agreements

Int. No. 199 - Authorizing agreements and appropriating funds for the Housing Opportunities For Persons With AIDS Program

Int. No. 200 - Authorizing agreements for the Emergency Solutions Grant

Int. No. 201 - Authorizing an agreement with Lifespan and appropriating funds for the Aging in Place Home Modification Program

The Neighborhood & Business Development Committee recommends for consideration the following entitled legislation:

Int. No. 202 - Authorizing agreements and appropriating funds for the Buyer Assistance Program

Int. No. 203 - Authorizing agreements and appropriating funds for the Homebuyer Training Program

Int. No. 205 - Changing the zoning classification of 818 Hudson Avenue and 28, 32, 36, 42, and 46 Herald Street from R-1 low Density Residential District to M-1 Industrial District and changing the zoning classification of 854 Hudson Avenue from C-1 Neighborhood Center District to M-1 Industrial District

The following entitled legislation is being held in Committee:

Int. No. 193 - Authorizing an agreement with the Rochester Housing Development Fund Corporation for homebuyer assistance

Int. No. 198 - Appropriating funds and authorizing agreements for the HOME Rochester Program as amended

Int. No. 204 - Changing the zoning classification of 4 Edgewood Park from R-2 Medium Density Residential District to C-2 Community Center District

Respectfully submitted,
Carla M. Palumbo
Carolee A. Conklin
Dana K. Miller
Loretta C. Scott
NEIGHBORHOOD & BUSINESS DEVELOPMENT COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-171
Re: Sale of Real Estate

Council Priority: Rebuilding and
Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation approving the sale of four 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.

The first property is a vacant lot sold by request for proposal to the Friends of the GardenAerial, Inc. They will utilize the site for their green visions work development and horticulture training program.

The next three properties are unbuildable vacant lots, being sold for $1.00 (as per City policy) to the adjacent owners who will combine the lots with their existing properties.

The first year projected tax revenue for these four properties, assuming full taxation, current assessed valuations and current tax rates, is estimated to be $2,049.

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

Attachment No. AO-100

Ordinance No. 2015-171
(Int. No. 188)

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 the negotiated sale of the following parcel of vacant land with proposal:

Address	S.B.L.#	Lot Size	Sq. Ft.	Price	Purchaser
797 Smith St	105.82-2-5	106x165	19,420	$1,500	Friends of the GardenAerial, Inc.*

* Board of Directors: Michael Phillipson, Co-Founder; Lewis Stess, Co-Founder; Lisa Roy Baron, Chair; Jame Milliman, Vice Chair; Patrick Pullano, Secretary; Members: Howard Decker, Thomas Johnston, Gerald Kral, Matt Ruffing, Ram Shrivastava, Barry Strauber, Thomas Warfield

Section 2. The Council hereby approves the negotiated sale of the following parcels of unbuildable vacant land for the sum of $1.00:

Address	S.B.L.#	Lot Size	Sq. Ft.	Purchaser
14 Chapel St	107.77-1-22.3	38x82	2,600	Kevin G. Small
787 North St	106.41-4-25	30x100	3,000	Corean Finn
337-339 Orchard St	105.74-3-4	32x114	3,705	Jerry Stanley

Section 3. 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 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-172
Re: Sale of Property and Agreement - Greater Rochester Housing Partnership, Neighborhood Builders Project

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation related to Neighborhood Builders, a strategic home ownership in-fill development project being undertaken by the Greater Rochester Housing Partnership (GRHP). This legislation will:

1) Authorize the sale of 88 Cheltenham Road and 26 Strohm Street to GRHP for $500 and $425, respectively; and

2) Establish $180,000 as maximum compensation for an agreement with GRHP for the project. The cost of the agreement will be funded from 2015-16 Cash Capital, contingent upon approval of the 2015-16 Budget, and the term will be for one year, with an option to extend for an additional year if funds remain in the original appropriation.

Neighborhood Builders is a comprehensive community development effort to stabilize neighborhoods, create home ownership opportunities, and increase the tax base by building affordable, single-family, for-sale homes on vacant lots in selected neighborhoods. GRHP has been awarded funding from the New York State Affordable Housing Corporation (AHC) for the project, and the Rochester Land Bank Corporation has also been awarded funding through the New York State Office of the Attorney General (OAG) to support the project.

Neighborhood Builders entails the development of ten houses overall; the first four houses were built and sold to new homeowners on Straub Street in the Dewey Driving Park Focused Investment Strategy (FIS) area per Ordinance No. 2014-170. The funds authorized herein will enable GRHP to build six new in-fill homes in the City of Rochester. In addition to 88 Cheltenham Road and 26 Strohm Street, the other four houses are expected to be built on Reliance Street, next to School No. 50, and on Straub Street, in the Dewey Driving Park FIS area. The sources and uses of funds for the six houses are as follows:

Sources	
OAG	$ 300,000
AHC Subsidy	175,000
City Subsidy	180,000
Homebuyer Mortgages	486,900
Total	$1,141,900
Uses	
Acquisition (approximate)*	$ 9,544
Construction	960,192
Soft Costs**	118,164
Developer Fee	54,000
Total	$1,141,900

*Includes: Legal for title, closing, recording on acquisition of the lots.

**Includes: Insurance, survey and title, architectural, legal, property management, utilities, taxes, financing, realtor, and administrative expenses.

GRHP has committed to workforce hiring goals of 20% minority persons and 6.9% women. Construction is anticipated to start in the summer of 2015 and be complete by the fall of 2016.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-172
(Int. No. 189)

Authorizing sale of real estate and an agreement with the Greater Rochester Housing Partnership for the Neighborhood Builders - Strategic Homeownership Infill Development Project

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the Greater Rochester Housing Partnership in an amount not to exceed $180,000 for the Neighborhood Builders - Strategic Homeownership Infill Development Project. The cost of the agreement shall be funded from the 2015-16 Cash Capital allocation, contingent upon adoption. The agreement shall be for one year, with an option to extend for an additional year if funds remain in the original appropriation.

Section 2. The Council hereby approves the negotiated sale of the following parcels to the Greater Rochester Housing Partnership for the Neighborhood Builders- Strategic Homeownership Infill Development Project:

88 Cheltenham Street SBL # 075.28-3-43; Price: $500

26 Strohm Street SBL # 047.77-1-24; Price: $425

Section 3. 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 4. The agreement shall contain such other terms and conditions as the Mayor deems appropriate

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-173
Re: Lease Agreement - 615, 617-619 and 631 Lexington Avenue

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation authorizing a three year lease agreement, between the City and Foodlink, Inc. for the continued use of the premises located at 615, 617-619 and 631 Lexington Avenue as the location for the organization's urban farm. Foodlink, Inc. has leased the premises annually from the City for five years. The longer term lease agreement will enable expanded programming at the Lexington Avenue Urban Farm and increase their mission of providing families in the surrounding neighborhood the opportunity to grow their own food.

The new lease will commence as of July 1, 2015 and expire on June 30, 2018. The yearly amount will be $600 and was established through an independent appraisal prepared by Kevin L. Bruckner, MAI as of January 24, 2015. The previous yearly rental amount was $540.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-101

Ordinance No. 2015-173
(Int. No. 190)

Authorizing a lease agreement with Foodlink, Inc.

WHEREAS, the City of Rochester has received a proposal for the continued lease of the premises at 615, 617-619 and 631 Lexington Avenue; and

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

WHEREAS, the terms of the lease are reasonable and necessary in light of their intended purpose and the public will benefit throughout the term of the leases.

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

Section 1. The Council hereby approves a lease agreement, between the City and Foodlink, Inc. for the continued use of the premises located at 615, 617-619 and 631 Lexington Avenue for the annual rent of $600. The lease term shall commence July 1, 2015 and end on June 30, 2018.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-174
Re: Agreement - High Tech Rochester, Economic Development Services

Council Priority: Jobs and Economic Development

Transmitted herewith for your approval is legislation establishing $20,000 as maximum compensation for an agreement with High Tech Rochester (HTR) to provide services related to assisting businesses within the City of Rochester. The agreement will be financed from the 2015-16 Budget of the Department of Neighborhood and Business Development, contingent upon approval of said budget, and have a term of 12 months, from July 1, 2015 to June 30, 2016.

In the past, the City has had a $10,000 agreement with HTR to assist city businesses. The amount has been increased due to their proven commitment and effective strategies in assisting city organizations. HTR anticipates moving downtown to the Sibley building in late 2016. This relocation will have a positive impact upon city entrepreneurs and businesses due to HTR's closer proximity.

HTR is a non-profit organization whose mission is to be a catalyst for entrepreneurship and innovation-based economic development. This is accom-

plished by applying business expertise and network connections to assist in the formation and growth of business in the Greater Rochester and Finger Lakes Region. HTR provides assistance through technology commercialization for early stage organizations, business incubation for high growth potential startups, and access to venture capital for high technology. Also, they provide services to existing manufacturing companies.

Terms of the agreement will include the following expectations, among others:

- Work with Rochester businesses with the anticipated results of retaining and/or creating 35 positions and producing a minimum $2 million investment;
- Host one educational workshop held within the city where City of Rochester programs and services may be presented; and
- Serve 20 manufacturing companies within the city.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-174
(Int. No. 191)

Authorizing an agreement with High Tech Rochester Inc. for business assistance services

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

Section 1. The sum of $20,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and High Tech Rochester Inc. for business assistance services for City businesses from July 1, 2015 through June 30, 2016. Said amount shall be funded from the 2015-16 Budget of the Department of Neighborhood and Business Development contingent upon adoption.

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

Section 3. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Scott, Councilmembers Conklin, McFadden, Miller, Ortiz, Palumbo, Patterson, Spaull - 8.

Nays - None - 0.

Councilmember Haag abstained because of a professional relationship.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-175
Re: Agreement - Greater Rochester Enterprise, Economic Development Services

Council Priority: Jobs and Economic Development

Transmitted herewith for your approval is legislation establishing $40,000 as maximum compensation for an agreement with Greater Rochester Enterprise (GRE) to provide services related to attracting businesses to the City of Rochester. The agreement will be financed from the Fund for the City's Future, and will have a term of twelve months, beginning on July 1, 2015, and expiring on June 30, 2016.

The amount of the agreement has been decreased by $10,000 from prior years. The purpose of this decrease is to increase available funding for other organizations also assisting in the economic growth of our city.

During the current 2014-15 fiscal year, GRE has worked with 22 organizations who considered locating to the City of Rochester. Efforts continue to attract businesses to the Eastman Business Park and to other sites found within our community. GRE assisted with the relocation and retention of Brand Integrity within the City of Rochester. The project results included the retention of six positions, while potentially adding up to 38 new positions within the next three to five years.

GRE collaborates with government leaders, businesses, universities, and not-for-profit organizations through a team approach to economic development in the city and the Greater Rochester and Finger Lakes Region. GRE acts as an ambassador to promote the city, and to connect businesses to municipal resources.

Terms of the agreement are similar to last year's agreement and will include the following expectations, among others:

- Work with the Rochester region's economic development partners to attract businesses located outside the region to the City of Rochester.
- Deliver at least 15 out-of-region business attraction opportunities that can include sites located within the City of Rochester.
- Include and reference the City of Rochester prominently in all marketing content it develops to promote the Greater Rochester and Finger Lakes region, including but not limited to www.RochesterBiz.com, quarterly newsletters, presentations delivered to local business groups, and capstone presentations delivered to out-of-region companies.

The most recent annual agreement was authorized by City Council in June; 2014 via Ordinance No. 2014-174.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-175
(Int. No. 192)

Authorizing an agreement with the Greater Rochester Enterprise for business development services

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

Section 1. The sum of $40,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and the Greater Rochester Enterprise for business development services for City businesses from July 1, 2015 through June 30, 2016. Said amount shall be funded from the Fund for the City's Future.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-176
Re: Healthy Homes Program

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation related to the proposed Healthy Homes Program. This legislation will:

1. Appropriate $77,000 from the Housing Repair Programs allocation of the Improving the Housing Stock and General Property Conditions Fund of the 2000-01 Community Development Block Grant to fund the Lead Hazard Control Program.

2. Appropriate $28,539.83 from the Housing Repair Programs allocation of the Housing Development Fund of the 2002-03 Community Development Block Grant to fund the Lead Hazard Control Program.

3. Appropriate $7,824.09 from the Housing Repair Programs allocation of the Housing Development Fund of the 2003-04 Community Development Block Grant to fund the Lead Hazard Control Program.

4. Appropriate $26,526.37 from the Housing Repair Programs allocation of the Housing Development Fund of the 2004-05 Community Development Block Grant to fund the Lead Hazard Control Program.

5. Appropriate $4,495.87 from the Housing Repair Programs allocation of the Housing Development Fund of the 2005-06 Community Development Block Grant to fund the Lead Hazard Control Program.

6. Appropriate $123,060.67 from the Housing Repair Programs allocation of the Housing Development Fund of the 2006-07 Community Development Block Grant to fund the Lead Hazard Control Program.

7. Appropriate $49,958.76 from the Housing Repair Programs allocation of the Housing Development Fund of the 2007-08 Community Development Block Grant to fund the Lead Hazard Control Program.

8. Appropriate $3,117.97 from the Housing Repair Programs allocation of the Housing Development Fund of the 2008-09 Community Development Block Grant to fund the Lead Hazard Control Program.

9. Appropriate $144.75 from the Housing Repair Programs allocation of the Housing Development Fund of the 2009-10 Community Development Block Grant to fund the Lead Hazard Control Program.

10. Appropriate $3.10 from the Housing Repair Programs allocation of the Housing Development Fund of the 2010-11 Community Development Block Grant to fund the Lead Hazard Control Program.

11. Appropriate $153,497.53 from the Housing Repair Programs allocation of the Housing Development Fund of the 2011-12 Community Development Block Grant to fund the Lead Hazard Control Program.

12. Appropriate $.03 from the Housing Repair Programs allocation of the Housing Development Fund of the 2012-13 Community Development Block Grant to fund the Lead Hazard Control Program.

13. Appropriate $1,245.47 from the Housing Repair Programs allocation of the Housing Development Fund of the 2013-14 Community Development Block Grant to fund the Lead Hazard Control Program.

14. Appropriate $17,914 from the Housing Repair Programs allocation of the Housing Development Fund of the 2014-15 Community Development Block Grant to fund the Lead Hazard Control Program.

15. Authorize $452,708.44 for the City's use to operate the program to be funded from the above appropriations.

16. Establish $15,000 as maximum compensation for an agreement with Northwest Community Services Community Development Corporation to provide customer services for the program. The agreement will be funded

from the above appropriations.

17. Establish $25,620 as maximum compensation for an agreement with Environmental Testing & Consulting to provide lead-based paint evaluations for the program. The cost of the agreement will be financed from the appropriations above.

The Healthy Homes Program is a new initiative created to assist eligible owner-occupants and landlords in a targeted neighborhood in the 14621 area, as bounded by Norton Street in the north, Clifford Avenue in the south, St. Paul Street in the east, and Hudson Avenue in the west. Eligible repairs primarily include lead hazard control and other minor repairs that correct other identified environmental health hazards. A lead-based paint risk assessment will be completed for each property. All hazards identified in the report must be corrected. Typical work activities will include window and door replacement, siding, porch repair and replacement, and painting. Each property will also receive a Healthy Homes Assessment utilizing US Housing and Urban Development (HUD) Healthy Homes Rating System which assesses 29 environmental health hazards. Healthy Homes repair work will include, but not be limited to, mold and moisture remediation, pest control, insulation, duct cleaning, electrical repairs, correction of trip hazards, installation of carbon monoxide detectors and smoke alarms, furnace maintenance and replacement, hot water tanks, and safety controls to prevent break-ins.

The reason why this program is being proposed is based on the following:

- Rochester was not funded by HUD for the last round of funding for lead hazard control and community demand remains high for assistance.
- The Monroe County Department of Health has reported that the highest incidence of child lead poisoning is within the 14621 neighborhood where 75 to 108 cases have been reported (map attached). A lead-poisoned child is one with an elevated blood lead level of 5 mcg/dl or greater.
- City records indicate that the highest rate of interior lead-based paint hazards have been cited in the target area within the 14621 neighborhood (map attached).

Environmental Testing & Consulting (ETC) will provide lead-based paint evaluation services (risk assessments) for the program. ETC has been providing these services for the City's lead-based paint programs since 2006. ETC has consistently provided services in a fast and efficient manner and has provided excellent reports. ETC's costs will include $585 for a single-family property and $690 for a two-family property. A justification for not issuing a request for proposals is attached.

A total of $592,328 will be made available to assist approximately 46 housing units. Household incomes must be at or below 80% of the area median income (AMI). Only one- and two-family properties will be eligible for assistance. This limitation is being imposed because city data has demonstrated that 77% of lead-based paint hazards have been cited in one and two family properties.

All properties must have been built before 1978. A total of 30 owner-occupied properties and eight two-family rental properties will receive assistance. Owner-occupied properties must have at least one child under age six. Eligible properties will receive assistance as follows: one-unit, $15,000; two-unit, $18,000. The expected housing mix is provided in the table below. Costs include the cost of the risk assessment.

Housing Type	Total Structures	Number of Units
	Approximate Grant Amount	Total
1-unit	30	30
	$15,000	$450,000
2-unit	8	16
	$18,000	144,000
Total	38	46
		$594,000

Landlords will be required to contribute a 10% funding match. Owner-occupants will be required to provide a funding match based on the income table below.

% of AMI	Amount
0-30	$50
30-50	$250
50-80	$500

Northwest Community Services Community Development Corporation (NCS) will provide application intake services for the program at a cost of $15,000. They will also contribute $114,000 toward construction costs. NCS funding is eligible only for single-family, owner-occupied properties.

The program budget is as follows:

Uses	City	NCS	Total
Construction	$478,328	$114,000	$592,328
NCS Agreement	15,000		15,000
Total	$493,328	$114,000	$607,328

The Healthy Homes Program is expected to begin on July 1, 2015 and conclude by June 30, 2016.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-102

Ordinance No. 2015-176
(Int. No. 194)

Appropriating funds and authorizing agreements for the Healthy Homes Program

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

Section 1. The Council hereby appropriates funds for the Healthy Homes program as follows:

1. Appropriate $77,000 from the Housing Repair Programs allocation of the Improving the Housing Stock and General Property Conditions Fund of the 2000-01 Community Development Block Grant to fund the Healthy Homes Program.

2. Appropriate $28,539.83 from the Housing Repair Programs allocation of the Housing Development Fund of the 2002-03 Community Development Block Grant to fund the Healthy Homes Program.

3. Appropriate $7,824.09 from the Housing Repair Programs allocation of the Housing Development Fund of the 2003-04 Community Development Block Grant to fund the Healthy Homes Program.

4. Appropriate $26,526.37 from the Housing Repair Programs allocation of the Housing Development Fund of the 2004-05 Community Development Block Grant to fund the Healthy Homes Program.

5. Appropriate $4,495.87 from the Housing Repair Programs allocation of the Housing Development Fund of the 2005-06 Community Development Block Grant to fund the Healthy Homes Program.

6. Appropriate $123,060.67 from the Housing Repair Programs allocation of the Housing Development Fund of the 2006-07 Community Development Block Grant to fund the Healthy Homes Program.

7. Appropriate $49,958.76 from the Housing Repair Programs allocation of the Housing Development Fund of the 2007-08 Community Development Block Grant to fund the Healthy Homes Program.

8. Appropriate $3,117.97 from the Housing Repair Programs allocation of the Housing Development Fund of the 2008-09 Community Development Block Grant to fund the Healthy Homes Program.

9. Appropriate $144.75 from the Housing Repair Programs allocation of the Housing Development Fund of the 2009-10 Community Development Block Grant to fund the Healthy Homes Program.

10. Appropriate $3.10 from the Housing Repair Programs allocation of the Housing Development Fund of the 2010-11 Community Development Block Grant to fund the Healthy Homes Program.

11. Appropriate $153,497.53 from the Housing Repair Programs allocation of the Housing Development Fund of the 2011-12 Community Development Block Grant to fund the Healthy Homes Program.

12. Appropriate $.03 from the Housing Repair Programs allocation of the Housing Development Fund of the 2012-2013 Community Development Block Grant to fund the Healthy Homes Program.

13. Appropriate $1,245.47 from the Housing Repair Programs allocation of the Housing Development Fund of the 2013-2014 Community Development Block Grant to fund the Healthy Homes Program.

14. Appropriate $17,914 from the Housing Repair Programs allocation of the Housing Development Fund of the 2014-2015 Community Development Block Grant to fund the Healthy Homes Program.

Section 2. The Council hereby authorizes the use of $452,708.44 for the Healthy Homes Program from the amounts appropriated in Section 1 hereof.

Section 3. The Mayor is hereby authorized to enter into an agreement with Northwest Community Services Community Development Corporation to provide customer services for the program in the maximum amount of $15,000. The agreement will be funded from the amounts appropriated herein. The term of the agreement shall be one year.

Section 4. The Mayor is hereby authorized to enter into an agreement with Environmental Testing & Consulting to provide lead based paint evaluations for the program in the maximum amount of $25,620. The cost of the agreement will be financed from the amounts appropriated herein. The term of the agreement shall be one year.

Section 5. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate. The City will enter into agreements for this program only with organizations that are in compliance with federal regulations.

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-177
Re: Grant Application-Lead Hazard Control Program 2015 Funding Application

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation authorizing the submission of a funding application to the United States Department of Housing and Urban Development (HUD) Office of Healthy

Homes and Lead Hazard Control for $3,825,000.

HUD recently published its Notice of Funding Availability (NOFA) for its Lead Hazard Control Programs. Under this current NOFA, eligible applicants may receive up to $3.5 million to carry out lead hazard control activities plus an additional supplement of $325,000 to control other environmental health hazards. The City is proposing to apply for this maximum amount. A 25% local funding match is required which is attributed to the lead hazard control funds ($3,500,000). The match amount will be spread out over the three-year period of the grant. The first year's match of $300,000 is included in the proposed 2015-16 Consolidated Community Development Plan.

The City will request funding from HUD to control lead-based paint hazards in a minimum of 200 units of privately-held, one to four unit residential structures. Eligible properties will receive approximately $15,000 for single-family properties; $18,000, two-family properties; $21,000, three-family properties; and $24,000, four-family properties. Every assisted unit will receive a lead-based paint risk assessment. All lead-based paint hazards identified in the risk assessment report will be addressed with grant funds. Owner-occupants must have incomes at or below 80% of the area median income (AMI) and must have at least one child occupant under age 6. For rental properties, at least 50% of the tenants must have incomes at or below 50% of the AMI and the remaining units must be occupied by tenants with incomes at or below 80% of the AMI. The program will be available city-wide, but will target neighborhoods with the highest incidence of child lead poisoning.

In addition to direct lead hazard control, other activities to be funded include risk assessments, child blood testing services and contractor training. The grant will also fund an outreach and education program for at-risk households to build awareness of the dangers of lead-based paint and other environmental health hazards. Grant funds will also be used to secure up to two non-profit housing organizations to provide customer service (primarily application intake services) for the program.

HUD is expected to announce funding awards by October 2015. If funded, the program will begin within three months of the HUD contract date and will operate for a maximum of three years.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-177
(Int. No. 195)

Authorizing an application and agreement for the lead hazard control program

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

Section 1. The Mayor is hereby authorized to submit an application to and enter into an agreement with the United States Department of Housing and Urban Development for funding for the City's Lead Hazard Control Program in the amount of $3,825,000.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-178
Re: Draft Local Waterfront Revitalization Program Update

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation related to the preparation of an update to the City's Local Waterfront Revitalization Program (LWRP). This legislation will:

1. Accept the LWRP Update as a draft document in preparation for its review by the New York State Department of State (NYSDOS); and

2. Authorize submission of the document to NYSDOS for their formal 60-day review process.

Funding for the preparation of the draft LWRP Update was provided by an Environmental Protection Fund grant from NYSDOS, as authorized by City Council via Ordinance No. 2007-455. The final grant agreement with NYSDOS was approved and fully executed in November 2010.

The purpose of the draft document is to update the City's LWRP, which was originally adopted by City Council in 1990. The LWRP is listed as an "implementing strategy" for the City's Comprehensive Plan in Chapter 130 of the City Code. This update will expand the boundary of the plan to include all of the City's waterfront areas along Lake Ontario, the Genesee River and the Erie Canal. The update will also identify new waterfront policies, projects and priorities that will serve as a guide for future development and infrastructure improvements, and will help expand and leverage potential funding opportunities. The draft and final LWRP Update documents will incorporate the City's Port of Rochester Harbor Management Plan, which has been prepared by Bergmann Associates, P.C.

Following submission of the draft document to NYSDOS, the City will receive comments back from NYSDOS, and edit the document based on those comments and additional public input, before issuing the final LWRP Update document. The final document will be submitted to City Council

for approval and adoption as an amendment to the City's Comprehensive Plan. A public hearing by the City Planning Commission and City Council will be required at that time, along with a completed State Environmental Quality Review (SEQR).

The draft LWRP Update was prepared by City planning staff with assistance from a waterfront planning consultant team. A 25-member Waterfront Advisory Committee (WAC) also assisted in the preparation of this document. Five focus group meetings and two public informational meetings were held during the planning process. A web page and web survey were also used to solicit public input.

It is anticipated that the final LWRP Update document will be submitted to City Council for approval in fall 2015.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-103

Ordinance No. 2015-178
(Int. No. 196)

Ordinance accepting the City of Rochester Draft Local Waterfront Revitalization Program Update

WHEREAS, the City of Rochester has initiated preparation of a Draft Local Waterfront Revitalization Program Update in cooperation with the New York State Department of State, and

WHEREAS a Draft Local Waterfront Revitalization Program Update dated May, 2015 has been prepared with the assistance of a consultant team including Ingalls Planning and Design, Steinmetz Planning Group and Don Naetzker.

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

Section 1. The Council hereby accepts the City of Rochester Draft Local Waterfront Revitalization Program Update dated May, 2015 as complete and ready for public review, and authorizes it to be submitted to the New York State Department of State for review by State, Federal and regional agencies pursuant to the provisions of Article 42 of the Executive Law.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Councilmember Palumbo moved to amend Int. No. 197.

The motion was seconded by Councilmember Spaull

The motion was adopted by the following vote:

Ayes - President Scott, Councilmembers Conklin, Haag, McFadden, Ortiz, Palumbo, Patterson, Spaull - 8.

Nays - None - 0.

Councilmember Miller abstained because of a professional relationship.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-179
Re: New York State Consolidated Funding Application

Council Priority: Creating and Sustaining a Culture of Vibrancy; Jobs and Economic Development; Rebuilding and Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation related to the 2015-16 New York State Consolidated Funding Application (CFA) process. The CFA is the single point of entry for accessing up to $750 million in State funding from eleven State agencies: Empire State Development; Canal Corporation; Energy Research and Development Authority; Environmental Facilities Corporation; Homes and Community Renewal; Department of Labor; Power Authority; Office of Parks, Recreation, and Historic Preservation; Department of State; Department of Environmental Conservation; and Council on the Arts. Applications are due on July 31, 2015. This legislation will:

1. Authorize the City's applications for funding thorough the CFA process.

2. Authorize any necessary agreements with New York State for the receipt of funding.

3. Authorize the sale of the former Pulaski Library at 1151 Hudson Avenue to the Rochester Land Bank Corporation for $1.00 upon award of CFA funding.

City Applications

From March 5 through April 15, 2015, an interdepartmental team of City staff met to review CFA recommendations from departments. Projects recommended for City submissions were based on the current stage of project development, consistency with fund source guidelines, ability to complete projects in the timeframes established by State agency guidelines and the ability to obtain matching funds through the City's Capital Improvement Program.

The City of Rochester intends to submit up to eleven applications through the CFA for the projects listed below, for a total of approximately $154 million. Project descriptions are provided in the attached summary.

Project	Total Project Cost	State Funding Request	Agency Source	City Match
Joseph A. Floreano Rochester Riverside Convention Center	$100,000,000	$100,000,000	NYS CFA, DOS, URI	$0
Blue Cross Arena at the War Memorial	$35,000,000	$35,000,000	NYS CFA DOS, URI	$0
Broad Street Aqueduct	$25,000,000	$1,000,000	NYS CFA, URI	$0
Inner Loop North Transformation Feasibility Study	$40,000,000	$1,000,000	NYS CFA,/FHWA	$0
Market Driven Community Co-op Start Up	$1,000,000	$1,000,000	NYS CFA	$0
Rochester Land Bank	$1,030,000	$500,000	NYS CFA EPF	$500,000
Charles Carroll Park Plaza	$7,500,000	$3,000,000	NYSDOS, LWRP, URI	$3,500,000
East Main Street Reconstruction	$4,000,000	$3,200,000	NYS CFA/NYSDOT/FHWA, URI	$800,000
Erie Harbor Enhancements	$1,570,000	$785,000	NYS CFA DOS	$785,000
West River Wall Restoration	$7,000,000	$3,500,000	NYS CFA, Canal Corp, NYS DOS,LWRP, US EDA, NYS Parks	$3,500,000
Edgerton Park Renovation	$8,000,000	$4,000,000	NYS CFA DOS	$4,000,000

If State funding is awarded, the local match amounts will be funded from future Capital Improvement Plans, with the exception of the Rochester Land Bank application, for which the local match will consist of $300,000 from the City's Property Management Trust Fund and $200,000 from future Capital Improvement Plans.

Respectfully Submitted,
Lovely A. Warren
Mayor

Attachment No. AO-104

Ordinance No. 2015-179
(Int. No. 197, as amended)

Authorizing Consolidated Funding Grant applications and agreements

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

Section 1. The Mayor is hereby authorized to submit applications to and enter into agreements with New York State for funding through the 2015-16 Consolidated Funding Application for the following projects:

Project	Total Project Cost	State Funding Request	Agency Source	City Match
Joseph A Floreano Rochester Riverside Convention Center	$100,000,000	$100,000,000	NYS CFA, DOS, URI	$0

Blue Cross Arena at the War Memorial	$35,000,000	$35,000,000	NYS CFA DOS, URI	$0
Broad Street Aqueduct	$25,000,000	$1,000,000	NYS CFA, URI	$0
Inner Loop North Transformation Feasibility Study	$40,000,000	$1,000,000	NYS CFA,/FHWA	$0
Market Driven Community Co-op Start Up	$1,000,000	$1,000,000	NYS CFA	$0
Rochester Land Bank Corp.	~~$1,500,000~~ $1,030,000	~~$1,500,000~~ $500,000	NYS CFA EPF	~~$0~~ $500,000
Charles Carroll Park Plaza	$7,500,000	$3,000,000	NYSDOS, LWRP, URI	$3,500,000
East Main Street Reconstruction	$4,000,000	$3,200,000	NYS CFA/NYSDOT/FHWA, URI	$800,000
Erie Harbor Enhancements	$1,570,000	$785,000	NYS CFA DOS	$785,000
West River Wall Restoration	$7,000,000	$3,500,000	NYS CFA, Canal Corp, NYS DOS,LWRP, US EDA, NYS Parks	$3,500,000
Edgerton Park Renovation	$8,000,000	$4,000,000	NYS CFA DOS	$4,000,000

Section 2. The applications and agreements shall contain such terms and conditions as the Mayor deems to be appropriate. Local funding shall be provided through funds already allocated for these purposes, or through the Capital Improvement Plan in future years. For the Rochester Land Bank Corporation application, the City match of $500,000 shall be funded by $300,000 from the City Property Management Trust Fund and $200,000 from the Capital Improvement Plan in future years. The Rochester Land Bank Corporation shall also provide funding of $30,000.

Section 3. The Council hereby authorizes the sale of the real property of the former Pulaski Library Building at 1151 Hudson Avenue, Rochester NY to the Rochester Land Bank Corporation for $1.00 contingent upon approval of funding from New York State pursuant to the application for funding authorized herein.

~~Section 3.~~ Section 4. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed by the following vote:

Ayes - President Scott, Councilmembers Conklin, Haag, McFadden, Ortiz, Palumbo, Patterson, Spaull - 8.

Nays - None - 0.

Councilmember Miller abstained because of a professional relationship.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-180
Re: 2015-16 Consolidated Community Development Plan - Housing Opportunities for Persons with AIDS

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation related to the 2015-16 Housing Opportunities for Persons with AIDS (HOPWA) program as described in the 2015-16 Consolidated Community Development Plan (Con Plan), contingent upon adoption of the Con Plan. This legislation will:

1. Appropriate a total of the estimated $660,186 from the 2015-16 Housing Choice Fund, Housing Opportunities for Persons with AIDS account of the Consolidated Community Development Plan for program implementation.

2. Reprogram unspent 2009-10 HOPWA funds:
   Catholic Charities of the Diocese of Rochester d/b/a Catholic Charities Community Services $ 4,756.69

3. Reprogram unspent FY 2010-11 HOPWA funds:
   Catholic Charities of the Diocese of Rochester d/b/a Catholic Charities Community Services $ 2,035.63

4. Reprogram unspent FY 2011-12 HOPWA funds:
   Catholic Charities of the Diocese of Rochester d/b/a Catholic Charities Community Services $ 7,298.68

5. Reprogram unspent FY 2012-13 HOPWA funds:
   AC Center, Inc. d/b/a Trillium Health $ 3,932.98
   Catholic Charities of the Diocese of Rochester d/b/a Catholic Charities Community Services $ 2,893.59

6. Reprogram HOPWA funds reserved for City staff costs and unspent 2012-13 HOPWA funds to Catholic Charities of the Diocese of Rochester d/b/a Catholic Charities Community Services $ 74.08

7. Reprogram unspent 2013-14 HOPWA funds:
   AC Center, Inc. d/b/a Trillium Health $ 38,952.55
   Catholic Charities of the Diocese of Rochester d/b/a Catholic Charities Community Services $ 16,096.31

8. Establish maximum compensation for agreements with the agencies below for program implementation. The cost of these agreements will be financed from the funds appropriated herein.
   AC Center, Inc. d/b/a Trillium Health $438,997.53
   Catholic Charities of the Diocese of Rochester d/b/a Catholic Charities Community Services $297,228.98
   $736,226.51

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

HOPWA provides housing assistance and services to prevent homelessness for individuals with HIV/AIDS and related complications, and their families. Assistance includes both long-term (over 21 weeks) and short-term services and financial assistance in the form of payments of mortgage, rent, and utilities. Both providers maximize HOPWA assistance through the coordination of other funding sources and service providers. The HOPWA grant from HUD is awarded to the City to serve Livingston, Monroe, Ontario, Orleans, and Wayne counties. Trillium Health provides service to the five-county area; Catholic Charities Community Services serves the City and Monroe County.

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

Services projected and provided, by number of households, are summarized below.

Agency	2013-14 Goal	2013-14 Actual	2014-15 Goal	2014-15 Actual thru March 2015	2015-16 Goal
AC Center, Inc. d/b/a Trillium Health: Rental assistance and support services	125	127	126	95	114
Catholic Charities Community Services: Rental assistance and support services	75	77	73	55	76
Totals	200	204	199	150	190

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

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

HOPWA related legislation was last authorized on May 20, 2014 via Ordinance No. 2014-114. This legislation supports Section 4 of the City of Rochester Housing Policy: *Promote Housing Choice*.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-105

Ordinance No. 2015-180
(Int. No. 199)

Authorizing agreements and appropriating funds for the Housing Opportunities For Persons With AIDS Program

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

Section 1. The Mayor is hereby authorized to enter into agreements with the following organizations for services under the Housing Opportunities for Persons with AIDS Grant Program (HOPWA):

Organization	Amount
AC Center, Inc. d/b/a Trillium Health	$438, 997.53
Catholic Charities of Diocese of Rochester d/b/a Catholic Charities Community Services	$297,228.98

Section 2. The agreements shall obligate the City to pay an amount not to exceed $736,226.51, and said amount shall be funded from the amounts appropriated herein. The agreements shall be for one year, with an option to extend for an additional year if funds remain in the original appropriation.

Section 3. The amount of $660,186 is hereby appropriated from the FY 2015-16 Housing Choice Fund, Housing Opportunities for Persons with AIDS account of the Consolidated Community Development Plan for this purpose, contingent upon adoption. In addition, unspent prior year funds from the Housing Choice Fund, Housing Opportunities for Persons with AIDS account of the Consolidated Community Development Plan shall be reprogrammed for this purpose as follows: $4,756.69 from 2009-10; $2,035.63 from 2010-11; $7,298.68 from 2011-12; $3,932.98 from 2012-13 and an additional $2,893.59 from 2012-13 and an additional $74.08 from 2012-13; $38,952.55 from 2013-14 and an additional $16,096.31 from 2013-14.

Section 4. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate. The City will enter into agreements for this program only with organizations that are in compliance with federal regulations.

Section 5. The Director of Finance is authorized to record all transfers herein and to make adjustments to the amounts set forth herein which may have changed prior to the date of this ordinance.

Section 6. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Scott, Councilmembers Conklin, McFadden, Miller, Ortiz, Palumbo, Patterson, Spaull - 8.

Nays - None - 0.

Councilmember Haag abstained because of a familial relationship.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-181
Re: 2015-16 Consolidated Community Development Plan - Emergency Solutions Grants Program

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation related to the provision of Emergency Solutions Grant Program (ESG) services. This legislation will:

1. Authorize 14 agreements with 12 not-for-profit providers of services to homeless individuals and families, as itemized in the chart below; and

2. Establish $628,187 as maximum compensation for the organizations below to be funded from the Housing Choice Fund of the 2015-16 Consolidated Community Development Block Grant Consolidated Plan/Emergency Solutions Grants Program, contingent upon adoption of the 2015-16 Consolidated Community Development Plan (Con Plan).

Organization	Amount
Center for Youth Services, Inc.	$ 38,536
Coordinated Care Services, Inc. - Coordinated Access	154,100
Coordinated Care Services, Inc. - Rapid Re-Housing	188,956
Dimitri House, Inc.	16,290
Mercy Community Services, Inc.	9,000
Rochester Area Interfaith Hospitality Network, Inc.	25,000
Salvation Army of Western New York, Inc.	27,850
Saving Grace Ministries of Rochester, Inc.	10,000
Spiritus Christi Prison Outreach, Inc. - Jennifer House	29,360
Spiritus Christi Prison Outreach, Inc. - Nielsen House	14,860
Veterans Outreach Center, Inc.	20,000
Volunteers of America, Inc.	29,235
Willow Center for Domestic Violence (formerly Alternatives for Battered Women, Inc.)	15,000
YWCA of Rochester and Monroe County, Inc.	50,000
	$628,187

This program was last authorized by City Council on June 17, 2014 via Ordinance No. 2014-175. ESG provides housing and support services for individuals and families who are homeless or at risk of homelessness. Eligible activities include case management, support services, service coordination, shelter operations (staffing and operating costs) and addition of beds, financial assistance and related services for the prevention of homelessness and rapid re-housing.

The Homeless Emergency Assistance and Rapid Transition to Housing Act (HEARTH) ESG Program requires that grantees (City and County) collaborate with the community of homelessness service providers. To that end, funding priorities were jointly determined with the Rochester/Monroe County Continuum of Care (CoC). 2015-16 providers were selected through a request for proposals (RFP) process, as described in the attached summary. The RFP development and funding distribution decisions were conducted jointly with Monroe County. The RFP was issued March 6, 2015.

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

This legislation supports the City's Housing Policy, Section 4: Promote Housing Choice.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-106

Ordinance No. 2015-181
(Int. No. 200)

Authorizing agreements for the Emergency Solutions Grant

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

Section 1. The Mayor is hereby authorized to enter into agreements with providers of services for services to homeless individuals under the Emergency Solutions Grant. The agreements shall obligate the City to pay an amount in total not to exceed $628,187, with the maximum amount for each agreement being as set forth below, and said amount, or so much as may be necessary shall be funded by $628,187 from the Housing Choice Fund of the 2015-16 Consolidated Community Development Block Grant Consolidated Plan/Emergency Solutions Grants Program, contingent upon adoption. The agreements shall be for one year, with an option to extend for an additional year if funds remain in the original appropriation.

Organization	Amount
Center for Youth Services, Inc.	$ 38,536
Coordinated Care Services, Inc. - Coordinated Access	154,100
Coordinated Care Services, Inc. - Rapid Re-Housing	188,956
Dimitri House, Inc.	16,290

Mercy Community Services, Inc.	9,000
Rochester Area Interfaith Hospitality Network, Inc.	25,000
Salvation Army of Western New York, Inc.	27,850
Saving Grace Ministries of Rochester, Inc.	10,000
Spiritus Christi Prison Outreach, Inc. - Jennifer House	29,360
Spiritus Christi Prison Outreach, Inc. - Nielsen House	14,860
Veterans Outreach Center, Inc.	20,000
Volunteers of America, Inc.	29,235
Willow Center for Domestic Violence (formerly Alternatives for Battered Women, Inc.)	15,000
YWCA of Rochester and Monroe County, Inc.	50,000
	$628,187

Section 2. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate. The City shall only enter into agreements with organizations that are in compliance with Federal regulations.

Section 3. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Scott, Councilmembers Conklin, Haag, McFadden, Miller, Ortiz, Palumbo, Patterson, - 8.

Nays - None - 0.

Councilmember Spaull abstained because of a professional relationship.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-182
Re: 2015-16 Consolidated Community Development Plan - Aging in Place Home Modification Program

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation related to the Aging in Place Home Modification Program. This legislation will:

1. Appropriate $20,000 from the Housing Development Fund, Emergency Assistance Repair Program allocation of the 2015-16 Consolidated Community Development Plan (Con Plan), contingent upon its adoption, to address home safety modifications for income-eligible, owner-occupants; and

2. Establish $20,000 as maximum compensation for an agreement with Lifespan to conduct the program, which will be funded from the appropriation herein. The term of the agreement is from July 1, 2015 to March 31, 2016.

The last agreement for the Aging in Place Home Safety Modification Program was authorized by City Council on May 20, 2014 via Ordinance No. 2014-120. A justification for not issuing a request for proposals is attached.

The description and details of the Aging in Place Home Modification Program is attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-107

Ordinance No. 2015-182
(Int. No. 201)

Authorizing an agreement with Lifespan and appropriating funds for the Aging in Place Home Modification Program

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

Section 1. The Mayor is hereby authorized to enter into the following agreement to implement the Aging in Place Home Modification Program:

Agency	Purpose	Amount
Lifespan	Aging in Place	$20,000

Section 2. The agreement shall obligate the City to pay an amount not to exceed $20,000, and said amount, or so much thereof as may be necessary, shall be funded from the Housing Development Fund, Emergency Assistance Repair Program of the 2015-16 Consolidated Community Development Plan contingent on adoption of that Plan, which amount is hereby appropriated for the program. The term of the agreement shall be nine months.

Section 3. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate. The City will enter into agreements for this program only with organizations that are in compliance with federal regulations.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-183
Re: Agreement and Appropriations - Buyer Assistance, Consolidated Community Development Plan

Council Priority: Rebuilding and Strengthening Neighborhoods

Transmitted herewith for your approval is legislation related to the Buyer Assistance Program as described in the 2015-16 Consolidated Community

Development Plan (Con Plan), contingent upon its adoption. This legislation will:

1. Appropriate $240,000 from the Buyer Assistance account of the Homeownership Promotion Fund, HOME fund of the 2015-16 Con Plan;

2. Appropriate $45,000 from the Buyer Assistance account of the Homeownership Promotion Fund, City Development Fund (CDF) of the 2015-16 Con Plan;

3. Appropriate $420,000 from 2015-16 Cash Capital, contingent upon adoption of the budget;

4. Transfer $63,014.54 from the Focused Investment Strategy allocation of the Neighborhood and Asset-Based Planning Fund to the Buyer Assistance allocation of the Homeownership Fund of the 2009-10 City Development Fund;

5. Transfer $27,194.61 from the Focused Investment Strategy allocation of the Neighborhood and Asset-Based Planning Fund to the Buyer Assistance allocation of the Homeownership Fund of the 2012-13 CDF;

6. Amend the 2009-10 and 2012-13 Con Plan to reflect the above transfers and appropriate the funds totaling $90,209.15; and

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

This legislation will also authorize agreements with the recipients of Buyer Assistance funds.

The Buyer Assistance Program provides financial assistance of up to $6,000 to first time homebuyers who purchase houses through the City's housing initiatives, as described in the Consolidated Community Development Plan. The financial assistance provided by the program is for closing costs and down payment.

Buyer eligibility is based on income, ability to qualify for a conventional mortgage loan for which payments will not exceed 30% of the gross monthly income, and payment of personal funds in the amount of a minimum of $1,500 towards the purchase of the home. Each homebuyer must complete a pre-purchase education class before closing and attend post-purchase classes as well.

The 2015-16 HOME allocation will serve up to 80 income eligible first time homebuyers with incomes up to 80% median family income (MFI) through June 30, 2016. The $420,000 in Cash Capital will serve up to 120 income eligible homebuyers with incomes ranging from 81% to 120% MFI. The $135,209.15 CDF allocation will serve up to 45 income eligible homebuyers with incomes above 120% MFI who participate in our Employer Assisted Housing Initiative program.

The Buyer Assistance Program supports the City Housing Policy objective to promote the rehabilitation, redevelopment and new construction of housing.

A public hearing is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-183
(Int. No. 202)

Authorizing agreements and appropriating funds for the Buyer Assistance Program

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

Section 1. The following amounts are hereby appropriated for the Buyer Assistance Program: $240,000 from the Buyer Assistance account of the Homeownership Promotion Fund - HOME fund of the 2015-16 Consolidated Community Development Plan for the Buyer Assistance Program; $45,000 from the Buyer Assistance account of the Homeownership Promotion Fund - City Development Fund of the 2015-16 Consolidated Community Development Plan for the Buyer Assistance Program; and $420,000 from 2015-16 Cash Capital, contingent upon adoption of the 2015-16 Budget.

Section 2. The Council hereby approves amending the 2009-10, and 2012-13 Consolidated Community Development Plan - Annual Action Plans by transferring funds as described below:

1. Transfer $63,014.54 from the Focused Investment Strategy allocation of the Neighborhood and Asset-Based Planning Fund to the Buyer Assistance allocation of the Homeownership Fund of the 2009-10 City Development Fund (CDF);

2. Transfer $27,194.61 from the Focused Investment Strategy allocation of the Neighborhood and Asset-Based Planning Fund to the Buyer Assistance allocation of the Homeownership Fund of the 2012-13 CDF;

3. Amend the 2009-10 and 2012-13 Consolidated Community Development Plan-Annual Action Plans to reflect the above transfers and appropriate said funds totaling $90,209.15 for the Buyer Assistance Program.

Section 3. The Mayor is hereby authorized to enter into such agreements as may be necessary to implement the Program, to be funded from the amounts appropriated herein.

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

Section 5. The Director of Finance is authorized to record all transfers herein and to make adjustments to the amounts set forth herein which may have changed prior to the date of this ordinance.

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-184
Re: Agreements and Appropriations - Homebuyer Training, Consolidated Community Development Plan

Council Priority: Rebuilding and Strengthening Neighborhoods

Transmitted herewith for your approval is legislation related to the Homebuyer Training Program as described in the proposed 2015-16 Consolidated Community Development Plan (Con Plan). This legislation will:

1. Appropriate $50,000 of HOME funds from the Homebuyer Training allocation of the Homeownership Fund of the 2015-16 Consolidated Community Development Plan, contingent upon adoption;

2. Appropriate $25,000 of the City Development Fund (CDF) from the Homebuyer Training allocation of the Homeownership Fund of the 2015-16 Consolidated Community Development Plan, contingent upon adoption;

3. Transfer $2,168 from the Neighborhood and Asset Planning Fund to the Assisted Housing allocation of the Homeownership Assistance Fund of the 2008-09 CDF;

4. Transfer $1,500 from the Focused Investment Strategy allocation of the Neighborhood and Asset Planning Fund to the Homebuyer Training allocation of the Homeownership Assistance Fund of the 2009-10 CDF;

5. Transfer $9,170.97 from the Focused Investment Strategy allocation of the Neighborhood and Asset-Based Planning Fund to the Homebuyer Training allocation of the Homeownership Fund of the 2011-12 CDF;

6. Amend the 2008-09, 2009-10 and 2011-12 Con Plans to reflect the above transfers and appropriate the funds totaling $12,838.97;

7. Authorize agreements and establish $87,838.97 as aggregate maximum compensation from the appropriations herein for agreements with four organizations to provide Homebuyer Training; and

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

The following organizations will provide Homebuyer Training for the City of Rochester:

- NeighborWorks Rochester
- The Home Store, Urban League of Rochester
- Consumer Credit Counseling Services of Rochester
- The Housing Council at PathStone

These four organizations will provide pre- and post-purchase training at a cost of $350 and $150, respectively, to all recipients of City grants for closing costs. These agreements will allow for up to 180 individuals per year to receive training. These contracts will be for three year-terms commencing on July 1, 2015.

These providers were selected through a request for proposal process, as described in the attached summary. The City will enter into agreements for this program only with organizations that are in compliance with Federal regulations.

The Homeownership Promotion Fund, Homebuyer Training supports the City Housing Policy objective to promote the rehabilitation, redevelopment and new construction of housing.

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

A public hearing is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No AO-108

Ordinance No. 2015-184
(Int. No. 203)

Authorizing agreements and appropriating funds for the Homebuyer Training Program

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

Section 1. The following amounts are hereby appropriated for the Homebuyer Training Program:

1. $50,000 of HOME funds from the Homebuyer Training allocation of Homeownership Fund of the 2015-16 Consolidated Community Development Plan, contingent upon adoption;

2. $25,000 of the City Development Fund from the Homebuyer Training allocation of the Homeownership Fund of the 2015-16 Consolidated Community Development Plan, contingent upon adoption.

Section 2. The Council hereby approves amending the 2008-09, 2009-10, and 2011-12 Consolidated Community Development Plan-Annual Action Plans by transferring funds as described below and appropriating said funds totaling $12,838.97 for the Homebuyer Training Program:

1. Transfer $2,168 from the Neighborhood and Asset Planning Fund to the Assisted Housing allocation of the Homeownership Assistance Fund of the 2008-09 City Development Fund (CDF);

2. Transfer $1,500 from the Focused Investment Strategy allocation of the Neighborhood and Asset Planning Fund to the Homebuyer Training allocation of the Homeownership Assistance Fund of the 2009-10 CDF;

3. Transfer $9,170.97 from the Focused Investment Strategy allocation of the Neighborhood and Asset-Based Planning Fund to the Homebuyer Training allocation of the Homeownership Fund of the 2011-12 CDF.

Section 3. The Mayor is hereby authorized to enter into agreements to implement the Homebuyer Training Program, in an aggregate amount not to exceed $87,838.97 with the following organizations, to be funded from the amounts appropriated herein:

NeighborWorks Rochester

The Home Store, Urban League of Rochester NY Inc.

Consumer Credit Counseling Services of Rochester

The Housing Council at PathStone

Section 4. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate. The City will enter into agreements for this program only with organizations that are in compliance with federal regulations.

Section 5. The Director of Finance is authorized to record all transfers herein and to make adjustments to the amounts set forth herein which may have changed prior to the date of this ordinance.

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-185
Re: Zoning Map Amendment - 818, 854 Hudson Avenue and 28, 32, 36, 42, 46 Herald Street

Transmitted herewith for your approval is legislation amending the Zoning Map of the City of Rochester by rezoning the properties referenced above as follows: 818 Hudson Avenue and 28, 32, 36, 42, 46 Herald Street from R-1 Low Density Residential District to M-1 Industrial District, and 854 Hudson Avenue from C-1 Neighborhood Center District to M-1 Industrial District. The rezoning is requested by Quality Vision International so that these properties can be combined with their main campus located at 850 Hudson Avenue. Combining these properties will allow Quality Vision International to expand their facilities. They will provide a buffer for the adjoining residential properties in the form of black wrought iron fencing and landscaping.

Quality Vision International held a community meeting to discuss this rezoning. A list of attendees and a summary of this meeting, as provided by the applicant, are attached.

The City Planning Commission held an informational meeting on the proposed rezoning on May 18, 2015. Two people spoke in support of the rezoning; no one spoke in opposition. By a vote of 6-0, the Planning Commission recommended approval.

A public hearing is required for the Zoning Map Amendment.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-109

Ordinance No. 2015-185
(Int. No. 205)

Changing the zoning classification of 818 Hudson Avenue and 28, 32, 36, 42, and 46 Herald Street from R-1 Low Density Residential District to M-1 Industrial District and changing the zoning classification of 854 Hudson Avenue from C-1 Neighborhood Center District to M-1 Industrial District

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

Section 1. Chapter 120 of the Municipal Code, Zoning Code, as amended, is hereby further amended by changing the zoning classification of the following parcels, constituting 818 Hudson Avenue and 28, 32, 36, 42, and 46 Herald Street from R-1 Low Density Residential District to M-1 Industrial District and changing the zoning classification of 854 Hudson Avenue from C-1 Neighborhood Center District to M-1 Industrial District

LEGAL DESCRIPTION OF LANDS
TO BE REZONED FROM R-1 TO M-1
#818 HUDSON AVENUE
#28, 32, 36, 42 & 46 HERALD STREET
T.A. #091.810-03-051 THRU 055, 060.1

All that tract or parcel of land, situate in the City of Rochester, County of Monroe, State of New York, being part of Town Lot 45, Township 14,

Range 7 and being more particularly bounded and described as follows: Beginning at the centerline intersection of Herald Street (40' ROW) and Hudson Avenue (66' ROW), said intersection being the Point or Place of Beginning; thence

1) Northerly, along said centerline of Hudson Avenue, a distance of 203 feet, more or less, to the westerly extension of the south line of Lot 2 of the W. Kuflak's Subdivision, as filed in the Monroe County Clerk's Office in Liber 41 of Maps, Page 28; thence

2) Easterly, along said extension and the south line of Lot 2 & 3, a distance of 179 feet, more or less, to the southeast corner of Lot 3 & the west line of Lot 4; thence

3) Southerly, along said west line of Lot 4, a distance of 51.0 feet to the southwest corner thereof and the north line of the Hudson Avenue Building Lot Association Tract, as filed in the Monroe County Clerk's Office in Liber 9 of Maps, Page 42 & 57; thence

4) Easterly, along said north line, a distance of 209.84 feet, more or less, to the northeast corner of Lot 13 of said tract; thence

5) Southerly, along the east line of said Lot 13, a distance of 152.0 feet, more or less, to the said centerline of Herald Street; thence

6) Westerly, along said centerline, a distance of 386 feet, more or less, to the said centerline of Hudson Avenue, being the Point or Place of Beginning.

LEGAL DESCRIPTION OF LANDS
TO BE REZONED FROM C-1 TO M-1
#854 HUDSON AVENUE
T.A. #091.810-03-010

All that tract or parcel of land, situate in the City of Rochester, County of Monroe, State of New York, being part of Town Lot 45, Township 14, Range 7 and being more particularly bounded and described as follows: Beginning at a point on the centerline of Hudson Avenue (66' ROW) at the westerly extension of the north line of Lot 45 of the Waterstraat & Wunder Tract, as filed in the Monroe County Clerk's Office in Liber 10 of Maps, Page 119, said point being the Point or Place of Beginning; thence

1) Easterly, along said extension and the north line of Lot 45, a distance of 161.1 feet, more or less, to the northeast corner thereof; thence

2) Southerly, along the east line of said Lot 45, a distance of 36.0 feet to the southeast corner thereof; thence

3) Westerly, along the south line of said Lot 45 and it's extension, a distance of 160.4 feet, more or less, to the said centerline of Hudson Avenue; thence

4) Northerly, along said centerline, a distance of 36.0 feet to the Point or Place of Beginning.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Councilmember Palumbo moved to discharge Int. No. 193 from Committee.

The motion was seconded by Councilmember Conklin.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-186
Re: Agreement - Rochester Housing Development Fund Corporation, Home Rochester Program

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation establishing $285,000 as maximum compensation for an agreement with the Rochester Housing Development Fund Corporation for development subsidies to serve Home Rochester homebuyers with incomes up to 120% of area median income (AMI). The agreement will be funded from 2015-16 Cash Capital, contingent upon adoption of the 2015-16 Budget, and the term will be for one year with the option to extend for an additional year if funds remain in the original appropriation.

These funds will provide subsidies averaging $40,000 for the acquisition and rehabilitation of approximately seven vacant, single-family houses that will be sold to income-eligible households through the Home Rochester program. The funds allocated through this agreement will allow the program to continue to market properties to buyers with incomes between 80% and 120% of AMI.

Participating agencies in Home Rochester include the Urban League of Rochester Economic Development Corporation, PathStone, Marketview Heights Association, NCS Community Development Corporation, Group 14621, North East Area Development, ISLA Housing and Development Corporation, South Wedge Planning Committee, and the Ibero-American Development Corporation. CONEA is working to obtain the training necessary to participate in the program.

Prior to 2010, Home Rochester properties were available only to buyers who earned less than 80% of AMI. In 2010, the program secured financing sources that enabled it to expand service to buyers with incomes up to 120% of AMI. Since 2010, 29 Home Rochester properties have been purchased by buyers with incomes between 81% to 120% of AMI. All purchasers are required to attend pre- and post-purchase homebuyer training classes and

to reside in the properties for a minimum of 10 years.

This legislation supports the City's Housing Policy objective to promote the rehabilitation, redevelopment and new construction of housing.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-186
(Int. No. 193)

Authorizing an agreement with the Rochester Housing Development Fund Corporation for homebuyer assistance

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 Rochester Housing Development Fund Corporation in an amount not to exceed $285,000 for development subsidies to serve HOME Rochester homebuyers with incomes up to 120% of Area Median Income (AMI). The cost of the agreement shall be funded from the 2015-16 Cash Capital allocation contingent upon adoption. The agreement shall be for one year, with an option to extend for an additional year if funds remain in the original appropriation.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

Councilmember Palumbo moved to discharge Int. No. 198 from Committee.

The motion was seconded by Councilmember Spaull

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-187
Re: 2015-16 Consolidated Community Development Plan - Home Rochester Program

City Council Priority: Rebuilding and Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation relating to implementation of the 2015-16 Home Rochester Program as described in the 2015-16 Consolidated Community Development Action Plan (Con Plan). This legislation will:

1. Appropriate funds from the 2015-16 Con Plan, contingent upon its adoption, as follows:

Amount
Source
Purpose

$186,000
Housing Development Fund: Housing Development Support (CDBG)
Program Operation

$263,819
Housing Development Fund: Community Housing Development Organization (CHDO) (HOME funds)
Development subsidies - incomes up to 80% of AMI

$298,443
Homeownership Promotion Fund: Home Rochester (HOME funds)
Development subsidies - incomes up to 80% of AMI

2. Establish $186,000 as maximum compensation for an agreement with Rochester Housing Development Fund Corporation (RHDFC) for operation of the Home Rochester program. The cost of the agreement will be financed from the Community Development Block Grant (CDBG) funds appropriated herein.

3. Authorize an agreement(s) with qualified Community Housing Development Organization(s) [CHDO(s)] for the administration of development subsidies totaling $263,819 for families whose incomes are no more than 80% of the area median income (AMI). These subsidies will be financed from the HOME funds appropriated herein.

4. Authorize an agreement with RHDFC for the administration of development subsidies totaling $298,443 for families whose incomes are no more than 80% of AMI. These subsidies will be financed from the HOME funds appropriated herein.

5. Agreement terms will be for one year, with an option to extend for an additional year if funds remain in the original appropriation.

The City is required to reserve at least 15% of its annual HOME award to fund the development of affordable housing by non-profit CHDOs that must demonstrate to the City that they continue to meet US Housing and Urban Development (HUD) requirements pertaining to CHDOs. Due to a change in the HOME rule governing CHDOs which requires them to hold title to the properties being developed with CHDO resources, the City of Rochester anticipates entering into one agreement for the use of 2015-16 CHDO funds with RHDFC because it has achieved status as a CHDO.

The Home Rochester Program provides for the acquisition and rehabilitation of vacant, single-family houses for resale to income-eligible house-

holds. RHDFC operates the Home Rochester Program in partnership with the City, the Greater Rochester Housing Partnership, Inc. (GRHP), and neighborhood based non-profit developers. RHDFC buys vacant homes and oversees their renovation for sale to first-time homebuyers. Since its inception in 2001, 661 properties have been rehabilitated and sold to first time homebuyers.

The total of $562,262 proposed for development subsidies will provide an average of $40,000 each for the acquisition and rehabilitation of approximately 14 vacant structures.

Participating agencies who serve as construction managers for the properties developed through the Home Rochester Program include the following:

- Urban League of Rochester Economic Development Corporation (ULREDC)
- Marketview Heights Association
- North East Area Development (NEAD)
- Isla Housing and Development Corporation
- Ibero-American Development Corporation
- PathStone
- NCS Community Development Corporation
- Group 14621
- South Wedge Planning Committee (SWPC)

CONEA is working on the training needed to be able to participate in the program.

Properties rehabilitated through Home Rochester will be marketed to families with incomes not exceeding 120% of AMI and the subsidy funds authorized herein will be used to support buyers with incomes at or below 80% of AMI. All purchasers are required to attend pre- and post-purchase homebuyer training classes and to reside in the properties for a minimum of 10 years.

These programs support the Housing Development Fund objective of the City Housing Policy.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-187
(Int. No. 198, as amended)

Appropriating funds and authorizing agreements for the HOME Rochester Program

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

Section 1. There is hereby appropriated from the 2015-16 Consolidated Community Development Plan, HOME Rochester Program, the amounts set forth below, or so much thereof as may be necessary, are hereby appropriated to fund the HOME Rochester Program.

Contingent upon Adoption of the 2015-16 Consolidated Community Development Plan, appropriate funds from the 2015-16 CDBG Plan for the HOME Rochester Program as follows:

Amount	Source	Purpose
$186,000	Housing Development Fund: Housing Development Support (CDBG)	Program Operation
$263,819	Housing Development Fund: Community Housing Development Organization (CHDO) (HOME funds)	Development subsidies - incomes up to 80% of AMI
$298,443	Homeownership Promotion Fund: HOME Rochester (HOME funds)	Development subsidies - incomes up to 80% of AMI

Section 2. The Mayor is hereby authorized to enter into such agreements as may be necessary with the Rochester Housing Development Fund Corporation (RHDFC) to administer the HOME Rochester Program in a maximum amount of $186,000, and an agreement with RHDFC for the administration of development subsidies totaling $298,443 for families whose incomes are no more than 80% of Area Median Income, and an agreement with RHDFC, a designated Community Housing Development Organization, in the maximum amount of $263,819 for development subsidies for the HOME Rochester Program. ~~and agreements in a maximum amount of $263,819 with designated Community Housing Development Organizations (CHDOs) for the HOME Rochester Program.~~ Said agreements shall be funded from the amounts appropriated herein.

Section 3. The agreements shall be for a term of one year, with an option to extend for an additional year if funds remain in the original appropriation.

Section 4. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate. The City will enter into agreements for this program only with organizations that are in compliance with federal regulations.

Section 5. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Introductory No. 204
Re: Zoning Map Amendment - 4
Edgewood Park

Transmitted herewith for your approval is legislation amending the Zoning Map of the City of Rochester by rezoning 4 Edgewood Park from R-2 (Medium Density Residential District) to C-2 (Community Center District). The rezoning is requested so that the property can be combined with the properties at 715-723, 731 and 737 West Main Street, which are already zoned C-2, to facilitate the construction of a high-impact retail store, Family Dollar. The store would like to relocate from its current location in the Bullshead Plaza to West Main Street so that it can offer its customers an upgraded, modern store that is also directly on a bus route. Family Dollar is a high-impact retail store because it plans to sell tobacco products.

The Family Dollar project is currently going through the City's site plan review process, where the need for the rezoning was identified. If the rezoning is approved, Family Dollar will still have to appear before the City Planning Commission for Special Permit approval to establish a high-impact retail store in a C-2 District. It will also have to appear before the Zoning Board to obtain area variances for exceeding the maximum square footage allowed in the District, and for not meeting the transparency and setback requirements.

The City Planning Commission held an informational meeting on the proposed rezoning on April 20, 2015. One person spoke in support of the rezoning, and two people spoke in opposition. By a vote of 1-5-0, the Planning Commission recommended Denial. Minutes of that meeting are attached.

A public hearing is required for the Zoning Map Amendment.

Respectfully submitted,
Lovely A. Warren
Mayor

Introductory No. 204

CHANGING THE ZONING CLASSIFICATION OF 4 EDGEWOOD PARK FROM R-2 MEDIUM DENSITY RESIDENTIAL DISTRICT TO C-2 COMMUNITY CENTER DISTRICT

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

Section 1. Chapter 120 of the Municipal Code, Zoning Code, as amended, is hereby further amended by changing the zoning classification of the following parcel, constituting 4 Edgewood Park from R-2 Medium Density Residential District to C-2 Community Center District

LEGAL DESCRIPTION OF LANDS
TO BE REZONED R-2 TO C-2
#4 EDGEWOOD PARK
T.A. #120.430-0002-041

All that tract or parcel of land, situate in the City of Rochester, County of Monroe, State of New York, being part of Town Lot 63, Township 1 and being more particularly bounded and described as follows: Beginning at a point in the centerline of Edgewood Park (ROW Varies) at its intersection with the westerly extension of the north line of Lot 4 of the E.W. Thompson Subdivision, as filed in the Monroe County Clerk's Office in Liber 7 of Maps, Page 99, said intersection being the Point or Place of Beginning; thence

1) Easterly, along said extension and the north line of Lot 4, a distance of 66.0 feet to the northeast corner thereof; thence

2) Southerly, along the rear line of said Lot 4, a distance of 30.0 feet to the southeast corner thereof; thence

3) Westerly, along the south line of said Lot 4 and its extension, a distance of 66.0 feet to the said centerline of Edgewood Park; thence

4) Northerly, along said centerline, a distance of 30.0 feet to the Point or Place of Beginning.

Section 2. This ordinance shall take effect immediately.

Held in Committee.

By Councilmember Haag
June 16, 2015

To the Council:

The Parks & Public Works Committee recommends for adoption the following entitled legislation:

Int. No. 206 - Authorizing an agreement for the Arlington Street Rehabilitation Project

Int. No. 207 - Bond Ordinance of the City of Rochester, New York authorizing the issuance of $283,000 bonds of said City to finance the costs of construction of streets as part of the Arlington Street Rehabilitation Project

Int. No. 208 - Bond Ordinance of the City of Rochester, New York authorizing the issuance of $97,000 bonds of said City to finance the costs of construction of water mains as part of the Arlington Street Rehabilitation Project

Int. No. 209 - Authorizing an amendatory professional services agreement for the Central Vehicle Maintenance Facility (CVMF) Underground Electrical Service Replacement Project.

Int. No. 210 - Authorizing a professional services agreement for the La Avenida Streetscape Improvements Project Phase II

Int. No. 211 - Authorizing a professional services agreement for the Ryan Center Field Restoration and Water Park Improvements Projects

Int. No. 212 - Authorizing an agreement with Vanguard Engineering PC for resident project representation services for Hazardous Sidewalk Replacement Projects

Int. No. 213 - Accepting the donation of an easement at 737 West Main Street

Int. No. 214 - Authorizing agreements and appropriating funds for the Main Street Streetscape and Pedestrian Wayfinding Enhancement Project

Int. No. 215 - Bond Ordinance of the City of Rochester, New York authorizing the issuance of $106,000 bonds of said City to finance the costs of construction of streetscape improvements as part of the Main Street Streetscape and Pedestrian Wayfinding Enhancement Project

Int. No. 216 - Authorizing a professional services agreement for the Mt. Hope Avenue Phase 2 Improvements Project

Int. No. 217 - Authorizing agreements for environmental site assessment and remedial services

Int. No. 218 - Authorizing a professional services agreement for the environmental cleanup of City-owned land at 1200 East Main Street

Int. No. 219 - Authorizing receipt and use of funds for the Two Bridge Preventive Maintenance Project

The Parks & Public Works Committee recommends for consideration the following entitled legislation:

Int. No. 220 - Approving pavement width changes to East Broad Street, South Clinton Avenue and Mortimer Street

Int. No. 221 - Changing the traffic flow on East Broad Street from one-way westbound to two-way traffic

Int. No. 222 - Changing the traffic flow on South Clinton Avenue from one-way northbound to two-way traffic

Int. No. 223 - Approving pavement width changes on Lake Avenue

Respectfully submitted,
Matt Haag
Elaine M. Spaull
Dana K. Miller
Loretta C. Scott
PARKS & PUBLIC WORKS COMMITTEE
Received, filed, and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-188,
Ordinance No. 2015-189 and
Ordinance No. 2015-190
Re: Agreement - Labella Associates,
D.P.C., Arlington Street
Rehabilitation

Council Priority: Jobs and Economic
Development

Transmitted herewith for your approval is legislation related to the Arlington Street Rehabilitation Project. This legislation will:

1. Establish $50,000 as maximum compensation for an agreement with Labella Associates, D.P.C., Rochester, New York, for resident project representation (RPR) services;

2. Authorize the issuance of bonds totaling $283,000 and appropriate the proceeds thereof to partially finance the street portion of the project; and

3. Authorize the issuance of bonds totaling $97,000 and appropriate the proceeds thereof to partially finance the water portion of the project.

The Arlington Street Rehabilitation Project includes new granite stone curbs, spot concrete sidewalk replacement, new driveway aprons, catch basin upgrades, and new water services and hydrant. The roadway will be milled and resurfaced with areas of reconstruction.

Bids for construction were received on May 19, 2015. The apparent low bid of $318,914.22 was submitted by Hewitt Young Electric (Rochester, New York), which is 12% less than the engineer's estimate. An additional $37,385.78 will be allocated for project contingencies, street lighting and tree plantings.

The funding sources for the project, based upon the bid amount, are as follows:

Funding	Construction	RPR	Contingency	Total
Street Bond	$219,832.22	$37,000.00	$26,167.78	$283,000.00
Water Bond	76,427.00	13,000.00	7,573.00	97,000.00
Rochester Pure Waters District (Ord. No. 2015-132)	22,655.00		2,245.00	24,900.00
2014-2015 Cash Capital			1,400.00	1,400.00
Total	$318,914.22	$50,000.00	$37,385.78	$406,300.00

Labella Associates was selected for RPR services through a request for proposal process, which is described in the attached summary. The agreement may extend until three months after completion and acceptance of a two-year guarantee inspection of the project.

A public informational meeting on this project was held on September 24, 2014; meeting minutes are attached.

Construction is scheduled to commence in summer 2015 and be completed in fall 2015. The project will result in the creation and/or retention of the equivalent of 3.5 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-110

Ordinance No. 2015-188
(Int. No. 206)

Authorizing an agreement for the Arlington Street Rehabilitation 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 LaBella Associates DPC for Resident Project Representation (RPR) services for the Arlington Street Rehabilitation Project in a maximum amount of $50,000. The agreement may extend until three (3) months after completion of a two year guarantee inspection of the project. The cost of said agreement shall be funded by $37,000 from funds appropriated by a bond ordinance to be adopted for the street improvements of this project; and $13,000 from funds appropriated by a bond ordinance to be adopted for the water improvements of this project.

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.

Passed unanimously.

Ordinance No. 2015-189
(Int. No. 207)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of $283,000 bonds of said City to finance the costs of construction of streets as part of the Arlington Street Rehabilitation Project

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the costs of construction of streets as part of the Arlington Street Rehabilitation 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 $406,300, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of $97,000 bonds of the City to finance water main construction as part of said Project, $283,000 bonds of the City to finance street construction as part of said Project, $24,900 in funds to be received from the Rochester Pure Waters District, and $1,400 from 2014-15 Cash Capital and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of $283,000 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 $283,000. 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 the class of objects or purposes described in Section 1 of this Ordinance, within the limitations of 11.00 a. 20 of the Local Finance 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.

Passed unanimously.

Ordinance No. 2015-190
(Int. No. 208)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of $97,000 bonds of said City to finance the costs of construction of water mains as part of the Arlington Street Rehabilitation Project

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the costs of construction of water mains as part of the Arlington Street Rehabilitation 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 $406,300, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of $97,000 bonds of the City to finance water main construction as part of said Project, $283,000

bonds of the City to finance street construction as part of said Project, $24,900 in funds to be received from the Rochester Pure Waters District, and $1,400 from 2014-15 Cash Capital and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of $97,000 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 $97,000. 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 the class of objects or purposes described in Section 1 of this Ordinance, within the limitations of 11.00 a.1 of the Local Finance Law, is 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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-191
Re: Amendatory Agreement - Hunt Engineers, Architects & Land Surveyors, P.C., Central Vehicle Maintenance Facility Underground Electrical Service Replacements

Transmitted herewith for your approval is legislation establishing $35,000 as maximum compensation for an amendatory agreement with Hunt Engineers, Architects & Land Surveyors, P.C. for resident project representation (RPR) services for the Central Vehicle Maintenance Facility Underground Electrical Service Replacements Project. The amendment will be financed from 2014-15 Cash Capital.

The original agreement with Hunt Engineers, Architects & Land Surveyors, P.C. was authorized after a request for proposal (RFP) process in March 2014 in the amount of $67,000 (Ord. No. 2014-66). This amendment will increase maximum compensation to a total of $102,000.

The original agreement provided for the following services:

- Program verification and schematic design
- Design development

- Contract documents
- Bid and award
- Construction administration

The amendatory agreement will fund:

- RPR services

Hunt Engineers, Architects & Land Surveyors, P.C. was selected for these services based on their familiarity with the project. A full justification for not issuing an RFP is attached.

The construction under this phase will include underground electric and related service replacements at Central Vehicle Maintenance Facility buildings 100 and 200. Proposed future phases would include underground and overhead service installations from building 200 to buildings 201, 300, 301, and 101.

The estimated construction cost for this phase is $236,800. Construction is scheduled to begin in summer 2015 with completion in winter 2015. The agreement may extend until six months after completion and acceptance of the construction of the project.

The amendatory agreement will result in the creation and/or retention of the equivalent of 0.4 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-111

Ordinance No. 2015-191
(Int. No. 209)

Authorizing an amendatory professional services agreement for the Central Vehicle Maintenance Facility (CVMF) Underground Electrical Service Replacement Project

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

Section 1. The Mayor is hereby authorized to enter into an amendatory professional services agreement with Hunt Engineers, Architects & Land Surveyors PC for the Central Vehicle Maintenance Facility (CVMF) Underground Electrical Service Replacement Project for resident project representation services. The amendment shall increase the maximum amount by $35,000 to a total of $102,000. The agreement may extend until six (6) months after completion and acceptance of the construction of the Project. The cost of said agreement shall be funded from the 2014-15 Cash Capital allocation.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-192
Re: Agreement - Bergmann Associates, P.C., La Avenida Streetscape Improvements Phase II

Transmitted herewith for your approval is legislation establishing $156,000 as maximum compensation for an agreement with Bergmann Associates, P.C. for resident project representation (RPR) services for the La Avenida Streetscape Improvements Phase II Project. The agreement will be funded from the bond appropriated via Ordinance No. 2012-448 for this purpose.

The project includes streetscape improvements and enhancements for North Clinton Avenue (Upper Falls Boulevard to Norton Street) to match the previously completed Phase I improvements. Improvements will include new ornamental street lighting with pedestrian level lighting, bicycle racks, planters, a bus shelter, enhanced crosswalks and new Americans with Disabilities Act compliant pedestrian ramps at all crossings, select curb and sidewalk repair, tree plantings, roadway restriping, four bump-outs, and a gateway feature at Norton Street. Bond Ordinance No. 2012-448 is fully funding this project as part of the Capital Project Acceleration Initiative Funding. Design services for the project were authorized via Ordinance No. 2013-102.

Bergmann Associates was selected to provide RPR services based on its familiarity with the project. A full justification for not issuing a request for proposals is attached. The agreement may extend until three months after completion and acceptance of a two year guarantee inspection of the project.

Bids for construction were received on May 19, 2015. The apparent low bid of $1,032,552.65 was submitted by Sealand Contractors Corp., which is 2% less than the engineer's estimate. An additional $61,447.35 will be allocated for project contingencies.

Construction will begin in summer 2015, with substantial completion in fall 2015. The project's construction and RPR services will result in the creation and/or retention of the equivalent of 13.5 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-112

Ordinance No. 2015-192
(Int. No. 210)

Authorizing a professional services agreement for the La Avenida Streetscape Improvements Project Phase II

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 between the City and Bergmann Associates PC for resident project representation services for the La Avenida Streetscape Improvements Phase II Project. The maximum amount shall be $156,000. The agreement may extend until three months after completion and acceptance of a two year guarantee inspection of the Project. Said amount shall be funded from Bond Ordinance No. 2012-448.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-193
Re: Agreement- Stantec Consulting Services, Inc., Ryan Center Field Restoration and Water Park Improvements Projects

Transmitted herewith for your approval is legislation establishing $60,000 as maximum compensation for an agreement with Stantec Consulting Services, Inc. for resident project representation (RPR) services for the Ryan Center Field Restoration and Water Park Improvements Projects. The agreements will be funded from 2011-12 Cash Capital, and may extend until three months after completion and acceptance of a two year guarantee inspection of the project.

The Ryan Center Field Restoration Project includes earthwork, soil screening, sod installation, storm sewer catch basins adjustment, chain link fencing, and sod area maintenance. Bids for construction of the Ryan Center Fields were received on May 6, 2015. The apparent low bid of $297,500 was submitted by RAL Landscape which is 4% less than the engineer's estimate. An additional $46,260 will be allocated for project contingencies. Construction is anticipated in summer 2015 with completion planned for fall 2015.

The Water Park Improvements Project involves work on the water park facilities at the Ryan Center, including drainage improvements and the replacement of an underground spray park controller system with a new aboveground system. Construction is anticipated for summer 2015 with planned completion in fall 2015, at an estimated cost of $110,000.

Design services for the projects were provided by Stantec under term agreements authorized via Ordinance Nos. 2012-149 and 2014-346. Stantec was selected to provide RPR services based on its familiarity with the projects. A full justification for not issuing a request for proposals is attached.

The project's construction and RPR services will result in the creation and/or retention of the equivalent of 5.6 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-113

Ordinance No. 2015-193
(Int. No. 211)

Authorizing a professional services agreement for the Ryan Center Field Restoration and Water Park Improvements 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 between the City and Stantec Consulting Services Inc. for resident project representation services for the Ryan Center Field Restoration and Water Park Improvements Projects. The maximum amount shall be $60,000. The agreement may extend until three months after completion and acceptance of a two year guarantee inspection of the Project. Said amount shall be funded from the 2011-12 Cash Capital allocation.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-194
Re: Agreement - Vanguard Engineering, PC, Resident Project Representation Services

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation establishing $475,000 as maximum compensation for an agreement with Vanguard Engineering, PC, Rochester, New York, for resident project representation (RPR) services for hazardous sidewalk replacement. The agreement will be funded from 2012-13 Cash Capital ($276,675), 2015-16 Cash Capital ($133,325), contingent upon adoption of the 2015-16 Budget, and a bond previously authorized for this purpose via Ordinance No. 2014-218 ($65,000). The agreement will be for a term of three years and may extend until three months after completion and acceptance of a two-year guarantee inspection of the projects covered by the agreement.

Vanguard Engineering will provide RPR services on a number of City hazardous sidewalk replacement contracts, which are bid annually. Typically, RPR services for City-designed construction projects are provided by either City personnel or private consultants on a "project by project" basis. During peak periods of the summer construction season, sufficient City personnel are not available to inspect all of the City's projects. Term RPR services enable consultants to be assigned as required to multiple hazardous sidewalk replacement projects.

Vanguard Engineering was selected for RPR services through a request for proposal process, which is described in the attached summary. Their services will begin in summer 2015.

The Hazardous Sidewalk Replacement Project and RPR services will result in the creation and/or retention of the equivalent of 5.2 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-114

Ordinance No. 2015-194
(Int. No. 212)

Authorizing an agreement with Vanguard Engineering PC for resident project representation services for Hazardous Sidewalk Replacement Projects

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. Vanguard Engineering PC for resident project representation services for Hazardous Sidewalk Replacement Projects in the maximum amount of $475,000. The cost of the agreement will be funded from the 2012-13 Cash Capital allocation ($276,675), 2015-16 Cash Capital allocation ($133,325) contingent upon adoption, and the bond funds previously appropriated for this purpose in Ordinance No. 2014-218 ($65,000).

Section 2. The agreement shall be for a term of three years and may extend until three months after completion and acceptance of a two year guarantee inspection of the Project.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-195
Re: Accepting Easement - 737 West Main Street

Transmitted herewith for your approval is legislation authorizing the acceptance of a utility easement at 737 West Main Street.

During the review of a site plan for a Family Dollar store to be located at 715-737 West Main Street, at the corner of Edgewood Park, it was noted that some of the public amenities, such as a portion of the public sidewalk, a light pole and a fire hydrant, were outside the existing public right-of-way.

When Edgewood Park was reconstructed in 2001, it was proposed to widen the existing public right-of-way from 22 feet to 24 feet. At the February 2001 City Council meeting, Council approved Ordinance No. 2001-52 which authorized the dedication of additional public right-of-way for Edgewood Park, with the dedication taking effect upon acquisition of the parcels or easements by the City. The proposed widening area consisted of a two feet wide taking along the west property line of the site, a seven feet triangle at the corner, and included an additional easement area around the new street lighting pole located near West Main Street. The property taking for this site was unacceptable to the owner at that time, and was supposed to be acquired through condemnation proceedings which were never done. A review of Ordinance No. 2001-52 shows that we may commence with the fee takings, however the easement was never properly described, so we must seek authorization to accept the donation of the easement from the developer.

Property information for the utility easement is:

Address	Property Owner	Sq. Ft.
737 West Main Street	Ann M. Haag	68

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-115

Ordinance No. 2015-195
(Int. No. 213)

Accepting the donation of an easement at 737 West Main Street

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

Section 1. The Council hereby approves the acceptance of the donation of a permanent easement over approximately 68 square feet of the parcel at 737 West Main St., SBL #120.43-2-8, owned by Ann M. Haag, for public sidewalk and utilities.

Section 2. This ordinance shall take effect immediately

Passed by the following vote:

Ayes - President Scott, Councilmembers Haag,

McFadden, Miller, Ortiz, Palumbo, Patterson, Spaull - 8.

Nays - Councilmember Conklin - 1.

Abstains - 0.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-196 and
Ordinance No. 2015-197
Re: Agreement - Stantec Consulting, Inc., Main Street Streetscape and Pedestrian Wayfinding Enhancement

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation related to the Main Street Streetscape and Pedestrian Wayfinding Enhancement Project. This legislation will:

1. Authorize the Mayor to enter into agreements with New York State Department of Transportation (NYSDOT) necessary to participate in and administer the project;

2. Appropriate $199,000 in anticipated reimbursements from the Federal Highway Administration (FHWA) to finance design;

3. Authorize the issuance of bonds totaling $106,000 and appropriating the proceeds thereof to partially finance the local share of the design project;

4. Authorize the receipt and use of $106,500 in anticipated private contributions to finance design, construction and inspection services; and

5. Establish $318,000 as maximum compensation for an agreement with Stantec Consulting Services, Inc., Rochester, New York, for design services related to the project.

The cost of the agreement will be funded from FHWA anticipated reimbursements ($199,000), anticipated private contributions ($13,000), and the bond issuance ($106,000), as appropriated herein. Federal aid will reimburse the City for 63% of eligible project costs; anticipated private contributions and local funds will support the balance. The term of the agreement is six months after the completion and acceptance of the construction of the project. In the event that construction is not undertaken, the agreement will terminate one year after the completion and acceptance of the design documents.

Ordinance No. 2014-131 authorized the application to and agreement(s) with NYSDOT for funding through the Transportation Alternatives Program for the implementation of streetscape improvements and pedestrian wayfinding signage on Main Street.

The streetscape improvements will provide enhancements on Main Street between the Genesee River and Franklin Street, including Liberty Pole Plaza. The streetscape improvements will consider a full range of streetscape elements to meet the project goals, including: sidewalks; street trees; on-street parking; bicycle facilities; lighting; benches, trash receptacles, planters and other pedestrian amenities; and green infrastructure practices. In addition, the project will implement the first phase of the Center City Pedestrian Wayfinding System, based on an award-winning plan completed in 2013. The new signage will extend the length of Main Street from Canal Street to Alexander Street.

Center City businesses and property owners have committed $106,500 to funding a portion of the project. This private commitment was critical to the success of the grant application. A list of private contributors is attached.

Stantec Consulting, Inc. was selected through a request for proposal process, which is described in the attached summary.

Design services are anticipated to begin in July 2015. Construction is anticipated to begin in spring 2017 with completion in summer 2017. The design phase of this project will result in the creation and/or retention of the equivalent of 3.5 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-116

Ordinance No. 2015-196
(Int. No. 214)

Authorizing agreements and appropriating funds for the Main Street Streetscape and Pedestrian Wayfinding Enhancement 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 Stantec Consulting Services Inc. for design services for the Main Street Streetscape and Pedestrian Wayfinding Enhancement Project (the "Project") in a maximum amount of $318,000. The cost of said agreement shall be funded by $199,000 from anticipated reimbursements to be received from the Federal Highway Administration; $13,000 from anticipated private contributions and $106,000 from funds appropriated by a bond ordinance to be adopted for this Project. The term of the agreement shall extend to six months after the completion and acceptance of the construction of the project. In the event that construction is not undertaken, the agreement shall terminate one year after the completion and acceptance of the design documents.

Section 2. The Mayor is hereby authorized to enter into agreements with the New York State

Department of Transportation to participate in and administer the Project.

Section 3. The sum of $106,500 is hereby appropriated from anticipated reimbursements to be received from private contributions to finance a portion of the costs of the Project. The Mayor is hereby authorized to enter into an agreement for the receipt and use of said funds.

Section 4. The sum of $199,000 is hereby appropriated from anticipated reimbursements to be received from the Federal Highway Administration to finance a portion of the costs of the Project. The Mayor is hereby authorized to enter into an agreement for the receipt and use of said funds.

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

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2015-197
(Int. No. 215)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of $106,000 bonds of said City to finance the costs of construction of streetscape improvements as part of the Main Street Streetscape and Pedestrian Wayfinding Enhancement Project

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the costs of construction of streetscape improvements as part of the Main Street Streetscape and Pedestrian Wayfinding Enhancement 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 $411,500, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of $106,000 bonds of the City to finance construction of streetscape improvements as part of said Project, $199,000 in funds to be received from the Federal Highway Administration, $106,500 in anticipated private contributions for the Project, 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 $106,000 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 $106,000. 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 the class of objects or purposes described in Section 1 of this Ordinance, within the limitations of 11.00 a. 20 of the Local Finance 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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-198
Re: Agreement - Bergmann Associates, P.C., Mt. Hope Avenue Phase 2 Improvements Project

Transmitted herewith for your approval is legislation establishing $35,000 as maximum compensation for an agreement with Bergmann Associates, P.C., Rochester, New York, for additional studies and preliminary design of the Mt. Hope Avenue Phase 2 Improvements Project (south city line to Rossiter Road). The cost of the agreement will be financed from 2014-15 Cash Capital.

The project includes traffic re-evaluation and preliminary design of Mt. Hope Avenue between the south city line and Rossiter Road. Since the final design report was completed in 2009, improvements have been made to East Henrietta Road (South Avenue to Mt. Hope Avenue) and Mt. Hope Avenue (Rossiter Road to Elmwood Avenue). In addition, significant improvements, including the construction of a new on-ramp to I-390 from Kendrick Road, have been made in the vicinity of the I-390 interchanges with New York State Routes 15 and 15A (West and East Henrietta Roads). The University of Rochester's College Town development has also occurred. Together, these changes are likely to have affected traffic volumes along the Phase 2 segment of the Mt. Hope Avenue corridor.

Bergmann Associates will provide additional traffic studies and preliminary engineering to obtain design approval from the New York State Department of Transportation and the Federal Highway Administration. They were selected for these services based upon previously completed design services for the Mt. Hope Avenue Phase 1 Project and their familiarity with the anticipated scope of work. The term of the agreement will be six months after completion and acceptance of the studies.

The traffic study will begin in early fall, with completion scheduled for October 2015. The project will result in the creation and/or retention of the equivalent of 0.3 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-198
(Int. No. 216)

Authorizing a professional services agreement for the Mt. Hope Avenue Phase 2 Improvements 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 between the City and Bergmann Associates PC for additional studies and preliminary design services for the Mt. Hope Avenue Phase 2 Improvements Project. The maximum amount shall be $35,000. Said amount shall be funded from 2014-15 Cash Capital allocation. The agreement may extend until six months after completion and acceptance of the studies.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-199
Re: Agreements - Environmental Site Assessment and Remedial Services

Transmitted herewith for your approval is legislation authorizing term agreements with the following companies for environmental assessment, investigation, and remedial phase services:

Company
Address
Barton & Loguidice
11 Centre Park, Suite 203, Rochester
Bergmann Associates
28 East Main Street, Rochester
Day Environmental, Inc.
1563 Lyell Avenue, Rochester
LaBella Associates, P.C.
300 State Street, Suite 201, Rochester
Leader Professional Services, Inc.
704 South Clinton Avenue, Rochester
LiRo Engineers, Inc.
250 Mill Street, Rochester
Lu Engineers
175 Sully's Trail, Pittsford
O'Brien & Gere Engineers, Inc.
400 Andrews Street, Harro East Building, Rochester
Ravi Engineering & Land Surveying, P.C.
1100 University Avenue, Suite 108, Rochester
Stantec Consulting Services, Inc.
61 Commercial Street, Rochester

Projects performed as needed under these unit rate agreements will be financed from the annual budgets of the departments using the services or from capital funds appropriated for specific environmental, construction and redevelopment projects.

Environmental site assessments are a prerequisite for properties that are involved in real estate transactions. Such assessments allow a prospective buyer to identify suspect environmental conditions, consider potential remediation costs during negotiations, plan for cleanup during redevelopment and avoid or limit liability for these costs.

Under the proposed agreements the following Phase I site assessment services will be provided:

1. A review of title and deed history records;

2. An examination of other public records, including aerial photographs, that may contain relevant environmental information;

3. Governmental agency review (New York State Department of Environmental Conservation, City of Rochester, Monroe County Department of Health, etc.);

4. An inspection of the property and observation of adjacent properties; and

5. The preparation of a report with recommendations based on the findings.

If requested by the City, additional environmental services will be provided which may include:

1. Sampling and laboratory analysis of air, soil, wastes, groundwater and surface waters;

2. Subsurface soil, bedrock, and geotechnical investigations;

3. Environmental data analysis, modeling, survey, and GIS/GPS mapping;

4. Feasibility studies, analyses of remedial alternatives, and remedial cost estimating; and

5. Environmental planning, design, and implementation of remedial actions and pollution prevention and/or reduction measures.

The City routinely performs site assessments prior to acquiring commercial and industrial properties. The most recent agreements for these assessments were authorized by the City Council on April 25, 2012 via Ordinance No. 2012-147.

In anticipation of the expiration of the current agreements, the Department of Environmental Services advertised a request for proposals on April 2, 2015, resulting in proposals from seventeen consulting firms: AFI Environmental, Arcadis, Barton & Loguidice, Bergmann Associates, Clough, Harbour & Associates, Day Environmental, GHD, KHEOPS, LaBella Associates, Leader Professional Services, LiRo Engineers, Lu Engineers, Matrix Environmental, O'Brien & Gere Engineers, Ravi Engineering, Stantec Consulting Services and Terracon. We are recommending agreements with ten of these firms.

Under the agreements, when environmental assessment, environmental analysis, or environmental remediation services are required, proposals from one or more of these companies will be requested. The selection of a specific company will depend upon the type of environmental services that are required, the company's ability to meet the City's schedule and the quality and cost of its proposal.

The number and types of projects will depend on the needs of the various departments that are requiring assessment, testing, and remedial actions. The cost of the project specific proposals will be based on the unit prices specified in each company's agreement with the City.

Each of the agreements will have an initial term of one year with provisions for renewal for two additional one-year periods based on mutual written agreement. If the agreements are renewed, adjustment to the specific unit prices for the second year will be permitted subject to the City's approval.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-117

Ordinance No. 2015-199
(Int. No. 217)

Authorizing agreements for environmental site assessment and remedial services

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

Section 1. The Mayor is hereby authorized to enter into agreements with the following companies for environmental site assessment and remedial services as required by the City:

Company
Address

Barton & Loguidice
11 Centre Park, Suite 203, Rochester
Bergmann Associates
28 East Main Street, Rochester
Day Environmental, Inc.
1563 Lyell Avenue, Rochester
LaBella Associates, P.C.
300 State Street, Suite 201, Rochester
Leader Professional Services, Inc.
704 South Clinton Avenue, Rochester
LiRo Engineers, Inc.
250 Mill Street, Rochester
Lu Engineers
175 Sully's Trail, Pittsford
O'Brien & Gere Engineers, Inc.
400 Andrews Street, Harro East Building, Rochester
Ravi Engineering & Land Surveying, P.C.
1100 University Avenue, Suite 108, Rochester

Stantec Consulting Services, Inc.
61 Commercial Street, Rochester

Section 2. The agreements shall extend for a term of one year with an option to extend for two additional one year periods, and shall obligate the City to pay specified unit prices in an amount not to exceed the amount budgeted for such services, which shall be funded from the annual Budget of the Department of Environmental Services, or other Departments using these services, or from capital project appropriations. If extended, the unit prices may be adjusted with the approval of the City.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-200
Re: Agreement - Bergmann Associates, PC, 1200 East Main Street Environmental Cleanup

Council Priority: Deficit Reduction and Long-Term Financial Stability; Rebuilding and Strengthening Neighborhood Housing; Jobs and Economic Development

Transmitted herewith for your approval is legislation related to the environmental cleanup of City-owned land at 1200 East Main Street. This legislation will establish $475,000 as maximum compensation for an agreement with Bergmann Associates, Rochester, New York, for subsurface soil and groundwater remediation services in connection with environmental contamination present at 1200 East Main Street. The agreement will have an initial term of three years with provision for renewal for an additional two-year period.

The cost of this agreement will be financed from the following funding sources:

1. $117,409 in previously authorized New York State (NYS) Environmental Restoration Program grant funds (Ord. No. 2007-382);

2. $293,630 in previously authorized NYS Environmental Restoration Program grant funds (Ord. No. 2013-422); and

3. $63,961 in Prior Years' Cash Capital.

The balance of the grant funds authorized in Ordinance No. 2013-422 ($38,970) will be used to reimburse the City for staff costs required to conduct the project.

The proposed agreement is necessary in order to complete remediation previously started by Bergmann Associates under an agreement that was authorized by City Council in November 2011 (Ordinance No. 2011-354). In the course of completing the previously authorized cleanup services, significantly greater quantities of petroleum contamination in free phase form was encountered in fractured bedrock beneath the site. As a result, the groundwater cleanup approach approved by the NYS Department of Environmental Conservation (DEC) and being implemented by Bergmann proved inadequate.

During 2012 and 2013, the City worked with the NYSDEC to develop a more robust, two-step groundwater cleanup plan involving the addition of vacuum enhanced groundwater extraction technologies. The City requested $332,600 in additional NYS Environmental Restoration Program grant funding from the NYSDEC to finance the additional cleanup. The grant request was approved by the NYSDEC in September 2013, and the City received an executed grant contract in June 2014.

Because Bergmann's agreement expired in December 2013 and the revised cleanup plan was more extensive and included additional technologies, the Department of Environmental Services (DES) determined that it was appropriate to issue a new request for proposals (RFP) for the cleanup services. In February 2015, DES issued an RFP as described in the attached summary.

Under the proposed agreement, Bergmann will complete the necessary remediation tasks required to secure a NYSDEC technical completion letter and State environmental indemnification for the site. These tasks include:

1. The installation, operation and maintenance of the proposed vacuum enhanced groundwater extraction system to remove free phase petroleum which will be followed by an oxygen injection remediation system to treat dissolved groundwater contamination;

2. Assisting City Department of Environmental Quality personnel with required system inspection, data collection, site media sampling, data digestion and periodic report preparation; and

3. Providing the necessary professional and technical personnel to complete all project work plans, GIS site mapping and surveying, and to prepare the required site final engineering report(s), and environmental easement and site management plan.

The project schedule with anticipated completion dates is as follows:

- Execution of proposed consultant agreement with Bergmann - July 2015

- Preparation and NYSDEC approval of revised remedial work plan - September 2015

- Installation and operation of Vacuum Enhanced Groundwater Extraction System - September 2016

- Installation and operation of Oxygen Injection System - March to September 2018 (18-24 months)
- Preparation and NYSDEC approval of Final Remedial Construction and Closure Report - June to November 2018

It is anticipated that remedial activities will be completed by December 2018, finishing the last step in the environmental cleanup process for this property.

This phase of the project results in the creation and/or retention of the equivalent of 4.7 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-118

Ordinance No. 2015-200
(Int. No. 218)

Authorizing a professional services agreement for the environmental cleanup of City-owned land at 1200 East Main Street

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement between the City and Bergmann Associates PC for the environmental cleanup of City-owned land at 1200 East Main Street. The maximum amount shall be $475,000. Said amount shall be funded as follows: $117,409 in NYS Environmental Restoration Program grant funds appropriated by Ordinance No. 2007-382; $293,630 in NYS Environmental Restoration Program grant funds appropriated by Ordinance No. 2013-422; and $63,961 in Prior Years Cash Capital. The agreement will have a term of three years with provisions for renewal for an additional two-year period.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-201
Re: Grant Acceptance - Two Bridge Preventive Maintenance Project

Transmitted herewith for your approval is legislation authorizing the receipt and use of $10,500 in anticipated reimbursements from the New York State Department of Transportation's Marchiselli Aid Program to finance portions of the Two Bridge Preventive Maintenance Project.

The project included maintenance related repairs to the Court Street Bridge over the Genesee River and the East Main Street Bridge over the CSX railroad tracks. Bridge improvements included minor deck and pier repairs, painting, joint replacements, bearing replacements, and curb repairs. The Marchiselli Aid appropriated herein will reduce the local share of the construction costs.

Project participation and design services were authorized on June 19, 2012 (Ord. No. 2012-255). The resident project representation services and construction funding were authorized via Ordinance Nos. 2013-97 and 2013-361.

Construction was completed in late fall 2013 at a cost of $564,235, resulting in the creation and/or retention of 6 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-201
(Int. No. 219)

Authorizing receipt and use of funds for the Two Bridge Preventive Maintenance Project

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

Section 1. The Mayor is hereby authorized to enter into an agreement for the receipt and use of $10,500 of anticipated reimbursements to be received from the New York State Department of Transportation Marchiselli Aid Program to finance a portion of the costs of the Two Bridge Preventive Maintenance Project, and said amount is hereby appropriated for said project.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-202,
Ordinance No. 2015-203 and
Ordinance No. 2015-204
Re: Center City Two-Way Conversion Project Phase II

Transmitted herewith for your approval is legislation related to the Center City Two-Way Conversion Project Phase II as follows:

1. Authorize pavement width changes on East Broad Street as follows:

   (a) Along the south curbline, a variable wid-

ening of 0 feet to 10 feet, from the existing variable width of 48 feet to 58 feet, to a proposed variable width of 58 feet to 66 feet, starting at Bausch & Lomb Way and ending 205 feet east of Bausch & Lomb Way; and

(b) Along the south curbline, within the area described above, an additional widening of 8 feet from the existing variable width of 48 feet to 58 feet, to a proposed variable width of 66 feet to 74 feet, starting at 10 feet east of Bausch & Lomb Way and ending 135 feet east of Bausch & Lomb Way.

2. Authorize a pavement width change on South Clinton Avenue as follows:

   (a) Along the west curbline, a widening of 8 feet, from the existing width 32 feet to a proposed width of 40 feet, starting at East Broad Street and ending 22 feet north of East Broad Street.

3. Authorize a pavement width change on Mortimer Street as follows:

   (a) Along the south curbline, a narrowing of 8 feet, from the existing width 24 feet to a proposed width of 16 feet, starting at North Clinton Avenue and ending 22 feet west of North Clinton Avenue.

4. Authorize a change in the direction of traffic flow on East Broad Street between South Clinton Avenue and Stone Street from one-way westbound traffic to two-way traffic.

5. Authorize a change in the direction of traffic flow on South Clinton Avenue between East Main Street and East Broad Street from one-way northbound traffic to two-way traffic.

Phase I of the Center City Two-Way Conversion Project provided for two-way traffic on Clinton Avenue and St. Paul Street north of Main Street. Phase II will address South Clinton Avenue and the portion of Broad Street from South Clinton Avenue to Stone Street. Work on South Clinton Avenue will include: milling and resurfacing of the pavement; spot curb replacements; repair; adjustment and repair of manholes, receiving basins, and water valve castings; replacement of traffic markings; and new traffic signs as necessary.

Broad Street (from South Clinton Avenue to Stone Street), currently one-way west bound, will be converted to two-way traffic. Associated work will include: milling and resurfacing of the pavement from South Clinton Avenue to South Avenue; curbline modifications; installation of traffic signal poles and modifications to existing traffic signal equipment; adjustment and repair of manholes, receiving basins, and water valve castings as necessary for the milling and resurfacing; replacement of traffic markings; and new traffic signs as necessary.

This federal aid project will be administered by the City through the New York State Department of Transportation (NYSDOT). Agreements with the NYSDOT and the approval of a design agreement with LaBella Associates, P.C , as well as appropriating Federal Highway Administration (FHWA) funds to finance a portion of the cost of design services was authorized by City Council in January 2014 (Ord. No. 2014-15).

The change in pavement width on East Broad Street is to have enough pavement for two-way traffic. The additional eight feet on East Broad Street is to install a recessed parking lane along the south side of the street.

The change in pavement width on South Clinton Avenue is to remove the curbed bump-out at the northwest corner of South Clinton Avenue and East Broad Street. This is necessary for the conversion of South Clinton Avenue to two-way traffic.

The change in pavement width on Mortimer Street is to install a curbed bump-out at the southwest corner of Mortimer Street with North Clinton Avenue. This is to prevent vehicles from attempting to make a right-hand turn from Mortimer Street onto North Clinton Avenue from the south curbline parking lane.

The pavement width changes will be presented for endorsement at the June 2, 2015 Traffic Control Board meeting, and a public meeting will be held on June 12, 2015. Minutes from the latter meeting will be forwarded to the City Clerk.

It is anticipated that the State will give authorization to bid the project and that construction will begin in fall 2015 with substantial completion by spring 2016.

A public hearing on the pavement width changes and the traffic flow changes is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-119

Ordinance No. 2015-202
(Int. No. 220)

Approving pavement width changes to East Broad Street, South Clinton Avenue and Mortimer Street

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

Section 1. The Council hereby approves the following changes in the pavement width of East Broad Street, South Clinton Avenue and Mortimer Street

1. Authorize pavement width changes on East Broad Street as follows:

   (a) Along the south curbline, a variable widening of 0 feet to 10 feet, from the exist-

ing variable width of 48 feet to 58 feet, to a proposed variable width of 58 feet to 66 feet, starting at Bausch & Lomb Way and ending 205 feet east of Bausch & Lomb Way; and

(b) Along the south curbline, within the area described above, an additional widening of 8 feet from the existing variable width of 48 feet to 58 feet, to a proposed variable width of 66 feet to 74 feet, starting at 10 feet east of Bausch & Lomb Way and ending 135 feet east of Bausch & Lomb Way.

2. Authorize a pavement width change on South Clinton Avenue as follows:

(a) Along the west curbline, a widening of 8 feet, from the existing width 32 feet to a proposed width of 40 feet, starting at East Broad Street and ending 22 feet north of East Broad Street.

3. Authorize a pavement width change on Mortimer Street as follows:

(a) Along the south curbline, a narrowing of 8 feet, from the existing width 24 feet to a proposed width of 16 feet, starting at North Clinton Avenue and ending 22 feet west of North Clinton Avenue.

Section 2. The changes shall be made in accordance with plans and specifications approved by the City Engineer, who may make reasonable modifications to such plans.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2015-203
(Int. No. 221)

Changing the traffic flow on East Broad Street from one-way westbound to two-way traffic

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

Section 1. The Council hereby approves a change in the direction of the traffic flow on a portion of East Broad Street between South Clinton Avenue and Stone Street from one-way westbound to two-way traffic.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2015-204
(Int. No. 222)

Changing the traffic flow on South Clinton Avenue from one-way northbound to two-way traffic

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

Section 1. The Council hereby approves a change in the direction of the traffic flow on a portion of South Clinton Avenue between East Main Street and East Broad Street from one-way northbound to two-way traffic

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-205
Re: Lake Avenue Improvement Project

Transmitted herewith for your approval is legislation related to the Lake Avenue Improvement Project. This legislation will:

1. Authorize pavement width changes on Lake Avenue as follows:

(a) A variable widening of 0 feet to 8 feet, from the existing width of 44 feet and tapering to a proposed width of 52 feet, starting 1,300 feet north of Winchester Road and ending 1,590 feet north of Winchester Road;

(b) A widening of 8 feet from the existing width of 44 feet to a proposed width of 52 feet, starting at the above point and ending 1,730 feet north of Winchester Road; and

(c) A variable widening of 12 feet to 0 feet, from the proposed width of 56 feet and tapering to the existing width of 44 feet starting at the above point and ending 2,080 feet north of Winchester Road.

2. Authorize the acquisition by donation, negotiation or condemnation of two utility easements.

This Lake Avenue Improvement Project is a federal aid project administered by the City through the New York State Department of Transportation (NYSDOT). The City is qualified to receive up to 80% of the eligible project costs from the Federal Highway Administration (FHWA) with the remaining 20% being a local share.

In addition to pavement width changes, this project includes street reconstruction, new curbing, sidewalks, limited water main and services, hydrants, receiving basins and a street lighting system. The project is designed by T.Y. Lin International, as authorized by City Council in May 2011 (Ord. No. 2011-151).

The change in pavement width is for the installation of a pedestrian refuge island at St. Bernard's Park. Residents and visitors using Regional Transit

Service buses cross Lake Avenue to access the southbound bus stop; providing a refuge island will improve safety by allowing them to cross half of Lake Avenue at a time.

The utility easements will provide for the installation of traffic signals at the intersection of Lake Avenue and Merrill Street and at the entrance to Holy Sepulchre Cemetery. The owners of the property required for the Merrill Street signal have tentatively agreed to donate the easement. The signal at the Cemetery is privately-owned by Holy Sepulchre Cemetery, and is maintained by Monroe County Department of Transportation at the owner's cost. Monroe County has decided that the signal needs to be replaced, and the owners would like to have this work done as part of the project, at their cost. One of the stipulations of having the signal included in the street project is that the easement needed to install it be donated. In order to have the signal work included in the project, the Cemetery is planning to fund the signal replacement through a Local Improvement Ordinance that will be requested in future legislation.

Property information is:

Address Property Owner	Sq. Ft.	Value
2038 Lake Avenue Mark F. Bianca and John M. Scatigno	495	N/A
2270 Lake Avenue Holy Sepulchre Cemetery	2,888	N/A

The total funding required for closing costs, legal fees, and if the Merrill Street signal easement is acquired through negotiation or condemnation, is estimated not to exceed $2,250 and will be funded from the FHWA authorized in Ordinance No. 2010-257 ($1,800) and 2011-12 Cash Capital ($450). The pavement width changes will be presented for endorsement at the June 2, 2015 Traffic Control Board meeting, and the Board's decision will be forwarded to City Council. In addition, a public meeting will be held on June 10, 2015, and the meeting minutes will be forwarded to City Council.

Construction is anticipated to begin in fall 2015, with substantial completion in the spring 2016.

A public hearing on the pavement width changes is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-120

Ordinance No. 2015-205
(Int. No. 223)

Approving pavement width changes on Lake Avenue

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

Section 1. The Council hereby approves the following changes in the pavement width of Lake Avenue:

Pavement width changes on Lake Avenue as follows:

1. A variable widening of 0 feet to 8 feet, from the existing width of 44 feet and tapering to a proposed width of 52 feet, starting 1,300 feet north of Winchester Road and ending 1,590 feet north of Winchester Road; and

2. A widening of 8 feet from the existing width of 44 feet to a proposed width of 52 feet, starting at the above point and ending 1,730 feet north of Winchester Road; and

3. A variable widening of 12 feet to 0 feet, from the proposed width of 56 feet and tapering to the existing width of 44 feet starting at the above point and ending 2,080 feet north of Winchester Road.

Section 2. The changes shall be made in accordance with plans and specifications approved by the City Engineer, who may make reasonable modifications to such plans.

Section 3. The Council hereby approves the acquisition by donation, negotiation or condemnation of two utility easements along Lake Avenue as follows:

Address Property Owner	SBL#	Sq. Ft.
2038 Lake Avenue Mark F. Bianca, & John M. Scatigno	075.76-1-6	495
2270 Lake Avenue Holy Sepulchre Cemetery	075.52-1-1	2,888

The total cost for closing costs, legal fees, and acquisition, shall not exceed $2,250 and shall be funded from the Federal Highway Authority aid appropriated in Ordinance No. 2010-257 ($1,800) and 2011-12 Cash Capital ($450).

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember McFadden
June 16, 2015

To the Council:

The Public Safety, Youth & Recreation Committee recommends for adoption the following entitled legislation:

Int. No. 224 - Authorizing an amendatory professional services agreement for physical training services

Int. No. 225 - Authorizing a grant agreement for the Assistance to Firefighters Grant and appropriating funds

Int. No. 226 - Authorizing an amendatory professional services agreement for the Youth Voice One Vision Program

Int. No. 227 - Establishing maximum compensation for an agreement for youth internships at the Rochester Public Market

Int. No. 228 - Authorizing an agreement with Monroe County for funding of youth recreation and youth development programming

Int. No. 229 - Establishing maximum compensation for veterinary services agreements and appropriating funds

Int. No. 230 - Authorizing an agreement and an amendatory agreement for veterinary services

Int. No. 231 - Authorizing agreements for the 2015 Justice Assistance Grant Program

Int. No. 232 - Authorizing an agreement with the Rochester Institute of Technology, Center for Public Safety Initiatives for the receipt and use of a Project Safe Neighborhoods grant and amending the Budget

Respectfully submitted,
Adam C. McFadden
Matt Haag
Elaine M. Spaull
Dana K. Miller
Loretta C. Scott
PUBLIC SAFETY, YOUTH & RECREATION COMMITTEE

Received, filed, and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-206
Re: Amendatory Agreement - Personal Energy, Inc., Firefighter Recruit Physical Fitness Training

Council Priority: Jobs and Economic Development; Public Safety

Transmitted herewith for your approval is legislation establishing $15,000 as maximum compensation for an amendatory agreement with Personal Energy, Inc., Rochester, New York, for continued physical fitness training consultation services for firefighter recruits preparing for the Candidate Physical Agility Test (CPAT). The proposed amendment will increase total compensation to $47,500, and extend the term of the agreement through July 31, 2016. The agreement will be funded from the 2015-16 and 2016-17 Budgets of the Fire Department, contingent upon approval of said budgets.

In 2012, Personal Energy, Inc. was contracted for a one-year pilot program at a cost of $10,000. This agreement was amended to increase maximum compensation by $22,500 and extend the term to November 12, 2015 (Ord. No. 2013-209). Given the successful outcomes experienced with the current provider, the Fire Department proposes to extend the agreement to provide these services to the last class that will be chosen from the current civil service firefighter list which expires in 2016.

Personal Energy, Inc. was selected through a request for proposal (RFP) process described in the attached summary. The assistance of a certified personal trainer to bolster the overall fitness of recruit class participants improves their ability to successfully complete the rigorous physical requirements of the Fire Academy and New York State mandated CPAT. A new RFP will be issued for the 2017 fire recruit class chosen from the firefighter entrance exam to be administered in 2015-16.

Services provided by this contract include:

- Educating recruits on weight training and aerobic exercise routines that will assist them in a successful outcome on the CPAT;
- Training recruits how to do exercises correctly and how to prevent or reduce the risk of injuries;
- Providing consultation and evaluation of each Fire Academy recruit for training and preparation for the CPAT;
- Developing individual aerobic exercise programs for firefighter recruits; and
- Teaching sound and necessary nutrition practices that will lead to better performance and healthier participants.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-121

Ordinance No. 2015-206
(Int. No. 224)

Authorizing an amendatory professional services agreement for physical training services

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

Section 1. The Mayor is hereby authorized to enter into an amendatory professional services agreement between the City and Personal Energy, Inc. for physical training services for the Rochester Fire Department. The amendment shall increase maximum compensation by $15,000 to a total of $47,500 Said amount shall be funded from the 2015-16 and 2016-17 Budgets of the Rochester Fire Department, contingent upon adoption. The term of the agreement shall be extended through July 31, 2016

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-207
Re: Grant Acceptance- Assistance to Firefighter Grant 2014

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing an agreement with the Federal Emergency Management Agency (FEMA) for the receipt and use of a $126,773 grant under the Department of Homeland Security Emergency Preparedness Response Assistance to Firefighters Grant (AFG) Program. The personnel costs of $93,216 and fringe benefits of $33,557 for overtime backfill is included in the 2015-16 Budget of the Fire Department and Undistributed Expenses, with a 10% match funded from Undistributed Expenses.

AFG provides funding to support firefighters by increasing the effectiveness of operations, health and safety programs, new apparatus, emergency medical service programs, and fire prevention and safety programs. This grant also includes funding for personnel costs to provide technician level trench rescue training.

The training will enhance the Fire Department's ability to sustain a highly trained and multi-disciplined technical rescue force to respond to incidents that involve victim entrapments by increasing the number of firefighters with New York State trench rescue certification. The grant will cover overtime-backfill costs for the training and two-thirds of fringe benefits.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-207
(Int. No. 225)

Authorizing a grant agreement for the Assistance to Firefighters Grant and appropriating funds

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 Federal Emergency Management Agency for receipt and use of $126,773 in funding under the Department of Homeland Security Emergency Preparedness Response Assistance to Firefighters Grant Program.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-208
Re: Amendatory Agreement - Danette Campbell-Bell, Youth Voice One Vision

Council Priority: Public Safety

Transmitted herewith for your approval is legislation establishing $1,540 as maximum compensation for an amendatory agreement with Danette Campbell-Bell, West Henrietta, New York, to provide additional services related to the Youth Voice One Vision (YVOV) program. The original agreement established maximum compensation of $5,000 for a one-year term from October 2014 through September 2015. The proposed amendment will increase maximum compensation by $1,540, to a total of $6,540. The cumulative amount of contracts with the vendor in the current fiscal year exceeds $10,000, necessitating City Council approval of this agreement per Section 3-4 of the City Charter.

The funds for this increase will come from the 2014-15 Budget of the Department of Recreation and Youth Services, and were originally provided by a grant from the Rochester Area Community Foundation, appropriated via Ordinance No. 2014-263 on August 19, 2014.

The additional funds will provide 38.5 hours of program development and implementation services which are needed due to unanticipated City staff absence. The vendor was chosen for this work based on her ongoing familiarity with YVOV and her established relationships with the youth involved.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-208
(Int. No. 226)

Authorizing an amendatory professional services agreement for the Youth Voice One Vision Program

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

Section 1. The Mayor is hereby authorized to enter into an amendatory professional services agreement between the City and Danette Campbell-Bell for the Youth Voice One Vision Program. The amendment shall increase maximum compensation by $1,540 to a total of $6,540. Said amount shall be funded from the 2014-15 Budget of the Department of Recreation and Youth Services.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-209
Re: Agreement - Greentopia, Youth Internships at the Public Market

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

Transmitted herewith for your approval is legislation establishing $5,000 as maximum compensation for an agreement with Friends of the GardenAerial, Inc. d/b/a Greentopia, Rochester, New York, for youth internships at the Public Market. The cost of this agreement will be financed from the 2015-16 Budget of the Department of Recreation and Youth Services, contingent upon approval of said budget.

Under the program, three city-resident youth interns will work at the Rochester Public Market, assisting with the "veggie valet" service and acting as docents and ambassadors on Saturdays from June 20 to September 26, 2015. The vendor will provide job readiness training to the youth, and will monitor their performance.

This organization was selected for these services based on its successful 2014 season at the Public Market. A justification for not issuing a request for proposals is attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-122

Ordinance No. 2015-209
(Int. No. 227)

Establishing maximum compensation for an agreement for youth internships at the Rochester Public Market

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

Section 1. The sum of $5,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an agreement between the City and Friends of the GardenAerial, Inc. d/b/a Greentopia, for services related to youth internships at the Rochester Public Market. Said amount shall be funded from the 2015-16 Budget of the Department of Recreation and Youth Services contingent upon adoption. The agreement shall have a term of no more than one year.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-210
Re: Grant Acceptance - Monroe County, Rochester-Monroe County Youth Bureau

Council Priority: Support the Creation of Effective Educational Systems

Transmitted herewith for your approval is legislation authorizing an agreement with the County of Monroe, on behalf of the Rochester-Monroe County Youth Bureau, for the receipt and use of $63,055 to support recreation and positive youth development programming. These funds were anticipated and included in the 2015-16 Budget of the Department of Recreation and Youth Services.

The Rochester-Monroe County Youth Bureau annually receives funding from the New York State Office for Children and Family Services (OCFS) for youth development activities. Notification of the amount of State funding for calendar year 2015 was received on May 13, 2015 from the County. The grant must be expended by December 31, 2015. This will be year five of a five-year funding cycle by the County, which intends to issue a request for proposals in fall 2015 for youth services.

In 2014, 807 City recreation participants were served through this grant funding, and it is anticipated that 800 youth will be served in 2015.

The Youth Bureau, jointly established by the City and County, provides a County-wide planning and service delivery system devoted to the welfare and development of children and youth.

The most recent Council action on this item was in September 2014 via Ordinance No. 2014-304.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-210
(Int. No. 228)

Authorizing an agreement with Monroe County for funding of youth recreation and youth development programming

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

Section 1. The Mayor is authorized to enter into an agreement with the County of Monroe (on behalf of the Rochester-Monroe County Youth Bureau) for the receipt and use of funds in the amount of $63,055 to be used to fund youth recreation and

youth development programming. The agreement shall have a term of January 1, 2015 to December 31, 2015.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-211
Re: Agreements - Veterinary Services for Rochester Animal Services

Council Priority: Public Safety

Transmitted for your approval is legislation related to veterinary services for Rochester Animal Services (RAS). This legislation will:

1. Appropriate $15,000 from the Animal Control Gifts Fund to partially support veterinary services; and

2. Establish $45,000 as maximum compensation for agreements for veterinary services for the RAS shelter.

The cost of these agreements will be funded from the 2015-16 Budget of the Police Department ($30,000), contingent upon adoption of said budget, and the Animal Control Gifts Fund ($15,000), as appropriated herein. The term of the agreement will be for one year. The table below summarizes the use of these funds:

Use	Police Budget	Gifts Fund	Total
On-site vet services	$21,000	$15,000	$36,000
Monroe Vet. Assoc.	8,000		8,000
Lollypop Farm	1,000		1,000
Total	$30,000	$15,000	$45,000

RAS utilizes agreements with outside veterinarians and veterinary technicians to increase surgical capacity, improve customer service, and provide veterinary coverage during absences for the regular veterinarian and veterinary technicians. The consultants will provide on-site veterinary services including, but not limited to, examinations, treatments, vaccinations, and the surgical sterilization of animals in custody at the shelter on Verona Street. Consultants may also provide surgical sterilization for animals owned by City residents. Each of the consultants will provide services on a part-time or on-call basis.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-211
(Int. No. 229)

Establishing maximum compensation for veterinary services agreements and appropriating funds

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

Section 1. The sum of $45,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for professional services agreements for veterinary services for the Animal Services Shelter. Said amounts shall be funded by $30,000 from the 2015-16 Budget of the Police Department, contingent upon its adoption, and by $15,000 from the Animal Control Gifts Fund, which amount is hereby appropriated for that purpose. The agreement shall have a term of one year.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-212
Re: Agreements - Monroe Veterinary Associates, Veterinary Services for Police K-9 Unit

Council Priority: Public Safety

Transmitted herewith for your approval is legislation related to agreements with Monroe Veterinary Associates. This legislation will:

1. Establish $8,000 as maximum compensation for an amendatory agreement with Monroe Veterinary Associates DBA Stone Ridge Veterinary Hospital; and

2. Establish $20,000 as maximum compensation for an agreement with Monroe Veterinary Associates DBA Stone Ridge Veterinary Hospital for veterinary services for dogs assigned to the K-9 unit of the Rochester Police Department.

The current agreement with Stone Ridge Veterinary Hospital was authorized via Ordinance No. 2013-342 and included maximum compensation of $15,000 annually. The amendatory agreement will increase compensation by $8,000 for a total of $23,000, allowing for the payment of unanticipated expenses, including the initial examinations of three additional police dogs and a necessary surgery for a current member of the canine unit. The additional cost will be funded from the 2015-16 Budget of the Police Department, contingent upon its approval.

The new agreement with Stone Ridge Veterinary Hospital will have a term of one year, from September 1, 2015 through August 31, 2016, with the option to renew for up to three additional one-year periods at a maximum cost of $20,000 per year, contingent upon approval of future budgets.

Stone Ridge Veterinary Hospital has satisfactorily provided veterinary services to the K-9 unit for over fifteen years. A request for proposals was issued in July 2012, posted on the City's website, and sent directly to 25 local veterinarians. Stone Ridge Veterinary Hospital was the only vendor to respond. Per the attached justification statement, a new RFP was not conducted due to the limited number of responses previously received.

Stone Ridge Veterinary Hospital will continue to provide immunizations and tests, medical care as needed, and examination of new police dogs before they are accepted by the Police Department for duty.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-123

Ordinance No. 2015-212
(Int. No. 230)

Authorizing an agreement and an amendatory agreement for veterinary services

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

Section 1. The Mayor is hereby authorized to enter into an amendatory agreement with Monroe Veterinary Associates DBA Stone Ridge Veterinary Hospital for veterinary services for the K-9 Unit of the Police Department. The amendment shall increase the maximum amount authorized by Ordinance No. 2013-342 by $8,000 to a total of $23,000. Said amount shall be funded from the 2015-16 Budget of the Rochester Police Department, contingent upon adoption.

Section 2. The Mayor is hereby authorized to enter into an agreement with Monroe Veterinary Associates DBA Stone Ridge Veterinary Hospital for veterinary services for the K-9 Unit of the Police Department. The maximum amount shall be $20,000 per year. The term of the agreement shall be from September 1, 2015 to August 31, 2016, with three optional one year renewals. Said amount shall be funded from the 2015-16 Budget of the Rochester Police Department, and if extended, from subsequent Budgets of the Rochester Police Department contingent upon adoption.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-213
Re: Agreement - US Department of Justice, 2015 Justice Assistance Grant

Council Priority: Public Safety

Transmitted herewith for your approval is legislation related to the 2015 Justice Assistance Grant. This legislation will:

1. Authorize an agreement with the US Department of Justice for the receipt and use of the 2015 Justice Assistance Grant in the amount of $174,090; and

2. Authorize an agreement with the County of Monroe for the distribution and use of $78,340.50 of the grant for support of the "Operation Nightwatch" program.

The County intends to use its share of this grant to support "Operation Nightwatch," a program of the Probation Department which follows up on probationers' evening curfews.

The City's share ($95,749.50) will be used to fund salary ($31,792.50) and fringe ($13,019.60) for one full-time and one part-time Counseling Specialist and to underwrite part of the salary costs ($50,937.40) of the Coordinator of the Police Department's Family and Victims Services Section. The funds were anticipated and included in the 2015-16 Budget of the Police Department, contingent upon its adoption at the June Council meeting.

The term of this grant is October 1, 2014 through September 30, 2018. No matching funds are required.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-213
(Int. No. 231)

Authorizing agreements for the 2015 Justice Assistance Grant 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 Justice, Bureau of Justice Assistance, for funding under the 2015 Justice Assistance Grant Program in the amount of $174,090, and said amount is hereby appropriated for this purpose. The term of the agreement shall be October 1, 2014 through September 30, 2018.

Section 2. The Mayor is hereby further authorized to enter into an agreement with the County of Monroe in the maximum amount of $78,340.50 to fund the Monroe County Probation Department's Operation Nightwatch Program. Said amount shall be funded from the amounts appropriated herein.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-214
Re: Agreement - Rochester Institute of Technology, Project Safe Neighborhoods Grant

Council Priority: Public Safety

Transmitted herewith for your approval is legislation related to the Project Safe Neighborhoods Grant. This legislation will:

1. Authorize an agreement with Rochester Institute of Technology (RIT), Center for Public Safety Initiatives for the receipt and use of up to $70,000 for a Project Safe Neighborhoods grant; and

2. Amend the proposed 2015-16 Budget of the Police Department, upon its approval, in the amount of $35,000 to reflect a portion of these funds. $25,800 will be used for salary and $9,200 will be used for fringe. The balance will be included in future proposed budgets.

The Police Department is receiving a sub-award from the Project Safe Neighborhoods grant that RIT was awarded by the US Department of Justice. This project seeks to create safe neighborhoods through the sustained reduction of violent crime associated with gang and gun violence. It draws on a Smart Policing Initiative (SPI) that was developed to identify, assess, and intervene in situations where the probability of dispute-related gun violence is believed to be high. Project Safe Neighborhoods will support the next phases of the initial SPI project with full implementation of the gun and gang-related dispute violence prevention program and, in particular, it will support a range of dispute resolution strategies and services provided by criminal justice system agencies and community partners. The program will be implemented across the City of Rochester with a particular focus on the geographic areas where analysis has shown there to be persistent hotspots of violence.

RIT will be responsible for preparing the results and reports of grant activities for review by the US Department of Justice for possible national implementation. The grant will be used for police overtime, including fringe, related to the planning and implementation of a comprehensive dispute intervention/prevention strategy.

This is the first time the Police Department has received this grant. The award will be for a two year period with a mutually agreed upon effective date in the near future.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-214
(Int. No. 232)

Authorizing an agreement with the Rochester Institute of Technology, Center for Public Safety Initiatives for the receipt and use of a Project Safe Neighborhoods grant and amending the Budget

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 Rochester Institute of Technology (RIT), Center for Public Safety Initiatives for the receipt and use up to $70,000 for a Project Safe Neighborhoods grant. The agreement shall have a term of two years.

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

Section 3. The 2015-16 Budget of the City of Rochester, as proposed, is hereby amended by increasing the revenue estimates and appropriations of the Rochester Police Department by $35,000 to reflect a portion of the funds to be received pursuant to the Project Safe Neighborhoods grant.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Spaull
June 16, 2015

To the Council:

The Arts & Culture Committee recommends for adoption the following entitled legislation:

Int. No. 233 - Authorizing agreements for services related to art conservation

Int. No. 234 - Establishing maximum compensation for an agreement for the Puerto Rican Festival

Int. No. 235 - Establishing maximum compensation for an agreement with Geva Theatre Center, Inc.

Respectfully submitted,
Elaine M. Spaull
Adam C. McFadden
Jacklyn Ortiz
Dana K. Miller
Loretta C. Scott
ARTS & CULTURE COMMITTEE

Received, filed, and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-215
Re: Term Agreements - Art Conservation Services

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation authorizing term agreements with two companies for the provision of various art conservation services. The agreements will provide services at specified unit prices for a term of three years, with an option to renew for an additional three years. The agreements will be financed from the annual budgets of the Department of Environmental Services and, if necessary, the departments using the services or from capital funds appropriated for specific projects. The companies are:

Company
Address
West Lake Conservators, Ltd.
4207 Railroad Street
Skaneateles, New York 13152
Ellis Art Conservation
152 Crosman Terrace
Rochester, New York 14620

Services may include examination, documentation, treatment, preservation and preventative care of items in the City's art collection. The conservators will follow the guidelines, professional standards and code of ethics of the American Institute for Conservation of Historic and Artistic Works.

West Lake Conservators, Ltd. and Ellis Art Conservation were selected through a request for proposal process, which is described in the attached summary.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-124

Ordinance No. 2015-215
(Int. No. 233)

Authorizing agreements for services related to art conservation

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

Section 1. The Mayor is hereby authorized to enter into agreements with the following companies for services related to art conservation as required by the City:

West Lake Conservators, Ltd.
Ellis Art Conservation

Section 2. The agreements shall extend for a term of three years with an option to extend for an additional three years, and shall obligate the City to pay specified unit prices in an amount not to exceed the amount budgeted for such services, which shall be funded from the annual Budget of the Department of Environmental Services, or other Departments using these services, or from capital project appropriations.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-216
Re: Agreement - The Puerto Rican Festival, Inc., 2015 Puerto Rican Festival

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing $30,000 as maximum compensation for an agreement with The Puerto Rican Festival, Inc., Rochester, New York, for the 2015 Puerto Rican Festival. The cost of this agreement will be financed from the 2015-16 Budget of the Bureau of Communications, contingent upon adoption of said budget.

This year's festival will be held August 21-23 at the Frontier Field VIP Parking Lot and averages a daily attendance of 8,500 people of all cultures and ethnic backgrounds. The City's sponsorship will support free admission for the first two hours on Friday and Saturday, as well as several free activities during the festival. It provides free children's activities, a boxing exhibition, free youth participation and performance showcase, and a free agency fair on Saturday.

The Puerto Rican Festival, Inc. sponsors a variety of events year-round, which serve to share and celebrate Puerto Rican culture. The largest event is the Puerto Rican Festival, which is in its 46th year and is the longest running cultural festival in Monroe County.

The Puerto Rican Festival, Inc. was established in 1969 for the express purpose of celebrating and recognizing the culture of Puerto Ricans. Puerto Ricans continue to be one of the largest growing Hispanic populations in New York State. This growth now makes Monroe County and the City of Rochester home to the second largest population of Hispanics in the state.

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

A similar agreement was authorized by Ordinance No. 2014-193 in June 2014.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-125

Ordinance No. 2015-216
(Int. No. 234)

Establishing maximum compensation for an agreement for the Puerto Rican Festival

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

Section 1. The sum of $30,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an agreement between the City and the Puerto Rican Festival, Inc. for the 2015 Puerto Rican Festival. Said amount shall be funded from the 2015-16 Budget of the Bureau of Communications, contingent on adoption of that budget.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-217
Re: Agreement - Geva Theatre Center,
Celebration of Son House

Council Priority: Creating and Sustaining
a Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing $30,000 as maximum compensation for an agreement with the Geva Theatre Center, Rochester, New York, for a four-day festival titled "Journey to the Son: A Celebration of Son House," honoring Rochester's adopted son and Father of the Blues, Eddie "Son" House. The cost of the agreement will be funded from the 2015-16 Budget of the Bureau of Communications, contingent upon approval of said budget.

The celebration, scheduled for August 26-29, 2015, will invite participants to examine the deep impact of the Delta blues on American music, explore the clash of secular music and religious views, oral traditions and the appropriation of traditionally black music, and the life and times of Eddie "Son" House. It will include lectures, panel discussions, play reading, a call for academic papers, musical performances, storytelling and two new theatre pieces. City support will ensure that admission is free or very low cost to most events and exhibits in order to remove barriers to attendance and reach a broad audience from the City of Rochester through community based organizations. This four-day celebration is a collaboration between Geva and the University of Rochester, Eastman School of Music, National Public Radio affiliates, renowned Rochester-based musicians, music supporters and more.

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

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO- 126

Ordinance No. 2015-217
(Int. No. 235)

Establishing maximum compensation for an agreement with Geva Theatre Center, Inc.

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

Section 1. The sum of $30,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an agreement between the City and Geva Theatre Centre, Inc. for a festival celebrating the life and music of Son House. Said amount shall be funded from the 2015-16 Budget of the Bureau of Communications, contingent on adoption of that budget.

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.

Passed unanimously.

The meeting was adjourned at 9:02 p.m.

HAZEL L. WASHINGTON
City Clerk

* * * * *

REGULAR MEETING
JULY 14, 2015

Present - President Scott, Councilmembers Conklin, Haag, McFadden, Miller, Ortiz, Patterson, Spaull - 8

Absent - Councilmember Palumbo - 1.

The Council President requested the Council to rise for a Moment of Silence.

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

Recognition Ceremony

Retirement:
Environmental Services
Charles L. Lundy
Finance Department
Mahen Mahenthiran

Law Department
*Johanna F. Brennan
Neighborhood and Business Development
Peter T. Saxe
*Russell D. Schell
Fire Department
Karl J. Kralles
Patrick C. Luther
*Shaun P. Murray
*Thomas A. Swetz
Library
*Charles Ray Perkins
*Anita L. Wahl

Did not attend meeting.

APPROVAL OF THE MINUTES
By Councilmember Ortiz

RESOLVED, that the minutes of the Regular Meeting of June 16, 2015 be approved as published in the official sheets of the Proceedings.

Adopted unanimously.

COMMUNICATIONS FROM THE MAYOR, COUNCIL PRESIDENT, CORPORATE OFFICERS AND OTHERS.

The following communications are hereby directed to be received and filed:

The Mayor submits the following:
Quarterly Reports (2)
Delinquent Receivables 4189-15
NBD Loans & Grants Report 4190-15

The Council submits Disclosure of Interest Forms from Councilmember Conklin on Int. Nos. 261 and 262, Councilmember Haag on Int. Nos. 273, 274, 275, and 283, and Councilmember Spaull on Int. Nos. 249, 280, and 283.

PRESENTATION AND REFERENCE OF PETITIONS AND OTHER COMMUNICATIONS.

Councilmember Spaull submits a petition with 84 signatures opposing the speed control project. Petition No. 1714

Councilmember Spaull submits a petition with 84 signatures in favor of the speed control project. Petition No. 1715

Councilmember McFadden submits a petition with 329 signatures opposing red light cameras. Petition No. 1716

PUBLIC HEARINGS.

Pursuant to law, public hearing will now be had on the following matter:

Amending the Zoning Code, Chapter 120 of the Municipal Code with regard to City-Wide Design Guidelines and Standards Int. No. 258 No Speakers.

Local Improvement Ordinance - public improvements as part of the 2015 Preventive Maintenance - Crittenden Boulevard Project Int. No. 275 No speakers.

Amending the Official Map by memorializing Loomis Street as Ira White Way Int. No. 276 1 Speaker: Reverend Ernest Walker.

INTRODUCTION OF AND ACTION UPON LOCAL LAWS, ORDINANCES AND RESOLUTIONS

By President Scott

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2015-13
Re: Grant Application Endorsements - 2015-16 New York State Consolidated Funding Application

Council Priority: Creating and Sustaining a Culture of Vibrancy; Jobs and Economic Development

Transmitted herewith for your approval is legislation endorsing 2015-16 New York State Consolidated Funding Applications (CFAs) by The Little Theatre Film Society for the renovation of The Little Theatre and by ISLA Housing and Development Corporation (ISLA) for a revitalization project on North Clinton Avenue, Brown Street and St. Paul Street. These projects are supported by the City of Rochester and consistent with City policy.

The CFA is the single point of entry for accessing up to $750 million in State funding from eleven State agencies: Empire State Development; Canal Corporation; Energy Research and Development Authority; Environmental Facilities Corporation; Homes and Community Renewal; Department of Labor; Power Authority; Office of Parks, Recreation, and Historic Preservation; Department of State; Department of Environmental Conservation; and, Council on the Arts. The North Winton Village Neighborhood Association's application is for funding from the New York Main Street Program grant, which requires municipal legislation endorsing applications from external agencies. Applications are due on July 31, 2015.

The Little Theatre Film Society plans to rehabilitate The Little Theatre, an historically significant building, and has raised $800,000 in private donations to assist with a total project cost estimated at $1,750,000. The theater has been a cultural anchor in downtown Rochester for over 85 years and is the longest continuously operating independent movie house in the United States. The building requires historically sensitive rehabilitation that addresses inappropriate past renovations and outdated, inadequate facilities such as restrooms and HVAC. This project will complement the City of Rochester's revitalization efforts including redevelopment projects along East Avenue and the Inner Loop East project.

ISLA plans to improve the physical environment

along North Clinton Avenue through the rehabilitation or adaptive re-use of mixed-use buildings located at 1172 and 1164-1168 North Clinton Avenue, 1478 St. Paul Street and 688 Brown Street. The existing single-family structure at 1172 North Clinton Avenue will be demolished and new housing will be constructed. Work at the remaining three sites will consist of the rehabilitation of the existing structures. ISLA's revitalization project will help stabilize and revitalize North Clinton Avenue, also known as La Avenida, as part of the City of Rochester's goal of creating a vibrant commercial and residential corridor.

The City's endorsement will ensure that The Little Theatre Film Society and ISLA have the opportunity to compete for CFA grant funds as listed below:

Agency	Project	State Funding Programs	Total Project Cost	State Request
The Little Theatre Film Society	The Little Theater renovation	NY Main Street Program	$1,750,000	$450,000
ISLA Housing and Development Corporation	North Clinton Avenue, Brown Street and St. Paul Street revitalization	NY Main Street Program	$1,900,965	$200,000

Respectfully submitted,
Lovely A. Warren
Mayor

Resolution No. 2015-13
(Int. No. 287)

Resolution supporting Consolidated Funding Grant Application

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

Section 1. The Council hereby endorses the application for funding not to exceed the following through the 2015-16 Consolidated Funding Application by external organizations for the following project in the City set forth, and the Council finds that the application and project are consistent with City policies and goals:

Agency	Project	State Funding Programs	Total Project Cost	State Request
The Little Theatre Film Society	The Little Theatre renovation	NY Main Street Program	$1,750,000	$450,000
ISLA Housing	North Clinton/Brown and St Paul Street	NY Main Street Program	$1,900,965	$200,000

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

REPORTS OF STANDING COMMITTEES AND ACTION THEREON

By Councilmember Conklin
July 14, 2015

To the Council:

The Finance Committee recommends for adoption the following entitled legislation:

Int. No. 248 - Authorizing professional services agreements for appraisal services for the Law Department

Int. No. 250 - Amending the 2015-16 Budget for Debt Service

Int. No. 251 - Establishing maximum compensation for a professional services agreement for Federal lobbying services as amended

Int. No. 284 - Amending Chapter 108 of the Municipal Code with respect to fees for taxi driver licenses and hotel/motel courtesy vehicles

The following entitled legislation is being held in Committee:

Int. No. 249 - Authorizing an extension of an agreement for the operation of the South Avenue Garage

Int. No. 281 - Resolution supporting Consolidated Funding Grant Application

Respectfully submitted,
Carolee A. Conklin
Jacklyn Ortiz
Dana K. Miller
Loretta C. Scott
FINANCE COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-218
Re: Appraisal and Real Estate Services

Council Priority: Debt Reduction and Long-Term Financial Stability

Transmitted herewith for your approval is legislation related to appraisal and real estate services for the Law Department. This legislation will:

1. Establish a combined total of $40,000 as maximum compensation for appraisal and real estate services by Bruckner, Tillet, Rossi, Cahill & Associates and Midland Appraisal Associates, Inc., to be funded from the 2015-16 Budget of the Law Department. The term of the agreements may extend until completion of the cases for which the services are contracted.

Appraisals are necessary for litigation cases such as those involving challenges to property tax assessments, as well as certain other transactions. The firms were selected through a request for qualifications (RFQ) process. The RFQ was issued April 28, 2015, published in the *Democrat & Chronicle,* posted on the City website and mailed directly to firms currently under contract with the City.

The Department of Neighborhood and Business Development lead the RFQ process. The firms to be utilized by the Law Department are two of the four selected firms, and have been selected based on their experience with matters of the type that the Law Department anticipates in 2015-16.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-218
(Int. No. 248)

Authorizing professional services agreements for appraisal 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 agreements with the following firms for real estate appraisal services as needed by the Law Department as shown below:

Law Department:

Bruckner, Tillet, Rossi, Cahill & Associates
Midland Appraisal Associates, Inc

Section 2. The cost of the agreements shall not exceed a combined total of $40,000, which cost shall be funded by $40,000 from the 2015-16 Budget of the Law Department. The term of the agreements may extend until completion of the cases for which the services are contracted.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-219
Re: Budget Amendment - Debt Service and Bond Anticipation Notes

Council Priority: Deficit Reduction and Long-Term Financial Stability

Transmitted herewith for your approval is legislation amending the 2015-16 Budget for Debt Service by appropriating a total of $855,000 from the Premium and Interest fund to be used to provide additional payments of principal on outstanding debt.

Bond Anticipation Notes (BANs) were issued for various projects in past years based on initial cost estimates. These projects are now complete and final costs were lower than estimated. As required by US Treasury Regulation Section 1.148-10(a)(4) promulgated under the Internal Revenue Code, the proceeds of unspent BANs must be used to pay back the outstanding debt related to the respective projects.

The portions of the BANs required for the projects will be converted to bonds in August 2015. Pay back of these principal amounts to the maximum extent possible prior to conversion to long-term debt reduces the City's long-term debt liability and is consistent with the City's conservative debt practices.

The table below summarizes the original BAN issued, the amount that will be converted to long-term debt, and the unspent amount that will be used to pay down principal.

Fund	Ord. No.	Project	Original BAN	Convert To Bonds	Unspent Amount
General	2009-157	Streets: Connector street between Emerson St. and Locust St.	$27,000	$0	$15,000
General	2011-223	Streets: Capron St. and South Ave. Ext. Improvement Project	$44,000	$0	$25,000
General	2011-255	Streets: Milling and resurfacing related to Central Ave. Group preventative maintenance project	$15,000	$0	$5,000
General	2011-284	Streets: Harper Street Group curb replacement project	$25,000	$10,000	$5,000
General	2012-018	Streets: 2011 Preventative maintenance at three locations transportation improvement project	$300,000	$140,000	$60,000
General	2012-210	Streets: Dewey Ave. and Driving Park Ave. preventative maintenance project	$400,000	$110,000	$160,000
General	2012-256	Streets: Reservoir Group curb replacement	$377,000	$235,000	$20,000
General	2012-303	Genesee Valley Park Ice Rink slab replacement	$600,000	$490,000	$10,000
Water	2013-015	Reconstruction of the City's South Clinton Ave. water supply conduits located in the Towns of Brighton and Henrietta	$6,850,000	$6,160,000	$205,000
Water	2013-081 (2010-089)	Reconstruction of water mains: related to 2011 and 2013 water main extension and improvements	$700,000	$300,000	$350,000
				Total	$855,000

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-219
(Int. No. 250)

Amending the 2015-16 Budget for Debt Service

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

Section 1. The 2015-16 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to Debt Service by the sum of $855,000, which amount is hereby appropriated from the Premium and Interest Fund to fund the repayment of debt.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-220
Re: Agreement - Akin Gump Strauss Hauer & Feld LLP, Federal Lobbying Services

Council Priority: Deficit Reduction and Long-Term Financial Stability

Transmitted herewith for your approval is legislation establishing $85,000 as maximum compensation for an agreement with Akin Gump Strauss Hauer & Feld LLP (Akin Gump), Washington, D.C., for federal lobbying services from August 1, 2015 through June 30, 2016. The agreement will be for an initial term of one year with the option of two one-year renewals. The cost of this agreement will be funded from the 2015-16 Budget of the Mayor's Office, and from subsequent annual budgets of the Mayor's Office, contingent upon adoption of said budgets. This amount includes a $7,083 monthly fee and an annual allowance of $2,000 for documented incidental expenses and travel.

Akin Gump is a global law firm with more than seventy lawyers in its public law and policy practice who exclusively focus on legislative, policy and regulatory matters. The firm is well represented by an almost even divide of Democrats and Republicans, ensuring an increased understanding of and access to the various lawmakers, regulators and other officials in the nation's capital.

Akin Gump will assist the City with developing its federal agenda, formulating strategies for achieving the City's goals and advocating for the City and its objectives. During 2015-16, the firm's team of Susan Lent, Vic Fazio and Bill Paxton will work on the following:

1. Seek Promise Zone designation in the third round of applications.

2. Leverage the City's participation in the President's "My Brother's Keeper" initiative to pursue grant funding and position the City for participation in other beneficial federal programs.

3. Utilize the firm's experience with TIGER grants and work with Department of Transportation staff to secure transportation funding for the City.

4. Explore funding opportunities with the Department of Commerce Economic Development Administration (EDA) in light of the economic impacts of Kodak's downsizing, leveraging the City's designation as a Manufacturing Community as part of the Investing in Manufacturing Communities Partnership.

5. Advocate for continued funding of the Community Oriented Policing Services (COPS) program to provide the Rochester Police Department with resources for building relationships with residents.

6. Assist with Port of Rochester harbor maintenance by securing additional funding and approvals from the Army Corps of Engineers, especially for dredging.

7. Assist the City with the continued development and maintenance of relationships with key federal officials at the Department of Transportation, Environmental Protection Agency, Department of Housing and Urban Development, Department of Commerce, Department of Justice, Department of Labor, Army Corps of Engineers, Department of Homeland Security, and other federal agencies.

8. Monitor and advocate for national legislation that will provide opportunities for the City to obtain federal assistance for its community revitalization priorities, including environmental legislation (e.g., brownfields, waterways, etc.), transportation reauthorization legislation, infrastructure legislation, fiscal year 2016 funding for local government priorities, and other matters impacting local governments.

Akin Gump was selected through a request for proposal process as described in the attached summary.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-127

Ordinance No. 2015-220
(Int. No. 251, as amended)

Establishing maximum compensation for a professional services agreement for Federal lobbying services

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

Section 1. The sum of ~~$85,000~~ $87,000 is hereby established as maximum annual compensation for an agreement with Akin Gump Strauss Hauer & Feld LLP (Akin Gump) for the provision of Federal lobbying services. Said amount shall be funded from the 2015-16 Budget of the Mayor's Office. For the first year said amount shall be prorated for an 11 month period. The agreement shall be for a term beginning August 1, 2015 and ending June 30, 2016, with an option of two one-year renewals which shall be funded from the 2016-17 and 2017-18 Budgets of the Mayor's Office, contingent on adoption of those budgets.

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.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-221
Re: Changes in Certain Taxi Fees

Council priority: Jobs and Economic Development

Transmitted herewith for your approval is an ordinance amending Chapter 108 of the Municipal Code with respect to fees for taxi licenses and hotel/motel courtesy vehicles. The purpose of these amendments is to make fees consistent throughout Chapter 108.

The specific changes are:

Taxi Driver Replacement License - will decrease from $30 to $22 (fee shouldn't be more than the original cost of the license).

Hotel/Motel Vehicle Lost Plate - will increase from $52 to $60 (consistent with Taxi's replacement fee).

Hotel/Motel Vehicle - will increase from $535 to $550 (consistent with Taxi Hackplate).

Sincerely,
Loretta C. Scott — President
Carolee A. Conklin — Chair, Finance Committee

Ordinance No. 2015-221
(Int. No. 284)

Amending Chapter 108 of the Municipal Code with respect to fees for taxi driver licenses and hotel/motel courtesy vehicles

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

Section 1. Section 108-17, subdivision C of the Municipal Code, relating to taxicab regulations, as amended, is hereby further amended to read as follows:

§ 108-17. License required.

C. In the event that a taxicab driver's license is lost or stolen prior to the expiration thereof, the City Clerk may issue a duplicate upon payment of a fee of ~~$30~~ $22 and upon receipt of a duly sworn affidavit of loss from the holder.

Section 2. Section 108-26 of the Municipal Code, relating to hotel/motel courtesy vehicles, as amended, is hereby further amended to read as follows:

§ 108-26. License plate required.

A. No person shall operate a vehicle as a hotel/motel courtesy vehicle unless a hotel/motel courtesy vehicle license plate is attached to the rear of the vehicle.

B. All such licenses shall expire on the 30th day of June after their issuance, unless revoked, surrendered or abandoned at an earlier time.

C. The license fee shall be ~~$535~~ $550 annually.

D. The holder of a hotel/motel courtesy vehicle license shall be permitted to renew the license annually, provided that he or she complies with all provisions of this chapter. The application for such renewal must be filed with the City Clerk not later than the 30th day of June of each successive license year. If the application for renewal is not made within this time, the holder will be deemed to have abandoned the license.

E. If a hotel/motel courtesy vehicle license plate is lost or stolen, the holder shall immediately report said loss or theft to the City Clerk, who shall issue a replacement upon payment of a fee of ~~$52~~ $60 and upon the receipt of an affidavit from the holder stating the reason for such replacement. The City Clerk shall immediately notify the Chief of Police that replacement has been made and shall forward the affidavit to him or her.

F. There shall be a fee of $10 for replacement of a lost certificate.

Section 3. This ordinance shall take effect immediately

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

Councilmember Conklin moved to discharge Int. No. 249 from Committee.

The motion was seconded by Councilmember Patterson.

The motion was adopted by the following vote:

Ayes - President Scott, Councilmembers Conklin, Haag, McFadden, Miller, Ortiz, Patterson, - 7.

Nays - None - 0.

Councilmember Spaull abstained because of a professional relationship.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-222
Re: Agreement - Rochester Convention Center Management Corporation, South Avenue Parking Garage

Transmitted herewith for your approval is legislation authorizing an extension to the agreement with

the Rochester Convention Center Management Corporation for operation of the South Avenue Parking Garage. The agreement was reauthorized for two years in July 2013 by Ordinance No. 2013-219. This legislation will extend the agreement for an additional two years, from July 1, 2015 to June 30, 2017. All other terms and conditions will remain the same, including a monthly payment to the City Parking Enterprise Fund of 15% of the gross revenue from the garage.

The Rochester Convention Center Management Corporation will continue to be responsible for all expenses related to the operation of the garage including, but not limited to, security, customer service, utilities, cleaning, and repairs costing $5,000 or less. Repairs in excess of $5,000 must first be approved in writing by City staff.

The South Avenue Garage provides essential parking resources for the Joseph A. Floreano Rochester Riverside Convention Center and Hyatt Hotel. The requested agreement extension would continue the established rights and responsibilities of all parties.

The estimated annual revenue to the Parking Enterprise Fund from this agreement is $200,000.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-222
(Int. No. 249)

Authorizing an extension of an agreement for the operation of the South Avenue Garage

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

Section 1. The Mayor is hereby authorized to enter into an amendment extending the professional services agreement authorized by Ordinance No. 2013-219 with the Rochester Convention Center Management Corporation for the operation of the South Avenue Garage for an additional term of two years, commencing on July 1, 2015 and ending June 30, 2017. The Rochester Convention Center Management Corporation shall be responsible for all operating expenses relating to the Garage.

Section 2. The agreement shall obligate the Rochester Convention Center Management Corporation to pay monthly to the City 15% of the gross revenue from the Garage.

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.

Passed by the following vote:

Ayes - President Scott, Councilmembers Conklin, Haag, McFadden, Miller, Ortiz, Patterson, - 7.

Nays - None - 0.

Councilmember Spaull abstained because of a professional relationship.

TO THE COUNCIL
Ladies and Gentlemen:

Introductory No. 281
Re: Grant Application - 2015-16 New York State Consolidated Funding Application

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation endorsing a 2015-16 New York State Consolidated Funding Application (CFA) for the redevelopment of the Cadillac Hotel building into market-rate apartments. The Rochester Economic Development Corporation (REDCO) seeks $500,000 in New York Main Street Program funds for this project, which is supported by the City of Rochester and consistent with City policy.

The CFA is the single point of entry for accessing up to $750 million in State funding from eleven State agencies: Empire State Development; Canal Corporation; Energy Research and Development Authority; Environmental Facilities Corporation; Homes and Community Renewal; Department of Labor; Power Authority; Office of Parks, Recreation, and Historic Preservation; Department of State; Department of Environmental Conservation; and Council on the Arts. Funding from the New York Main Street Program grant requires municipal legislation endorsing applications from external agencies. The REDCO board will consider approval of submitting the application at its July meeting, as the $500,000 request would support Chestnut Elm LLC (the "Developer) in their redevelopment of the former Cadillac Hotel. Applications are due to the State on July 31, 2015.

The Developer has a purchase contract on the Cadillac Hotel property which is situated on Chestnut Street between the City's Midtown Rising project and the University of Rochester's Eastman School of Music campus on Gibbs Street and East Avenue. The hotel building was constructed in 1920 and is an eight-story masonry building with a full basement. The developer plans to construct 56 units on floors two through eight, with six studios and two one-bedroom apartments on each floor. The first floor would feature approximately 2,837 square feet of retail space and a concierge/lobby area for the residential component.

The Developer intends to have discussions with the Eastman School of Music and believes that the units provided will be competitive and able to capture the current and future incremental housing demand from Eastman students, whose projected population will increase 10% annually for the next five years. The opportunity to redevelop the Cadillac Hotel building would serve to further revitalize Chestnut Street and contribute to increasing vitality in the East End.

The City's endorsement of REDCO's application will ensure it has the opportunity to compete for the CFA grant funds as listed below:

Agency	Project	State Funding Programs	Total Project Cost	State Request
REDCO	Redevelopment of the Cadillac Hotel Building	NY Main Street Program	$7,919,780	$500,000

Respectfully submitted,
Lovely A. Warren
Mayor

Introductory No. 281

RESOLUTION SUPPORTING CONSOLIDATED FUNDING GRANT APPLICATION

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

Section 1. The Council hereby endorses the application for funding not to exceed the following through the 2015-16 Consolidated Funding Application by an external organization for the following project in the City set forth, and the Council finds that the application and project are consistent with City policies and goals:

Agency	Project	State Funding Programs	Total Project Cost	State Request
REDCO	Redevelopment of the Cadillac Hotel Building	NY Main Street Program	$7,919,780	$500,000

Section 2. This resolution shall take effect immediately.

Held in Committee.

By Councilmember Conklin
July 14, 2015

To the Council:

The Neighborhood & Business Development Committee recommends for adoption the following entitled legislation:

Int. No. 252 - Authorizing the sale of real estate and amending Ordinance No. 2014-76 and Ordinance No. 2015-33

Int. No. 253 - Authorizing professional services agreements for real estate appraisal services for the Department of Neighborhood and Business Development as amended

Int. No. 254 - Authorizing the sale of real estate and agreements for the Charlotte Square Project

Int. No. 256 - Authorizing agreements for analysis of the health connections and impacts of transportation decision-making in the Genesee-Finger Lakes Region

Int. No. 257 - Authorizing funding and an amendment to an agreement for the Emergency Solutions Grant

The Neighborhood & Business Development Committee recommends for consideration the following entitled legislation:

Int. No. 258 - Amending the Zoning Code, Chapter 120 of the Municipal Code with regard to City-Wide Design Guidelines and Standards

The following entitled legislation is being held in Committee:

Int. No. 255 - Appropriating funds and authorizing agreements for business programs

Int. No. 282 - Authorizing agreements for feasibility and planning services for a Performing Arts Center Site and Facility Study and appropriating funds

Respectfully submitted,
Carolee A. Conklin
Michael A. Patterson
Dana K. Miller

Loretta C. Scott
NEIGHBORHOOD & BUSINESS DEVELOPMENT COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-223
Re: Sale of Real Estate and Amending
Ordinance Nos. 2014-76 and 2015-33

Council Priority: Rebuilding and Strengthening
Neighborhood Housing

Transmitted herewith for your approval is legislation approving the sale of eight 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.

The first property was sold by request for proposal. The buyer will rehabilitate this property as a single-family structure within twelve months.

Three of the next five properties are vacant lots sold by negotiated sale to the adjacent owners. The owners will combine these lots with their existing properties. 18 Parkway and 23 Daus Alley were sold by request for proposal. The buyer will use the vacant lots for a garden.

The next two properties are unbuildable vacant lots, being sold for $1.00 (as per City policy) to their adjacent owners who will combine their respective lot with their existing properties.

The first year projected tax revenue for these eight properties, assuming full taxation, current assessed valuations and current tax rates, is estimated to be $3,132.

Amending Ordinance No. 2014-76
Ordinance No. 2014-76 authorized the sale of 25 Ries Street to Flower City Habitat for Humanity. The vacant lot at 25 Ries Street was intended to be combined and sold with the structure at 19 Ries Street. The amendment to this ordinance will allow the City to swap the parcel at 25 Ries Street with the parcel at 70 Ries Street and allow Flower City Habitat for Humanity to utilize the lot to build a new owner-occupied single-family home. The lot sizes of the parcels are similar.

Amending Ordinance No. 2015-33
Ordinance No. 2015-33 authorized the sale of 19 Ries Street to Mollye Huddleston. The vacant lot at 25 Ries Street was intended to be combined with the structure at 19 Ries Street and sold as one parcel. The amendment of this ordinance will allow the City to sell the vacant lot to the purchaser of 19 Ries Street for the purpose of additional green space.

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

Attachment No. AO-128

Ordinance No. 2015-223
(Int. No. 252)

Authorizing the sale of real estate and amending Ordinance No. 2014-76 and Ordinance No. 2015-33

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

Section 1. The Council hereby approves the sale of the following parcel of improved property with proposal:

Address	S.B.L.#	Lot Size	Sq. Ft.	Price	Purchaser
563 Maple St	120.34-1-3	40x132	5280	$3500	Tien V. Tran

Section 2. The Council hereby approves the negotiated sale of the following parcels of vacant land with proposal:

Address	S.B.L.#	Lot Size	Sq. Ft.	Price	Purchaser
3 Caffery Pl	120.44-1-57	40x125	5000	$425	Tammy J. Davis, Marvin K. Davis
207 Parsells Av	107.61-1-27	50x112	5600	$450	Nahum Marshall
54 Vixette St	135.57-2-46	40x120	4800	$425	Reana L. Mattingly

Section 3. The Council hereby approves the sale of the following parcels of vacant land with proposal:

Address	S.B.L.#	Lot Size	Sq. Ft.	Price	Purchaser
23 Daus Al	105.67-1-11	48x55	2651	$475	Derwin King
18 Parkway	105.67-1-13.1	25x145	3697		Derwin King

Section 4. The Council hereby approves the sale of the following parcels of unbuildable vacant land for the sum of $1.00:

Address	S.B.L.#	Lot Size	Sq. Ft.	Purchaser
51 Clifton St	120.44-1-56	45x40	1800	Tammy J. Davis, Marvin K. Davis
55 Clifton St	120.44-1-54	40x40	1600	Tammy J. Davis, Marvin K. Davis

Section 5. Ordinance No. 2014-76, Section 1., relating to the sale of 25 Ries Street to Flower City Habitat for Humanity, is hereby amended to delete the parcel at 25 Ries Street and substitute the parcel at 70 Ries Street SBL # 105.82- 3-21.1 as the parcel to be sold to Flower City Habitat for Humanity. All other terms remain the same.

Section 6. Ordinance No. 2015-33, relating to the sale of 19 Ries Street to Mollye Huddleston, is hereby amended to also authorize the City to sell the vacant parcel at 25 Ries Street SBL# 105.82-3-12 to Mollye Huddleston.

Section 7. 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 8. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-224
Re: Appraisal and Real Estate Services

Council Priority: Rebuilding and Strengthening
Neighborhood Housing

Transmitted herewith for your approval is legislation establishing maximum compensation for agreements with the following firms for real estate and appraisal services.

Firm	Maximum Compensation
Pogel, Schubmehl & Ferrara, LLC	$9,500
Midland Appraisal Associates, Inc.	$9,500
Bruckner, Tillet, Rossi, Cahill & Associates	$9,500
Monroe Barrie Corporation d/b/a Metro Appraisal Associates	$9,500

The agreements will be funded from the 2015-16 Budget of the Department of Neighborhood and Business Development and have one-year terms.

These agreements are for appraisal services including, but not limited to, broker price opinions and/or comparative market analyses for commercial, industrial, and residential property related to acquisitions, sales, easements, and other property transactions, as well as for real estate services including, but not limited to, auctioneer services at various real estate auctions.

The firms were selected through a request for qualifications (RFQ) process. The RFQ was issued April 28, 2015, published in the *Democrat & Chronicle,* posted on the City website and mailed directly to firms currently under

contract with the City. The vendor selection summaries are attached.

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

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-129

Ordinance No. 2015-224
(Int. No. 253, as amended)

Authorizing professional services agreements for real estate appraisal services for the Department of Neighborhood and Business Development

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

Section 1. The Mayor is hereby authorized to enter into agreements with the following firms for real estate appraisal services and other real estate services including but not limited to auctioneer services as needed by the Department of Neighborhood and Business Development as shown below:

Firm	Maximum Compensation
Pogel, Schubmehl & Ferrara, LLC	$9,500
Midland Appraisal Associates, Inc.	$9,500
Bruckner, Tillet, Rossi, Cahill & Associates	$9,500
Monroe Barrie Corporation d/b/a Metro Appraisal Associates	$9,500

Section 2. The cost of the agreements shall be funded by $38,000 from the 2015-16 Budget of the Department of Neighborhood and Business Development. The term of the agreements shall be one year.

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

Section 4. This ordinance shall take effect immediately.

New text is underlined

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-225
Re: Charlotte Square Project

Council Priority: Deficit Reduction and Long-Term Stability; Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation related to the sale of eight City-owned properties at 14-80 Charlotte Street (the "Parcels") to Home Leasing, LLC (controlling members: Nelson Leenhouts and Cathy Sperrick), (the "Developer"), or one or more affiliated entities to be formed by Home Leasing, LLC. This legislation will:

1. Authorize the sale of the Parcels to the Developer for the appraised value of $700,000;

2. Authorize a reduction in the sale price of the Parcels for the value of an easement, not to exceed $35,000, in consideration of improvements to and future maintenance of an existing public walkway on the easement by the Developer; and

3. Authorize the granting and acceptance of easements related to the public walkway and any necessary easements for utilities and access as required for the development of Charlotte Square.

The sale price of the Parcels and value of the easement were determined by independent appraisals completed by Kevin L. Bruckner, MAI of the firm of Bruckner, Tillett, Rossi, Cahill & Associates in September 2014 and June 2015, respectively.

The City has owned the Parcels for decades. Over the past few years, the City has worked with the New York State Department of Environmental Conservation to characterize and remediate, to a limited extent, environmental concerns associated with the historic uses of the site. The Parcels are presently remediated to a restricted residential standard and have environmental management plans in place to guide future development.

As part of the City's continuing efforts to revitalize Center City, a request for proposals (RFP) for the purchase and redevelopment of the Parcels was issued in October 2014. An RFP developer information meeting was held on October 31, 2014 to discuss the status of the Parcels, their redevelopment potential and answer questions. The RFP was publicized in the Real Estate section of the *Democrat and Chronicle*, posted on the City's website, and communicated via email to developers with experience in the Rochester market. As a result, the City received four proposals which were evaluated by staff from the Department of Neighborhood and Business Development and the Department of Environmental Services. The Developer was recommended based on its proposed development program and the financial strength of its proposal for Charlotte Square.

The selected proposal includes 72 one- and two-bedroom rental apartments (Phase I) and approximately fourteen owner-occupied townhouses to be constructed in Phase II. The number of Phase II townhouses is subject to change. The Developer will commence Phase I immediately after closing on the purchase of the land, and begin Phase II upon the successful completion of the Phase I rental units. The deed transferring title of the Parcels will include a condition that Phase II commence

within 24 months from the date of transfer, and be completed within 38 months from that same date. If the conditions are not met, the City can re-acquire the Phase II parcel by returning $250,000 of the purchase price based on a pro-rated value per square foot.

Construction of Phase I is anticipated to start in August 2015 and be completed within approximately 12 months. The sources and uses of funds for Phase I are as follows:

Sources	
Bank Loan	$12,063,766
Developer Equity	3,015,941
Total	$15,079,707
Uses	
Land	$ 450,000
Hard Costs	12,865,130
Construction Interest	245,699
Soft Cost	1,158,878
Contingency	360,000
Total	$15,079,707

The City's assistance in the project is limited solely to the sale of the Parcels and supporting an application to the County of Monroe Industrial Development Agency (COMIDA) for a payment in-lieu-of taxes (PILOT) based on the Commercial Urban Exemption (CUE) program schedule, for a period of twelve years. Eight of the rental units will remain affordable to households earning at or below 100% of the area median income. The units will be affordable for the duration of the PILOT. The Developer has also agreed to make and demonstrate best efforts to achieve the City's Minority Women Small Disadvantaged Business Enterprise (MWSDBE) goals of 20% and workforce goals of 26.9% minority and female workers.

Pursuant to the requirements of Article 8 of the NYS Environmental Conservation Law and Chapter 48 of the City Code, the Director of Planning and Zoning, Lead Agency for the environmental review, has determined that the proposed action will not result in any significant environmental effects. A negative declaration is forthcoming, thereby fulfilling the City's State Environmental Quality Review obligation before City Council action will be taken.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-130

Ordinance No. 2015-225
(Int. No. 254)

Authorizing the sale of real estate and agreements for the Charlotte Square Project

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

Section 1. The Council hereby approves the negotiated sale of eight (8) City-owned properties at 14 - 80 Charlotte Street as described below (the "Parcels") to Home Leasing, LLC (the "Developer"), for the price of $700,000. The agreement shall provide that the purchase price shall be reduced by an amount not to exceed $35,000 for the value of an easement for public access and in consideration of future maintenance of a public walkway by the Developer, upon terms approved by the City.

Address	SBL#
14 Charlotte Street	106.81-2-36.1
26 Charlotte Street	106.81-2-39
28 Charlotte Street	106.81-2-40
32 Charlotte Street	106.81-2-41
36 Charlotte Street	106.81-2-42
42 Charlotte Street	106.81-2-43
48 Charlotte Street	106.81-2-45.1
80 Charlotte Street	106.81-2-47.1

Section 2. The Mayor is hereby authorized to enter into agreements to accept an easement for the public walkway and to grant any necessary easements for utilities and access as required for the Project.

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

Section 4. 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 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-226
Re: Agreement - Finger Lakes Health Systems Agency, Health Impact Assessments

Transmitted herewith for your approval is legislation related to Health Impact Assessments conducted by The Finger Lakes Health Systems Agency (FLHSA). This legislation will:

1. Authorize the receipt and use of a $60,000 grant from the Genesee Transportation Council (GTC), and

2. Establish $60,000 as maximum compensation for FLHSA to conduct two Health Impact Assessments over a term of two years.

The FLHSA will build regional knowledge and capacity for analyzing the health connections and impacts of transportation decision-making in the

Genesee-Finger Lakes Region by conducting two Health Impact Assessments within the region. This project is being funded with a GTC grant using Unified Planning Work Program (UPWP) funds. The scope of work was approved at the May 14, 2015 GTC Planning Committee Meeting, and is attached.

Although the FLHSA is uniquely qualified to conduct these Health Assessments, they were not eligible to apply on their own because they are a not-for-profit agency. Since the source of the grant is UPWP funds, projects proposed by not-for-profits, neighborhood groups, and other organizations can be considered only if the application is sponsored and submitted by a participating local government with jurisdiction within the project area. As such, the City is proposing to partner with FLHSA and serve as their project sponsor. No City funds are involved.

The FLHSA was founded in 1974. Their mission is to bring focus to community health issues via data analysis, community engagement and solution implementation through community collaboration and partnership. Capacity planning and community health improvement is at the heart of what they do. Since the FLHSA has conducted work like this in the past, they were chosen without a request for proposals (RFP). A justification statement for not issuing an RFP is attached.

The consultant's work will begin in July 2015.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-131

Ordinance No. 2015-226
(Int. No. 256)

Authorizing agreements for analysis of the health connections and impacts of transportation decision-making in the Genesee-Finger Lakes Region

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 Genesee Transportation Council for receipt and use of funding for an analysis of the health connections and impacts of transportation decision-making in the Genesee-Finger Lakes Region in the amount of $60,000. The agreement shall be for a term of two years.

Section 2. The Mayor is hereby authorized to enter into an agreement with the Finger Lakes Health Systems Agency for services in connection with a health impact assessment of transportation decision-making in the Genesee-Finger Lakes Region. The cost of the agreement shall be funded by $60,000 from the funds received from the Genesee Transportation Council pursuant to Section 1 herein. The agreement shall be for a term of two years.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-227
Re: 2015-16 Consolidated Community Development Plan - Emergency Solutions Grant

Council Priority: Rebuilding and strengthening neighborhood housing - Stable, decent and affordable housing

Transmitted herewith for your approval is legislation related to the 2015-16 Emergency Solutions Grant (ESG) program as described in the 2015-16 Consolidated Community Development Plan (Con Plan). This legislation will:

1. Reprogram unspent ESG funds as follows:

Con Plan Year	Amount
2008-09	$ 15.31
2010-11	0.45
2011-12	6,075.34
2012-13	5,380.00
2013-14	0.38
Total	$11,471.48

2. Appropriate 2015-16 ESG funds in the amount of $28,445.00

3. Establish $39,916.48 as maximum compensation for an amendatory agreement with The Salvation Army, increasing total compensation from $27,850 (Ord. No. 2015-181) to $67,766.48 for additional homelessness prevention services. The cost of this agreement will be financed from the funds appropriated herein.

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

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

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

ESG-related legislation was last authorized on June 17, 2015 via Ordinance No. 2015-181. This legis-

lation supports Section 4 of the City of Rochester Housing Policy: *Promote Housing Choice*.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-227
(Int. No. 257)

Authorizing funding and an amendment to an agreement for the Emergency Solutions 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 amendment to the agreement with the Salvation Army for services to homeless individuals under the Emergency Solutions Grant (ESG) that was authorized by Ordinance No. 2015-181. The amendment shall increase the total amount of the agreement by $39,916.48 to a total of $67,766.48. The cost of said amendment shall be funded by $11,471.48 from the funds reprogrammed pursuant to Section 2 herein, and $28,445 from 2015-16 Consolidated Community Development Plan ESG funds which are hereby appropriated for said purpose.

Section 2. Unspent prior year funds previously appropriated for the Emergency Solutions Grant Program of the Consolidated Community Development Plan shall be reprogrammed as follows to fund the amended agreement authorized herein:

1.	Reprogram unspent 2008-09 ESG funds:	$ 15.31
2.	Reprogram unspent 2010-11 ESG funds:	.45
3.	Reprogram unspent 2011-12 ESG funds:	6,075.34
4.	Reprogram unspent 2012-13 ESG funds:	5,380.00
5.	Reprogram unspent 2013-14 ESG funds:	.38
	Total	$11,471.48

Section 3. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate. The City shall only enter into agreements with organizations that are in compliance with Federal regulations.

Section 4. The Director of Finance shall record all transfers herein and shall have the authority to make adjustments to the amounts set forth which may have changed prior to the adoption of this ordinance.

Section 5. This ordinance shall take effect immediately

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-228
Re: Zoning Text Amendments - City-wide Design Guidelines and Standards

Transmitted herewith for your approval is legislation amending the Zoning Code of the City of Rochester pertaining to City-wide Design Guidelines and Standards. This amendment is part of a larger, ongoing effort to improve the Zoning Code and marks the first time that this section has been reviewed and updated since the 2003 comprehensive revision of the Zoning Code. The proposed changes will ensure that the code continues to support and promote development and redevelopment that protects the existing character of the City where warranted, and facilitate change where desired. The amendments include:

<u>§ 120-156. Purpose.</u>
- More clearly and succinctly establishes the City's intentions for the design guidelines and standards.

<u>§ 120-158. City-wide design standards.</u>
- Clearly notes exceptions to the design standards.
- Makes design controls for building facades easier to understand and administer, without changing the intent.
- Permits sustainable development techniques for roofs.

<u>§ 120-159. Nonresidential and mixed-use building standards.</u>
- Clarifies that mixed-use developments follow the nonresidential building standards.
- Revises permitted building materials, especially for facades; specifically, the use of Exterior Insulation Finishing Systems (EIFS), vinyl, and corrugated metal is defined.
- Revises transparency requirements for industrial and commercial construction in C-3 and M-1 districts to better correspond with how such buildings are used.
- Adds new design requirements for establishments that sell gasoline.

<u>§ 120-160. Residential building standards.</u>
- Adds permitted building materials for porches.
- Gives more prominence to requirements that generate an above-average number of inquiries from the public, particularly garages, carports, and sheds.
- Adds multi-family design standards.

<u>§ 120-191. Procedures approved by the Director of Planning and Zoning.</u>
- The proposed text amendments necessitate a change to one cross-reference.

<u>§ 120-208. Definitions.</u>
- Adds new definitions for blue, green and white roofs; and for carports.
- Revises the definition of street frontage for clarity.

- A new definition of Building Façade (Frontage or Front) replaces the confusing current array of three similar definitions: Primary Building Façade (Frontage), Building Frontage, and Building Front.

The City Planning Commission held an informational meeting on the proposed amendments on Monday, June 15, 2015. One person spoke in support of the amendments, and one person spoke in opposition. By a vote of 6-0, the Planning Commission recommended approval.

The proposed text amendments, minutes of the Planning Commission's meeting and the Commission's recommendation are attached.

A public hearing is required for the Zoning Text Amendments.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-132

Ordinance No. 2015-228
(Int. No. 258)

Amending the Zoning Code, Chapter 120 of the Municipal Code with regard to City-Wide Design Guidelines and Standards

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

Section 1. Chapter 120 of the Municipal Code, the Zoning Code, as amended, is hereby further amended as follows:

Article XIX, City-Wide Design Guidelines and Standards:

§ 120-156. Purpose.

The City-wide design guidelines and standards are ~~established for areas outside of the Center City District. The guidelines and standards, through the review and regulation of design characteristics, to preserve and promote the unique urban character of Rochester. The guidelines and standards are~~ intended to guide development that preserves and improves Rochester's civic beauty and urban character. Well designed buildings and sites encourage lively, safe, pedestrian-friendly and attractive streets and public spaces, protect and enhance property values, and promote urban vibrancy. ~~encourage lively, pedestrian-friendly and attractive streetscapes and open spaces where Rochester residents and visitors will enjoy walking, biking, driving and shopping. Focusing on the immediate neighborhood of any development project, the guidelines and standards maximize visibility for pedestrians, ensure appropriate building design, including entrances, doors and windows, promote open front porches in residential neighborhoods, require attractive signage and ensure its compatibility with the surrounding neighborhood.~~

§ 120-157. City-wide design guidelines.

Buildings, structures, sites, signs and public spaces should be designed to:

A. Retain, reflect and enhance the dominant aesthetic or visual qualities of the neighborhood as much as possible.

B. Encourage and promote a sense of design continuity that appropriately relates the historic past of the neighborhood to ongoing revitalization and redevelopment efforts.

C. Appropriately relate proposed development to existing designs, styles, building forms and land uses.

D. Encourage and promote the sensitive and contextual design of buildings, signs, sites and public spaces through the use of design elements, details, styles and architectural features as well as other amenities, materials or treatments that may be appropriate to further the design standards. Blank end walls should incorporate building components or design features. Blank rear walls should be screened with landscaping.

E. Encourage a pedestrian-oriented and human-scaled right-of-way, public realm and streetscape and promote safe pedestrian movement, access and circulation. Access from streets, sidewalks and public rights-of-way should be clearly defined and, where a service alley is viable, garages and loading areas shall be accessed only from the alley.

F. Encourage and promote the incorporation of design features and other amenities in the private and public realms that reinforce the importance of terminating streets, public ways and vistas with focal points.

G. Encourage and promote the design of buildings, sites, signs and public spaces along the waterfront that protects, enhances and strengthens these areas as well as significant recreational, environmental, historic, scenic and cultural resources.

H. Encourage and promote the use of predominant existing building materials within the neighborhood and the predominant existing building materials, architectural features and fenestration on specific structures as a guide in determining appropriate replacement and new construction materials. Where possible, all replacement windows in elevations visible from any public right-of-way should match the original windows in size and configuration.

I. Protect, respect and expand the design of green space, landscaping and open space within the neighborhood and encourage public and private development that enhances this character with landscape design details such as trees, lawns, plantings, fountains and

malls.

J. Encourage and promote direct visual access to views and vistas of the City skyline.

K. Promote preservation of designated buildings of historic value to enhance and promote the history, culture and architecture of the City.

§ 120-158. City-wide design standards.

A. Exceptions

(1) The city-wide design standards shall not apply in the Center City District, and Marina District, each of which has its own set of design standards.

(2) Each of the Planned Development Districts, and the Public Market Village District, Harbortown Village District, and Collegetown Village District, has its own set of design standards. The city-wide design standard specified in this Section shall apply only to those design elements that are not addressed by the district-specific design standards for the Planned Development Districts, Public Market Village District, Harbortown Village District, or Collegetown Village District.

~~A.~~ B. Building elevations.

(1) Any building facade facing a sidewalk, street, waterway or open space district shall have an active building elevation. Active building elevations shall include windows, building entrances and other architectural features that enhance the pedestrian scale and experience of the building facade.

(2) New construction shall respect existing building widths by providing a division of the building facade into visible building increments no larger than the average width of existing buildings on the block.

(3) Where the street frontage is defined by a continuous building facade, the proposed new building or infill construction shall maintain such continuous facade by building from side lot line to side lot line unless access is required for rear yard parking.

~~(4) Structures where all building elements are less than 35 feet in height and with walls of more than 1,500 square feet shall incorporate fascias, canopies, arcades, building setbacks of three feet or more or other design features to break up large wall surfaces on the street-facing elevations. Wall surfaces shall be visually divided by such features into areas of 750 square feet or less.~~

~~(5) Structures with building elements above 35 feet in height shall have no wall surface longer than 100 feet without a break: a recess or offset measuring at least 20 feet in depth and 1/4 of the building in length or a series of recesses or offsets, at intervals of not more than 40 feet, that vary the depth of the building wall by a minimum of four feet. Not less than 25% of the building wall shall be varied in this way. The objective of this standard is to avoid large, undifferentiated wall surfaces. Smaller offsets at forty-foot intervals are an acceptable substitute.~~

(4) Building facades shall not contain blank wall areas that exceed 25 linear feet, measured parallel to the street. Building facades that are 100 linear feet or more shall include a repeating architectural pattern with two or more of the following elements: color change, texture change, material change, or a wall articulation change such as a reveal, recess, offset, or pilaster.

~~B.~~ C. Building entrances. The front facade and main entrance shall face a public street and shall have a direct pedestrian connection to the street.

D. Roofs.

(1) Green roof, blue roof, and white roof designs are permitted.

(2) Reflective surfaces that produce glare are prohibited, except for solar panels or white roofs intended to radiate absorbed or non-reflected solar energy and reduce heat transfer to the building.

~~C.~~ E. Designated buildings of historic value.

(1) Demolition of a designated building of historic value shall be prohibited.

(2) Significant architectural features, including but not limited to slate or tile roofing, original cladding, porches, cornices, etc., shall be maintained.

(3) Replacement windows in a designated building of historic value shall utilize true divided lights or simulated divided lights when matching the original mullion and/or muntin configuration. This ~~would~~ does not include interior-only grids or grids between the panes of glass, except where the windows are being replaced in order to abate lead paint hazards.

~~D.~~ F. Waterfront views or vistas.

(1) Site development, including the construction of buildings, structures or

signs, shall not unnecessarily interfere with or obstruct significant, identified views or vistas of (or from) the Genesee River, Lake Ontario or the Erie Canal from the street, or significant designated landscape features beyond existing conditions and as listed in the City of Rochester's Local Waterfront Revitalization Program (LWRP).

(2) The proposed design and arrangement of the building, structure or use shall provide for public pedestrian and visual access to and along the waterfront.

~~E.~~ G. Mechanical and electrical equipment and open storage areas.

Mechanical and electrical equipment includes heating, ventilation, and air conditioning (HVAC) equipment and electrical generators.

(1) To the maximum extent practical, all roof-mounted and ground-mounted mechanical equipment shall be screened from view or isolated so as not to be visible from any public right-of-way or residential district within 150 feet of the subject lot, measured from a point five feet above grade. Roof screens, when used, shall be coordinated with the building to maintain a unified appearance.

(2) Mechanical equipment and open storage areas shall be screened from public streets, alleys, paths, private streets and abutting lots to a minimum height of six feet. When solid screening is used, the materials shall be compatible with the building.

§ 120-159. Nonresidential and mixed use building standards.

The following design standards apply to nonresidential and mixed use development. They apply to new construction, including additions to existing structures, and to substantial repair or rehabilitation of the exterior facade of an existing structure. In the case of repair or rehabilitation, only those standards that relate to the specific repair or rehabilitation activities conducted shall apply.

A. Building materials.

~~(1) Along street frontages, all exterior building walls and structures shall be constructed with durable materials such as masonry, stone, brick, finishing wood, stucco (EIFS) or glass. Evidence shall be submitted that demonstrates that the exterior building material has sufficient impact resistance at the pedestrian level.~~

~~(2) In the M-1 District along street frontages, no more than 50% of the exterior building may include metal panels.~~

~~(3) No more than three exterior building materials shall be used on any one side of a building.~~

~~(4) Changes in materials shall occur at inside corners. Material changes at the outside corners or in a plane shall be avoided.~~

(1) Exterior walls.

The following building materials are prohibited on any exterior wall:

(a) Concrete finishes or precast concrete panels (tilt wall) that are not exposed aggregate, hammered, embossed, imprinted, sandblasted or covered with a cement-based acrylic coating, except in an M-1 District when some other relief is offered (architectural or landscaping).

(b) Metal panels with a depth of less than one inch or a thickness less than U.S. Standard 26 gauge.

(c) Mirrored glass with a reflectance greater than 40% shall be prohibited from covering more than 40% of the exterior walls of any building in the C-3 and M-1 Districts.

(2) Facades.

The following building materials are prohibited on any facade:

(a) Plain concrete block, except in the M-1 District.

(b) Glass block, except in the C-3 and M-1 Districts.

(c) Exposed aggregate (rough finish) concrete wall panels, except in the M-1 District.

(d) Exterior insulating finish systems (EIFS) on first floor, except in the C-3 and M-1 Districts.

(e) T-111 composite plywood siding.

(f) Plastic.

(g) Vinyl, except cellular vinyl trim may be used as decorative or detail elements for up to 25% of the facade.

(h) Corrugated metal, except as decorative or detail elements for up to 25% of the facade.

B. Windows and transparency.

(1) Renovations of the first floor of existing buildings shall not decrease the area of transparency. Where feasible, renovations shall increase the area of transparency to that required for new construction unless the original historic character of the building requires less transparency area.

(2) All glazing shall be clear or lightly tinted.

(3) In all C-1, C-2, H-V, PMV, and C-V Districts, all new construction ~~along the street~~ on building facades that are within 60 feet of a street right-of-way shall provide areas of transparency equal to 70% of the wall area between the height of two and eight feet from the ground.

(4) In the C-3 and M-1 Districts, when offices are part of ~~all~~ new industrial construction ~~along the street~~, the entry to such offices shall have direct access from street frontages and parking areas. Offices that are part of new industrial construction ~~shall provide areas of transparency equal to 20% of the wall area~~ and ~~all~~ new ~~commercial~~ construction of commercial buildings ~~along the street~~ within 60 feet of street rights-of-way shall provide areas of transparency equal to 40% of the wall area. The percentage of glazing required on buildings may ~~could~~ be reduced by 10% of the required amount and the cost difference ~~would be~~ dedicated to streetscape improvements.

(5) The use of opaque materials such as plywood, brick, metal or sheet rock to cover or fill a window opening is prohibited.

~~(5)~~ (6) The installation of any ~~exterior~~ device which obstructs transparency or impacts the architectural design of a window is not permitted. This prohibition does not apply to nonpermanent ~~interior~~ devices such as curtains, blinds, shades and nonopaque roll-down grills.

(7) In addition to the standards of this section, new construction and re-occupancy of an existing building with high-impact retail sales and service and pawnbrokers are subject to the design standards of § 120-146.1B.

~~C. Prohibited materials.~~

~~(1) Concrete finishes or precast concrete panels (tilt wall) that are not exposed aggregate, hammered, embossed, imprinted, sandblasted or covered with a cement-based acrylic coating shall not be used as exterior building materials and shall be prohibited on all exterior walls unless located in an M-1 District and unless some other relief is offered (architectural or landscaping).~~

~~(2) Metal panels with a depth of less than one inch or a thickness less than U.S. Standard 26 gauge shall not be used as exterior building materials and shall be prohibited on all exterior walls.~~

~~(3) In the C-1, C-2, H-V and PMV Districts, no unpainted masonry or brick materials may be painted if originally designed to be unpainted. This shall not include cement block construction.~~

~~(4) In the C-3 and M-1 Districts, mirrored glass with a reflectance greater than 40% shall be prohibited from covering more than 40% of the exterior walls of any building.~~

~~D.~~ C. Storefront conversion.

(1) Residential use standards. The applicant for conversion of a commercial storefront to a residential use in an area that is predominantly residential shall have the option either to:

(a) Retain the storefront features (for example, display windows, transoms, lintels, etc.). Retaining the original storefront design is not subject to the first floor transparency minimum; or

(b) Remove the entire storefront and redesign the facade to a residential appearance.

(2) Commercial conversions. When converting only one portion of a building, the entire commercial character of the storefront must be retained. In cases where demolition of a commercial addition to a house is proposed, the new facade shall approximate, as closely as possible, the original design of the house.

(3) Nonresidential use standards. The applicant for conversion of a commercial storefront to a residential use in an area that is predominantly commercial shall be required to maintain the commercial character of the storefront.

~~E.~~ D. All new building construction within five feet of the front ~~property~~ lot line shall be built parallel to the ~~property~~ lot line for at least 80% of its frontage and up to a height of 20 feet. Up to 20% of ~~the~~ this building frontage may be built skewed from the ~~property~~ lot line; any portion of the building above 20 feet in height may be built skewed from the ~~property~~ lot line.

E. Retail sales of automobile fuels (including retail with fuel sales, vehicle service/vehicle

repair with fuel sales)

To ensure that these uses fit well into the generally compact, urban neighborhoods of Rochester, and to minimize any negative impacts on neighboring properties, development or redevelopment of these uses shall comply with the following design standards:

(1) Except for C-3, M-1, and Planned Development Districts, retail structures associated with automobile fuel sales shall be located along the street frontage of a lot and shall follow the design standards found in §§ 120-159A and 120-159B.

(2) Except for C-3, M-1, and Planned Development Districts, retail structures associated with automobile fuel sales shall have a fully operational pedestrian entrance open during business hours along the public street; other entrances are permitted.

(3) Except for C-3, M-1, and Planned Development Districts, canopy structure shall be designed to fit into the traditional urban context of the neighborhood. Designs shall draw on historical precedents for canopy type structures such as railroad stations, streetcar stops, lumber sheds, and shall use traditional materials (wood, brick, metal) or high quality modern alternatives. Pitched roofs are encouraged. Lighting of the canopy fascia, parapet, or roof is prohibited. Downward lighting of the pump islands and area under the canopy is permitted.

(4) A retail automobile fuel facility that occupies a pad or portion of a building within a large commercial center shall be designed to reflect the design elements of that center.

(5) For retail automobile fuel facilities located on corner lots, any buildings shall be placed along the street frontage or landscape elements, such as regularly spaced columnar trees, shall be placed along the street frontage in order to emphasize the corner and define the street wall.

(6) All facilities shall include landscaping/hardscaping along all street frontages in order to limit vehicular movement to established curb openings and protect any portion of the public sidewalk from on-site vehicle maneuvering.

(7) All facilities shall include a solid screening fence no less than six feet tall and no more than eight feet tall along any property line abutting the side or rear yards of lots zoned R-1, R-2, or R-3.

(8) Curb openings shall be minimized, especially on the primary street frontage. Redundant curb openings shall be closed.

(9) Canopy fascia signs are not permitted. All signage must comply with § 120-177.

§ 120-160. Residential building standards.

The following design standards apply to residential development. They apply to new construction, including additions to existing structures, and to substantial repair or rehabilitation of the exterior facade of an existing structure. In the case of repair or rehabilitation, only those standards that relate to the specific repair or rehabilitation activities conducted shall apply

A. Single-family detached, two-family, single-family attached.

~~A.~~ (1) Building context and compatibility.

New infill single-family, two-family, attached dwelling units, additions to such structures and accessory buildings shall be constructed to be generally compatible with other existing dwelling units or accessory buildings on the same block frontage within 200 feet. This provision shall be satisfied by constructing the subject dwelling unit or accessory building so that at least four of the following features are similar to the majority of other dwelling units within 200 feet on the block frontage (both sides of the street):

~~(1)~~ (a) Roof style and overhang (e.g., gable, mansard, hip, A-frame, or flat);

~~(2)~~ (b) Building massing (e.g., ranch with attached garage; two-story with attached garage; bungalow);

~~(3)~~ (c) Floor area;

~~(a)~~ [1] Single-family dwelling units. The floor area of the proposed dwelling unit shall be no less than 80% and not more than 145% of the average floor area of other single-family dwelling units, as indicated in the City Tax Assessor's records, within 200 feet of the subject lot, including single-family dwelling units along both sides of the street of the same block.

~~(b)~~ [2] Two-family dwelling units. The floor area of the proposed dwelling unit shall be no less than 80% and not more than 145% of the average floor area of other two-family dwelling units, as indicated in the City

Tax Assessor's records, within 200 feet of the subject lot, including two-family dwelling units along both sides of the street of the same block.

~~(4)~~ (d) Front porches (existence of);

~~(5)~~ (e) Exterior building material; or

~~(6)~~ (f) Pattern of window and door openings (e.g., central door and four windows; offset door and three windows).

~~B.~~ (2) Porches.

~~(1)~~ (a) No existing open porch visible from any public right-of-way shall be removed unless the original design of the building lacked such a porch.

~~(2)~~ (b) No open porch visible from any public right-of-way shall be enclosed.

(c) Rails, balusters, skirting and columns shall be constructed of wood that is primed and painted or of prefinished wood-alternative materials that are appropriate for exterior use.

~~C.~~ ~~Accessory structures/uses,~~

(3) Garages and carports.

The following standards apply to all residential garages and carports, with the exception of multi-family dwellings.

(a) General standards.

~~(1)~~ [1] Garage orientation and access (e.g., attached/front-loaded, attached/side-loaded, detached/street loaded, or detached/alley-loaded) shall conform with the majority of other existing residential parcels on the same block frontage within 200 feet.

~~(2)~~ [2] Single-family attached dwellings shall not have street-loaded garages if alternative access can be provided.

~~(3)~~ [3] Garages~~, sheds, and other accessory structures over 100 square feet in area~~ shall not be in the style of a Quonset hut or other similarly formed metal or plastic structures designed and/or marketed for industrial or agricultural use.

(b) Attached garage.

[1] The width of front-loaded attached garages shall be limited to 50% of the front setback line or 22 feet, whichever is less.

[2] Attached garages shall be set back a minimum of 10 feet from the front setback line of the principal use or structure.

(c) Detached garage.

[1] One detached garage is permitted per lot.

[2] The area above the vehicle parking spaces in a detached garage shall not contain a kitchen or sleeping area.

[3] A detached garage is permitted only in the rear yard.

(d) Carports.

[1] Carports shall be located over a driveway.

[2] Carports are permitted only in rear yards.

[3] The height of a carport is limited to 10 feet.

[4] A carport shall be entirely open on at least three sides except for the necessary supporting columns and customary architectural features.

[5] A carport shall be constructed as a permanent structure. Temporary tent, canopy or other structures are not considered carports.

(4) Sheds.

Sheds over 144 square feet in area shall not be in the style of a Quonset hut or other similarly formed metal or plastic structures designed and/or marketed for industrial or agricultural use.

~~D.~~ (5) Yard areas.

~~(1)~~ (a) Except for driveways and walks, no portion of the front yard shall be paved with asphalt or concrete.

~~(2)~~ (b) Decorative stone or gravel surfaces shall be used when an integral part of a landscape plan.

~~(3)~~ (c) To the maximum extent practical, the front yard, side yard and the unpaved area between the sidewalk and the street paving shall be covered with turf grass or vegetative ground cover.

~~(4)~~ (d) To the maximum extent practical, the rear yard shall be fine graded to ensure proper grades and drainage.

~~E. Commercial and mixed-use buildings. Design standards for commercial and mixed-use buildings shall follow the design standards for nonresidential uses.~~

B. Multi-family.

(1) Building facades.

(a) Building facades shall be designed with consistent materials and treatments. The consistency of materials and treatments shall also be maintained for a single building possessing multiple facades.

(b) Building facades shall include windows, projected or recessed entrances, overhangs, and other architectural features.

(2) Windows and transparency.

The following minimum transparency requirements apply to any facade facing a street, calculated by the entire area of the facade:

(a) Attached or rowhouse-style building: 15%

(b) Other multi-family building: 25%

(3) Roofs.

Flat roofs shall include cornices, parapets or similar architectural details to add variety and break up the roofline.

§ 120-161. Neighborhood design guidelines.

A. Purpose. Neighborhood design guidelines offer further guidance to the review authority in determining if a development meets the objectives of this chapter and the neighborhood. These guidelines are developed to ensure that new development is compatible with the surrounding area. Neighborhood design guidelines should provide additional, more specific information to the review authority regarding the nature of the design theme and principles that are desired within a neighborhood.

B. Guidelines. The neighborhood guidelines:

(1) Would exist outside of the Zoning Ordinance in the form of a design guidelines manual or handbook;

(2) Include additional design guidelines that elaborate on or provide additional specificity for the design guidelines listed in this article. The guidelines shall not be hard and fast rules that are to be explicitly followed in a single prescribed manner; they are intended to be additional, interpretable design recommendations that can be executed in a variety of ways and that provide further design direction, detail and guidance.

§ 120-208, Definitions:

BLUE ROOF - A roof designed to store water and discharge rainfall.

BUILDING FACADE - The face of a building that abuts or is parallel to or generally parallel to a lot line abutting a street.

~~BUILDING FRONT - The exterior wall of a building facing the front line of the lot.~~

~~BUILDING FRONTAGE - The length along a ground floor building front facing a street or private way accessible from a street which is occupied by a separate and distinct use; or the length along a ground floor building side facing a street which is occupied by a separate and distinct use or by the same use which occupies the front of said building.~~

CARPORT - An open-sided, roofed vehicle shelter, typically attached on one side to a building, but may be freestanding, and is an accessory use to a permitted principal use.

GREEN ROOF - A roof partially or completely covered with vegetation and a growing medium, typically planted over such layers as a waterproofing membrane, root barrier, and drainage and irrigation systems.

PRIMARY BUILDING FACADE (~~FRONTAGE~~ FRONT) - ~~The façade of a building providing the primary ingress to the building or a use from the public right-of-way.~~ The building façade that faces the primary street.

STREET FRONTAGE - The length of a lot along the lot line abutting the right-of-way line of any public street.

WHITE ROOF - A roof designed to deliver high solar reflectance, reducing heat transfer to the building.

§ 120-191D(3)(a)[1], Procedures approved by the Director of Planning and Zoning:

[1] New construction that does not meet the City-wide design standards set forth in this chapter, except those applications not meeting the residential building standards set forth in § 120-160~~B and C~~ A(2) to A(4).

Section 2. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

Councilmember Conklin moved to discharge Int. No. 282 from Committee.

The motion was seconded by Councilmember Patterson.

The motion was adopted by the following vote:

Ayes - President Scott, Councilmembers Haag, McFadden, Miller, Ortiz, Patterson, Spaull - 7.

Nays - Councilmember Conklin - 1.

Councilmember Conklin moved to amend Int. No. 282

The motion was seconded by Councilmember Patterson

The motion was adopted by the following vote:

Ayes - President Scott, Councilmembers Haag, McFadden, Miller, Ortiz, Patterson, Spaull - 7.

Nays - Councilmember Conklin - 1.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-229
Re: Performing Arts Center Site and Facility Study

Council Priorities: Creating and Sustaining a Culture of Vibrancy; Jobs and Economic Development

Transmitted herewith for your approval is legislation related to the Performing Arts Center (PAC) Site and Facility Study. This legislation will:

1. Establish up to $50,000 as maximum compensation for an agreement with Lincoln Center Global and up to $161,165 as maximum compensation for an agreement with Westlake Reed Lekosky for feasibility and planning services for the project. The agreements will have a term of one year.

2. Authorize an agreement with the New York State Department of Economic Development and the New York State Urban Development Corporation, d/b/a Empire State Development (ESD) for the receipt of up to $100,000 in grant funding.

3. Appropriate up to $100,000 of the ESD grant funding to partially fund the agreements with Lincoln Center Global and Westlake Reed Lekosky.

4. Appropriate up to $111,165 from the City Development Fund.

The City of Rochester was awarded a $100,000 matching grant from ESD through the Finger Lakes Regional Economic Development Council in 2014 to study the feasibility of a new PAC and recommend a location in downtown. The primary goals of the study are to:

- Evaluate several downtown locations and recommend a site best suited for a PAC;
- Identify the ideal facility development program (facility size, amenities, etc.);
- Estimate rough order of magnitude costs to develop the project;
- Project annual revenue and operational costs for the proposed PAC; and
- Prepare an economic impact study for the PAC.

The study results, if favorable, will allow the City and regional partners to solicit funding for development of the PAC at the recommended location.

In March 2015, the City issued a request for proposals for consultant services. The City received fifteen proposals from both local and national firms. A selection team consisting of staff from the Department of Neighborhood and Business Development and the Department of Environmental Services evaluated the proposals and selected five firms for interviews. The consultant team being recommended to undertake the study is made up of Lincoln Center Global and Westlake Reed Lekosky. They were selected based on their experience and success with similar studies, understanding and approach of the study scope and ability to meet the MWBE goal of 35% as required by New York State.

The City will form a PAC Steering Committee to provide guidance and expertise for the consultant team. The Committee would include representatives from the Rochester Broadway Theatre League, GEVA Theatre, VisitRochester, The Joseph A. Floreano Rochester Riverside Convention Center, Rochester Downtown Development Corporation, Rochester Business Alliance, Monroe County and other stakeholders in the community.

The cost of the study is $211,165 and will be substantially completed in approximately three months.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-133

Ordinance No. 2015-229
(Int. No. 282, as amended)

Authorizing agreements for feasibility and planning services for a Performing Arts Center Site and Facility Study and appropriating 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 be-

tween the City and Lincoln Center Global to provide feasibility and planning services for a Performing Arts Center Site and Facility Study. The maximum amount shall be $50,000. The Mayor is also hereby authorized to enter into a professional services agreement between the City and Westlake Reed Lekosky to provide feasibility and planning services for a Performing Arts Center Site and Facility Study. The maximum amount shall be $161,165. Said amounts shall be funded by $100,000 in grant funds from the New York State Department of Economic Development and the New York State Urban Development Corporation, d/b/a Empire State Development (ESD), and ~~$111,165~~ $30,000 from the City Development Fund, and $30,000 from anticipated funding from Monroe County, $25,500 from anticipated funding from the Rochester Broadway Theatre League, Inc., and an additional $25,665 from anticipated funding from the Rochester Broadway Theatre League, Inc., which funds are hereby appropriated for said purpose. The term of the agreements shall be up to one year. The agreements shall not be entered into until the City receives satisfactory documentation from Monroe County that the County will make said funds available for this purpose. The agreements shall not be entered into until the City receives satisfactory documentation from the Rochester Broadway Theatre League, Inc. that its Board of Directors has approved the above described funds for this purpose.

Section 2. The Mayor is hereby authorized to enter into an agreement between the City and the New York State Department of Economic Development and the New York State Urban Development Corporation, d/b/a Empire State Development (ESD) for receipt and use of a grant for up to $100,000 for the a Performing Arts Center Site and Facility Study and an agreement with Monroe County for receipt and use of funding in an amount up to $30,000, and an agreement with the Rochester Broadway Theatre League, Inc. for receipt and use of funding in an amount up to $51,165, and said funds are hereby appropriated for this purpose.

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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Passed by the following vote:

Ayes - President Scott, Councilmembers, Haag, McFadden, Miller, Ortiz, Patterson, Spaull - 7.

Nays - Councilmember Conklin - 1.

TO THE COUNCIL
Ladies and Gentlemen:

Introductory No. 255
Re: 2015-16 Consolidated Community Development Plan - Business Programs

Council Priority: Jobs and Economic Development

Transmitted herewith for your approval is legislation related to the City of Rochester's business programs as described in the 2015-16 Consolidated Community Development Annual Action Plan (Con Plan). This legislation will:

1. Appropriate a total of $1,300,000 of Community Development Block Grant (CDBG) funds as follows: $1,225,000 from the Economic Stability allocation of the 2015-16 Con Plan; $50,000 from the General Community Needs allocation of the 2014-15 Con Plan; and $25,000 from the General Community Needs allocation of the 2013-14 Con Plan.

2. Authorize the use of the CDBG funds appropriated herein to support the following business programs:

Business Development Financial Assistance Loan and Grant Program	$ 950,000
Neighborhood Commercial Assistance Program	350,000
	$1,300,000

3. Authorize agreements necessary to implement the programs.

The $950,000 for Business Development Financial Assistance Loan and Grant Program consists of $875,000 from the Business Development Financial Assistance Loan and Grant Program allocation of the 2015-16 Con Plan; $50,000 from the Business Development Financial Assistance Loan and Grant Program allocation of the 2014-15 Con Plan; and, $25,000 from the Business Development Financial Assistance Loan and Grant Program allocation of the 2013-14 Con Plan. In addition, $80,000 of City Development Funds was appropriated for Business Development Financial Assistance Loans and Grants via Ordinance No. 2015-155.

Respectfully submitted,
Lovely A. Warren
Mayor

Introductory No. 255

APPROPRIATING FUNDS AND AUTHORIZING AGREEMENTS FOR BUSINESS PROGRAMS

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

Section 1. There is hereby appropriated $1,225,000 from the Economic Stability allocation of the 2015-16 Consolidated Community Development Annual Action Plan, $25,000 from the 2013-14 General Community Needs allocation and $50,000 from the 2014-15 Community Needs allocation to fund the following business programs:

Business Development Financial Assistance Loan & Grant Programs	$ 950,000
Neighborhood Commercial Assistance Programs	350,000
Total	$1,300,000

Section 2. The Mayor is hereby authorized to enter into such agreements as may be necessary to implement the programs authorized herein.

Section 3. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate. The City shall only enter into agreements with organizations that are in compliance with Federal regulations.

Section 4. This ordinance shall take effect immediately.

Held in Committee.

By Councilmember Haag
July 14, 2015

To the Council:

The Parks & Public Works Committee recommends for adoption the following entitled legislation:

Int. No. 259 - Bond Ordinance of the City of Rochester, New York authorizing the issuance of $551,000 bonds of said City to finance the costs of construction of water mains on Harding Road

Int. No. 260 - Authorizing an agreement with the New York State Power Authority for the receipt and use of a Five Cities Energy Plan Program Formula Grant and appropriating funds

Int. No. 261 - Authorizing an agreement with T.Y. Lin International for the Rundel Library Structural Phase 3A Project

Int. No. 262 - Bond Ordinance of the City of Rochester, New York, authorizing the issuance of $223,000 bonds of said City to finance the additional cost of planning and implementing repairs to the Rundel Memorial Building of the Rochester Public Library

Int. No. 263 - Authorizing an agreement with The Rochester City School District for the Clinton-Baden Community Center Renovation Project

Int. No. 264 - Bond Ordinance of the City of Rochester, New York, authorizing the issuance of $875,000 bonds of said City to finance the cost of design and construction of the Clinton-Baden Community Center Renovation Project in the City

Int. No. 265 - Authorizing an amendatory agreement with Architectura PC for architectural and engineering services

Int. No. 266 - Authorizing an amendatory professional services agreement with Stantec Consulting Services, Inc. for design and resident project representation services

Int. No. 267 - Appropriating Consolidated Community Development funds for infrastructure and playground improvements

Int. No. 268 - Authorizing an agreement and appropriating funds for the Inner Loop East Transformation Project as amended

Int. No. 269 - Authorizing an agreement for the Hincher Group Street Improvement Project and amending Ordinance No. 2014-347

Int. No. 270 - Bond Ordinance of the City of Rochester, New York authorizing the issuance of $1,267,000 bonds of said City to finance the costs of construction of streets as part of the Hincher Group Street Improvement Project

Int. No. 271 - Bond Ordinance of the City of Rochester, New York authorizing the issuance of $264,000 bonds of said City to finance the costs of construction of water mains as part of the Hincher Group Street Improvement Project

Int. No. 272 - Authorizing agreements and appropriating funds for the Mt. Hope Avenue Phase II Project

Int. No. 273 - Appropriating funds and authorizing agreements for the 2015 Preventive Maintenance - Crittenden Boulevard Project

Int. No. 274 - Bond Ordinance of the City of Rochester, New York authorizing the issuance of $41,000 bonds of said City to finance the costs of construction of streets as part of the 2015 Preventive Maintenance - Crittenden Boulevard Project

Int. No. 285 - Authorizing agreements and appropriating funds for the 2015 Preventive Maintenance Group #2 Project (East Avenue, University Avenue, S. Winton Road, N. Winton Road and Portland Avenue) as amended

Int. No. 286 - Bond Ordinance of the City of Rochester, New York authorizing the issuance of $702,000 bonds of said City to finance the costs of construction of streets as part of the 2015 Preventive Maintenance Group #2 Project (East Avenue, University Avenue, S. Winton Road, N. Winton Road and Portland Avenue) as amended

The Parks & Public Works Committee recommends for consideration the following entitled legislation:

Int. No. 275 - Local Improvement Ordinance - public improvements as part of the 2015 Preventive Maintenance - Crittenden Boulevard Project

Int. No. 276 - Amending the Official Map by memorializing Loomis Street as Ira White Way

Respectfully submitted,
Matt Haag
Michael A. Patterson
Elaine M. Spaull

Dana K. Miller
Loretta C. Scott
PARKS & PUBLIC WORKS COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-230
Re: 2015 Water Main Extensions and Improvements - Harding Road

Transmitted herewith for your approval is legislation related to the 2015 Water Main Extensions and Improvements program. This legislation will:

1. Authorize the issuance of bonds totaling $551,000 and the appropriation of the proceeds thereof for the Harding Road water main replacement.

Funding totaling $630,000 is needed to finance the water main replacement on Harding Road from Lake Avenue to North Burley Road. A total of $551,000 in bonds along with $79,000 from 2014-15 Cash Capital will be used to fund the cost of the Harding Road water main project.

The Harding Road water main has experienced five water main breaks and is in need of replacement. The water main replacement will be completed this summer or fall. Project inspection will be provided by Water Bureau personnel. All water main work will be completed in order for Harding Road to be milled and resurfaced as part of the 2015 Residential Milling and Resurfacing program.

This project results in the creation and/or retention of the equivalent of 6.7 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-134

Ordinance No. 2015-230
(Int. No. 259)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of $551,000 bonds of said City to finance the costs of construction of water mains on Harding Road

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the costs of construction of water mains on Harding Road from Lake Avenue to North Burley Road as part of the 2015 Water Mains Extensions and Improvements 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 $630,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of $551,000 bonds of the City to finance water main construction as part of said Project, and $79,000 from 2014-15 Cash Capital and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of $551,000 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 $551,000. 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 the class of objects or purposes described in Section 1 of this Ordinance, within the limitations of 11.00 a.1 of the Local Finance Law, is 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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-231
Re: New York State Power Authority/Five Cities Energy Plan Program - Formula Grant and Energy Analyst Agreements

Transmitted herewith for your approval is legislation related to the implementation of the Rochester Energy Plan. This legislation will:

1. Authorize the Mayor to enter into an agreement with the New York State Power Authority (NYPA) to provide the City with an Energy Analyst contract employee;

2. Authorize the Mayor to enter into a formula grant agreement with NYPA; and

3. Appropriate $862,000 in anticipated grant reimbursements from New York State Energy Research and Development (NYSERDA) to finance formula grant projects.

In 2012 NYPA established the Five Cities Energy Plan program to develop strategic frameworks for the cities of Albany, Buffalo, Rochester, Syracuse and Yonkers to comprehensively reduce energy consumption citywide. Both internal City and external stakeholder groups provided input to develop strategies and actions to reduce energy consumption city-wide in the buildings and transportation sectors. In January 2015, the City and NYPA completed the Rochester Energy Plan. The Energy Plan supports and builds on the City's progress to date and provides a roadmap to further improve energy efficiency and reduced greenhouse gas emissions. The Energy Plan covers four action areas that support achievement of the goals:

- Energy planning and coordination,
- Energy efficiency in buildings,
- Transportation energy efficiency, and
- Energy distribution and supply.

NYPA is now providing each city with resources to assist in the implementation of their respective Energy Plans. These resources include supplying and funding a contract staff person to the City, an Energy Analyst, who will work within the City's Office of Energy and Sustainability. The Energy Analyst will report directly to the City's Manager of Energy and Sustainability and will assist with the implementation of the actions outlined in the Energy Plan, including developing goals and tracking energy performance measurements and metrics for city-wide energy initiatives. The Energy Analyst will also act as a liaison between the City and NYPA.

Additionally, NYPA has awarded a formula grant in the amount of $862,000 to the City. The purpose of the formula grant is to implement one or more initiatives or projects identified in the Energy Plan, such as energy efficient lighting upgrades or alternative fuel vehicle purchases.

Proposed projects include the following:

Mortimer Street Garage LED lighting upgrade:	$500,000.00
Lincoln Library LED lighting upgrade:	$120,000.00
Energy monitoring/benchmarking program for city buildings:	$50,000.00
Fund incremental cost of alt fuel vehicles (CNG and EV):	$100,000 (dependent on quantity and type of vehicles purchased)
Charlotte Library LED lighting upgrade:	$90,000.00

The term of the Energy Analyst agreement is two years, with a three-year extension possible pending availability of additional NYPA funding. The formula grant agreement term expires on December 31, 2016. It is anticipated that additional NYPA formula grant funds may be made available to the City subsequent to the completion of work under the initial grant agreement.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-231
(Int. No. 260)

Authorizing an agreement with the New York State Power Authority for the receipt and use of a Five Cities Energy Plan Program Formula

Grant and appropriating funds

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 Power Authority for the receipt and use of a Five Cities Energy Plan Program Formula Grant in the amount of $862,000, and said funds are hereby appropriated for energy projects in connection with said Program. The agreement shall have a term that ends December 31, 2016.

Section 2. The Mayor is hereby authorized to enter into an agreement with the New York State Power Authority for the services of an Energy Analyst contract employee in connection with the Five Cities Energy Plan Program Formula Grant. The cost of said agreement shall be funded from the funds appropriated in Section 1 herein. Said agreement shall have a term of two years with an option to extend for up to three additional years.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-232
Ordinance No. 2015-233
Re: Rundel Library Structural Phase IIIA
Court Street

Transmitted herewith for your approval is legislation related to the Rundel Library Structural Phase IIIA Court Street. This legislation will:

1. Establish $48,000 as maximum compensation for an agreement with T.Y. Lin International Group, Rochester, New York, for resident project representation (RPR) services; and

2. Authorize the issuance of bonds totaling $223,000 and the appropriation of the proceeds thereof to finance construction of the project.

The Rundel Library Structural Project began in 2007 to address needed structural repairs to the perimeter sections of the building foundations and adjacent sections of the north, south and east terraces. Phase I, constructed in 2008, and Phase II, constructed in 2010, repaired the structural foundations of the library perimeter and the east and south terraces, respectively. Phase IIIB reconstructed and waterproofed the loading dock area in 2014. Phase IIIA waterproofed and reconstructed the Court Street Terrace (South) and will add a paver system to the Court Street Terrace. It was determined during the construction of Phase IIIA that due to the intricacy of the overall design, and the difficulty of implementation with stamped concrete, that another method needed to be utilized. A paver system was chosen that allows for greater control of the end product, easier long-term maintenance, and greater compatibility with the existing adjacent paver designs on the ramps. This design will create a more historically accurate and seamless transition to the existing paver installations.

Previous work on Phase IIIA and Phase IIIB design was authorized by Ordinance No. 2013-67.

T.Y. Lin was selected to provide RPR services based on its familiarity with the project. A full justification for not issuing a request for proposals is attached. The agreement may extend until three months after completion and acceptance of a two year guarantee inspection of the project.

Construction is anticipated to begin in summer 2015 and to be completed by fall of 2015. The additional project work will result in the creation and/or retention of the equivalent of 2.4 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-135

Ordinance No. 2015-232
(Int. No. 261)

Authorizing an agreement with T.Y. Lin International for the Rundel Library Structural Phase 3A Project

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

Section 1. The Mayor is hereby authorized to enter into an agreement between the City and T.Y. Lin International for resident project representation services for the Rundel Library Structural Phase 3A Project (the "Project") in the maximum amount of $48,000. The agreement may extend until three (3) months after completion of a two year guarantee inspection of the project. Said amount shall be funded by $48,000 from a bond ordinance to be authorized for this Project.

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.

Passed unanimously.

Ordinance No. 2015-233
(Int. No. 262)

Bond Ordinance of the City of Rochester, New York, authorizing the issuance of $223,000 bonds of said City to finance the additional cost of planning and implementing repairs to the Rundel Memorial Building of the Rochester

Public Library

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 additional cost of planning and constructing repairs to the Rundel Memorial Building of the Rochester Public Library at 115 South Avenue in the City, including waterproofing and reconstruction of the Court Street Terrace and Loading Dock (the "Project"). The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is $223,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of $223,000 bonds of the City and the levy and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient 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 $223,000 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 $223,000. 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 specific object or purpose for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of 11.00 a.12(a)(1) of the Local Finance Law, is twenty-five (25) years.

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

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

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

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

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

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

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

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-234
Ordinance No. 2015-235
Re: Agreement - Rochester City School District, Clinton-Baden Community Center Renovation

Council Priority: Support the Creation of Effective Educational Systems

Transmitted herewith for your approval is legislation related to the Clinton-Baden Community Center renovation. This legislation will:

1. Establish $889,000 as maximum compensation for an agreement with the Rochester City School District (RCSD) for design and construction services at the Clinton-Baden Community Center located at 485 N. Clinton Avenue; and

2. Authorize the issuance of bonds totaling $875,000 and the appropriation of the proceeds thereof to partially finance the project.

The cost of the agreement will be financed as follows:

Source	Amount
2014-15 Cash Capital	$ 14,000
Bonds to be appropriated herein	875,000
Total	$889,000

The City has participated in RCSD's cycle of renovations and upgrades on shared campus school and recreation facilities since 2005. RCSD incorporates design and construction of City recreation center repairs and upgrades as part of its State Education Department capital facilities program. Recreation centers included in the RCSD renovation cycle are Adams Street (Nathaniel Rochester Community School #3), Clinton-Baden (Dr. Martin Luther King School #9), Flint Street (Dr. Charles Lunsford School #19), South Avenue (James PB Duffy School #12) and the Ryan Center (School #33).

This project includes various improvements at the facility such as ADA accessibility improvements, exterior doors and window upgrades, mechanical, electrical and plumbing upgrades, building safety, security and communication upgrades, and interior finish upgrades. The playground equipment is scheduled to be replaced in summer 2015 with funding from the Dormitory Authority of New York State appropriated in Ordinance No. 2014-399 at the December 2014 City Council meeting.

Design services will begin in summer 2015; it is anticipated that construction will begin in summer 2016 with scheduled completion in fall 2016. The project will result in the creation/retention of the equivalent of 9.7 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-234
(Int. No. 263)

Authorizing an agreement with The Rochester City School District for the Clinton-Baden Community Center Renovation Project

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the Rochester City School District for design and construction services for the Clinton-Baden Community Center Renovation Project (the "Project") in the maximum amount of $889,000. The agreement may extend until three (3) months after completion of a two year guarantee inspection of the project. Said amount shall be funded by $875,000 from a bond ordinance to be authorized for this Project and $14,000 from 2014-15 Cash Capital.

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.

Passed unanimously.

Ordinance No. 2015-235
(Int. No. 264)

Bond Ordinance of the City of Rochester, New York, authorizing the issuance of $875,000 bonds of said City to finance the cost of design and construction of the Clinton-Baden Community Center Renovation Project in the City

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 the design and construction of improvements to the Clinton-Baden Community Center building, including but not limited to accessibility improvements, exterior doors and window upgrades, mechanical, electrical and plumbing upgrades, building safety, security and communication upgrades, and interior finish upgrades, in the City (the "Project"). The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is estimated to be $889,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of $875,000 bonds of the City, $14,000 of 2014-15 Cash Capital and the levy and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient 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 $875,000 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 $875,000. 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 specific object or purpose for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of 11.00 a.12(a)(1) of the Local Finance Law, is twenty-five (25) years.

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

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

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

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

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

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

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

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-236
Re: Amendatory Agreement - Architectura, P.C., Baden and Ontario Beach Parks Concession Stands

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with Architectura, P.C., Rochester, New York, for additional architectural and engineering services for this project. The original agreement for $55,000 was authorized in April 2015 (Ord. No. 2015-101) for design of the Baden Park concession stand. This amendment will increase maximum compensation by $30,000 to a total of $85,000 for the additional design of the Ontario Beach Park concession stand at the baseball fields. The term of the agreement is three months after completion of a two-year guarantee inspection.

The cost of the agreement will be financed from 2011-12 Cash Capital appropriated in Ordinance No. 2011-403 and with funding from a $300,000 Economic Development Capital Assistance Program grant from the Dormitory Authority of the State of New York, secured with the sponsorship of Senator Joseph Robach.

The amended project includes the design and construction of concession stands at Baden Park and Ontario Beach Park. The construction cost is estimated at $515,000 for both concession stands including contingency, with $300,000 provided by the Community Development Block Grant funds from the Infrastructure Improvements allocation of the General Community Needs Fund of the Community Development Plans appropriated in separate legislation.

Final Design will be completed in summer 2015; construction will begin in fall 2015, with completion of both projects anticipated for summer 2016. The amendatory agreement will result in the creation and/or retention of the equivalent of .9 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-236
(Int. No. 265)

Authorizing an amendatory agreement with Architectura PC for architectural and engineer-

ing services

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

Section 1. The Mayor is hereby authorized to enter into an amendatory professional services agreement between the City and Architectura PC for architectural and engineering services for design and resident project representation services for a concession stand at Baden Park. The amendment shall expand the scope of services to include design of concession stands at Baden Park and Ontario Beach Park and shall increase the amount of the agreement authorized by Ordinance No. 2015-101 by $30,000 to a total maximum of $85,000. The agreement may extend until three (3) months after completion of a two year guarantee inspection of the project. Said amount shall be funded from the 2011-12 Cash Capital allocation appropriated for this project by Ordinance No. 2011-403.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-237
Re: Amendatory Agreement - Stantec Consulting Services, Roxie Ann Sinkler R-Center Site Improvements

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing $6,500 as maximum compensation for an amendatory agreement with Stantec Consulting Services, Rochester, New York, for additional design and resident project representation (RPR) services for the Roxie Ann Sinkler R-Center project. The original agreement authorized $50,000 in Ordinance No. 2014-297; the amendatory agreement increases the total maximum compensation to $56,500. The amendatory agreement will be funded from Prior Years' Cash Capital.

The improvements to the Roxie Ann Sinkler R-Center site include upgrades to the existing play equipment to meet current safety standards; rubber tile safety surfacing; new pathways to the water spray pad; new concrete spray pad; four upright water spray features; fencing, benches and necessary utilities to accommodate the water spray pad.

The scope of the project was increased to include replacement of outdated tot and pre-teen swings with new equipment that meets current safety standards and to add the ADA compliant walkway. These improvements are valued at $30,000, including contingency costs.

Construction is underway with completion anticipated in fall 2015.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-237
(Int. No. 266)

Authorizing an amendatory professional services agreement with Stantec Consulting Services, Inc. for design and resident project representation services

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

Section 1. The Mayor is hereby authorized to enter into an amendatory professional services agreement with Stantec Consulting Services, Inc. for design and resident project representation services, for the Roxie Sinkler Water Spray Park Project. The amendment shall increase the maximum amount of the agreement by $6,500 to a total of $56,500. The agreement may extend until three (3) months after completion of a two year guarantee inspection of the projects for which the services were provided. The cost of the amendatory agreement shall be financed from Prior Years' Cash Capital.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-238
Re: Appropriation - Community Development Block Grant Funds, Infrastructure and Playground Improvements

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation appropriating $450,000 of Community Development Block Grant funds from the Infrastructure Improvements allocation of the General Community Needs Fund of the Community Development Plans for the following years: 2008-09, 2009-10, 2010-11, 2011-12, 2012-13, 2013-14, and 2014-15. The appropriation will fund infrastructure and playground improvements at various locations including but not limited to Little League Concession Stands at the Baden Street fields, portions of construction of the Roxie Ann Sinkler R-Center site improvements and the Ryan Center field improvements.

Program Amount	Allocation	Program Year
General Community Needs		2014-15
$9,354.41	Infrastructure Improvements	
General Community Needs		2013-14
$146,892.00	Infrastructure Improvements	
General Community Needs		2012-13
$27,165.94	Infrastructure Improvements	
General Community Needs		2011-12
$23,609.97	Infrastructure Improvements	
General Community Needs		2010-11
$29,947.01	Infrastructure Improvements	
General Community Needs		2009-10
$75,183.68	Infrastructure Improvements	
General Community Needs		2008-09
$137,846.99	Infrastructure Improvements	

Construction of the improvements will begin in summer 2015 with planned completion spring 2016.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-238
(Int. No. 267)

Appropriating Consolidated Community Development funds for infrastructure and playground improvements

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

Section 1. The sum of $450,000 of Community Development Block Grant funds from the Infrastructure Improvements allocation of the General Community Needs Fund of the Community Development Plans for the following years: 2008-09, 2009-10, 2010-11, 2011-12, 2012-13, 2013-14, 2014-15 is hereby appropriated to fund infrastructure and playground improvements at various locations in the City:

Community Development Block Grant funds:

Program Amount	Allocation	Program Year
General Community Needs		2014-15
$9,354.41	Infrastructure Improvements	
General Community Needs		2013-14
$146,892.00	Infrastructure Improvements	
General Community Needs		2012-13
$27,165.94	Infrastructure Improvements	
General Community Needs		2011-12
$23,609.97	Infrastructure Improvements	
General Community Needs		2010-11
$29,947.01	Infrastructure Improvements	
General Community Needs		2009-10
$75,183.68	Infrastructure Improvements	
General Community Needs		2008-09
$137,846.99	Infrastructure Improvements	

Section 2. The Director of Finance is authorized to record all transfers herein and to make adjustments to the amounts set forth which may have changed prior to the date of this ordinance.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-239
Re: Inner Loop East Transformation Project

Council Priority: Jobs and Economic Development

Transmitted herewith for your approval is legislation related to the Inner Loop East Transformation project. This legislation will appropriate $1.5 million in anticipated reimbursements from the Dormitory Authority of the State of New York (DASNY) to finance a portion of the construction of the project and amend Ordinance No. 2014-299 to reduce the appropriation of New York State funds in Section 2 by the same amount.

The Inner Loop East Transformation Project was awarded up to $17.7 million in 2013 TIGER discretionary grant funding, and is one of only 52 transportation projects nationwide to receive TIGER funding. This project will remove the aging fifty-year-old eastern segment of the Inner Loop expressway between Broadway and Richmond Street and replace it with appropriately-scaled, complete streets along Howell, South Union and North Union Streets. These new at-grade streets will enhance the area's livability, allowing people to walk and bicycle between neighborhoods and downtown more easily.

Removing this portion of the Inner Loop will result in approximately 5.8 acres of new sites for redevelopment in the East End, a growing downtown district and destination location for local residents and visitors.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-239
(Int. No. 268, as amended)

Authorizing an agreement and appropriating funds for the Inner Loop East Transformation Project

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

Section 1. The sum of $1,500,000 in anticipated reimbursements from the Dormitory Authority of the State of New York is hereby appropriated to finance a portion of the costs of construction of the Inner Loop East Transformation Project. The Mayor is hereby authorized to enter into an agreement for the receipt and use of said funds.

Section 2. Ordinance No. 2014-299 is hereby

amended by changing the appropriation in Section 2 thereof for the Inner Loop East Transformation Project by reducing the appropriation of anticipated reimbursements from New York State by $1,500,000 to a total of $2,714,075.

Section 3. Ordinance No. 2014-299 is hereby amended by amending the funding sources for the agreement with Stantec Consulting Services, Inc. for resident project representation (RPR) and construction phase design services for the project as authorized in Section 3 of Ordinance 2014-299 by reducing the New York State funding by $260,000 and replacing said funding with $260,000 of the Dormitory Authority of the State of New York funds appropriated in Section 1 hereof.

Section 4. Ordinance No. 2014-299 is hereby amended by amending the funding sources for the agreement with Rochester Research Associates, LLC for Project Labor Agreement monitoring services for the project as authorized in Section 4 of Ordinance 2014-299 by reducing the New York State funding by $16,000 and replacing said funding with $16,000 of the Dormitory Authority of the State of New York funds appropriated in Section 1 hereof.

~~Section 3.~~ Section 5. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

~~Section 4.~~ Section 6. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-240,
Ordinance No. 2015-241 &
Ordinance No. 2015-242
Re: Hincher Group Street Improvement Project (Corrigan/Hincher/Estes/Fleming/Ruggles)

Council Priority: Jobs and Economic Development

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

1. Establish $194,000 as maximum compensation for an agreement with Bergmann Associates P.C., Rochester, New York, for resident project representation (RPR) services;

2. Authorize the issuance of bonds totaling $1,267,000 and appropriate the proceeds thereof to partially finance the street portion of the project;

3. Authorize the issuance of bonds totaling $264,000 and appropriate the proceeds thereof to partially finance the water portion of the project; and

4. Amend Ordinance No. 2014-347, Section 2, to increase the funding for right-of-way acquisitions and closing costs to an amount not to exceed $20,400. The additional cost of $1,000 will be funded from 2011-12 Cash Capital.

The project includes: the reconstruction of pavement with a new reinforced modified or medium-duty asphalt pavement section; new stone curb and underdrain pipe; new sidewalk on the west side of Estes Street; replacement of existing sidewalks, driveway aprons and catch basins; new sanitary sewer, manholes and house laterals on Ruggles Street; replacement of existing sewer manhole frames and covers; new street lights and conduit on Fleming and Hincher Streets; new PVCO water main pipe on Fleming and Hincher Streets including polyethylene water services; removal of existing and the installation of new trees; re-grading and hydro-seeding of all lawn areas.

Previous related legislation includes Ordinance No. 2014-99 which authorized changes in pavement width, a change in traffic flow on a portion of Fleming Street from one-way to two-way, and the acquisition of certain parcels for additional rights-of-way. Ordinance No. 2014-347 amended Ordinance No. 2014-99 to increase the acquisition costs of certain parcels and change the acquisition to permanent easements that will not be dedicated as additional right-of-way.

Bids for construction were received on June 23, 2015. The apparent low bid of $1,345,112 was submitted by JJ Bell Constructors LLC which is 8.93% more than the engineer's estimate. An additional $133,588 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	Contingency	Total
Street Bond	$1,003,165.70	$163,250.00	$100,584.30	$1,267,000
Water Bond	213,158.30	$30,750.00	$20,091.70	$264,000
Rochester Pure Waters District	128,788.00	0.00	12,912.00	141,700
Total	$1,345,112.00	$194,000.00	$133,588.00	$1,672,700

Bergmann Associates was selected for RPR services through a request for proposal process, which is described in the attached summary. The agreement may extend until three months after completion and acceptance of a two-year guarantee inspection of the project.

Public informational meetings were held on July 16, 2012 and December 10, 2013. Minutes from those two meetings were previously submitted to the City Clerk's Office. The pavement width

changes were endorsed by the Traffic Control Board at its April 1, 2014 meeting.

Additional right-of-way acquisition costs are required due to the increased number of condemnations which resulted in an underestimated service of process amount.

Construction is scheduled to commence in August 2015 and be completed in spring 2016. The project will result in the creation and/or retention of the equivalent of 19.7 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-136

Ordinance No. 2015-240
(Int. No. 269)

Authorizing an agreement for the Hincher Group Street Improvement Project and amending Ordinance No. 2014-347

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with Bergmann Associates, PC for Resident Project Representation (RPR) services for the Hincher Group Street Improvement Project in a maximum amount of $194,000. The agreement may extend until three (3) months after completion of a two year guarantee inspection of the project. The cost of said agreement shall be funded by $163,250 from funds appropriated by a bond ordinance to be adopted for the street improvements of this project; and $30,750 from funds appropriated by a bond ordinance to be adopted for the water improvements of this project.

Section 2. Ordinance No. 2014-347, Section 2 is hereby amended to increase the amount of funding authorized for property acquisitions and closing costs for the Project by $1,000 to a total of $20,400. The increased cost of $1,000 shall be funded from 2011-12 Cash Capital.

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.

Passed unanimously.

Ordinance No. 2015-241
(Int. No. 270)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of $1,267,000 bonds of said City to finance the costs of construction of streets as part of the Hincher Group Street Improvement Project

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the costs of construction of streets as part of the Hincher Group Street Improvement 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 $1,672,700, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of $264,000 bonds of the City to finance water main construction as part of said Project, $1,267,000 bonds of the City to finance street construction as part of said Project, and $141,700 in funds to be received from the Rochester Pure Waters District, 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 $1,267,000 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 $1,267,000. 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 the class of objects or purposes described in Section 1 of this Ordinance, within the limitations of 11.00 a. 20 of the Local Finance 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.

Passed unanimously.

Ordinance No. 2015-242
(Int. No. 271)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of $264,000 bonds of said City to finance the costs of construction of water mains as part of the Hincher Group Street Improvement Project

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the costs of construction of streets as part of the Hincher Group Street Improvement 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 $1,672,700, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of $264,000 bonds of the City to finance water main construction as part of said Project, $1,267,000 bonds of the City to finance street construction as part of said Project, and $141,700 in funds to be received from the Rochester Pure Waters District, 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 $264,000 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 $264,000. 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 the class of objects or purposes described in Section 1 of this Ordinance, within the limitations of 11.00 a.1 of the Local Finance Law, is 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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-243
Re: Mt. Hope Avenue Phase II

Council Priority: Jobs and Economic Development

Transmitted herewith for your approval is legislation related to the Mt. Hope Avenue Phase II Improvement Project. This legislation will:

1. Authorize agreements with New York State Department of Transportation (NYSDOT) as necessary to participate in and administer the project.

2. Appropriate $160,800 in anticipated reimbursements from the Federal Highway Administration (FHWA) to finance a portion of the design services for the project.

This federal aid project, administered by the City through NYSDOT, is identified in the City's current Capital Improvement Program under Mt. Hope Avenue Phase II (Raleigh Street to Erie Canal). The estimated cost of construction is $6,123,000. The City is qualified to receive up to 80% of the eligible project costs from the FHWA with the remaining 20% being a local share. The FHWA aid will reimburse the City for a portion of the design agreement to be requested in future legislation, project administration costs, and the right of way incidentals.

The project includes street reconstruction, new curbing, sidewalks, water main and services, hydrants, receiving basins, street lighting and tree plantings.

Design services are planned to begin in spring 2016; construction funding is not scheduled to be authorized until 2018-19. The project must be completed in sufficient time for the City to complete all reporting requirements and submit all vouchers for reimbursement by the present grant deadlines of September 2024.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-137

Ordinance No. 2015-243
(Int. No. 272)

Authorizing agreements and appropriating funds for the Mt. Hope Avenue Phase II Project

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

Section 1. The Council hereby approves City participation in and administration of the Mt. Hope Avenue Phase II Project hereinafter called the "Project".

Section 2. The Mayor is hereby authorized to enter into such agreements with the New York State Department of Transportation and to execute such other documents as may be necessary for the City to participate in and administer the Project and for the receipt and use of Federal Highway Administration funding for the Project.

Section 3. The sum of $160,800 in anticipated reimbursements from the Federal Highway Administration is hereby appropriated for the Project to fund a portion of design services.

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-244
Ordinance No. 2015-245
Local Improvement Ordinance No. 1707
Re: 2015 Preventative Maintenance -
Crittenden Boulevard

Council Priority: Jobs and Economic
Development

Transmitted herewith for your approval is legislation related to 2015 Preventative Maintenance - Crittenden Boulevard (Kendrick Road to Mt. Hope Avenue). This legislation will:

1. Establish $150,000 as maximum compensation for an agreement with Fisher Associates, 135 Calkins Road, Rochester, NY 14623, for resident project representation (RPR) services;

2. Authorize the issuance of bonds totaling $41,000 and the appropriation of the proceeds thereof to partially finance local share of the street improvements;

3. Appropriate $709,647 from anticipated reimbursements from the Federal Highway Administration (FHWA) to finance the federal share of the project;

4. Appropriate $133,059 from anticipated reimbursements from the New York State Marchiselli Aid Program to finance the State share of the project; and

5. Appropriate $79,400 from the Local Improvement Fund to finance the cost of green surface treatment for bicycle facilities and authorize the subsequent assessment of this amount against the affected properties to replenish the Local Improvement Fund.

The 2015 Preventative Maintenance - Crittenden Boulevard Project is a federal aid project, administered by the City through the New York State Department of Transportation (NYSDOT) and is identified in the City's current Capital Improvement Program. Project participation and design services were authorized via Ordinance No. 2014-13.

The project includes: milling and resurfacing of Crittenden Boulevard; repairs to drainage structures; spot street base and sidewalk repair; reconfiguration of the median to match current driveways to Strong Memorial Hospital; updating sidewalk access ramps to current standards; installation of new pavement markings; and signal loops.

The local improvement ordinance will pre-finance the cost of green surface treatment for bicycle facilities. The LIO for this work will be paid back at 1% over the City's borrowing rate in one payment at the next LIO billing.

The impacted properties are:

Name	Address	LIO Amount
University of Rochester	255-265 Crittenden Blvd.	$26,020
University of Rochester	260 Crittenden Blvd.	$28,890
University of Rochester	110-170 Crittenden Blvd.	$24,490

Bids for construction were received on June 16, 2015. The apparent low bid of $720,276.50 was submitted by C.P. Ward Inc. which is 2.2% more than the engineer's estimate. An additional $98,109 will be allocated for project contingencies and grant reimbursements for City project administration.

Based upon the bid amount, the costs for the categories of work for the project are as follows:

Source	Construction	Contingency	RPR	Total
FHWA	$514,821	$74,853	$120,000	$709,674
NYS	96,529	14,030	22,500	133,059
Street Bond	28,742	5,193	7,065	41,000
Prior Year Water Cash Capital	132	10	0	142
2011-12 Cash Capital	2,373	105	435	2,913
Rochester Pure Waters District (Ord. No. 2015-132)	2,079	118	0	2,197
Local Improvement Ordinance	75,600	3,800	0	79,400
Total	$720,276	$98,109	$150,000	$968,385

Fisher Associates was selected to provide RPR services from the NYSDOT list of pre-approved regional engineering firms, which is described in the attached summary. The agreement may extend until two years after final acceptance of the project.

Presentations giving an overview of the project were made to both the Mt. Hope Business Association on April

14, 2015, and to the Upper Mt. Hope Neighborhood Association on April 20, 2015.

Construction is scheduled to start in summer 2015 and be substantially complete by fall 2015. The project will result in the creation and/or retention of the equivalent of 10.5 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-138

Ordinance No. 2015-244
(Int. No. 273)

Appropriating funds and authorizing agreements for the 2015 Preventive Maintenance - Crittenden Boulevard Project

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

Section 1. The Council hereby approves participation in and administration by the City of the 2015 Preventive Maintenance - Crittenden Boulevard Project (the "Project").

Section 2. The Mayor is hereby authorized to enter into such agreements with the New York State Department of Transportation as may be necessary for receipt and use of $133,059 in anticipated reimbursements from the Marchiselli Aid Program for the Project, and said amount is hereby appropriated for said purpose.

Section 3. The sum of $709,647 is hereby appropriated from anticipated reimbursements from the Federal Highway Administration to fund the Project.

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

Section 5. The sum of $150,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Fisher Associates for resident project representation services for the Project. The agreement may extend until two years after completion and acceptance of the construction of the Project. Of said amount, $120,000 shall be funded from the Federal Highway Administration funds appropriation made in Section 3, $22,500 shall be funded from the anticipated reimbursements from the Marchiselli Aid Program, $7,065 shall be funded from a bond ordinance to be authorized for the Project and $435 shall be funded from 2011-12 Cash Capital.

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2015-245
(Int. No. 274)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of $41,000 bonds of said City to finance the costs of construction of streets as part of the 2015 Preventive Maintenance - Crittenden Boulevard Project

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the costs of construction of streets as part of the 2015 Preventive Maintenance - Crittenden Boulevard 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 $968,385, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of $41,000 bonds of the City to finance street construction as part of said Project, $142 from Prior Years Water Cash Capital, $709,674 in Federal Highway Administration funds, $133,059 from New York State Marchiselli Aid funds, $2,926 from Monroe County, $2,184 from the Rochester Pure Waters District, $79,400 from a Local Improvement Ordinance to be adopted for the Project 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 $41,000 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 $41,000. 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 the class of objects or purposes described in Section 1 of this Ordinance, within the limitations of 11.00 a. 20 of the Local Finance 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.

Passed unanimously.

Local Improvement Ordinance No. 1707
(Int. No. 275)

Local Improvement Ordinance - public improvements as part of the 2015 Preventive Maintenance - Crittenden Boulevard Project

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

Section 1. As part of the 2015 Preventive Maintenance - Crittenden Boulevard Project the Council hereby authorizes construction of green surface treatment for bicycle facilities, and the construction or reconstruction of the necessary incidentals thereto, in accordance with plans and specifications prepared or approved by the City Engineer.

Section 2. The improvements and work described in Section 1 shall be constructed in accordance with the provisions of Chapter 10 of the Municipal Code and shall be done by contract.

Section 3. The limits of the District of Assessment for the improvements and work shall be the following properties, to be apportioned based on street frontage in amounts not to exceed the following:

Name Address	Frontage (ft.) SBL #	LIO Amount
University of Rochester 255-265 Crittenden Blvd.	970 135.68-1-1.1	$26,020
University of Rochester 260 Crittenden Blvd.	1077 135.60-1-6.1	28,890
University of Rochester 110-170 Crittenden Blvd.	913 136.53-1-1	24,490
Total	2960	$79,400

Section 4. The cost of improvements and work described in Section 1, including the cost of any necessary professional design and engineering work, not to exceed $79,400 plus interest at the rate of 1% above the City's most recent long term borrowing rate as determined by the Director of Finance, shall be assessed on the properties described above. The Council hereby deems such properties to be benefited by such improvements and proper to be assessed therefor.

Section 5. The assessments shall be billed in full on the 2016-17 tax bill.

Section 6. The total cost of said improvements and work, up to $79,400, shall be charged as described in this ordinance and paid from the local improvement fund, and said amount, or so much thereof as may be necessary, is hereby appropriated for this purpose.

Section 7. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-246
Re: Official Map Amendment -
Memorialization of Loomis Street
as Ira White Way

Transmitted herewith for your approval is legislation amending the Official Map by memorializing

Loomis Street as Ira White Way in honor of the late Rev. Ira White, the founder of the Full Gospel Tabernacle Church.

The City Planning Commission, in its June 15, 2015 meeting recommended approval of this dedication by a vote of 6-0-0. Minutes of that meeting, along with the application, are attached.

Pursuant to the requirements of Article 8 of the New York State Environmental Conservation Law and Chapter 48 of the City Code, the proposal is a Type II Action requiring no further environmental review.

A public hearing is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-139

Ordinance No. 2015-246
(Int. No. 276)

Amending the Official Map by memorializing Loomis Street as Ira White Way

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 memorializing Loomis Street as Ira White Way.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-247
Ordinance No. 2015-248
Re: 2015 Preventive Maintenance Group No. 2

Re: 2015 Preventive Maintenance Group No.2

Council Priority: Jobs and Economic Development

Transmitted herewith for your approval is legislation related to the 2015 Preventive Maintenance Group No. 2 (East Avenue, University Avenue, South Winton Road, North Winton Road, and Portland Avenue Avenue) to authorize the following:

1. Amend the design agreement funding that was established in Ordinance No. 2014-11, and later amended in Ordinance No. 2014-132, to include planning and preliminary design services for the 2016 Preventive Maintenance Project at seven locations, by reducing Federal Highway Administration (FHWA) funding by $15,013, reducing the Prior Years' Cash capital by $17,987, and replacing these funds with $33,000 in New York State (NYS) Marchiselli aid appropriated herein.

2. Appropriate $2,913,587 from anticipated reimbursements from the FHWA to finance the federal share of the project;

3. Appropriate $274,132 from anticipated reimbursements from the NYS Marchiselli Aid Program to finance the state share of the design and construction of the project;

4. Authorize the issuance of bonds totaling $702,000 and the appropriate the proceeds thereof to finance the local share of the street improvements; and

5. Establish $475,000 as maximum compensation for an agreement with Erdmann Anthony for resident project representation (RPR) services.

This federal aid project, administered by the City through the New York State Department of Transportation (NYSDOT), is identified in the City's current Capital Improvement Program. The City is qualified to receive up to 80% of the eligible project costs from the FHWA with the remaining 20% being a local share. Project participation and design services were authorized via Ordinance No. 2014-11. The design agreement is amended to add the recently authorized NYS Marchiselli aid, and correct the amount of Federal aid to the 80% maximum reimbursement. The $15,013 in remaining authorized Federal aid and $2,850 In NYS Marchiselli design aid will be allocated for City project administration costs.

The project includes: milling and resurfacing five arterial streets; adjustments to catch basin frames and grates, water valves and sewer castings; spot street base and sidewalk repair; installation of truncated domes at sidewalk ramps; installation of new pavement markings; and replacement of traffic loops.

Erdmann Anthony was selected to provide RPR services from the NYSDOT list of pre-approved regional engineering firms, which is described in the attached summary. The agreement may extend until two years after final acceptance of the project.

Bids for construction were received on July 1, 2015. The apparent low bid of $3,194,657.75 was submitted by Villager Construction Corp., which is 2.6% more than the engineer's estimate. An additional $284,221 will be allocated for project contingencies.

Funding for the project is as follows:

Source	Construction	Contingency	RPR	Total
FHWA	$2,555,726	$ 0	$357,861	$2,913,587
Marchiselli Aid	238,282	0	0	238,282
Street Bond	337,914	254,444	109,642	702,000
Prior Years' Water Cash Capital	6,296	2,804	0	9,100
2011-12 Cash Capital	33,774	16,889	7,497	58,160
Rochester Pure Waters District (Ord. No. 2015-132)	22,666	10,084	0	32,750
Total	$3,194,658	$284,221	$475,000	$3,953,879

The project will begin construction in summer 2015 and will be substantially complete by fall 2016. The project's construction and RPR services will result in the creation and/or retention of the equivalent of 43 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-140

Ordinance No. 2015-247
(Int. No. 285, as amended)

Authorizing agreements and appropriating funds for the 2015 Preventive Maintenance Group #2 Project (East Avenue, University Avenue, S. Winton Road, N. Winton Road and Portland 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 Erdman Anthony ~~$~~ and Associates Inc. for Resident Project Representation (RPR) services for the 2015 Preventive Maintenance Group #2 Project (East Avenue, University Avenue, S. Winton Road, N. Winton Road and Portland Avenue) in a maximum amount of $475,000. The agreement may extend until one year after acceptance of the project. The cost of said agreement shall be funded by ~~$357,796~~ $357,861 from anticipated reimbursements to be received from the Federal Highway Administration; ~~$91,749~~ $109,642 from funds appropriated by a bond ordinance to be adopted for the street improvements of this project; and ~~$25,390 from anticipated reimbursements from Monroe County for this project.~~ $7,497 from 2011-12 Cash Capital.

Section 2. The sum of $2,913,587 is hereby appropriated from anticipated reimbursements to be received from the Federal Highway Administration to finance a portion of the costs of the 2015 Preventive Maintenance Group #2 Project (East Avenue, University Avenue, S. Winton Road, and Portland Avenue) and also ~~$35,850~~ $238,282 from anticipated reimbursements from the New York State Marchiselli Aid Program (NYS) to finance the state share of the design and construction of the project. The Mayor is hereby authorized to enter into an agreement for the receipt and use of said funds.

Section 3. Section 5 of Ordinance No. 2014-11, as amended by Ordinance No. 2014-132 which authorized a professional services agreement between the City and Erdman Anthony and Associates, Inc. for design services for the Project, is hereby further amended by adding preliminary design and planning services and by reducing the amount of funding from Federal Highway Administration funds by $15,013 to a total of $176,000 and by reducing the Prior Years Cash Capital funds by $17,987 to a total of $53,000, and replacing said funds by $33,000 from the New York State Marchiselli Aid Funds appropriated in Section 2 hereof.

~~Section 3~~ Section 4. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

~~Section 4~~ Section 5. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

Ordinance No. 2015-248
(Int. No. 286, as amended)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of ~~$475,000~~ $702,000 bonds of said City to finance the costs of construction of streets as part of the 2015 Preventive Maintenance Group #2 Project (East Avenue, University Avenue, S. Winton Road, N. Winton Road and Portland Avenue)

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the costs of construction of streets as part of the 2015 Preventive Maintenance Group #2 Project (East Avenue, University Avenue, S. Winton Road, N. Winton Road and Portland Avenue) ("the "Project"). The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is ~~$3,721,269~~ $3,953,879, and said amount is hereby appropriated therefor. The plan of financing includes ~~$475,000~~ $702,000 bonds of the City to finance street construction as part of said Project, ~~$6,926~~ $9,100 in Prior Years Water Cash Capital, ~~$283,282~~ $238,282 in New York State Marchiselli aid to be received for the Project, ~~$62,541 in funds to be received from Monroe County~~ and ~~$24,933~~ $32,750 in funds to be received from the Rochester Pure Waters District, $58,160 from 2011-12 Cash Capital and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of ~~$700,000~~ $702,000 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 ~~$700,000~~ $702,000. 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 the class of objects or purposes described in Section 1 of this Ordinance, within the limitations of 11.00 a. 20 of the Local Finance 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.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

By Councilmember McFadden
July 14, 2015

To the Council:

The Public Safety, Youth & Recreation Committee recommends for adoption the following entitled legislation:

Int. No. 277 - Authorizing agreements for Animal Services and amending the Budget

Int. No. 278 - Authorizing an agreement for the 2015-16 Gun Involved Violence Elimination Program and amending Ordinance No. 2015-214

Int. No. 279 - Amending the 2015-16 Budget by appropriating funds for the operations of the GRANET program

Int. No. 283 - Authorizing agreements for the Teenage Pregnancy Prevention Program

Respectfully submitted,
Adam C. McFadden
Matt Haag
Elaine M. Spaull
Dana K. Miller
Loretta C. Scott
PUBLIC SAFETY, YOUTH & RECREATION COMMITTEE

Received, filed, and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-249
Re: Agreement - Petco Foundation, Animal Services Grant

Transmitted herewith for your approval is legislation related to a Petco Foundation grant. This legislation will:

1. Authorize an agreement with Petco Foundation for the receipt of $50,000 for a Helping Heroes grant. The term of this agreement is April 23, 2015 through April 22, 2017.

2. Establish $5,000 as maximum compensation for an agreement with the Verona Street Animal Society (VSAS) for a portion of event production costs associated with The Fast & The Furriest® event. The agreement will be paid for by the grant accepted herein and have a term of one year, from June 1, 2015 through May 31, 2016.

The Petco Foundation is providing this grant to prepare animals for adoption, promote adoption of shelter pets, support training for Animal Services employees and volunteers, and provide sponsorship of The Fast & The Furriest® fundraising event.

The anticipated use of the grant is summarized below:

VSAS agreement for event production	$ 5,000
Animal adoption fees	11,000
Adoption advertisement campaign	15,000
Adoption preparation (vaccination, sterilization)	15,000
Training	4,000
Total	$50,000

This is the first time that the City has received a grant from the Petco Foundation.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-249
(Int. No. 277)

Authorizing agreements for Animal Services and amending the Budget

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 Petco Foundation for receipt and use of funding for the Helping Heroes Grant Program in the amount of $50,000. The

agreement shall be for a term from April 23, 2015 through April 22, 2017.

Section 2. The 2015-16 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Rochester Police Department by the sum of $50,000, which amount is hereby appropriated from funds from the Petco Foundation grant authorized herein.

Section 3. The Mayor is hereby authorized to enter into an agreement with the Verona Street Animal Society (VSAS) in the maximum amount of $5,000 for a portion of event production services associated with The Fast & The Furriest® event. The cost of the agreement shall be funded by $5,000 from the 2015-16 Budget of the Police Department. The agreement shall be for a term from June 1, 2015 through May 31, 2016.

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-250
Re: Agreement for 2015-16 GIVE Grant
and Amending Ordinance No. 2015-214

Council Priority: Public Safety

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

1. Authorize an agreement with DCJS for the receipt and use of a Gun Involved Violence Elimination (GIVE) grant, the term of which will be for one year, from July 1, 2015 to June 30, 2016;

2. Amend the 2015-16 Budget of the Police Department by $558,700 to reflect the grant award;

3. Establish $164,200 as maximum compensation for an agreement with the Rochester Institute of Technology (RIT) for data analysis services related to GIVE. The agreement will be funded from the 2015-16 Budget of the Police Department and have a term of one year, from July 1, 2015 to June 30, 2016; and

4. Amend Ordinance No. 2015-214 to reflect an increase in Project Safe Neighborhoods (PSN) grant funds.

The 2015-16 GIVE grant will build on the success of previous GIVE funding and support the continued work of a county-wide criminal justice taskforce to reduce violent crime in Rochester. GIVE strategies are exclusively focused on firearm related crime, primarily shootings and homicides. Methods of reducing firearm violence will be based upon empirically derived best-practices that focus on violent dispute intervention and resolution; deterring access to illegal firearms; and implementing offender-based tactics and place-based tactics. Taskforce priorities and activities are based on crime and crime response data.

The grant includes $375,000 in overtime, but does not pay for the associated fringe cost of $133,800. The Center for Public Safety Initiatives (CPSI) at RIT will receive $164,200 as a sub-grantee to cover the cost of GIVE related analysis and personnel. CPSI will employ a GIVE Analyst and a Focused Deterrence Coordinator to work directly with the taskforce. The remaining $19,500 will be used to purchase GPS trackers, supplies for custom notifications, rental cars for undercover details, and training required by DCJS. No matching funds are required.

The amendment to Ordinance No. 2015- 214 is a technical amendment increasing the amount of an agreement with the Rochester Institute of Technology, Center for Public Safety Initiatives for the receipt and use of a PSN grant by $5,000 for a total of up to $75,000, and amending the 2015-16 Budget of the Police Department by $20,000 for a total of $55,000 to reflect a portion of the PSN grant funds.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-250
(Int. No. 278)

Authorizing an agreement for the 2015-16 Gun Involved Violence Elimination Program and amending Ordinance No. 2015-214

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Division of Criminal Justice Services for receipt and use of funding for the 2015-16 Gun Involved Violence Elimination Program in the amount of $558,700. The agreement shall be for a term from July 1, 2015 through June 30, 2016.

Section 2. The 2015-16 Budget of the Police Department is amended to increase the revenue estimates and appropriations by $558,700, the amount of the grant.

Section 3. The Mayor is hereby authorized to enter into an agreement with the Rochester Institute of Technology Center for Public Safety Initiatives for data analysis services for the 2015-16 Gun Involved Violence Elimination Program in the maximum amount of $164,200. The agreement shall be for a term from July 1, 2015 through June 30, 2016.

Section 4. Ordinance No. 2015-214 which authorized an agreement with the Rochester Institute of Technology (RIT), Center for Public Safety Initiatives for the receipt and use of a Project Safe Neighborhoods grant is hereby amended by increasing the amount of the grant agreement authorized to an amount up to $75,000, and also by amending Section 3 thereof which amended the 2015-16 Budget increasing the revenue estimates and appropriations of the Rochester Police Department, to revise the amount of the budget amendment from $35,000 to a revised amount of $55,000.

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

Section 6. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Scott, Councilmembers Haag, McFadden, Miller, Ortiz, Patterson, Spaull - 7.

Nays - Councilmember Conklin - 1.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-251
Re: Appropriation of Forfeiture Funds - GRANET Operations

Council Priority: Public Safety

Transmitted herewith for your approval is legislation appropriating $200,000 from federal forfeited property revenues attributable to the Greater Rochester Area Narcotics Enforcement Team (GRANET), and amending the 2015-16 Budget of the Police Department to reflect this amount.

These funds will be used to support GRANET operations for the 2015-16 fiscal year. GRANET participates in joint investigations which includes federal, state, and other local law enforcement agencies. The mission of GRANET is to achieve maximum coordination and cooperation among participating agencies; bring to bear their combined resources to investigate mid- and upper-level narcotics and illegal weapons offenses; and, to aggressively investigate career criminals in the Greater Rochester/Monroe County area, utilizing both state and federal laws.

Under the current Memorandum of Understanding among the participating agencies, GRANET will share in any properties or funds confiscated as a direct result of a criminal investigation initiated by GRANET, pursuant to forfeiture regulations of the United States Departments of Justice and Treasury and the Attorney General.

GRANET will use asset forfeiture funds for operational expenses, including communications, electronic surveillance, confidential funds, vehicle rentals for undercover operations, parking, supplies, and training. The proposed expenditures conform to the Attorney General's Guidelines for Seized and Forfeited Property (March 1994). Salaries and overtime for participants will continue to be paid by each officer's respective agency.

GRANET is a multi-jurisdictional team comprised of local and federal agencies. As a participant of the team, the City administers GRANET's equitable share of federal forfeiture funds, and keeps a separate accounting for these funds. The undesignated balance in GRANET's forfeiture fund after this transfer is estimated at $267,700; however, any balance above $350,000 will be distributed quarterly to participating agencies, including the City.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-251
(Int. No. 279)

Amending the 2015-16 Budget by appropriating funds for the operations of the GRANET program

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

Section 1. The 2015-16 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Rochester Police Department by the sum of $200,000, which amount is hereby appropriated from funds realized from seized and forfeited assets to fund the operations of the Greater Rochester Area Narcotics Enforcement Team (GRANET).

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-252
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 the Program;

2. Establish maximum compensation, to be funded from the grant, for agreements with the following organizations to provide related services:

The Center for Youth	$ 48,508
Baden Street Settlement	165,653
Ibero American Action League	48,356
Family Resource Center of Hillside	

Children's Center	53,171
Highland Hospital of Rochester (Family Planning - clinical partner)	69,256
Ann G. T. Young (evaluation partner)	70,000
Total	$454,944

3. Amend the 2015-16 Budget of the Department of Recreation and Youth Services by $273,783 to reflect the grant. These funds will cover staff costs associated with the City's role as lead agency, including the salary and wage costs for a Project Director, three Grant Support Associates, two part-time Pregnancy Prevention Trainers and a Clerk III with Typing; and

4. Amend the 2015-16 Budget of Undistributed by $107,691 to cover employee fringe costs.

The remaining $163,581 will be accounted for in the Teenage Pregnancy Special Revenue Fund to cover non-personnel costs such as travel, program and office supplies, printing, and indirect costs.

The official name for this new federal program is the Teenage Pregnancy Prevention Replication of Evidence-Based Programs to Scale in Communities with the Greatest Need (Tier 1B). Approval by the U.S. Department of Health and Human Services is anticipated by the end of June 2015. This will be year one of a five-year grant, July 1, 2015 to June 30, 2020.

The goals of the program are to: (1) successfully plan, develop, and implement Teenage Pregnancy Prevention to Scale using evidence-based curriculum with fidelity; (2) reduce adolescent pregnancy rates; and (3) improve high school graduation rates. The program, to be locally promoted as THRIVE (Teens Helping to Reinvent Identity, Values and Empowerment), will serve 1,875 youth each year in years two to five, with year one used as a planning year. 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

Attachment No. AO-141

Ordinance No. 2015-252
(Int. No. 283)

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, Office of Adolescent Health, for the receipt and use of $999,999 in funding for the operation of the Teenage Pregnancy Prevention Program and to administer the program for a five year period.

Section 2. The Mayor is hereby authorized to enter into agreements with the following organizations in amounts not to exceed the following for services under the Federal Teenage Pregnancy Prevention Program:

The Center for Youth	$ 48,508
Baden Street Settlement	165,653
Ibero American Action League	48,356
Family Resource Center of Hillside Children's Center	53,171
Highland Hospital of Rochester	69,256
Ann G. T. Young (evaluation partner)	70,000
Total	$454,944

Section 3. The agreements shall obligate the City to pay an amount not to exceed $454,944, 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 $163,581 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 2015-16 Budget of the Department of Recreation and Youth Services is hereby amended to increase revenues and appropriations by $273,800 for personnel expenses and amend the 2015-16 Budget for Undistributed Expenses by $107,700 for employee fringe benefit costs from the funds to be received pursuant to the grant agreement authorized herein.

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

Passed by the following vote:

Ayes - President Scott, Councilmembers Conklin, Haag, McFadden, Miller, Ortiz, Patterson - 7.

Nays - None - 0.

Councilmember Spaull abstained because of a professional relationship.

By Councilmember Spaull
July 14, 2015

To the Council:

The Arts & Culture Committee recommends for adoption the following entitled legislation:

Int. No. 280 - Establishing maximum compensation for an agreement for the Rochester Fringe Festival

Respectfully submitted,
Elaine M. Spaull
Adam C. McFadden

Jacklyn Ortiz
Dana K. Miller
Loretta C. Scott
ARTS & CULTURE COMMITTEE

Received, filed, and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-253
Re: Agreement - Rochester Fringe Festival, Inc., 2015 First Niagara Rochester Fringe Festival

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing $20,000 as maximum compensation for an agreement with Rochester Fringe Festival, Inc. The agreement will be funded from the 2015-16 Budget of the Bureau of Communications and have a term of one year.

The Rochester Fringe Festival brings together venues, performers and artists to engage diverse audiences through an innovative, entertaining and thought-provoking annual multi-arts festival in Rochester. The festival includes theater, comedy, family entertainment, music, dance, physical theatre, street theatre, musical theatre, opera, poetry, and literature.

The 2015 festival will be held September 17 through 26. It will include an increase in the number of shows and venues from last year, all of which are located within the City of Rochester. Additionally, the Rochester Fringe Festival produces "Friday on the Fringe" at Dr. Martin Luther King, Jr. Park, which is free to the public.

City funds will help to defray costs for a variety of free, family-friendly performances and festival space, including:

- "Friday on the Fringe" at Martin Luther King, Jr. Park at Manhattan Square on September 18th;
- Four days of events on Gibbs Street, including music, dance, and free, participatory chalk art; and
- Free, outdoor films in the Spiegelgarden, located on the corner of Main and Gibbs Streets.

With over 60,000 attendees at 387 performances taking place at 258 venues in 2014, the third First Niagara Rochester Fringe Festival was one of the most successful Fringe Festivals in the nation last year, as well as one of Rochester's most successful festivals. Of these shows, approximately 120 were free to the public. The free, public "Friday on the Fringe" drew an estimated 10,000 attendees. A total of 38,100 of the 60,000 attendees paid no charge for tickets, representing a high level of free access to the arts.

The First Niagara Rochester Fringe Festival uniquely celebrates Rochester's rich multi-arts culture. Its presence enhances the City's reputation as a respected destination for the arts and enables Rochester to join the ranks of other world-class cities with fringe festivals, such as New York City, Philadelphia, Toronto, Chicago, and Edinburgh, Scotland.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-253
(Int. No. 280)

Establishing maximum compensation for an agreement for the Rochester Fringe Festival

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

Section 1. The sum of $20,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an agreement between the City and Rochester Fringe Festival, Inc. for the 2015 First Niagara Rochester Fringe Festival. Said amount shall be funded from the 2015-16 Budget of the Bureau of Communications. The agreement shall have a term of one year.

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.

Passed by the following vote:

Ayes - President Scott, Councilmembers Conklin, Haag, McFadden, Miller, Ortiz, Patterson - 7.

Nays - None - 0.

Councilmember Spaull abstained because of a professional relationship.

The meeting was adjourned at 8:35 p.m.

HAZEL L. WASHINGTON
City Clerk

* * * * *

REGULAR MEETING
AUGUST 11, 2015

Present - President Scott, Councilmembers Conklin, Haag, McFadden, Miller, Ortiz, Patterson, Spaull - 8

Absent - Councilmember Palumbo.

The Council President requested the Council to rise for a Moment of Silence.

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

Recognition Ceremony
Retirement:
Environmental Services
*Herbert E. Eaddy
*Robert J. Frusci
Police Department
*Douglas M. Boccardo
*David D. Franklin
Did not attend meeting.

APPROVAL OF THE MINUTES
By Councilmember Patterson

RESOLVED, that the minutes of the Regular Meeting of July 14, 2015 be approved as published in the official sheets of the Proceedings.

Adopted unanimously.

COMMUNICATIONS FROM THE MAYOR, COUNCIL PRESIDENT, CORPORATE OFFICERS AND OTHERS.

The following communications are hereby directed to be received and filed:

The Mayor submits the following:
Administrative Cancellation or Refund of Erroneous Taxes and Charges 4191-15
Public Disclosure - HOME Participation (3) 4192-15, 4193-15, and 4194-15

The Council submits a Disclosure of Interest Form from Vice President Miller on Int. No. 302.

PRESENTATION AND REFERENCE OF PETITIONS AND OTHER COMMUNICATIONS.

Councilmember McFadden submits 196 signatures in favor of a moratorium on tasing unarmed suspects. Petition No. 1717

Councilmember McFadden submits 124 signatures opposing a homeless shelter on Post Avenue. Petition No. 1718

PUBLIC HEARINGS.

Pursuant to law, public hearing will now be had on the following matter:

Amending the Official Map by abandonment of a portion of Haywood Avenue Int. No. 299
No Speakers.

REPORTS OF STANDING COMMITTEES AND ACTION THEREON

By Councilmember Conklin
August 11, 2015

To the Council:

The Neighborhood & Business Development Committee recommends for adoption the following entitled legislation:

Int. No. 288 -Authorizing the sale of real estate

Int. No. 289 - Amending agreements and appropriating additional funds for the Homebuyer Training Program, as amended

Int. No. 307 - Authorizing a lease agreement for the Rochester Museum and Science Center

Int. No. 255 - Appropriating funds and authorizing agreements for business programs

Respectfully submitted,
Carolee A. Conklin
Michael A. Patterson
Dana K. Miller
Loretta C. Scott
NEIGHBORHOOD & BUSINESS DEVELOPMENT COMMITTEE

Received, filed and published.

Introductory No. 255 was introduced July 14, 2015 and appears in its original form with its transmittal letter on page 260 of the current Council Proceedings.

Attachment No. AO-142

Ordinance No. 2015-254
(Int. No. 255)

Appropriating funds and authorizing agreements for business programs

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-255
Re: Sale of Real Estate

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation approving the sale of seven 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.

The first property is an improved property (garage), sold by negotiated sale. The buyer is the adjacent owner who will combine this garage with his existing property.

The next three properties are vacant lots sold by negotiated sale to the adjacent owners. The owners will combine these lots with their existing properties.

The next three properties are unbuildable vacant lots, being sold for a $1.00 (as per City policy) to their adjacent owners who will combine their respective lot with their existing properties.

The first year projected tax revenue for these seven

properties, assuming full taxation, current assessed valuations and current tax rates, is estimated to be $1,816.

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

Attachment No. AO-143

Ordinance No. 2015-255
(Int. No. 288)

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 the negotiated sale of the following parcel of real property improved with a small garage for parking:

Address	S.B.L.#	Lot Size	Sq. Ft.	Price	Purchaser
653 Joseph Av	106.31-2-20	36 x 88	3,140	$5,000	Neal F. Brewster

Section 2. The Council hereby approves of the negotiated sale of the following parcels of vacant land with proposal:

Address	S.B.L.#	Lot Size	Sq. Ft.	Price	Purchaser
423 Lyell Av	105.66-3-14	44 x 100	4,400	$2,500	Helen Pizzo
10 Wadsworth St	106.41-4-79	37 x 108	3,996	$400	Troy C. Blackman
278 West High Ter	135.25-2-9	40 x 105	4,241	$425	Erica Bryant

Section 3. The Council hereby approves the negotiated sale of the following parcels of unbuildable vacant land for the sum of $1.00:

Address	S.B.L.#	Lot Size	Sq. Ft.	Purchaser
250 Martin St	106.45-1-18	25 x 130	3,253	Landsman Development Corp*
Portion of right-of-way of 12 Wayne Place	N/A	N/A	405	Gwendolyn L. Walker
317 Weaver St	091.72-3-13	31 x 116	3,490	Cyndia M. Perez

*Corporation Board: James A. Goff, President & CEO; Kimberlie M. Burkhart, Secretary & CFO; Jacques A. Paquin, Chief Technology Officer; Kurt E. Ziemendorf, Vice President; Cathleen W. Maiorano, Vice President, Christina M. Buckley, Assistant Secretary

Section 4. 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 5. This ordinance shall take effect immediately

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-256
Re: Appropriations and Amendments - Consolidated Community Development Plan, Homebuyer Training Program

Council Priority: Rebuilding and Strengthening Neighborhoods

Transmitted herewith for your approval is legislation related to the Homebuyer Training Program as described in the 2015-16 Consolidated Community Development Plan (Con Pan). This legislation will:

1. Appropriate $5,504.75 from the 2011-12 of the City Development Fund Homebuyer Training allocation of the Homeownership Promotion Fund; and

2. Amend Ordinance No. 2015-184 by increasing the aggregate maximum compensation by $5,504.75, from $87,838.97 to $93,343.72, for agreements with four agencies (as listed below) and establishing three year terms for said agreements, commencing on July 1, 2015:

NeighborWorks Rochester
The Home Store (Urban League of Rochester, New York)
Consumer Credit Counseling Services of Rochester
The Housing Council at PathStone

These four organizations provide pre- and post-purchase Homebuyer Training at a cost of $350 and $150, respectively, to all recipients of City grants for closing costs. These agreements allow for up to 180 individuals per year to receive training. The $5,504.75 is additional funds identified that will be added to the agreements already approved by Council in June via Ordinance No. 2015-184. The three year term of the agreements, however, was inadvertently omitted in the original ordinance, and is rectified by the proposed amendment.

These providers were selected through a request for proposal process in March 2015.

The Homeownership Promotion Fund supports the City Housing Policy objective to promote the rehabilitation, redevelopment and new construction of housing.

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

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-256
(Int. No. 289, as amended)

Amending agreements and appropriating additional funds for the Homebuyer Training Program

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

Section 1. The sum of $5,504.75 in additional funds from the 2011-12 City Development Fund Homebuyer Training allocation of the Homeownership Fund is hereby appropriated for the Homebuyer Training Program (Program) as an addition to the amounts approved in Ordinance No. 2015-184.

Section 2. Ordinance No. 2015-184 is hereby amended, by adding said additional appropriation in the amount of $5,504.75 to the prior aggregate appropriation of $87,838.97, for a new total of $93,343.72, for Program agreements entered into with the following organizations:

NeighborWorks Rochester
The Home Store, Urban League of Rochester NY Inc.
Consumer Credit Counseling Services of Rochester
The Housing Council at PathStone

Section 3. The City will enter into Program agreements only with organizations that are in compliance with federal regulations.

Section 4. The agreements shall be for three-year terms commencing on July 1, 2015.

Section 5. The Director of Finance is authorized to record all transfers herein and to make adjustments to the amounts set forth herein which may have changed prior to the date of this ordinance.

Section 6. Ordinance No. 2014-116 is hereby amended, by extending by six months the term of the agreement between the City of Rochester and Western Economic Services so that it now will expire February 28, 2016. Said amendment does not change the maximum compensation.

Section ~~6~~7. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section ~~7~~8. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-257
Re: Lease Agreement - Rochester Museum and Science Center Property

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation authorizing a 15 year lease agreement with the Rochester Museum and Science Center (RMSC) for the property located at the southeast corner of East Avenue and Goodman Street at 657 East Avenue (the Property) which includes the Bausch Hall of History and Science (Bausch Hall).

The original lease for the Property was entered into on July 1, 1968 when the City transferred the operation and maintenance of the former City of Rochester Municipal Museum and leased the property to the RMSC. A subsequent 30 year lease, dated December 12, 1985 was authorized with the 657 Corporation, which was established to allow the

financing of the expansion and renovation of Bausch Hall. In 2011, a new, one-year lease, which automatically extends annually unless either party gives at least a one year notice of termination, was executed because the RMSC was refinancing their existing bonds and the refinancing would have triggered a termination of the 1985 lease.

RMSC is now planning to refinance some of its existing debt and desires to use the City lease as collateral. The financing institution requires that the lease be for a term of at least 15 years. The proposed lease will be for 15 years and, as in the prior lease, will automatically extend annually unless either party gives at least a one year notice of termination. All other terms of this lease agreement will remain the same as those of the current lease.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-257
(Int. No. 307)

Authorizing a lease agreement for the Rochester Museum and Science Center

WHEREAS, the City of Rochester has received a proposal for the continued lease of the Rochester Museum and Science Center property and collections for a term of fifteen years with automatic annual extensions thereafter subject to termination on notice of one year; and

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

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

WHEREAS, the Council has determined that payment is not required due to the overriding public benefit served by the Museum; and

WHEREAS, the Council affirmatively finds that the proposed lease is in the public interest, as the public benefit to be derived from the use is the continuation of the operation of the Museum which is open to the public and benefits residents of the City and surrounding area and visitors.

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 the Rochester Museum and Science Center (RMSC) for the continued lease of the Museum property and collections for a term of fifteen (15) years, then continuing year-to-year thereafter subject to termination on notice of one year. The lease shall be without rent due to the overriding public benefit provided through the operation of the Museum. The RMSC shall be solely responsible for the maintenance and operation of the property, including the payment of all utilities. The RMSC shall provide general liability insurance and property insurance, insuring both the real property and the museum's collections. The RMSC shall also indemnify the City against all claims and liabilities arising out of its use of the property.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Haag
August 11, 2015

To the Council:

The Parks & Public Works Committee recommends for adoption the following entitled legislation:

Int. No. 107 - Authorizing the acceptance of right of way jurisdiction abandoned by the New York State Department of Transportation along South Avenue <u>as amended</u>

Int. No. 290 - Establishing maximum compensation for a professional services agreement for the 2015 Preventive Maintenance Contract 1

Int. No. 291 - Authorizing funding amendments for the 2015 Preventive Maintenance Contract 1 Project and Preventive Maintenance Group #2 Project

Int. No. 292 - Bond Ordinance of the City of Rochester, New York authorizing the issuance of $368,000 bonds of said City to finance the reconstruction of certain streets related to the 2015 Preventive Maintenance Contract 1, as amended

Int. No. 293 - Amending and appropriating funds related to the 2016 Federal Aid Preventive Maintenance Contract on South Goodman Street and South Clinton Avenue

Int. No. 294 - Authorizing amendatory agreement for resident project representation services for the Port Marina and Mixed Use Development Project

Int. No. 295 - Authorizing amendatory agreement for compliance monitoring services for the Port of Rochester Redevelopment Project

Int. No. 296 - Authorizing an intermunicipal agreement with the County of Monroe for Traffic Signal Maintenance Services

Int. No. 297 - Repealing prior ordinance and authorizing the acquisition of property, intermunicipal agreement, and resident project representation

agreement for the Lake Avenue Lighthouse Trail and Overlook Project

Int. No. 298 - Adopting the determination and findings concerning the proposed Dewey Avenue and Driving Park Avenue Intersection Realignment Project

Int. No. 308 - Bond Ordinance of the City of Rochester, New York authorizing the issuance of $60,000 bonds of said City to finance the costs of construction of streets and public right-of-way improvements as part of the Brooks Landing 2 Project

Int. No. 309 - Authorizing funding amendments for the Midtown Redevelopment Project and Brooks Landing 2 Project

The Parks & Public Works Committee recommends for consideration the following entitled legislation:

Int. No. 299 - Amending the Official Map by abandonment of a portion of Haywood Avenue

Respectfully submitted,
Matt Haag
Elaine M. Spaull
Michael A. Patterson
Dana K. Miller
Loretta C. Scott
PARKS & PUBLIC WORKS COMMITTEE

Received, filed and published.

Introductory No 107 was introduced April 14, 2015 and appears in its original form with its transmittal letter on page 125 of the current Council Proceedings.

Attachment No. AO-144

Ordinance No. 2015-258
(Int. No. 107, as amended)

Authorizing the acceptance of right of way jurisdiction abandoned by the New York State Department of Transportation along South Avenue

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

Section 1. The Council hereby approves the acceptance of jurisdiction to the right of way abandoned by the New York State Department of Transportation under an Official Order, constituting a portion of South Avenue from Court Street to Capron Street as shown on a map certified by Jacek M. Szymanski, City of Rochester, City Surveyor on July 21, 2015 ~~described below~~. In accordance with the terms of the Official Order, the City's acceptance of jurisdiction shall reserve to the State of New York, NYSDOT, the NYS Canal Corporation and their specified affiliates, successors and assigns the right of ingress, egress and regress to the area being abandoned as well as the right to review, approve or deny any highway or traffic related change to the right of way. The Mayor is hereby authorized to enter into any agreement necessary to acquire said right of way abandoned by New York State, said right of way to remain in transportation use and said agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

~~**LEGAL DESCRIPTION OF PROPOSED LANDS TO BE TRANSFERRED FROM NEW YORK STATE TO THE CITY OF ROCHESTER**~~

~~All that tract or parcel of land, situate in the City of Rochester, County of Monroe, State of New York, being part of Town Lot 8 & 36, 3rd Division, and being more particularly bounded and described as follows: Beginning at the intersection of the south ROW line of Court Street (64' ROW) and the west ROW line of South Avenue (80' ROW), said intersection being the Point or Place of Beginning; thence~~

~~1) S 11° 47' 40" E, along the east line of NYS Appropriation, Map 1312 R-1, Parcel 1364, a distance of 449.12 feet to a point on the north line of NYS Appropriation, Map 1329, Parcel 1389, and also being the westerly projection of the south ROW line of Woodbury Boulevard (86.73' ROW); thence~~

~~2) S 78° 12' 20" W, along said projection, a distance of 72.00 feet to a point; thence~~

~~3) S 64° 41' 00" W, through lands of the State of New York, a distance of 88.21 feet to the southeast corner of a permanent easement, Map 1312 R-1, Parcel 1368 to the southeast corner of a permanent easement, Map 1312 R-1, Parcel 1368; thence~~

~~4) N 03° 11' 43" E, along the east line of said easement, a distance of 90.75 feet to the northeast corner thereof; thence~~

~~5) N 52° 35' 19" E, along lands of the State of New York, a distance of 78.59 feet to a point on the west line of a permanent easement, Map 1312 R-1, Parcel 1366; thence~~

~~6) S 08° 26' 40" E, along said west line, a distance of 15.00 feet to the southwest corner thereof, and the west line of said Appropriation, Map 1312 R-1, Parcel 1364; thence~~

~~7) N 60° 50' 26" E, along said west line, a distance of 6.91 feet to an angle point; thence~~

~~8) N 02° 21' 04" E, continuing along said west line, a distance of 140.69 feet to an angle point; thence~~

~~9) N 08° 48' 08" W, continuing along said west line, a distance of 162.58 feet to an angle point; thence~~

~~10) N 78° 58' 09" E, continuing along said west line, a distance of 12.00 feet to an angle~~

~~point; thence~~

~~11) N 09° 11' 11" W, continuing along said west line, a distance of 62.46 feet to the said south ROW line of Court Street, being the Point or Place of Beginning.~~

~~Hereby intending to describe a parcel of land, containing 0.498 acres, more or less, all as shown on a map entitled "Proposed Lands To Be Transferred From New York State To The City Of Rochester", dated March 20, 2015, prepared by Jacek M. Szymanski, P.L.S., City Surveyor.~~

Section 2. This ordinance shall take effect immediately

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-259,
Ordinance No. 2015-260 and
Ordinance No. 2015-261
Re: 2015 Preventive Maintenance Contract 1 and Amending the 2015 Preventive Maintenance Group #2 Project

Council Priority: Jobs and Economic Development

Transmitted herewith for your approval is legislation related to the 2015 Preventive Maintenance Contract 1 (Lyell Avenue, Clifford Avenue, Norton Street and East Ridge Road) and amending the 2015 Preventive Maintenance Group #2 Project. This legislation will:

1. Establish $376,000 as maximum compensation for an agreement with C&S Engineers, Inc., Rochester, New York, for resident project representation (RPR) services;

2. Amend Ordinance No. 2014-10, the 2015 Preventive Maintenance Contract 1 design agreement, by replacing $25,800 of Prior Years' Cash Capital with $25,800 in New York State (NYS) Marchiselli Aid, as appropriated herein;

3. Authorize the issuance of bonds totaling $368,000 and appropriate the proceeds thereof to finance the local share of the street improvements;

4. Authorize the appropriation of $1,887,280 from the Federal Highway Administration (FHWA) to finance the federal share of the project;

5. Appropriate $379,665 from anticipated reimbursements from the NYS Marchiselli Aid Program to finance the state share of the design ($25,800) and construction ($353,865) of the project; and

6. Amend Ordinance No. 2015-247, the 2015 Preventive Maintenance Group #2 Project, by specifying that the $2,913,587 in anticipated reimbursements from the FHWA is for construction of the project and correcting the amount of anticipated reimbursements from NYS Marchiselli Aid from $238,282 to $274,132.

The 2015 Preventive Maintenance Contract 1 Project is a milling and resurfacing project designed by C&S Companies via Ordinance No. 2014-10. The project includes: milling and resurfacing four arterial streets; adjustments to catch basin frames and grates, water valves and sewer castings; spot street base and sidewalk repair; installation of truncated domes at sidewalk ramps; installation of new pavement markings; and replacement of traffic loops.

Bids for construction were received on July 7, 2015. The apparent low bid of $2,063,000.80 was submitted by Sealand Contractors Corp. which is 1% less than the engineer's estimate. An additional $205,454 will be allocated for project contingencies.

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

Source	Construction	RPR	Contingency	Total
FHWA	$1,645,281	$241,999		$1,887,280
NYS Marchiselli Aid	308,490	45,375		353,865
Street Bond	97,460	88,626	$181,914	368,000
Prior Years' Water Cash Capital	25		50	75
2011-12 Cash Capital	5,175		10,350	15,525
Rochester Pure Waters District Ord. No. 2015-132)	6,570		13,140	19,710
Total	$2,063,001	$376,000	$205,454	$2,644,455

C&S Engineers, Inc. was selected to provide RPR services from the NYSDOT list of pre-approved regional engineering firms, which is described in the attached summary. The agreement may extend until two years after final acceptance of the project.

The project will begin construction in fall 2015 and will be substantially complete by fall 2016. The project will result in the creation and/or retention of the equivalent of 29 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-145

Ordinance No. 2015-259
(Int. No. 290)

Establishing maximum compensation for a professional services agreement for the 2015 Preventive Maintenance Contract 1

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

Section 1. The sum of $376,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and C&S Engineers, Inc. for resident project representation services for the 2015 Preventive Maintenance Contract 1 (the "Project"). The agreement may extend until three (3) months of a two year guarantee inspection of the Project. Said amount shall be funded by $241,999 from funds to be received from the Federal Highway Administration, by $45,375 from anticipated reimbursements from the New York State Marchiselli Aid program, and $88,626 from a bond ordinance authorized for the Project.

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.

Passed unanimously.

Ordinance No. 2015-260
(Int. No. 291)

Authorizing funding amendments for the 2015 Preventive Maintenance Contract 1 Project and Preventive Maintenance Group #2 Project

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

Section 1. Ordinance No. 2014-10 which authorized agreements and appropriations for the 2015 Preventative Maintenance Contract 1 Project (Project 1) is hereby amended by reducing the prior year Cash Capital appropriation by $25,800 and appropriating $25,800 in anticipated revenues from the New York State Marchiselli Aid program ("Marchiselli Aid") as a substitute for that purpose.

Section 2. The sum of $1,887,280 in anticipated reimbursements from the Federal Highway Administration (FHWA) is hereby appropriated to finance Project 1.

Section 3. The sum of $353,865 in anticipated reimbursements from the Marchiselli Aid program is hereby appropriated to finance the State share of Project 1.

Section 4. Ordinance No. 2015-247 which authorized agreements and appropriations for the 2015 Preventative Maintenance Group #2 Project (Project 2) is hereby amended as follows: specifying that the appropriation of $2,913,587 from anticipated reimbursements to be received from the Federal Highway Administration shall be

allocated to Project 2 construction costs; and appropriating for Project 2 an additional sum of $35,850 in anticipated Marchiselli Aid revenues to raise the project's total appropriation of Marchiselli Aid to $274,132.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2015-261
(Int. No. 292)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of $368,000 bonds of said City to finance the reconstruction of certain streets related to the 2015 Preventative Maintenance Contract 1, as amended

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 of certain streets related to the 2015 Preventative Maintenance Contract 1 for the City, including Lyell Avenue, Clifford Avenue, Norton Street, East Ridge Road and such additional streets as may be identified for inclusion in the Contract by the City Engineer and available for inspection in the office of the City Engineer (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 $2,644,455, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of $368,000 in bonds of the City to finance said appropriation, $1,887,280 from the Federal Highway Administration, $353,865 from New York State Marchiselli Aid Program, $15,600 prior years available cash capital, $19,710 appropriated by the Rochester Pure Waters District under Ordinance 2015-132 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 $368,000 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 $368,000. 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. 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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-262
Re: Amendment - 2016 Preventive Maintenance Project

Transmitted herewith for your approval is legislation related to the 2016 Federal Aid Preventive Maintenance Project at two locations. This legislation will:

1. Appropriate $17,550 from anticipated New York State (NYS) Marchiselli Aid to fund a portion of the design services for the project; and

2. Amend Ordinance No. 2014-393, which originally established funding for an agreement with Stantec Consulting Services, Inc. for design services related to this project, by reducing the 2013-14 Cash Capital by $16,785 and replacing those funds with $16,785 of the NYS Marchiselli Aid appropriate herein. The remaining NYS Marchiselli Aid ($765) will fund City administration for the project.

This federal aid project, administered by the City under agreement with the NYS Department of Transportation includes two locations:

- Goodman Street (Broadway to East Avenue)

- South Clinton Avenue (Byron Street to South City Line)

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 handicap accessibility, and extend the useful life of the pavement structure.

This project also includes NYS Multi-Modal funding that will fund South Clinton Avenue enhancement features including decorative crosswalks and curb bump-outs throughout the corridor. Existing light poles will be upgraded with decorative fixtures and pedestrian level lights.

Construction is anticipated to begin in spring 2016 with scheduled completion in fall 2016.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-146

Ordinance No. 2015-262
(Int. No. 293)

Amending and appropriating funds related to the 2016 Federal Aid Preventive Maintenance Contract on South Goodman Street and South Clinton Avenue

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

Section 1. The sum of $17,550 is hereby appropriated for the 2016 Preventive Maintenance Contract on South Goodman Street and South Clinton Avenue (Project) from anticipated New York State Marchiselli program reimbursements (Marchiselli Aid).

Section 2. Ordinance No. 2014-393 is hereby amended by reducing the 2013-14 Cash Capital allocation of $16,785 for the Project and substituting $16,785 of the anticipated Marchiselli Aid that is appropriated in Section 1.

Section 3. The remainder of the appropriated Marchiselli Aid ($765) is allocated to City administration of the Project.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-263 and
Ordinance No. 2015-264
Re: Amendatory Agreement - LaBella Associates PC, Port Marina Project

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation related to the Port Marina Project. This legislation will:

1. Establish $370,000 as maximum compensation for an amendatory agreement with LaBella Associates PC for additional resident project representation (RPR) services, increasing total maximum compensation from $1,850,000 (Ord. No. 2013-328) to $2,220,000. The amendatory agreement will be funded from Bond Ordinance No. 2013-329 ($159,000), Prior Years' Cash Capital ($192,500) and New York State Environmental Facilities Corporation Grant ($18,500).

2. Establish $90,000 as maximum compensation for an amendatory agreement with Rochester Research Associates (RRA) for additional compliance monitoring services, increasing total maximum compensation from $175,000 (Ord. No. 2013-364) to $265,000. The

amendatory agreement will be funded from Prior Years' Cash Capital.

The project includes construction of the marina basin and pedestrian promenade, all planned right-of-way improvements, installation and relocation of utilities as required, roadway realignment, extension of the Genesee Riverway Trail to connect with Ontario Beach Park, reconstruction of the land-side facilities at the public boat launch, installation of boat dock facilities, and renovations at the Terminal Building to accommodate boater facility improvements.

Contract 1 of the Port Marina Project began in December 2013 and finished construction in December 2014. It included right of way improvements, utility installation and relocation, and roadway realignment and partial excavation of the marina basin. Final construction cost was $7,405,648. Contract 2 was awarded to Crane-Hogan Structural Services in April, 2015 at a bid of $10,623,968 and includes completion of the marina basin to final elevation, completion of utilities and right of way improvements and installation of boat dock facilities. The City is in the process of adding additional work to Contract 2 for final placement, compaction and grading of iron slag excavated from the marina project site. Slag removed from the marina project site has been temporarily staged at the Lexington Avenue site under a New York State Department of Environmental Conservation (NYSDEC) regulatory exemption. Permanent placement requires a separate NYSDEC regulatory approval which the City expects to receive by the end of July. Contract 3 is anticipated to begin in fall 2015 and includes improvements to the former Port Terminal Link Building to create a marina boaters' service facility at an estimated cost of $440,000.

The original RPR agreement with LaBella Associates PC was to provide services for construction activities for Contracts 1 through 3, however, when Pike Company and the City mutually agreed for the marina basin to be completed by another contractor, this extended the overall construction of the project by six months. The amendatory RPR agreement will provide additional RPR services to complete the marina, the additional work at the Lexington site, and the Contract 3 Marina Boaters' Service Facilities, including the newly added repairs to the Link Building glass roof.

Each contract is subject to a project labor agreement (PLA) with workforce goals of 20 percent minority and 6.9 percent women participation. The PLA is being monitored by RRA. The amendatory agreement with RRA will provide for continued services for the additional six months of the construction schedule and the additional contract.

The Port of Rochester marina, site improvements, and boater services facilities is anticipated to be complete in spring 2016. The amendatory agreements with LaBella Associates PC and RRA will result in the creation and/or retention of the equivalent of 5 full-time jobs.

Respectfully submitted,

Lovely A. Warren
Mayor

Ordinance No. 2015-263
(Int. No. 294)

Authorizing amendatory agreement for resident project representation services for the Port Marina and Mixed Use Development Project

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

Section 1. The Mayor is hereby authorized to enter into an amendatory agreement with LaBella Associates in the maximum amount of $370,000 for additional resident project representation services for the Port Marina and Mixed Use Development Project ("Project"). Said amendatory agreement shall increase the maximum amount of the agreement authorized by Ordinance No. 2013-328 by $370,000 to a total of $2,220,000. The amendatory agreement may extend until three (3) months after completion of a two year guarantee inspection of the Project. The cost of said amendatory agreement shall be funded by $159,000 from funds appropriated in Bond Ordinance No. 2013-329, $192,500 Cash Capital allocations from prior years, and $18,500 from a New York State Environmental Facilities Corporation grant.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2015-264
(Int. No. 295)

Authorizing amendatory agreement for compliance monitoring services for the Port of Rochester Redevelopment Project

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

Section 1. The Mayor is hereby authorized to enter into an amendatory agreement with Rochester Research Associates in the maximum amount of $90,000 for additional compliance monitoring services for the Port of Rochester Redevelopment Project ("Project"). Said amendatory agreement shall increase the maximum amount of the agreement authorized by Ordinance No. 2013-364 by $90,000 to a total of $265,000. The amendatory agreement may extend until six (6) months after completion of the Project. The cost of said amendatory agreement shall be funded by Cash Capital allocations for prior years.

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

Section 3. This ordinance shall take effect im-

mediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-265
Re: Intermunicipal Agreements - County of Monroe, Traffic Signal Maintenance Services

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing intermunicipal agreements with the County of Monroe for traffic signal maintenance services at Elmwood and Plymouth Avenues and Andrews Street at Front Street in front of the Crossroads Garage. Maximum annual compensation for the agreements will be $920 and $1,070, respectively, and will be funded by the 2015-16 and future Budgets of the Department of Environmental Services, contingent upon their approval. These agreements will have initial terms of five years, with the option to renew for up to three additional five-year terms if both parties agree.

The City intends to take over the maintenance costs for these two traffic signals as the Monroe County Department of Transportation (MCDOT) determined that these signals no longer meet the criteria for MCDOT support. The first signal, at Elmwood and Plymouth Avenues allows pedestrian and vehicle access to the Genesee Valley Park ice rink and pool, while the second signal, on Andrews Street, provides access to the Crossroads Garage.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-265
(Int. No. 296)

Authorizing an intermunicipal agreement with the County of Monroe for Traffic Signal Maintenance Services

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

Section 1. The Mayor is hereby authorized to enter into an intermunicipal agreement with the County of Monroe for maintenance services for the traffic signals located at the corner of Elmwood and Plymouth Avenues and at the corner of Andrews and Front Streets in front of the Crossroads Garage, respectively. The agreement shall have an initial term of five years, with the option of up to three additional five-year terms, if both parties agree.

Section 2. The agreement shall obligate the City of Rochester to pay $920 annually for the signals at Elmwood and Plymouth Avenues and $1070 annually for the signals at Andrews and Front Streets, and shall be funded from the 2015-16 and subsequent Budgets of the Department of Environmental Services, contingent upon their approval.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-266
Re: Repeal and Agreements - Lake Avenue Lighthouse Trail and Overlook Project

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation related to the Lake Avenue Lighthouse Trail and Overlook Project. This legislation will:

1. Repeal Ordinance No. 2015-98, authorizing the acceptance of a permanent easement valued at $14,150 for a portion of a parcel at 4554 Lake Avenue;

2. Authorize the acquisition of an easement valued at $16,200 for a portion of a parcel at 4554 Lake Avenue, as requested by the current owner, Rochester Gas and Electric (RG&E), to be funded from Bond Ordinance No. 2013-330;

3. Authorize a temporary agreement with RG&E for access to the property to allow the construction of improvements prior to the planned acquisition to meet the requirements of the New York State Department of State (NYSDOS) grant (Ord. Nos. 2008-269 and 2013-328) and begin construction in September 2015;

4. Establish $25,000 as maximum compensation for an agreement with McCord Landscape Architecture PLLC, Penfield, New York, for resident project representation (RPR) services; and

5. Authorize an intermunicipal agreement with Monroe County for that portion of the trail improvement which will cross County-owned property at 70 Lighthouse Street.

As the negotiations progressed on the terms of the easement between RG&E and the City, both parties agreed that the City's purchase of the property is in their mutual best interest, necessitating the amendment to Ordinance No. 2015-98. The temporary agreement with RG&E, however, will enable construction and public use of trail and overlook improvements before the purchase is complete as required to meet the scope and term of the NYSDOS grant.

Bids for construction were received on June 30, 2015. The apparent low bid of $218,560 was submitted by Van Putte Gardens, which is 3% greater

the engineer's estimate. An additional $32,565 will be allocated for project contingencies.

McCord Landscape Architecture PLLC was selected to provide RPR services based on its familiarity with the project. A full justification for not issuing a request for proposals is attached. The agreement may extend until three months after completion and acceptance of a two year guarantee inspection of the project.

The project construction funding is as follows:

Source	Construction	RPR	Contingency	Total
NYSDOS Grant 2013-328	$109,280	$10,720	$ 0	$120,000
Bond Ord. No. 2013-330	109,280	14,280	32,565	156,125
Total	$218,560	$25,000	$32,565	$276,125

Construction is scheduled to commence in September 2015 and be completed in December 2015. The construction phase of the project will result in the creation and/or retention of the equivalent of 3 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-147

Ordinance No. 2015-266
(Int. No. 297)

Repealing prior ordinance and authorizing the acquisition of property, intermunicipal agreement, and resident project representation agreement for the Lake Avenue Lighthouse Trail and Overlook Project

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

Section 1. City Council Ordinance No. 2015-98 authorizing acquisition of a permanent easement over land for the construction and public use of the Lake Avenue Lighthouse Trail and Overlook Project (Project) is hereby repealed.

Section 2. The Council hereby appropriates $16,200 plus any legal and closing costs, said amount to be funded by proceeds from Bond Ordinance No. 2013-330, for the acquisition of the following parcel for the construction and public use of the Project's trail and overlook improvements:

Address	S.B.L.#	Owner	Size
4554 Lake Avenue	047.62-01-017	Rochester Gas and Electric Corporation	±0.28 acres

Section 3. The Mayor is hereby authorized to enter into an agreement with RG&E to obtain access to the above described property prior to the planned acquisition if necessary to meet the Project's grant requirements and begin construction in September 2015.

Section 4. Authorize an intermunicipal agreement with Monroe County whereby the County will accept as a gift in place trail improvements placed on County-owned land parcel located at 70 Lighthouse Street in support of public use of that portion of the property.

Section 5. The sum of $25,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and McCord Landscape Architecture PLLC for resident project representation services for the Project. The agreement may extend until three (3) months after completion and acceptance of a two year guarantee inspection of the Project. Said amount shall be funded by $10,720 from a NYS Department of State grant and $14,280 from Bond Ordinance No. 2013-330.

Section 6. The appropriation in Section 2 shall be funded from the bond funds appropriated in Ordinance No. 2013-330.

Section 7. This Ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-267
Re: Determinations and Findings - Dewey Avenue and Driving Park Avenue Intersection Realignment Project

Transmitted herewith for your approval is legislation making the determinations and findings related to the acquisition, by negotiation or condemnation, of real property for the Dewey Avenue and Driving Park Avenue Intersection Realignment Project. Such determinations and findings are required by Article 2 of the New York State Eminent Domain Procedure Law to be adopted within 90 days after a public hearing on the matter.

On June 16, 2015, a public hearing was held on the proposed acquisition of 352 Driving Park Avenue, the current location of The Family Dollar Store, for the purpose of this project. There were three speakers (2 against - 1 in favor); minutes from the hearing are attached.

The determination and findings for this Project shows the public better served by realignment of the intersection. Providing the necessary geometric change, traffic accidents and congestion will be reduced, and pedestrian safety, ADA compliance, bicyclists' mobility and safety and transit buses mobility will be enhanced.

The Project limits extend 300 feet south and 350 feet north of the intersection along Dewey Avenue, and from Finch Street to Straub Street along Driving Park Avenue. Four scenarios were considered:

1. Do nothing, no change, to provide a base comparison;

2. Realign the north and south approach on Dewey Avenue, with considerable impact to surrounding commercial and residential properties;

3. Construct a modern roundabout, which would also have significant impact on the surrounding properties; or

4. Eliminate the offset intersection by moving the northern approach of Dewey Avenue to the west to align with the southern approach.

To eliminate the offset intersection, No. 4, best satisfies the project objectives and is the better choice.

In addition, the proposed project underwent a thorough and proper review in accordance with the National Environmental Policy Act (NEPA) and the State Environmental Quality Review Act (SEQRA). The proposed public project will not, individually or cumulatively, have a significant environmental impact and is excluded from the requirement to prepare an Environmental Impact Statement (EIS) or an Environmental Assessment (EA). As Lead Agency under SEQRA, the City of Rochester determined the proposed project is classified as an Unlisted Action under the SEQRA, Part 617, Title 6 of the Official Compilation of New York Codes, Rules, and Regulations (6 NYCRR Part 617). The City and its consultant prepared the Short Environmental Assessment Form and the City has determined that the proposed public project will not result in any significant adverse environmental impacts and has issued a Negative Declaration for the project.

In making the determinations and findings, it has been concluded that the project will have, among other things, the following effects upon the residents and businesses in the area:

1. Access to adjacent parcels will not be significantly impacted. Driveways will be maintained during construction, except for temporary closures of entrances as required by construction activities. Access for emergency vehicles and local deliveries would be maintained during construction.

2. Flagging control and alternating routes will be utilized during construction.

3. The impact to local businesses is expected to be minimal.

4. The proposed public project will result in the displacement of one retail business. They will be provided relocation assistance.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-148

Ordinance No. 2015-267
(Int. No. 298)

Adopting the determination and findings concerning the proposed Dewey Avenue and Driving Park Avenue Intersection Realignment Project

WHEREAS, the intersection of Dewey Avenue and Driving Park Avenue is located in the Maplewood Neighborhood of the Northwest Quadrant of the City of Rochester, New York ; and

WHEREAS, the City of Rochester initiated the proposed public project based on the observed deficiencies in traffic flow for all modes of transportation in the proposed project area; and

WHEREAS, the City of Rochester and its consultant undertook various studies to evaluate the existing transportation conditions, deficiencies, and engineering considerations within the proposed project area; and

WHEREAS, the City of Rochester and its consultant completed the Final Design Report for the proposed public project on August 19, 2014; and

WHEREAS, in the Final Design Report the City of Rochester identifies the need to eliminate the geometric deficiencies of the intersection, provide improvements for the pedestrian, bicyclists, and transit user, and make necessary safety improvements throughout the project limits; and

WHEREAS, the City of Rochester defined the following project objectives;

1. Address geometric deficiencies at the offset intersection to improve traffic flow, reduce vehicular congestion, and improve highway safety.

2. Improve multimodal accommodations for pedestrians, bicyclists, and transit users.

3. Improve the visual quality of the built environment and adjoining streetscape.

4. Enhance the stature of this intersection as a neighborhood node for commercial and recreational activities.

WHEREAS, the City of Rochester and its consultant evaluated the following design alternatives to accomplish the project objectives;

- Alternative 1: No Action/Maintenance - Under this alternative, the City of Rochester would retain the current Dewey Avenue and Driving Park Avenue intersection. No activities other than routine maintenance would occur. This alternative would not improve mobility, aesthetics, or neighborhood viability.

- Alternative 2: Dewey Avenue Realignment, North and South Approach - This alternative would shift the northern Dewey Avenue approach to the west and the southern approach to the east a sufficient distance to eliminate the offset. Multimodal mobility through the intersection would be enhanced by consolidating pedestrian crossings to one location, closing the gap in the City's bicycle lane network, and eliminating multiple turns for transit vehicles.

- Alternative 3: Modern Roundabout - This alternative would create a single lane modern roundabout as a replacement for the current offset intersection. A roundabout would physically eliminate many of the conflicting vehicle movements. Pedestrian mobility at the intersection would be enhanced with highlighted, two-stage crossings. Multiple tuning movements for transit vehicles would be eliminated. Bicyclists would benefit from lower vehicular travel speeds through the intersection.

- Alternative 4: - Under this alternative, the offset intersection would be eliminated by moving the northern approach of Dewey Avenue to the west to align with the southern approach. Multimodal mobility would be enhanced by consolidating pedestrian street crossings to one location, closing the gap in the City's bicycle lane network, and eliminating multiple turns for transit vehicles.

WHEREAS, through the evaluation process, the City of Rochester has determined Alternative 4 is the most feasible alternative, and identifies it as the preferred alternative in the Final Design Report; and

WHEREAS, the proposed public project is being progressed as a National Environmental Policy Act (NEPA) Class II, D-list project; and

WHEREAS, the proposed public project is an Unlisted Action in accordance with 6NYCRR Part 617, State Environmental Quality Review (SEQR) Act and the City of Rochester will act as lead agency; and

WHEREAS, the City of Rochester has considered the general effect of the proposed project on the residents of the locality in which the proposed project is to be undertaken; and

WHEREAS, the preferred alternatives would require the City of Rochester to acquire real property interests from fifteen (15) properties and the relocation of one (1) retail business; and

WHEREAS, representatives of the City of Rochester have provided the property owners who may be affected by the proposed public project an opportunity to meet and discuss the proposed public project and have made reasonable efforts to minimize the impact the project will have on adjacent properties; and

WHEREAS, in accordance with Article 2 of the Eminent Domain Procedure Law the oral presentation and comment phase of a public hearing was held on June 16, 2015, at 7:30 p.m. at the Rochester City Hall, 30 Church Street, Rochester, New York, for the purpose of informing the public and to review the public use to be served and public benefit to be obtained by the aforementioned proposed public project, and to consider all other matters appropriate to that project; and

WHEREAS, during the course of the aforementioned oral presentation phase of the public hearing, all matters required by the Eminent Domain Procedure Law and appropriate to such public hearing were identified and explained to persons then in attendance, and such persons in attendance were given an opportunity to speak and comment on the proposed public project and to examine documents presented; and

WHEREAS, at the conclusion of the oral presentation phase of the aforementioned public hearing, the hearing was closed; and

WHEREAS, the minutes of such public hearing were transcribed and made available, together with the exhibits and other documents, if any, which were identified or made available during the oral presentation phase thereof, for inspection and examination by the public by contacting Jeron Rogers at the City of Rochester's Department of Environmental Services, City Hall, Room 300B, 30 Church Street, Rochester, New York.

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

Section 1. The Council hereby makes the following determination and findings concerning the proposed Dewey Avenue and Driving Park Avenue Intersection Realignment Project:

1. The public use to be served by the proposed public project is the realignment of the intersection of Dewey Avenue and Driving Park Avenue.

2. The benefits to be obtained and purposes to be served by the proposed public project are as follows:

   a. Geometry. The offset intersection would be eliminated by moving the north approach to the west to meet the south approach. The new alignment would result in improved traffic flow and reduced congestion.

   b. Operational. Recurring congestion within the existing offset intersection would be eliminated.

   c. Safety. The proposed intersection realignment would improve safety by simplifying travel through the project area. The existing pattern of sideswipe accidents that occur within the offset intersection would be eliminated.

   d. Pedestrians. Pedestrian safety will be improved with the elimination of the offset intersection. ADA compliant sidewalk reconstruction within the project limits, including curb ramps and high visual impact crosswalks at the realigned intersection, will enhance notification to motorists of pedestrian crossing locations.

   e. Bicyclists. The proposed public project includes design features that will improve bicyclist mobility and safety through the project area. It will eliminate a gap in the City's bicycle lane network.

   f. Transit. The proposed realignment will provide improved mobility for the transit buses that serve the area.

3. The proposed public project is located in the City of Rochester, Monroe County, New York. The project limits extend 300 feet south and 350 feet north of the intersection along Dewey Avenue, and from Finch Street to Straub Street along Driving Park Avenue.

4. Four alternatives were considered for the proposed public project. The reasons for selecting Alternative 4, and for rejecting the other alternatives include:

   a. The No Action/Maintenance Alternative does not address any of the project objectives. The alternative was retained only as a baseline for comparison to the preferred alternative.

   b. Alternative 2: Dewey Avenue Realignment, North and South Approach was eliminated from the study due to the significant impact to surrounding commercial and residential properties.

   c. Alternative 3: Modern Roundabout was eliminated from the study due to the significant impact to surrounding commercial and residential properties.

   d. Alternative 4: Dewey Avenue Realignment, would eliminate the offset intersection by moving the northern approach of Dewey Avenue to the west to align with the southern approach. Multimodal mobility would be enhanced by consolidating pedestrian street crossings to one location, closing the gap in the City's bicycle lane network, and eliminating multiple turns for transit vehicles. This alternative best satisfies the project objectives and is considered the most feasible alternative.

5. Alternative 4 is hereby selected for the Project.

6. The proposed project underwent a thorough and proper review in accordance with the National Environmental Policy Act (NEPA) and the State Environmental Quality Review Act (SEQRA). The proposed public project will not, individually or cumulatively, have a significant environmental impact and is excluded from the requirement to prepare an Environmental Impact Statement (EIS) or an Environmental Assessment (EA). As Lead Agency under SEQRA, the City of Rochester determined the proposed project is classified as an Unlisted Action under the SEQRA, Part 617, Title 6 of the Official Compilation of New York Codes, Rules, and Regulations (6 NYCRR Part 617). The City and its consultant prepared the Short Environmental Assessment Form and the city has determined the proposed public project will not result in any significant adverse environmental impacts and has issued a Negative Declaration for the project.

7. It is hereby concluded that the proposed public project will have, among other things, the following effects upon the residents of the locality:

   a. Access to adjacent parcels would not be significantly impacted. Driveways will be maintained during construction, except for temporary closures of entrances as required by construction activities. Access for emergency vehicles and local deliveries would be maintained during construction.

   b. The proposed pubic project will not result in the long term, full intersection closures with a detour. One way alternating traffic with flagging control will be utilized during construction.

   c. The impact to local businesses is not expected to be significant during construction activities due to the proposed traffic control scheme which will maintain access and mobility through the corridor with only temporary delays.

d. The proposed public project will result in the displacement of one retail businesses. The City of Rochester will provide relocation assistance in accordance with the requirements of 49 CFR Part 24, Subparts C and D.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-268
Re: Official Map Amendment - Abandon a Portion of Hayward Avenue East of Chamberlain Street

Transmitted herewith for your approval is legislation amending the Official Map by abandoning a portion of Hayward Avenue east of Chamberlain Street.

The City Planning Commission, during its June 15, 2015 meeting, recommended approval of this abandonment by a vote of 6-0-0. Minutes of that meeting, along with the application, are attached.

Pursuant to the requirements of Article 8 of the New York State Environmental Conservation Law and Chapter 48 of the City Code, the proposal is a Type II Action requiring no further environmental review.

A public hearing is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-149

Ordinance No. 2015-268
(Int. No. 299)

Amending the Official Map by abandonment of a portion of Haywood Avenue

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 changing and deleting therefrom the following described property, heretofore dedicated to street purposes and constituting a portion of Haywood Avenue:

LEGAL DESCRIPTION OF PROPOSED LANDS TO BE ABANDONED - HAYWOOD AVENUE

Intending to describe the east end of Hayward Avenue, running from Chamberlain Street to the westerly boundary of The Rochester Greater Regional Transit Authority ("RGRTA") parcel, located in the City of Rochester, Monroe County, New York State. Beginning at the point of intersection of the south highway boundary of Hayward Avenue and the east highway boundary of Chamberlain Street, thence;

- N 10°58'19" E a distance of 3.20, thence;
- Through said right of way of Hayward Avenue along a non-tangent curve to the left a distance of 84.91 feet, said curve having a radius of 50.00 feet, the chord of which is N 42°28' 27" W for a distance of 75.07 feet to the point of intersection of the north highway boundary of said Hayward Avenue and the east highway boundary of Chamberlain Street, thence;
- N 88°15'48" E along the said north highway boundary of Hayward Avenue, a distance of 315.40 feet to the point of intersection of the north highway boundary of Hayward Avenue and the westerly boundary of The Rochester Greater Regional Transit Authority parcel, thence;
- S 21°22'51" W along said westerly parcel boundary, a distance of 65.24 feet to the point of intersection of the westerly boundary of The Rochester Greater Regional Transit Authority parcel and the south highway boundary of Hayward Avenue, thence;
- S 88°15'48" W along said south highway boundary of Hayward Avenue, a distance of 241.50 feet to the Point of Beginning, containing 0.361± acre (15728± sq. ft.).

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-269 and
Ordinance No. 2015-270
Re: Amendments - Funding of Brooks Landing 2 Project and Midtown Redevelopment Project

Transmitted herewith for your approval is legislation related to the Brooks Landing 2 Project and Midtown Redevelopment Project to revise the funding of three agreements by removing grant funds and replacing them with local funding. This legislation will:

1. Authorize the issuance of bonds totaling $60,000 and appropriate the proceeds thereof to partially finance the Brooks Landing 2 Project;
2. Amend the agreement with T.Y. Lin International, Rochester, New York, authorized via Ordinance No. 2014-397 for resident project representation (RPR) services for the Brooks Landing 2 Project by changing the New York State (NYS) Marchiselli Aid in the amount of

$7,000 to the bond appropriated herein;

3. Amend the agreement with T.Y. Lin International (formerly FRA) authorized via Ordinance No. 2008-416 for design services for the Brooks Landing 2 Project by changing the federal aid in the amount of $32,000 to Bond Ordinance No. 2011-236;

4. Amend the agreement with LaBella Associates, Rochester, New York, authorized via Ordinance No. 2013-104 for design services for the Midtown Redevelopment project by reducing the NYS Marchiselli Aid in the amount of $178,843 and replacing it with 2014-15 Cash Capital.

The NYS Department of Transportation (NYSDOT) recently notified the City that the Brooks Landing 2 Marchiselli Aid in the amount of $60,000 (Ordinance No. 2014-397) was awarded in error and has been rescinded. Likewise, the federal aid of $32,000 was also rescinded. Both grant appropriations are replaced with City funding. The project will retain $351,200 in federal aid and $500,000 in New York Department of State Local Waterfront Revitalization funds.

Phase 1 of the Brooks Landing public improvements, completed in 2008, included the design and construction of a riverfront promenade, transient boater wharf, a public plaza and streetscape enhancements along South Plymouth Avenue. Phase 2 is under construction and includes park and public right-of-way improvements as follows: realignment/reconstruction of the remnant portion of South Plymouth Avenue to right-size it for its new park context; provide parking; establish a one-way southbound connection from the north; install park gateway enhancements; improve existing, and install new, asphalt and stone dust trails; add wayfinding, interpretative and orientation signage; perform vegetation management; provide landscaping; and create additional site amenities. Phase 2 will also include a public call for artists, a juried selection process, and the fabrication and installation of the selected art.

Park and right-of-way improvement construction is scheduled be completed in fall 2015. The public art process is anticipated to begin in summer 2015 with a public call for artists, followed by the selection of art work in fall 2015, and its fabrication and installation completed fall 2016.

NYSDOT did not authorize a portion of the Marchiselli Aid for the Midtown Redevelopment Project as appropriated in Ordinance No. 2013-104, and the City will replace it with local funding. NYSDOT informed the City that they had estimated the Marchiselli Aid in error. The design agreement with LaBella Associates provides for five phases of construction including the service tunnel reconstruction, Midtown garage rehabilitation, street, utility and site improvements, garage entrance building and new pedestrian corridor. The service tunnel is complete and the remaining phases except the pedestrian corridor are near completion. The constructions of the pedestrian corridor improvements are dependent on the future development at the site, and there is not a firm schedule at this time.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-269
(Int. No. 308)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of $60,000 bonds of said City to finance the costs of construction of streets and public right-of-way improvements as part of the Brooks Landing 2 Project

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the costs of construction of streets and public right-of-way improvements as part of the Brooks Landing 2 Project (the "Project") including realignment/reconstruction of the remnant portion of South Plymouth Avenue to right-size it for its new park context; provide parking; establish a one-way southbound connection from the north; and related site improvements. The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is $1,801,904, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of $60,000 bonds of the City to finance construction as part of said Project, $277,012 from previously issued bond Ordinance No. 2007-182 and $39,280 from previously issued Bond Ordinance No. 2011-236 to finance construction as part of said Project, $120,200 in 2013-14 Cash Capital, $319,200 in funds to be received from the Federal Highway Administration, and $266,212 from the New York Department of State Local Waterfront Revitalization Program, 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 $60,000 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 $60,000. 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 the class of objects or purposes described in Section 1 of this Ordinance, within the limitations of 11.00 a. 20 of the Local Finance 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.

Passed unanimously.

Ordinance No. 2015-270
(Int. No. 309)

Authorizing funding amendments for the Midtown Redevelopment Project and Brooks Landing 2 Project

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

Section 1. Ordinance No. 2014-397, which authorized a professional services agreement between the City and T.Y. Lin International for resident project representation services for the Brooks Landing 2 Project, is hereby amended by reducing the New York State Marchiselli Aid funding appropriated for this purpose by $7,000 and substituting $7,000 from a bond ordinance to be authorized for said Project.

Section 2. Ordinance No. 2008-416, which authorized a professional services agreement between the City and T.Y. Lin International for design services for the Brooks Landing 2 Project, is hereby amended by reducing the Federal Highway Administration funding appropriated for this purpose by $32,000 and substituting $32,000 from Bond Ordinance No. 2011-236 authorized for said Project.

Section 3. Ordinance No. 2013-104, which authorized a professional services agreement between the City and LaBella Associates, PC for design services for the Midtown Redevelopment Project, is hereby amended by reducing the New York State Marchiselli Aid funding appropriated for this purpose by $178,843 and substituting $178,843 from 2014-15 Cash Capital.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

Councilmember Haag moved to discharge Int. No. 53 from Committee.

The motion was seconded by Councilmember Ortiz.

The motion was adopted by the following vote:

Ayes - President Scott, Councilmembers Conklin, Haag, McFadden, Miller, Ortiz, Patterson, Spaull - 8.

Nays - None - 0.

Councilmember Haag moved to amend Int. No. 53.

The motion was seconded by Councilmember Ortiz.

The motion was adopted by the following vote:

Ayes - President Scott, Councilmembers Conklin, Haag, McFadden, Miller, Ortiz, Patterson, Spaull - 8.

Nays - None - 0.

Introductory No. 53 was introduced February 18, 2015 and appears in its original form with its transmittal letter on page 62 of the current Council Proceedings.

Attachment No. AO-150

Resolution No. 2015-14
(Int. No. 53, as amended)

Resolution approving appointments to the Downtown Enhancement District Advisory Committee

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

Section 1. The Council hereby approves the reappointment to the Downtown Enhancement District Advisory Committee of the following persons for terms to expire December 31, 2016

Chris Hill
I. Gordon Corporation
28 East Main St.

~~Lawrence Davies~~
~~JP Morgan Chase Bank~~
~~One Chase Square~~

James Costanza
Temple Building
14 Franklin St. Suite 1122

Wes Plant
Thompson Legal Regulatory
50 Broad St. East

Richard Calabrese
Times Square Building
45 Exchange Blvd.

Section 2. This resolution shall take effect immediately.

Strikeout indicates deleted text

Adopted unanimously.

By Councilmember McFadden
August 11, 2015

To the Council:

The Public Safety, Youth & Recreation Committee recommends for adoption the following entitled legislation:

Int. No. 300 - Authorizing an agreement with the New York State Division of Homeland Security and Emergency Services and amending the Budget

Int. No. 301 - Authorizing an agreement, appropriating funds, and amending budget of the Department of Recreation and Youth Services related to the Rochester After School Academy program, as amended

Int. No. 302 - Authorizing an agreement for the Parent Leadership Training Institute

Int. No. 303 - An agreement for and appropriating funds related to the Southwest Youth Organizing Project

Int. No. 304 - Amending the 2015-16 Budget by increasing the appropriations for the Rochester Police Department to carry over unspent grant funds

Int. No. 305 - Authorizing an intermunicipal agreement with Genesee Community College for the placement of veterinary technology students in externships at the Animal Services Center

Int. No. 310 - Authorizing agreements for towing services

Int. No. 311 - Authorizing agreements for Sexual Health Promotion for Young People

Respectfully submitted,
Matt Haag
Elaine M. Spaull
Dana K. Miller
Loretta C. Scott
PUBLIC SAFETY, YOUTH & RECREATION COMMITTEE

Received, filed, and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-271
Re: Grant Agreement - 2015 State Homeland Security Program

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing an agreement with the Division of Homeland Security and Emergency Services (DHSES) for the receipt and use of a $130,900 State Homeland Security Program (SHSP) 2015 Grant and amending the 2015-16 Budget of the Fire Department by $112,900 and Undistributed Expenses by $18,000.

This grant is provided to enhance terrorism prevention in the Rochester/Monroe County region. Grantees are required to build capabilities that relate to the prevention of, protection from, or response to terrorism. The program period is September 1, 2015 through August 31, 2018, and no matching funds are required.

The 2015 allocation will be used for personal protection and rescue equipment ($42,900), training ($20,000), overtime backfill expenses ($50,000), and fringe ($18,000), for structural collapse technician training.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-271
(Int. No. 300)

Authorizing an agreement with the New York State Division of Homeland Security and Emergency Services and amending the Budget

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Division of Homeland Security and Emergency Services for receipt and use of $130,900 in funds for the State Homeland Security Program.

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

Section 3. The sum of $130,900 is hereby appropriated from funds to be received under the grant agreement authorized herein to fund the Program.

Section 4. Ordinance No. 2015-167, the 2015-16 Budget of the City of Rochester, as amended, is hereby further amended by increasing the Budget revenues by $130,900, increasing the appropriations for the Budget of the Rochester Fire Department by $112,900, and increasing the appropriations for the Budget of Undistributed Expense by $18,000.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-272
Re: Agreement - New York State Department of Education, Rochester After School Academy

Council Priority: Support the Creation of Effective Educational Systems

Transmitted herewith for your approval is legislation related to the Rochester After School Academy (RASA) program. This legislation will:

1. Authorize an agreement with the New York State Department of Education for the receipt and use of $74,375 in 21st Century Community Learning Centers Program funding for RASA for the 2015-16 school year;
2. Appropriate $15,000 in funding from the Job Creation/Youth Development allocation of the General Community Needs Fund of the 2015-16 Community Development Block Grant, to support the project; and
3. Amend the 2015-16 Budget of the Department of Recreation and Youth Services (DRYS) by $43,175 to reflect the grant. The remaining grant funds ($46,200) were already included in the 2015-16 Budget of DRYS.

RASA is a comprehensive and strategic approach to after school programming, designed to enhance and extend learning opportunities beyond the traditional school day. RASA will serve 50 students at Dr. Charles T. Lunsford School #19. The City will work in partnership with the school to provide academic enrichment and youth development programming to support the academic outcomes of the students.

This is the third year of a three-year grant.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-151

Ordinance No. 2015-272
(Int. No. 301, as amended)

Authorizing an agreement, appropriating funds, and amending budget of the Department of Recreation and Youth Services related to the Rochester After School Academy program

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Department of Education for the receipt and use of $74,375 in 21st Century Community Learning Centers Program funding for the Rochester After School Academy (RASA) for the 2015-16 school year.

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

Section 3. The sum of $15,000 is hereby appropriated for the RASA program from the Job Creation/Youth Development allocation of the General Community Needs Fund of the 2015-16 Community Development Block Grant.

Section 4. Ordinance No. 2015-167, the 2015-16 Budget of the City of Rochester, as amended, is hereby amended to reflect an increase of ~~$43,175~~ $43,200 in the Budget of the Department of the Recreation and Youth Services from grant funds not previously included in said budget.

Section 5. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-273
Re: Agreement - Rochester's Child, Inc., Parent Leadership Training Institute

Transmitted herewith for your approval is legislation establishing $10,000 as maximum compensation for an agreement with Rochester's Child, Inc., a subsidiary of the Rochester Area Community Foundation, for the Parent Leadership Training Institute (PLTI). The cost of this agreement will be funded from the Parent Leadership Training Institute allocation of the General Community Needs Fund of the 2015-16 Consolidated Community Development Plan.

PLTI is an evidence-based program offered by Rochester's Child, Inc. in partnership with the Early Childhood Development Initiative. It is designed to increase parents' involvement and engagement in the community, to strengthen neighborhoods and families and to improve outcomes for children. Parents participate in a 20 week training program with topics that include: child and adolescent youth development, public speaking, civics, and policy development. Twenty-five parents will be served in 2015-16.

This is the fourth year of City funding for this program. The most recent agreement for this service was approved by Council in August 2014 via Ordinance No. 2014-262.

The term of the agreement will be September 1, 2015 to March 31, 2016.

A project description and budget are attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-152

Ordinance No. 2015-273
(Int. No. 302)

Authorizing an agreement for the Parent Leadership Training Institute

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 Rochester's Child, Inc. for the Parent Leadership Training Institute.

Section 2. The agreement shall obligate the City of Rochester to pay an amount not to exceed $10,000, and said amount, or so much thereof as may be necessary, is hereby appropriated from the General Community Needs Fund of the 2015-16 Consolidated Community Development Plan. The term of the agreement will be September 1, 2015 to March 31, 2016.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-274
Re: Agreement - Center for Teen Empowerment, Inc., Southwest Youth Organizing Project

Council Priority: Public Safety; Support the Creation of Effective Educational Systems

Transmitted herewith for your approval is legislation establishing $30,000 as maximum compensation for an agreement with the Center for Teen Empowerment, Inc. for the Southwest Youth Organizing Project. The cost of this agreement will be appropriated from the Southwest Youth Organizing allocation of the General Community Needs Fund of the 2015-16 Consolidated Community Development Plan. The term of the agreement will be September 1, 2015 to March 31, 2016.

The Center for Teen Empowerment will hire ten youth from the southwest area of the city to implement youth initiatives, activities and events for youth to improve the community in the southwest area of the city. These services will reach over 200 neighborhood youth.

This is the fifth and final year of funding. The most recent agreement for these services was approved by Council in July 2014 via Ordinance No. 2014-236.

A project description and budget are attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-153

Ordinance No. 2015-274
(Int. No. 303)

An agreement for and appropriating funds related to the Southwest Youth Organizing Project

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

Section 1. The sum of $30,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement with the Center for Teen Empowerment, Inc. to implement the Southwest Youth Organizing Project. Said funds are appropriated

from the Southwest Youth Organizing allocation of the General Community Needs Fund of the 2015-16 Consolidated Community Development Plan.

Section 2. The term of the agreement shall be from September 1, 2015 to March 31, 2016.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-275
Re: Amendment - 2015-16 Budget of the Police Department

Council Priority: Public Safety

Transmitted herewith for your approval is legislation amending the 2015-16 Budget of the Police Department by $30,100 to reflect the balance of carryover funds from existing grants. The funds below, which will be used for their original intended purpose, were not fully expended in 2014-15 as anticipated and therefore need to be carried over into 2015-16.

Grant	Amount to Carry Over
2013 Bomb Squad Initiative Grant	$14,100
Child Passenger Safety Grant	100
GTEA	2,100
MVTIFP	9,600
Smart Policing Grant	4,200
Total	$30,100

The Bomb Squad Initiative Grant has been received for over 10 years and is used to purchase equipment and training necessary for the Bomb Squad's continual improvement to incident responses. The 2011 and 2012 Bomb Squad grants provided funding that allowed for the purchase of a Wolverine Robot. The 2013 Grant has been used for training and the purchase of accessories to enhance the capabilities of this robot.

The Child Passenger Safety Grant is provided by the Governor's Traffic Safety Committee and enables the Police Department to run child safety seat inspections in the city during the period of October 1, 2014 through September 30, 2015. The goal of this award is to increase the proper use and installation of child safety seats in New York State.

The Grant to Encourage Arrest Policies and Enforcement of Protection Orders Program (GTEA) pays the salary of a part-time Victim's Assistance worker to provide enhanced domestic violence victim's services in the Family and Victim Services Section of the Police Department. The grant also pays for overtime, including fringe, for a Domestic Violence Response Team (DART), comprised of police officers and police supervisors, as needed, to respond to targeted domestic violence situations; and training to assist grant staff in providing these enhanced services.

The Motor Vehicle Theft and Insurance Fraud Prevention (MVTIFP) grant provides overtime, but not fringe, to support Police Department deployment in high-theft areas and increased investigations of insurance fraud. The grant also provides funds to train police officers in specialized anti-theft techniques and technology.

The Smart Policing grant is a collaborative between the Police Department and the Rochester Institute of Technology (RIT) to attempt to reduce crime in the city. The project's goal is: to improve the understanding of the scope and nature of violent, retaliatory disputes; to formalize a dispute risk assessment method for police to identify and prioritize those at high-risk for retaliation; and to create, test, evaluate, and document a violent dispute intervention strategy that can be extended to other departments. The carryover funds will be used for police overtime and associated fringe.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-275
(Int. No. 304)

Amending the 2015-16 Budget by increasing the appropriations for the Rochester Police Department to carry over unspent grant funds

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

Section 1. Ordinance No. 2015-167, the 2015-16 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Rochester Police Department by the sum of $30,100, which amount is hereby appropriated from unspent grant funds appropriated in the 2014-15 budget as shown below. Said funds shall be used for their original purpose.

Grant	Amount to Carry Over
2013 Bomb Squad Initiative Grant	$14,100
Child Passenger Safety Grant	$100
Grants to Encourage Arrest (GTEA)	$2,100
Motor Vehicle Theft and Insurance Fraud Prevention (MVTIFP) Grant	$9,600
Smart Policing Grant	$4,200

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-276
Re: Intermunicipal Agreement - Genesee Community College, Veterinary Technology Student Externships

Council Priority: Support the Creation of Effective Educational Systems

Transmitted herewith for your approval is legislation authorizing an intermunicipal agreement with Genesee Community College (GCC) for the placement of veterinary technology students in externships at the City's Animal Services Center. There is no cost for this agreement.

Through this agreement, GCC veterinary technology students will obtain clinical experience at the Animal Services Center. Animal Services was involved with this agreement in prior years and found the relationship mutually beneficial. The term of the agreement is September 1, 2015 through August 31, 2016, with annual renewals upon mutual consent.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-276
(Int. No. 305)

Authorizing an intermunicipal agreement with Genesee Community College for the placement of veterinary technology students in externships at the Animal Services Center

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

Section 1. The Mayor is hereby authorized to enter into an agreement with Genesee Community College for the placement of its veterinary technology students in externships at the City's Animal Services Center. No monetary compensation shall be provided. The term of the agreement shall be September 1, 2015 through August 31, 2016, and may be renewed annually upon the mutual consent of the parties.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-277
Re: Agreements - Vehicle Towing Services

Council Priority: Public Safety

Transmitted herewith for your approval is legislation related to towing services for the City. This legislation will:

1. Authorize agreements with the following firms for towing of standard vehicles. These firms have satisfactorily provided services to the City since October 1, 2012 and were initially selected through a request for proposal process.

Company Address (Rochester)	Principal
Alliance Collision, Inc. 532 North Street	Daniel Tantalo
East Avenue Automotive 1656 East Avenue	Paul Marone
John & Son Collision 4 Niagara Street	Michael Piacente
Excel Service & Towing 95 Seneca Avenue	Scott Chapman

2. Authorize an agreement with Joe Benson's Service (Chili, New York) for heavy duty towing. This is one of only a few firms in the region that provide this specialized service. They have provided satisfactory service to the City for several years.

Private firms are hired by the City to provide towing of illegally parked, damaged, disabled, recovered stolen, and abandoned vehicles. Assignments for the towing of standard vehicles are rotated among the companies contracted for that service.

The current agreements for towing services, authorized in October 2012 via Ordinance No. 2012-405, will expire on August 31, 2015. The proposed agreements will be for three years, from September 1, 2015 through August 31, 2018 with options for two one-year renewals. The expiring agreements provided no inflationary adjustment to the fees for services, therefore an increase of 2.8% to the fee schedule (attached) is recommended which represents cumulative inflation between October 2012 and May 2015, based on the Consumer Price Index for Urban consumers (CPI-U). Beginning October 1, 2016 and annually thereafter, the fees for services will be adjusted for the CPI-U based upon the most recently completed City fiscal year. A revision to the charges is also being made to cover the cost of relocating any snowbound vehicles beyond the first vehicle to be moved. This is in recognition of the additional work needed to uncover vehicles from snow and ice.

The total additional cost of the changes described above is estimated to be $13,000 for the first year; the agreements will be funded from the 2015-16 and future Budgets of the Police Department, contingent upon approval of future budgets.

In 2014-15, a total of 3,828 vehicles were towed to the City Auto Pound and the City paid the following amounts to the following vendors currently under contract with the City:

Alliance Collision	$105,487
East Avenue Towing	103,288
Excel Service & Towing	102,172
John & Sons Collision	107,509
Joe Benson's Service	2,458
Total	$420,914

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-154

Ordinance No. 2015-277
(Int. No. 310)

Authorizing agreements for towing services

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

Section 1. The Mayor is hereby authorized to enter into agreements with such number of the following contractors as she shall deem necessary and appropriate to meet the towing demands of the City, for September 1, 2015 through August 31, 2018, with the option for two (2)-one (1) year renewals:

Contractor	Principal/Officer	Address
Alliance Garage	Daniel Tantalo	532 North Street
East Avenue Auto, Inc.	Paul Marone	1656 East Avenue
John & Son Collision	Michael Piacente	4 Niagara Street
Excel Service & Towing	Scott Chapman	95 Seneca Avenue
*Joe Benson's Service	Joseph Benson, Jr.	1421 Scottsville Road

*Heavy towing only

Section 2. The term of each agreement shall be September 1, 2015 through August 31, 2018, with the option of up to two (2) additional terms of one (1) year each, if both parties agree.

Section 3. The agreements shall obligate the City to pay the following fees for such services. Said amounts shall be funded from the 2015-16 and subsequent Budgets of the Rochester Police Department, contingent upon adoption of subsequent budgets.

Service	Rate
Standard tow fee (regular/flatbed) MVA, traffic violations, mechanical problems, snowbound vehicles, snow emergencies, etc.	$106
Truck towing (single and tandem axles, < 26,000 lbs. GVW)	$184
Heavy trucks/tractor trailers (> 26,000 lbs.)	$253
Relocate vehicles	
First vehicle - standard tow fee applies	$106
Additional vehicles (including chip-seal, parades, construction, etc.).	$24
Additional snowbound vehicles	$50
Additional services	
Brake inspections requested by RPD and additional services approved by the Chief of Police to include but not limited to winching, use of go-jacks, removal from parking garages, etc. (15 minute increments)	$72/hour
In pound towing	
Per tow truck/per hour (15 minute increments)	$72/hour
Towing RPD vehicle within Monroe County	no charge
Towing RPD vehicle outside of Monroe County	
Per mile beyond the Monroe County line (round trip)	$3 per mile
Towing private vehicles outside of Monroe County	
Standard tow fee applies. Mileage per mile beyond the Monroe County line (round trip)	$3 per mile

Service Call - RPD or private vehicle *(only one fee per event)* $72
Jump starts, lock outs, out of gas, tire change, moving a disabled vehicle to the shoulder of the road, etc. *(Service calls provided to private vehicles must be billed directly to vehicle owner and will not be paid by City)*

Special Event or Emergency Standby $51/hour
(per hour in 15 minute increments with a minimum of one hour)
- Special Event standby will be requested in advance of the event. (This rate will include relocations)

(If a vehicle is impounded, the normal towing rate will apply and the standby rate will cease during the towing and impound period.)

*Emergency standby will be used for a critical incident.
*No standby time will be paid for a standard tow.

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-278
Re: Agreements - New York State
Department of Health Grant,
Promoting Sexual Health

Council Priority: Support the Creation of
Effective Educational Systems; Public Safety

Transmitted herewith for your approval is legislation related to a New York State Department of Health (NYSDOH) grant to promote sexual health among young people through youth leadership and community engagement. This legislation will:

1. Authorize an amendatory agreement with NYSDOH for the receipt and use of a $111,556 grant award for a seven month extension of the fifth year of a five year grant, for a total of $302,794 and any additional Cost of Living Adjustment funds. This amount is included in the 2015-16 Budget of the Department of Recreation and Youth Services;

2. Establish $56,970 as maximum compensation for an agreement with Baden Street Settlement of Rochester, Inc./Metro Council for Teen Potential, to recruit and supervise youth leaders, create a social marketing campaign, and conduct project outreach; and

3. Establish $11,667 as maximum compensation for an agreement with AC Center Inc., dba Trillium Health, to provide a part-time health educator to train youth leaders and co-facilitate health education workshops, curriculum, and presentations related to the grant project.

Both agreements will be funded from the 2015-16 Budget of the Department of Recreation and Youth Services, and the term of both will be from June 1, 2015 to December 31, 2015.

The remaining grant funds ($42,919) will be used to support City staff and operational costs needed for implementation of the program.

The fifth and final year of this grant, approved by Council in May 2014 via Ordinance No. 2014-152, ended May 31, 2015. On July 24, 2015, notice was received from the State approving additional funding for a seven month extension.

The goal of the program is to reduce HIV and sexually transmitted infections, and unintended pregnancies among Rochester youth of color from the ages of 13 to 24. Youth leaders, parents, health clinics, and community volun teers will be engaged to support and promote optimal sexual health for young people. Engaging youth leadership in facilitating the needed community changes is a unique aspect of this program.

In the fifth year of this grant through May 2015, this program had 24,190 contacts with youth, families, and community members. Through this grant extension, it is anticipated that this program will have an additional 14,110 contracts through engaging youth and families at community events with a health focus, workshops,

curriculum delivery, peer training activities, distribution of health information and social media.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-278
(Int. No. 311)

Authorizing agreements for Sexual Health Promotion for Young People

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

Section 1. The Mayor is hereby authorized to enter into an amendatory agreement with the New York State Department of Health for the receipt and use of a five-year grant award for funding a Sexual Health Promotion for Young People through the Youth Leadership and Community Engagement Project (the Project). The amount of the grant funding, as last amended in Ordinance No. 2014-152, shall be increased by the sum of $111,556 to a total of $302,794 plus any additional funds that may be received from NYSDOH as a cost of living adjustment. The term of the amendatory agreement shall be extended seven months to December 31, 2015.

Section 2. The Mayor is hereby further authorized to enter into an agreement with Baden Street Settlement of Rochester, Inc./Metro Council for Teen Potential in an amount not to exceed $56,970 to provide Project services. The term of the agreement shall be from June 1, 2015 to December 31, 2015.

Section 3. The Mayor is hereby further authorized to enter into an agreement with AC Center, Inc., dba Trillium Health in an amount not to exceed $11,667 to provide Project services. The term of the agreement shall be from June 1, 2015 to December 31, 2015.

Section 4. The agreements authorized in Sections 1, 2, and 3 shall be funded from the 2015-16 Budget of the Department of Recreation and Youth Services. The maximum compensation provided for in the agreements authorized in Sections 2 and 3 may be increased to account for any additional funds received from NYSDOH as a cost of living adjustment.

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

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

By President Scott
August 11, 2015

To the Council:

The Committee of the Whole recommends for adoption the following entitled legislation:

Int. No. 306 - Resolution confirming the appointment of the Corporation Counsel

Respectfully submitted,

Loretta C. Scott
Carolee A. Conklin
Matt Haag
Dana K. Miller
Jacklyn Ortiz
Michael A. Patterson
Elaine M. Spaull
COMMITTEE OF THE WHOLE

Received, filed, and published.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2015-15
Re: Confirmation of the Corporation Counsel

Transmitted herewith for your approval is legislation confirming, as required by the City Charter, the appointment of Brian F. Curran as the Corporation Counsel of the City of Rochester.

Brian F. Curran's resume is available for review in the City Clerk's Office.

Respectfully submitted,
Lovely A. Warren
Mayor

Resolution No. 2015-15
(Int. No. 306)

Resolution confirming the appointment of the Corporation Counsel

WHEREAS, the Mayor has appointed Brian F. Curran to the position of Corporation Counsel, subject to confirmation by the City Council, and

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

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Rochester hereby confirms the appointment of Brian F. Curran as Corporation Counsel.

This resolution shall take effect immediately.

Adopted unanimously.

The meeting was adjourned at 7:53 p.m.

HAZEL L. WASHINGTON
City Clerk

* * * * *

REGULAR MEETING
SEPTEMBER 16, 2015

Present - Councilmembers Conklin, Haag, McFadden, Miller, Ortiz, Palumbo, Patterson, Spaull - 8.

Absent - President Scott - 1.

The Council President requested the Council to rise for a Moment of Silence.

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

Recognition Ceremony
Retirement:
Environmental Services
*Robert P. Deel
*Carl Greenfield
*Gregory T. Milley
*W. Steven Poliszuk
Human Resource Management
*Thomas W. Purnell
Finance Department
*Sharon L. Oyer
Fire Department
*George C. Peterson, Jr.
Dennis M. Prevost
Police Department
*Deidre L. Hammond
Library
*Carolyn S. Johnson
Did not attend meeting.

APPROVAL OF THE MINUTES
By Councilmember Spaull

RESOLVED, that the minutes of the Regular Meeting of August 11, 2015 be approved as published in the official sheets of the Proceedings.

Adopted unanimously.

COMMUNICATIONS FROM THE MAYOR, COUNCIL PRESIDENT, CORPORATE OFFICERS AND OTHERS.

The following documents are hereby directed to be received and filed:

The Mayor submits the following:
Administrative Cancellation or Refund of Erroneous Taxes and Charges 4195-15
Public Disclosure - CDBG Participation 4196-15
Quarterly Report - Professional Service Agreements 4197-15

The Council submits a Disclosure of Interest Form from Councilmember Conklin on Int. No. 336.

PRESENTATION AND REFERENCE OF PETITIONS AND OTHER COMMUNICATIONS.

Councilmember Spaull submits a petition with 26 signatures requesting speed bumps on Hayward Avenue. Petition No. 1719

PUBLIC HEARINGS.

Pursuant to law, public hearing will now be had on the following matter:

Changing the zoning classification of 1776 and 1790 North Clinton Avenue and 21 Rau Street from C-2 Community Center District to R-1 Low Density Residential District Int. No. 323 No Speakers.

Amending the Zoning Code, Chapter 120 of the Municipal Code with regard to solar energy systems Int. No. 325 No speakers.

REPORTS OF STANDING COMMITTEES AND ACTION THEREON

By Councilmember Conklin
September 16, 2015

To the Council:

The Finance Committee recommends for adoption the following entitled legislation:

Int. No. 312 - Authorizing cancellation of taxes and charges

Int. No. 313 - Authorizing a professional services agreement with First Niagara Risk Management, Inc. for administration of the General Liability Insurance Program

Int. No. 314 - Authorizing agreement with M&T Bank for merchant card services

Int. No. 315 - Authorizing a professional services agreement with HECORP, Inc. for enterprise electronic payment processing, as amended

Int. No. 316 – Amending the 2015-16 Budget of the Library

Int. No. 317 – Amending Ordinance No. 2012-318 regarding the policy for procurement of professional services

Int. No. 318 - Authorizing a professional services agreement with Tyler Technologies for cashiering implementation

Int. No. 339 - Authorizing a professional services agreement related to compliance with the Uniform Relocation Act

Int. No. 340 - Approving the contracting of a Program Manager for Phase II of the Rochester Joint Schools Construction Board's Facilities Modernization Program

Int. No. 343 - Amending the 2014-15 Budget for year-end Budget amendments

Int. No. 344 - Authorizing an agreement with the Children's Institute, Inc., Rochester, New York for GROW Rochester

Respectfully submitted,

Carolee A. Conklin
Carla M. Palumbo
Jacklyn Ortiz
Dana K. Miller
Loretta C. Scott
FINANCE COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-279
Re: Cancellation or Refund of Erroneous Taxes and Charges

Transmitted herewith for your approval is legislation approving the cancellation or refund of taxes and charges totaling $3,012.24.

The property located at 88 Evergreen Street had sold on January 23, 2015. The prior owner had been ticketed several times in 2014 for board-up services and the removal of trash and debris. The charges should not have been added to the tax bill as the transfer of the property was on file.

If these cancellations are approved, total cancellations thus far for 2014-15 will be as follows:

	Accounts	Amounts
City Council	1	$3,012.24
Administrative	10	3,709.23
Total	11	$6,721.47

These cancellations represent 0.003% of the taxes receivable as of July 1, 2015.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-155

Ordinance No. 2015-279
(Int. No. 312)

Authorizing cancellation of taxes and charges

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

Section 1. The City Treasurer is authorized to cancel the following taxes and charges.

The property located at 88 Evergreen Street had been sold on January 23, 2015. The prior owner had been ticketed and charged several times in 2014 for code violations, board up services and removal of trash and debris. The violation and service charges were mistakenly added to the tax bill after the transfer of the property was on file.

S.B.L. #	106.30-3-73
Class	H
Address	88 Evergreen Street
Tax Year	2016
Cancelled	$3,012.24
Subtotal	$3,012.24
Grand Total	$3,012.24

Section 2. If full or partial payment of the aforesaid taxes and charges has been made and received, the City Treasurer is hereby authorized and directed to remit to the owner of the parcel the amount of said payment without interest.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-280
Re: Agreement - First Niagara Risk Management, Inc., General Liability Insurance Program Administration

Council Priority: Deficit Reduction and Long Term Financial Stability

Transmitted herewith for your approval is legislation establishing $82,500 as maximum compensation for the first year of an agreement with First Niagara Risk Management, Inc., Rochester, New York, for administration of the City's general liability insurance program. The cost of the first year of the agreement will be funded from the 2015-16 Budget of Undistributed Expenses.

The term of the agreement is one year, with an option to renew for two additional one-year periods. Costs for the additional renewal years of the agreement will be $85,000 and $87,500, respectively, to be funded from the appropriate fiscal year budgets of Undistributed Expenses, contingent upon approval of said budgets.

The general liability insurance program involves the review of all liability claims, the establishment of adequate reserves for possible settlement of claims, the processing of payments, and the maintenance of records and preparation of periodic management reports. The City is self-insured for most claims. Under this agreement, First Niagara Risk Management provides claims administration and payment services.

The City has contracted with private organizations for the administration of this program since its inception in 1979. First Niagara Risk Management has been the provider since 2012. The current agreement was authorized by the Council in June 2012 for three years with two one-year renewal options (Ord. No. 2012-223). The third year annual cost under this agreement is $96,000.

A request for proposal (RFP) was issued in May 2015. A month-to-month agreement was entered into with First Niagara Risk Management under the original agreement renewal provision for service in 2015-16 until selection was made based on the RFP results.

Proposals for the provision of claims administration

services were solicited through the City's website, public advertisement and direct mailings. Four proposals were received; First Niagara Risk Management was selected based upon comparative costs. A summary of the RFP process is attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-156

Ordinance No. 2015-280
(Int. No. 313)

Authorizing a professional services agreement with First Niagara Risk Management, Inc. for administration of the General Liability Insurance Program

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

Section 1. The sum of $82,500, or so much thereof as may be necessary, is hereby established as the compensation to be paid for the first year of a professional services agreement between the City and First Niagara Risk Management, Inc. for administration of the General Liability Insurance Program. Said amount shall be funded from the undistributed allocation of the 2015-16 budget.

Section 2. The agreement shall extend for a term of one year, with two one-year renewal options.

Section 3. Compensation for the second year shall not exceed $85,000 and shall not exceed $87,500 for the third year. Said amounts shall be funded from the undistributed allocations of 2016-17, and the 2017-18 budgets, subject to adoption of said budgets.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-281
Re: Agreement - M&T Bank, Point of Sale Credit Card Processing Services

Council Priority: Deficit Reduction and Long-term Financial Stability

Transmitted herewith for your approval is legislation authorizing an agreement with Manufacturers and Traders Trust Company (M&T Bank) for processing merchant card payments. The cost of the agreement is a fee percent of credit card transactions and will allow a pass-through of VISA, MasterCard, and Discover interchange fees should VISA, MasterCard, and Discover increase such fees to M&T Bank within the term of the agreement. The agreement will have a term of five years with the option to renew for five additional one-year periods. Based upon estimated annual transactional volume of $6.7 million, the annual cost of the agreement is expected to be approximately $220,000, which will be funded from the 2015-16 and future annual budgets of Undistributed Expenses, contingent upon approval of future budgets.

The City currently accepts Visa, MasterCard, and Discover cards under agreement with M&T Bank for payment of the following, via point of sale terminals:

Water charges
Impounded auto charges
Refuse fees
Cemetery charges
Permit fees
Library fees
Parks and recreation fees
Animal control fees
Parking and Municipal code tickets
Civil Service exam fees

The agreement with M&T Bank was originally authorized via Ordinance No. 2005-136 for a three-year term, with three one-year renewals. In 2011, the agreement was extended for a one-year period in order to minimize the risks inherent to the system interface changes undertaken during the implementation of the City's new financial system in fiscal years 2010-11 and 2011-12 (Ord. No. 2011-55). The agreement was again extended for one year, with a one-year renewal option via Ordinance No. 2012-130. Finally, in 2014, the agreement was extended through June 30, 2015, with a one-year renewal option, representing the final extension of the agreement (Ord. No. 2014-73).

In December 2014, the City of Rochester issued a request for proposal for enterprise electronic payment processing. The City of Rochester received proposals from six organizations. M&T Bank was selected to provide merchant card services for point of sale credit card payments based upon comparative costs.

Organization:
M&T Bank
Credit Cards:
Visa\MasterCard\Discover
Fee (percent of transaction):
1.91% plus $.15 per transaction

The above fees will apply to transactions in which the credit card information can be recorded from the magnetic stripe on the card. Higher fees will apply when manual recording of this information is required. The City will be able to lease terminal equipment for $25 per month per unit.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-281
(Int. No. 314)

Authorizing agreement with M&T Bank for merchant card services.

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

Section 1. The Mayor is hereby authorized to enter into agreement with Manufacturers and Traders Trust Company (M&T Bank) for merchant card services for the payment of City charges subject to the following terms and conditions.

Section 2. The term of the agreement shall be five years with a provision for up to five additional one-year renewals.

Section 3. The City will be allowed to lease terminal equipment for $25 per month.

Section 4. The City of Rochester will pay M&T Bank 1.91% of the transaction value plus fifteen cents ($0.15) per transaction when credit card information can be recorded from the magnetic strip. A higher fee will apply when manual recording of credit card information is required.

Section 5. The approximate total annual cost of the agreement is $220,000. Such services shall be funded from the annual budgets for Undistributed Expense, commencing with the 2015-16 fiscal year, contingent upon the passage of subsequent budgets.

Section 6. The agreement shall contain such additional fees, terms and conditions as the Mayor deems to be appropriate.

Section 7. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-282
Re: Agreements - Hamer Enterprises, Enterprise Electronic Payment Processing

Transmitted herewith for your approval is legislation authorizing an agreement with HECORP, INC d/b/a Hamer Enterprises (HE) for the implementation and support of an enterprise electronic payment processing solution funded through customer convenience fees, and establishing $9,100 as maximum compensation for a one-time, initial installation fee. This cost will be funded from the 2015-16 Budget of Undistributed Expenses. The enterprise agreement will have an initial term of five years with the provision for renewal for five additional one-year terms.

HE will provide for the implementation and ongoing subscription of an eCommerce suite that will interface with the City's internal and external billing and revenue systems. This solution will facilitate online payments for City services and replace the City's legacy online payment website.

As stated above, the enterprise electronic payment processing solution agreement will be financed through convenience fees charged to City customers when payments are made online or by the City for non-fee based transactions such as donations, under the City's Merchant Card agreement. The fee schedule is attached.

In December 2014, the City of Rochester issued a request for proposal for enterprise electronic payment processing. The City received proposals from six organizations. HE was selected based upon evaluation criteria defined in the attached summary.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-157

Ordinance No. 2015-282
(Int. No. 315, as amended)

Authorizing a professional services agreement with HECORP, Inc. for enterprise electronic payment processing

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

Section 1. The Mayor is authorized to enter into a professional services agreement with HECORP, Inc. doing business as Hamer Enterprises for the implementation and support of an Enterprise Electronic Payment Processing solution. ~~The initial installation fee of $9,100 will be funded from 2015-16 Undistributed Expenses.~~ All subsequent costs will be funded through convenience fees charged to City customers utilizing the system.

Section 2. The term of said agreement is five (5) years with the option for five (5) one (1) year renewals upon agreement of both parties.

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

Section 4. This ordinance shall take effect immediately.

Strike out indicates deleted text

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-283
Re: Budget Amendment - Rochester Public Library

Council Priority: Support the Creation of Effective Educational Systems

Transmitted herewith for your approval is legislation authorizing an agreement with the New York State Education Department for the receipt and use of $60,000 in Bullet Aid to libraries and amending the 2015-16 Budget of the Library to reflect receipt of the funds. The term of this agreement will be for one year. The funds will be used for branch librar-

ies as follows:

Test Assessing Secondary Completion (TASC) tutoring/classwork services in the Northwest Quadrant	$15,000
Early childhood literacy enrichment programming in the Southwest Quadrant	20,000
Enhancements to public information technology (IT) equipment, outreach services and literacy initiatives in the Southeast Quadrant	25,000
TOTAL	$60,000

Funding for the Northwest Quadrant was made possible through the efforts of State Senator Joseph E. Robach. It will support instruction for TASC at the Maplewood and Lyell branch libraries. Additional professional services will be secured through existing vendors, and will expand current class offerings and materials at these branch locations.

Funding for the Southwest Quadrant was made possible through the efforts of Senator Michael H. Ranzenhofer. It will support early literacy programs, materials and supplies at the Arnett and Wheatley branch libraries. The proposed programming will incorporate *Every Child Ready to Read,* a national parent and child literacy engagement initiative sponsored by the Public Library Association and Association for Library Service to Children. The Highland branch library will purchase outreach, or "pop-up", library supplies and equipment to support ongoing neighborhood outreach and attend community events.

Funding for the Southeast Quadrant was made possible through the efforts of Senator Rich Funke. It will support the purchase of additional IT equipment, literacy materials and services for the Monroe, Sully and Winton branch libraries. This funding will expand TASC tutoring and test preparation services to the Southeast branches for the first time.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-283
(Int. No. 316)

Amending the 2015-16 Budget of the Library

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

Section 1. The 2015-16 Budget of the Library, adopted in Ordinance No. 2015-167 as part of the 2015-16 Budget of the City of Rochester, is hereby amended in the amount of $60,000, to reflect receipt of New York State Education Department funds ("Bullet Aid" to libraries).

Section 2. Said $60,000 shall be used for the following programs:

- $15,000 for high school equivalency exam tutoring/class work services in Northwest Quadrant branch libraries.
- $20,000 for early childhood literacy enrichment programming in the Southwest Quadrant branch libraries.
- $25,000 for enhancements to public IT equipment, outreach services, and literacy initiatives in the Southeast Quadrant branch libraries.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-284
Re: Amendment - Policy for Procurement of Professional Services

Council Priority: Deficit Reduction and Long Term Fiscal Stability

Transmitted herewith for your approval is legislation amending Ordinance No. 2012-318, the policy for procurement of professional services, to enhance the Law Department's efficiency regarding the use of outside experts for litigation by extending the term of contracts of less than $10,000 from one year to case completion, thereby ending the requirement for Council approval should the timeframe for services exceed one year.

Ordinance No. 2012-318 sets forth the City's process for awarding professional services agreements (PSA). Step 6 of that policy requires that any PSA with compensation greater than $10,000 or that extends for more than one year, must be authorized by the City Council. In the case of contracts entered into by the Law Department that are $10,000 or less, the one year time limit causes certain practical problems for services related to pending litigation. The Law Department typically has several contracts each year for experts who assist in preparing cases for litigation. Most of these are with physicians and other medical experts. There are also some with investigators.

The problem with the one year limit is that it is often impossible to know how long a case will continue before it is brought to trial or settled. In some cases, the expert is retained to initially prepare a report, but may be needed later to testify at a trial. To address this issue, the proposed amendment to Ordinance No. 2012-318 provides that:

> A PSA with compensation of $10,000 or less for services in connection with litigation that extends until completion of the trial or settlement of the case, shall not require Council authorization.

Respectfully submitted,

Lovely A. Warren
Mayor

Ordinance No. 2015-284
(Int. No. 317)

Amending Ordinance No. 2012-318 regarding the policy for procurement of professional services

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

Section 1. Ordinance No. 2012-318 regarding the policy for procurement of professional services is hereby amended by revising the first paragraph of Step 6 in said policy to read as follows:

Step 6. City Council Action

Any PSA with compensation greater than $10,000 or that extends for a term of more than one year, must be authorized by City Council. The Department must prepare and submit a transmittal letter following the process set forth in the document Guidelines for Writing & Submitting Items to City Council, which is available on the employee portal. A PSA with compensation of $10,000 or less for services in connection with litigation that extends until completion of the trial or settlement of the case, shall not require Council authorization.

Section 2. This ordinance shall take effect immediately.

New text is underlined

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-285
Re: Agreement - Tyler Technologies, Tyler Cashiering Implementation

Transmitted herewith for your approval is legislation establishing $180,000 as maximum compensation for an agreement with Tyler Technologies for hardware, software, and professional services to implement Tyler Cashiering. The term of this agreement will be for three years and will be funded from Prior Years' Cash Capital.

This agreement provides for continuation of the Program System Integration (PSI) Finance program to replace the existing legacy cashiering systems and implement additional MUNIS enhancements. The first phase will replace the current legacy cashiering system in Treasury and provide automated integration to the financial system, which currently does not exist. Subsequent phases will automate collections for approximately 24 City payment locations. Costs include $60,000 for Cashiering hardware and $120,000 for software and professional services. This is an enterprise solution that will allow us to replace approximately three disparate systems.

Annual maintenance cost of $13,860 per year, which is not included in the agreement, will be funded from the annual budgets of the Information Technology Department, contingent upon approval of future budgets. Maintenance costs are paid by purchase order, which is standard for software maintenance.

Tyler Technologies was selected as the vendor of the Cashiering software because they provide services for the implementation and support of the City's financial software. A full justification for not issuing a request for proposals is attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-158

Ordinance No. 2015-285
(Int. No. 318)

Authorizing a professional services agreement with Tyler Technologies for cashiering implementation

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

Section 1. The Mayor is authorized to enter into a professional services agreement with Tyler Technologies in the maximum amount of $180,000 for cashiering implementation, including Cashiering hardware and software and professional services. The agreement shall be funded from Prior Years' Cash Capital.

Section 2. The term of said agreement is for three (3) years contingent upon subsequent years budget approval.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-286
Re: Agreement - R.K. Hite & Co., Inc., Uniform Relocation Act Compliance Services

Transmitted herewith for your approval is legislation related to services to assist with compliance with the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Uniform Relocation Act or URA) when the City acquires real property for Federally-assisted development projects. This legislation will:

1. Establish $40,000 as maximum compensation for a professional services agreement with

R.K. Hite & Co., Inc. located at 87 Genesee Street, Avon, New York 14414 for services related to URA compliance.

2. Fund the agreement from 2014-15 Cash Capital.

Due to decreases in other funding sources, it is increasingly important for the City to pursue and maintain eligibility for State and Federal funding for the City's various redevelopment and/or public improvement projects. Nearly all Federal funding and much State redevelopment funding is contingent on compliance with URA requirements, which require the Federally assisted projects to: pay just compensation to owners; be conducted in a way that avoids or minimizes the adverse impacts of displacing of individuals, families, businesses, and nonprofit organizations; assure the availability of a comparable replacement dwelling for each displaced residence; and pay for moving expenses and other costs arising out of the displacement from the property to be acquired.

Land acquisition opportunities for particular redevelopment projects may arise before specific State and/or Federal funding sources have been identified. In order to maintain its eligibility for such project funding, however, the City must demonstrate compliance with URA regulations during the entire land assembly phase.

The agreement will be managed by the Law Department with funding to be provided, as needed, by the Department of Neighborhood and Business Development cash capital. A Justification sheet for not using an RFP is attached.

Under the proposed agreement, R.K. Hite will provide the City with a menu and a list of the unit prices for the various URA compliance professional services applicable to the City's land assembly needs, including the following tasks:

- Relocation planning
- Relocation notices
- Title research and certification
- Preliminary interviews
- Real property appraisal
- Appraisal review
- Assistance with negotiations
- Transfer of title
- Project and records management
- Relocation advisory services
- Benefits determination and payment

As various land acquisition opportunities arise, the City will choose those services from that menu as the Law Department and NBD determine to be necessary. R.K. Hite's menu of services will be broken down into discrete tasks in order to allow the City to utilize services on an "ala carte" basis so that it will not be paying for tasks that the City can perform more efficiently on its own.

The agreement will have an initial term of one year with the option to renew for up to two additional one-year periods based on mutual written consent of the parties. If the agreement is renewed, R.K Hite may adjust the specific unit prices for subsequent years subject to the City's approval.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-159

Ordinance No. 2015-286
(Int. No. 339)

Authorizing a professional services agreement related to compliance with the Uniform Relocation Act

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 R.K. Hite & Co., Inc. to provide advice and services with regard to compliance with the federal Uniform Relocation Act when the Department of Neighborhood and Business Development is acquiring real estate, on an as needed basis as determined by the Law Department.

Section 2. The cost of the agreement shall not exceed $40,000, which cost shall be funded from 2014-15 Cash Capital. The term of the agreement shall be for one year with the option to renew for up to two additional one-year periods upon the mutual written consent of the parties.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-287
Re: 2014-15 Budget Amendment

Council Priority: Deficit Reduction and Long Term Financial Stability

Transmitted herewith for your approval is legislation related to the 2014-15 Year End Budget Amendment. This legislation will:

1. Transfer a total of $3,394,000 from the following departments to Cash Capital to fund one-time capital expenditures:

   a) $2,500,000 from Contingency;
   b) $487,000 from Environmental Services; and
   c) $407,000 from the Police Department.

2. Transfer $325,000 from the 2014-15 Budget of Undistributed to the Job Development Fund to serve as 50% of the City's required

match for the Bloomberg Philanthropies Innovation Delivery Grant.

The appropriation transfers are authorized pursuant to Section 6-13 of the City Charter.

The City Council has previously authorized 38 other amendments to the 2014-15 Budget. These amendments reflect 5 appropriation transfers and 34 appropriation increases based upon the receipt of additional revenues.

Actual receipts and expenditures for 2014-15 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 increase to the Cash Capital allocation is to fund capital projects as follows:

1. $100,000 as partial funding for an Enterprise Document Management solution;

2. $150,000 to conduct a police facility needs assessment related to the recently implemented neighborhood-based five-section patrol model;

3. $156,000 additional funding for necessary repairs to the tennis courts located at Genesee Valley Park;

4. $200,000 in Home Ownership funds to support closing cost or down-payment assistance (provides relief in 2016-17 budget development);

5. $246,000 for various park improvements including Grand Avenue Park and the playgrounds at Cobb's Hill Park, Campbell Street, and Clinton Baden Community Center;

6. $257,000 to fund renovations to 846 South Clinton Avenue (previously a Neighborhood Service Center office) to enable the move of the Professional Standards Section;

7. $285,000 in funding needed for bridge repair;

8. $350,000 funding for design of Phase III improvements to Martin Luther King Jr. Memorial Park (provides relief in 2016-17 budget development);

9. $650,000 for design of the West River Wall Reconstruction project. The west wall of the Genesee River between Corn Hill Landing and the Ford Street Bridge is a flood control wall that is crumbling, obscures the river view, and is overgrown with vegetation; and

10. $1,000,000 in additional funding for the City's Owner-Occupied Roofing Program (provides relief in 2016-17 budget development).

The $325,000 transfer to the Job Development Fund represents 50 percent of the City match that is required as a condition of accepting the Bloomberg Philanthropies Innovation Delivery Grant (Ordinance 2015-32). It is anticipated that these funds will be used to develop and support innovative approaches to creating and attracting jobs to reduce the poverty rate in targeted areas of the City. Future appropriation of these funds will be brought to City Council in accordance with established Council policies and procedures.

The City Senior Management Team effectively managed their 2014-15 operating budgets, with actual spending less than 2014-15 Budget allocations. Significant savings in fuel combined with personnel savings from vacancies and associated fringe benefits allows for the ability to appropriate these additional capital funds.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-287
(Int. No. 343)

Amending the 2014-15 Budget for year-end Budget amendments

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

Section 1. Ordinance No. 2014-160, the 2014-15 Budget of the City of Rochester, as amended, is hereby further amended by transferring the total sum of $3,394,000 from the following departments to Cash Capital:

a) $2,500,000 from Contingency;
b) $487,000 from Environmental Services; and
c) $407,000 from the Police Department.

Section 2. The sum of $325,000 is hereby transferred from the 2014-15 Budget of Undistributed Expenses to the Job Development Fund.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-288
Re: Agreement - Children's Institute, Inc., GROW Rochester

Transmitted herewith for your approval is legislation establishing $50,000 as maximum compensation for an agreement with Children's Institute, Inc., Rochester, NY, for the administration of the GROW Rochester program. The term of this agreement is one year and will be funded from the 2015-16 Budget of Undistributed.

GROW Rochester is a collaborative of various early childhood agencies created to conduct comprehensive health and developmental screenings of three-year old children in Rochester. The screenings will cover the following areas: vision, hearing, language, speech, social, emotional, dental and general health. The aim of this project is to develop a system where child-serving professionals conduct such screenings, provide referrals to the appropriate health system, and monitor and measure associated outcomes.

Participation in GROW Rochester is a key part of the Mayor's Early Childhood Education Initiative to ensure that all children are ready to learn as they enter Pre-K. Through this agreement, the City will contribute $50,000 of the $260,000 approximate total of the first-year budget of the GROW Rochester program. The remaining funds will be provided by the Greater Rochester Health Foundation, the United Way of Greater Rochester and the Rochester Area Community Foundation.

The Children's Institute will have ultimate programmatic and fiscal responsibility for the day-to-day management of this project. They will provide training to the child-serving professionals (ABVI, Rochester Hearing and Speech, Head Start, Early Childhood Development Initiative, Child Care Council, Perinatal Network, Eastman Dental, and the Mt. Hope Family Center) on how to conduct standardized screening and to appropriately communicate screening results with parents. They will track referrals and record the various screening outcomes. They will provide reminders, communicate results to parents and professionals involved. The Children's Institute will also conduct the program evaluation and provide various reports to funders and decision makers.

The Children's Institute is a 501(c)(3) organization based in Rochester, NY. The Children's Institute staff and faculty work with schools, early education and Head Start providers, other non-profit organizations, government agencies, policymakers, and providers across the country to improve the lives of children. Through sound research and evaluation, the organization develops and promotes effective prevention and early intervention programs, materials, and best practices for children, families, schools and communities. Children's Institute has served communities for 55 years and its mission is "to equip and support those who work with children to ensure the success of every child." The experience of Children's Institute includes community-wide assessment initiatives using sound methodologies, proven systems, and reliable, valid instruments and procedures. Children's Institute has successfully managed numerous community-wide initiatives.

A justification sheet for not issuing an RFP is attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-160

Ordinance No. 2015-288
(Int. No. 344)

Authorizing an agreement with the Children's Institute, Inc., Rochester, New York for GROW Rochester

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

Section 1. The Mayor is authorized to enter into an agreement with The Children's Institute, Inc., Rochester, New York, in the maximum amount of $50,000 for the administration of the GROW Rochester program.

Section 2. The term of said agreement shall be one (1) year.

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

Section 4. Said agreement shall be funded from the 2015-16 Budget for Undistributed Expenses.

Section 5. This ordinance shall take effect immediately

Passed unanimously.

Councilmember Conklin moved to return Int. No. 340 to Committee.

The motion was seconded by Councilmember Palumbo.

The motion was adopted by the following vote:

Ayes - Councilmembers Conklin, Miller, Ortiz, Palumbo, Patterson, Spaull - 6.

Nays - Councilmember Haag, McFadden - 2.

TO THE COUNCIL
Ladies and Gentlemen:

Int. No. 340
Re: Program Manager - Rochester School District Facilities Modernization Program Phase II

City Council Priority: Support the Creation of Effective Educational Systems

Transmitted herewith for your approval is legislation authorizing the Selection Committee of the Rochester Joint Schools Construction Board (RJSCB) to enter into exclusive negotiations with Dewolff Epic LLC, 400 Andrews Street, Rochester, New York, to serve as the independent Program Manager for Phase II of the Facilities Modernization Program.

The Rochester Joint Schools Construction Board (RJSCB) was created by Chapter 416 of the Laws of 2007 of the State of New York for the design ("the Act"), reconstruction, or rehabilitation of school buildings (collectively, the "Phase I Pro-

jects"). The legislation provided for a maximum cost and bond authorization of up to $325 Million.

Legislation for Phase II of the Rochester Schools Modernization Program (RSMP) was signed into law by the Governor of the State of New York on December 17, 2014. The legislation authorized up to 26 projects in Phase II of the RSMP including a District Wide Technology program which involves technology upgrades and infrastructure work at several of the possible projects. The total cost authorized for Phase II projects is a maximum of $435 million.

The legislation for Phase II requires that all contracts entered into by the RJSCB are to be managed by an independent Program Manager. The Program Manager is required to assist the RJSCB with developing and implementing project procedures; reviewing project plans and specifications; developing and implementing policies and procedures for employment resource utilization and training programs; and providing planning, design, financing and other services for projects as appropriate.

The legislation also requires a competitively bid process and approval of the selected Program Manager by the Mayor, City Council, the RCSD Superintendent and the Board of Education.

A Selection Committee was convened in May 2015 consisting of the members of the RJSCB, William J. Ansbrow (Superintendent's representative), Michael Patterson (City Council representative), Cynthia Elliot (School Board representative) and myself to represent the City Administration.

A Request for Proposals was issued directly to 61 organizations for the Phase II Program Manager. The RFP was also advertised in numerous news outlets and posted on the websites of the RJSCB, Rochester City School District, the City of Rochester and other organizations' websites. Four proposals were received.

The Selection Committee reviewed the four proposals and conducted interviews with each of the candidate organizations. Dewolff Epic LLC was chosen by consensus of the Selection Committee and is recommended by the Committee for exclusive negotiations that will provide the opportunity to review additional requirements and gather additional information that is necessary before entering into a formal contract.

Dewolff Epic LLC is a consortium of firms under the leadership of Armand Corporation - a certified Woman and Minority Owned Business Enterprise (WBE/MBE), founded in 1990, with extensive experience in the engineering and construction management field inclusive of projects from $500,000 to $1.2 billion in value.

The consortium also includes Perkins + Will, a global interdisciplinary, research-based architecture and design firm founded in 1935; DeWolff Architects - a locally owned firm with over 49 years of national and international experience; VN Services - a project management support company founded in 1982; and APB Associates - a firm providing business solutions, employee development and community engagement.

Although subject to negotiation, it is expected that the Phase II Program Manager contract will not exceed $20 million over a 4.5 to 6 year period.

Respectfully submitted,
Lovely A. Warren
Mayor

Introductory No. 340

APPROVING THE CONTRACTING OF A PROGRAM MANAGER FOR PHASE II OF THE ROCHESTER JOINT SCHOOLS CONSTRUCTION BOARD'S FACILITIES MODERNIZATION PROGRAM

WHEREAS, the Rochester Joint Schools Construction Board (the "RJSCB") was created by the Rochester School Facilities Modernization Program Act, which was enacted in Chapter 416 of the Laws of 2007 and amended by Chapter 533 of the Laws of 2014 (the "Act") to manage the design, reconstruction or rehabilitation of existing school buildings for their continued use as schools of the Rochester City School District (the "Facilities Modernization Program"), and

WHEREAS, Section 10 of the Act requires the RJSCB to contract with an independent Program Manager to manage all Facilities Modernization Plan contracts entered into by the RJSCB, including assisting the RJSCB with the development and implementation project procedures, reviewing project plans and specifications, developing and implementing policies and procedures for employment resource utilization and training, and providing planning, design, financing and other services for projects as appropriate; and

WHEREAS, Sections 8 and 10 of the Act require that the Program Manager for Phase II of the Facilities Modernization Program be selected by means of a competitive selection process and that, prior to issuing a contract, the Program Manager selected shall be approved by the School District Superintendent, the Mayor, the City Council, and the Rochester Board of Education; and

WHEREAS, RJSCB convened a Program Manager Selection Committee for that purpose in May 2015, and after issuing a Request for Proposals directly to 61 organizations and publishing it widely elsewhere and reviewing in-depth the four proposals that were received, the Selection Committee has recommended for exclusive negotiations Dewolff Epic LLC; and

WHEREAS, Council has been provided with a summary of Dewolff Epic LLC's qualifications to perform the duties of Program Manager.

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

Section 1. The City Council hereby approves of

and authorizes the RJSCB to enter into exclusive negotiations with Dewolff Epic LLC for the position of independent Program Manager and to enter into a contract with Dewolff Epic LLC for said services at the conclusion of such negotiations.

Section 2. This ordinance shall take effect immediately

Held in Committee.

By Councilmember Palumbo
September 16, 2015

To the Council:

The Neighborhood & Business Development Committee recommends for adoption the following entitled legislation:

Int. No. 319 - Authorizing the sale of real estate

Int. No. 320 - Authorizing an agreement with the Landmark Society of Western New York, and authorizing an agreement with the State Historic Preservation Office for the receipt and use of grant funds

Int. No. 321 - Authorizing an agreement for the receipt and use of a donation to assist the Small Business Matching Grant Program and the Southeast Quadrant Community Connect Program

Int. No. 322 - Authorizing funding amendments for the Neighborhood Builders Project

Int. No. 324 - Authorizing the sale of real estate comprising a portion of 1776 North Clinton Avenue, as amended

Int. No. 341 - Authorizing funding amendments and an agreement with ISLA Housing Development Corporation for Elston Hernandez Apartments pre-development costs

The Neighborhood & Business Development Committee recommends for consideration the following entitled legislation:

Int. No. 323 - Changing the zoning classification of 1776 and 1790 North Clinton Avenue and 21 Rau Street from C-2 Community Center District to R-1 Low Density Residential District

Int. No. 325 - Amending the Zoning Code, Chapter 120 of the Municipal Code with regard to solar energy systems

Respectfully submitted,
Carla M. Palumbo
Carolee A. Conklin
Michael A. Patterson
Dana K. Miller
Loretta C. Scott
NEIGHBORHOOD & BUSINESS DEVELOPMENT COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-289
Re: Sale of Real Estate

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation authorizing the sale of five 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.

The first property was sold by request for proposal. The buyer will re-develop the existing parking lot by resurfacing, installing fencing and striping the lot.

The second property is a vacant lot sold by negotiated sale to the adjacent owner. The owner will combine the lot with their existing property and utilize it as green space.

The next three properties are unbuildable vacant lots, being sold for $1.00 (as per City policy) to their adjacent owners who will combine the respective lots with their existing properties. The first year projected tax revenue for these five properties, assuming full taxation, current assessed valuations and current tax rates, is estimated to be $3,719.

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

Attachment No. AO-161

Ordinance No. 2015-289
(Int. No. 319)

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 the negotiated sale of the following vacant parcel with proposal to redevelop the existing surface parking lot:

Address	S.B.L.#	Lot Size	Sq. Ft.	Price	Purchaser
102 Franklin St	106.80-1-20.2	44 x 116	$4,924	$25,000	Tim N. Tompkins

Section 2. The Council hereby approves the negotiated sale of the following parcel of vacant land with proposal:

Address	S.B.L.#	Lot Size	Sq. Ft.	Price	Purchaser
59 Hortense St	120.42-1-74	40 x 100	3,949	$400	Mary Anderson

Section 3. The Council hereby approves the negotiated sale of the following parcels of unbuildable vacant land for the sum of $1.00 each:

Address	S.B.L.#	Lot Size	Sq. Ft.	Purchaser
103 Agnes St, east ½	091.73-2-66	17 x 75	1,275	Dalton J. Doucette
103 Agnes St, west ½	091.73-2-66	17 x 75	1,275	Marie E. Macko & Joseph J. Macko
125 Rosewood Ter	107.54-1-10	37 x 100	3,790	Gianniny Bros, LLC*

*Max Gianniny & Blake Gianniny, Co-owners

Section 4. 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 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-290
Re: Agreement - Landmark Society of Western New York, Inc., Citywide Historic Resource Survey

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation to conduct the first year of a three year survey to identify properties eligible for listing in the National Register of Historic Places, which would qualify the owners for state and federal rehabilitation tax credits. This legislation will:

1. Authorize the receipt and use of an anticipated $45,000 grant from the State Historic Preservation Office (SHPO) to conduct the first year of survey work;

2. Allocate $15,000 from the 2015-16 Budget of the Department of Neighborhood and Business Development as a partial grant match, which would be supplemented with in-kind labor by City staff;

3. Establish $60,000 as maximum compensation for an agreement with the Landmark Society of Western New York, Inc. (LSWNY) to manage the grant, solicit and hire consultants, and coordinate findings with SHPO. The cost of the agreement will be funded from the anticipated grant and the 2015-16 Budget allocation authorized herein. The term of the agreement will be for one year.

SHPO has committed to providing $45,000 per year over the next three years to assist the City in surveying its historic resources. The last comprehensive survey of this kind was completed in 1986 by Mack Consulting Associates. LSWNY is uniquely qualified to oversee this work and to manage this contract, as they are one of the oldest and most active preservation organizations in the nation. LSWNY is a not-for-profit membership organization dedicated to protecting the unique architectural heritage of our region and promoting preservation and planning practices that foster healthy, livable and sustainable communities. A justification for not issuing a request for proposal is attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-162

Ordinance No. 2015-290
(Int. No. 320)

Authorizing an agreement with the Landmark Society of Western New York, and authorizing an agreement with the State Historic Preservation Office for the receipt and use of grant funds.

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

Section 1. The Mayor is hereby authorized to apply for grants and enter into an agreement or agreements with the State Historic Preservation Office for the receipt and use of $45,000 in grant funds to be used to assist the City in surveying its historic resources.

Section 2. $15,000 is hereby appropriated from the Department of Neighborhood and Business Development as a partial grant match, which will be supplemented with in-kind labor by City staff.

Section 3. The Mayor is hereby authorized to enter into an agreement with the Landmark Society of Western New York for an amount not to exceed $60,000 ($45,000 in grants funds plus $15,000 in matching funds), to manage the grant, solicit and hire consultants, and coordinate findings with the State Historic Preservation Office.

Section 4. The cost of the agreement will be funded from the anticipated grant and the 2015-16 Budget allocation authorized herein.

Section 5. The agreement shall be for a term of one year.

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

Section 7. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-291
Re: Agreement - Five Star Bank,
Donations

Council Priorities: Creating and Sustaining a Culture of Vibrancy; Jobs and Economic Development

Transmitted herewith for your approval is legislation authorizing the receipt and use of $30,000 in donated funds from Five Star Bank to be used as matching funds for two Department of Neighborhood and Business Development programs: the Small Business Matching Grant program and the Community Connect project in the Southeast Quadrant. The term of the agreement for the donation from Five Star Bank will be for one year.

The funding accepted herein will be used as follows:

$25,000 will be awarded for the Small Business Matching Grant program, which has been in place for over 10 years. The Small Business Matching Grant provides 50/50 matching grants of up to $8,000 to qualified businesses located within or moving into the City of Rochester. Eligible projects consist of advertising, computer software and hardware, architectural services, security products, signage, furniture, equipment and fixtures. The Five Star Bank funds also will assist with leveraging funds for the Small Business Matching Grant program.

$5,000 will be donated for the development of the Community Connect project. The project is an interactive shared-web service that enables community organizers and municipal staff to populate events and community content into a shared web-service (mobile application, or "app"), creating a common dataset that can be displayed on any website or RSS reader. It provides a set of blogging and social networking tools that can be utilized at the local level to facilitate communications and the flow of information. The responsive web site (suitable for phones, tablets, and desktop computers) displays community calendaring, upcoming events, blog posts, funding opportunities, zoning notifications and a platform to share information with 311. The Community Connect project is part of the Southeast Quadrant team's strategic plan.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-291
(Int. No. 321)

Authorizing an agreement for the receipt and use of a donation to assist the Small Business Matching Grant Program and the Southeast Quadrant Community Connect 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 Five Star Bank for the receipt and use of a donation in the amount of $30,000 to be used as matching funds for two programs administered by the Department of Neighborhood and Business Development.

Section 2. The sum of $25,000 of the donation shall be awarded through the Small Business Matching Grant Program, which provides 50/50 matching grants of up to $8,000 for business development costs to qualified businesses located within or moving into the City of Rochester.

Section 3. The sum of $5,000 of the donation shall be allocated to the Southeast Quadrant Team's development of Community Connect, an interactive shared-web service intended to create a common data set and provide a set of blogging and social networking tools to facilitate communications and

the flow of information among community organizers, citizens, and municipal staff within the City's Southeast Quadrant.

Section 4. The term of the agreement shall be for one year.

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

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-292
Re: Amend Ordinance Nos. 2014-170 and 2015-172 - Greater Rochester Housing Partnership, Neighborhood Builders Project

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation amending Ordinance Nos. 2014-170 and 2015-172, related to the Neighborhood Builders Project, a strategic homeownership infill development project being undertaken by the Greater Rochester Housing Partnership (GRHP). This legislation will:

1) Amend Ordinance No. 2014-170 to reduce total compensation to GRHP by $42,223 (2012-13 Cash Capital), from $232,360 to $190,137, for the agreement with GRHP for the Neighborhood Builders Project; and

2) Amend Ordinance No. 2015-172 to increase total compensation to GRHP by $42,223 (2012-13 Cash Capital), from $180,000 to $222,223, for the agreement with GRHP for the Neighborhood Builders Project.

Neighborhood Builders is a comprehensive community development effort to stabilize neighborhoods, create homeownership opportunities, and increase the tax base by building affordable, single family, for-sale homes on vacant lots in selected neighborhoods. GRHP has been awarded funding from the New York State Affordable Housing Corporation (AHC) for the project. The Rochester Land Bank Corporation has also been awarded funding through the New York State Office of the Attorney General (OAG) to support the project.

Neighborhood Builders entails the development of 10 houses overall; the first four houses were built and sold to new homeowners on Straub Street in the Dewey Driving Park Focused Investment Strategy (FIS) area per Ordinance No. 2014-170. The proposed amendment to Ordinance No. 2014-170 will allow the funds remaining from the development of the first four homes to be used for additional costs recently identified for the development of the remaining six homes, as authorized via Ordinance No. 2015-172. The additional costs are primarily related to the inclusion of an alternate house design for one site, visitable modifications to another, and costs for three Reliance Street parcels that are being established through a resubdivision process, including acquisition, environmental and fencing costs. A separate submission before City Council this month authorizes the rezoning and subsequent sale of the Reliance Street lots to the GRHP.

The additional funds authorized herein will enable GRHP to continue with the plan to build six new infill homes in the City of Rochester. Ordinance No. 2015-172 included authorization of the sale of lots at 88 Cheltenham Road and 26 Strohm Street for the program. The remaining four houses to be built include the three on Reliance Street, next to School No. 50, and one on Straub Street, in the Dewey Driving Park FIS area. The lot at 21 Straub Street will be sold by the Rochester Land Bank Corporation to GRHP for the program. Following are the revised sources and uses of funds for the six houses:

Sources	
OAG	$ 300,000
AHC Subsidy	175,000
City Subsidy (previously authorized)	180,000
City Subsidy (proposed)	42,223
Homebuyer Mortgages	491,900
Total	$1,189,123

Uses	
Acquisition (approximate)*	$ 15,275
Construction	997,753
Soft Costs**	122,095
Developer Fee	54,000
Total	$1,189,123

* Includes: Legal for title, closing, recording on acquisition of the lots.
** Includes: Insurance, survey and title, architectural, legal, property management, utilities, taxes, financing, realtor, and administrative expenses.

GRHP has committed to workforce hiring goals of 20% minority persons and 6.9% women. Construction is anticipated to start in the fall of 2015 and be complete by the fall of 2016.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-292
(Int. No. 322)

Authorizing funding amendments for the Neighborhood Builders Project

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

Section 1. Ordinance No. 2014-170 authorizing the sale of real estate and an agreement with the Greater Rochester Housing Partnership (GRHP) relating to the Neighborhood Builders Strategic

Homeownership Infill Development Project (Project) is hereby amended in Section 2 thereof to reduce by $42,223 the maximum compensation to be paid by the City so that the total maximum compensation shall be $190,137.

Section 2. Ordinance No. 2015-172 authorizing additional sales of real estate and another agreement with GRHP relating to the Project is hereby amended in Section 1 thereof to increase by $42,223 the maximum compensation to be paid by the City so that the total maximum compensation shall be $222,223. Said increase shall be funded from 2012-13 Cash Capital.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-293
Ordinance No. 2015-294
Re: Zoning Map Amendment and Sale of Real Estate - 1776 and 1790 North Clinton Avenue and 21 Rau Street

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation amending the Zoning Map of the City of Rochester and authorizing the sale of real estate. This legislation will:

1. Rezone City-owned properties at 1776 and 1790 North Clinton Avenue and 21 Rau Street from C-2 Community Center District to R-1 Low Density Residential District.

2. Authorize the sale of a portion of the vacant land located at 1776 North Clinton Avenue to the Greater Rochester Housing Partnership (GRHP) for $1,350.

The rezoning of the above properties is necessary for the expansion of the recreation fields of the adjacent Helen Barrett Montgomery School #50. It will also allow GRHP to meet zoning requirements and build three new infill homes along Reliance Street, next to School #50, as part of the Neighborhood Builders Project. The homes will be affordable, detached single family dwellings.

The City Planning Commission held an informational meeting on the proposed rezoning on Monday, August 17, 2015. One person spoke in support of the rezoning, and one person spoke in opposition. By a vote of 4-0-0, the Planning Commission recommended approval.

A public hearing is required for the Zoning Map Amendment.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-163

Ordinance No. 2015-293
(Int. No. 323)

Changing the zoning classification of 1776 and 1790 North Clinton Avenue and 21 Rau Street from C-2 Community Center District to R-1 Low Density Residential District

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

Section 1. Chapter 120 of the Municipal Code, Zoning Code, as amended, is hereby further amended by changing the zoning classification of the following parcels, constituting 1776 and 1790 North Clinton Avenue and 21 Rau Street, from C-2 Community Center District to R-1 Low Density Residential.

LEGAL DESCRIPTION OF
LANDS TO BE REZONED FROM C-2 TO R-1
#1776 & #1790 NORTH CLINTON AVENUE
#21 RAU STREET
T.A. ## 091.470-01-002, 003 & 005

All that tract or parcel of land, situate in the City of Rochester, County of Monroe, State of New York, being more particularly bounded and described as follows: Beginning at the centerline intersection of Rau Street (50' ROW) and Lehaco Street (50' ROW), said intersection being the Point or Place of Beginning; thence

1) Southerly, along said centerline of Lehaco Street, a distance of 543 feet, more or less, to the centerline of Reliance Street (50' ROW); thence

2) Westerly, along said centerline of Reliance Street, a distance of 52 feet, more or less, to the southerly extension of the east line of Lot 22 of the Bernard Dunn & Sons Realty Company Subdivision, as filed in the Monroe County Clerk's Office in Liber 65 of Maps, Page 23; thence

3) Northerly, along said extension and the east line of Lot 22, a distance of 138.0 feet, to the northeast corner thereof; thence

4) Westerly, along the north line of Lots 19 thru 22 of said Dunn Subdivision, a distance of 164.0 feet to the northwest corner of said Lot 19; thence

5) Southerly, along the west line of said Lot 19 and its extension, a distance of 138.0 feet to the said centerline of Reliance Street; thence

6) Westerly, along said centerline of Reliance Street, a distance of 200 feet, more or less, to the centerline of North Clinton Avenue (66' ROW); thence

7) Northerly, along said centerline of North Clinton Avenue, a distance of 305 feet, more or less, to the westerly extension of the

south line of Lot 2 of said Dunn Subdivision; thence

8) Easterly, along said extension and the south line of Lot 2, a distance of 144 feet, more or less, to the southeast corner thereof; thence

9) Northerly, along the east line of Lot 1 & 2 of said Dunn Subdivision, a distance of 113.0 feet to the northeast corner of said Lot 1; thence

10) Westerly, along the north line of said Lot 1 and it's extension, a distance of 125 feet, more or less, to the said centerline of North Clinton Avenue; thence

11) Northerly, along said centerline of North Clinton Avenue, a distance of 62 feet, more or less, to the westerly extension of the south line of lands conveyed to HJN Fabric City, Inc. by a deed filed in Liber 5483 of Deeds, Page 143; thence

12) Easterly, along said extension and the south line of lands of HJN Fabric City, Inc., a distance of 174 feet, more or less, to the southeast corner thereof; thence

13) Northerly, along the east line of said lands of HJN Fabric City, Inc. and its extension, a distance of 67 feet, more or less, to the said centerline of Rau Street; thence

14) Easterly, along said centerline of Rau Street, a distance of 148 feet, more or less, to the said centerline of Lehaco Street, being the Point or Place of Beginning.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2015-294
(Int. No. 324, as amended)

Authorizing the sale of real estate comprising a portion of 1776 North Clinton Avenue

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

Section 1. The Council hereby approves the negotiated sale of vacant land comprising the following described portion of 1776 North Clinton Avenue to the Greater Rochester Housing Partnership (GRHP) for the price of $1,350 for the development of three new affordable detached single family dwellings along Reliance Street, subject to the additional terms and conditions set forth herein.

LEGAL DESCRIPTION OF
PORTION OF 1776 NORTH CLINTON AVENUE
TO BE CONVEYED TO GRHP FOR
AFFORDABLE DETACHED SINGLE FAMILY
DWELLINGS

~~[to be added, consisting of land adjoining Reliance Street with lot depths matching adjoining residential lots on Reliance Street]~~

ALL THOSE TRACTS OR PARCELS OF LAND situate in the City of Rochester, County of Monroe and State of New York and more particularly described as follows:

Lot 1

BEGINNING at a point in the intersection of the easterly highway boundary line of North Clinton Avenue and the northerly highway boundary line of Reliance Street as recorded in deed filed in the Monroe County Clerk's Office as Liber 11085 of Deeds, Page 440, thence;

1. N07°28'33"E, along the easterly highway boundary line of North Clinton Avenue, a distance of 114.58 feet to a point, thence;

2. N87°56'23"E, a distance of 41.02 feet to a point, thence;

3. S02°03'37"E, a distance of 113.00 feet to a point in the north highway boundary line of Reliance Street, thence;

4. S87°56'23"W, along the aforesaid north highway boundary line, a distance of 60.00 feet to the point and place of beginning.

INTENDING TO DESCRIBE a parcel of land which contains 5,707 square feet of land, Lot 1 of the 'Reliance Street Subdivision' City of Rochester.

Lot 2

BEGINNING at a point in the north highway boundary line of Reliance Street, said point being N87°56'23"E a distance of 60.00 feet from the intersection formed by the easterly highway boundary line of North Clinton Avenue and the northerly highway boundary line of Reliance Street as recorded in deed filed in the Monroe County Clerk's Office as Liber 11085 of Deeds, Page 440, thence;

1. N02°03'37"W, a distance of 113.00 to a point, thence;

2. N87°56'23"E, a distance of 50.00 feet to a point, thence;

3. S02°03'37"E, a distance of 113.00 feet to a point in the north highway boundary line of Reliance Street, thence;

4. S87°56'23"W, along the aforesaid north highway boundary line, a distance of 50.00 feet to the point and place of beginning.

INTENDING TO DESCRIBE a parcel of land which contains 5,650 square feet of land, Lot 2 of the 'Reliance Street Subdivision', City of Rochester.

Lot 3

BEGINNING at a point in the north highway boundary line of Reliance Street, said point being N87°56'23"E a distance of 110.00 feet from the intersection formed by the easterly highway boundary line of North Clinton Avenue and the northerly highway boundary line of Reliance Street as recorded in deed filed in the Monroe County Clerk's Office as Liber 11085 of Deeds, Page 440, thence;

1. N02°03'37"W, a distance of 113.00 to a point, thence;

2. N87°56'23"E, a distance of 50.00 feet to a point, thence;

3. S02°03'37"E, a distance of 113.00 feet to a point in the north highway boundary line of Reliance Street, thence;

4. S87°56'23"W, along the aforesaid north highway boundary line, a distance of 50.00 feet to the point and place of beginning.

INTENDING TO DESCRIBE a parcel of land which contains 5,650 square feet of land, Lot 3 of the 'Reliance Street Subdivision', City of Rochester.

Section 2. The sale shall be contingent upon approval of an amendment to the City Zoning Map that places the subject parcel in the R-1 Low Density Residential District.

Section 3. 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 the aforementioned Zoning Map amendment for the reason that the City has agreed to convey said property free of City tax liens and other charges or because these charges have been included in the purchase price.

Section 4. The sale of the land shall be subject to such additional terms and conditions as the Mayor deems to be appropriate.

Section 5. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-295
Re: Zoning Text Amendment - Solar Energy Systems

Transmitted herewith for your approval is legislation amending the Zoning Code of the City of Rochester by adding Solar Energy Systems to the list of Specially Permitted Uses in the M-1 Industrial District, §120-83; corresponding regulations to Additional Requirements for Specified Uses, §120-148.2; and Definitions, §120-208.

Solar energy technology, which converts sunlight directly into electricity, is a key priority for the City of Rochester's clean energy efforts, as embodied in the City's 2009 Climate and Environmental Protection Resolution. The purpose of the proposed text amendment is to help ensure that Solar Energy Systems are sited and maintained in a way that best protects human health and the environment, and minimizes impacts on surrounding neighborhoods and on the City's scenic, natural, and historic resources. The proposed additions to the Zoning Code are attached.

The City Planning Commission HELD this case at their July 20, 2015 hearing to give the City additional time to address the concerns of the Maplewood Neighborhood Association (MNA) and the City Planning Commission. Attached is the letter that was submitted by MNA and the City's response.

The City Planning Commission held an informational meeting on the proposed text amendment on Monday, August 17, 2015. No one except the applicant spoke in support of the amendment, and no one spoke in opposition. By a vote of 5-0-0, the Planning Commission recommended approval. The minutes and recommendation are attached.

A public hearing is required for the zoning text amendment.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-164

Ordinance No. 2015-295
(Int. No. 325)

Amending the Zoning Code, Chapter 120 of the Municipal Code with regard to solar energy systems

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

Section 1. Chapter 120 of the Municipal Code, Zoning Code, as amended, is hereby further amended by amending Sections 120-83 and 120-208 and adding Section 120-148.2 as follows:

Article XI. M-1 Industrial District

§ 120-8. Permitted uses.

The following uses are allowed as special permit uses in the M-1 District:

R. Solar energy system, subject to a marketability analysis as set forth in § 120-192, and subject to the requirements for specified uses in § 120-148.2.

Article XVIII. Additional Requirements for

Specified Uses

§ 120-148.2. Solar energy system

Solar energy systems shall be subject to the following requirements:

A. The application for any approval of a solar energy system under this Chapter shall include:

(1) A screening/landscaping plan that specifies the locations, elevations, height, plant species, and/or materials that will comprise the structures, landscaping and/or grading used to screen and/or mitigate any adverse aesthetic effects of the system; and

(2) A detailed safety plan specifying the measures that will be used to prevent public access to unsafe areas and to provide for emergency response, including but not limited to: the location, height, materials, and colors of fencing and other barriers to access and a safety signage plan that contains the locations, sizes and text of signs that will be used to warn the public away from unsafe areas and that shall include the name and phone number of an official of the owner or operator who can be contacted in the event there is an emergency or any question about safety.

B. No element of the system shall reflect sunlight or glare onto a neighboring property, public right-of-way, or aircraft flight path.

C. All solar energy system structures shall meet the district setbacks, provided that the setback from areas zoned or used residentially and from public rights-of-way shall be no less than 50 feet.

D. No grid tied solar energy system shall be installed until evidence is provided that the owner is approved by the utility company to install the system.

E. The solar energy system shall be removed, at the owner's or operator's expense, within 180 days of determination by the Director of Planning and Zoning that the system is no longer being maintained in an operable state of good repair or no longer supplying solar power.

(1) Removal shall include solar collectors, cabling, electrical components, accessory structures, and any associated facilities below grade.

(2) Disturbed earth shall be graded and reseeded, unless the Director of Planning and Zoning approves a written request by the property owner that internal roads or other site improvements are not to be restored.

Article XXVI. Definitions

§ 120-208. Definitions.

When used in this chapter, the following terms shall have the meanings herein ascribed to them.

SOLAR COLLECTOR - A device, or combination of devices, structure or part of a device or structure (i.e., array, panel, etc.) that transforms direct photovoltaic solar energy into thermal, chemical or electrical energy ~~and that contributes significantly to a structure's energy supply~~. Solar collectors may be attached to or detached from principal structures.

SOLAR ENERGY SYSTEM - A complete design or assembly consisting of a solar energy collector~~, an energy storage facility (where used)~~ and other components ~~for the distribution of transformed energy. Passive solar energy systems are included in this definition, but not to the extent that they fulfill other functions such as structural and recreational~~ for the transformation, processing, storage, transmission, and/or distribution of photovoltaic solar energy for the purposes of space heating and cooling, electricity supply, and/or water heating.

~~SOLAR ENERGY SYSTEM, ACTIVE - A solar energy system that requires external mechanical power to move the collected heat.~~

~~SOLAR ENERGY SYSTEM, PASSIVE - A solar energy system that uses natural and architectural components to collect and store solar energy without using any external mechanical power.~~

Section 2. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-296
Re: Funding Amendment and Agreement - ISLA Housing Development Corporation, Elston Hernandez Apartments

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation amending Ordinance. No. 2013-179 related to the Targeted Housing Improvement Programs and authorizing an agreement with ISLA Housing Development Corporation (ISLA) for pre-development costs related to the Elston Hernandez (EH) Apartments project. This legislation will:

1. Amend Ordinance No. 2013-179 by unappropriating the unexpended balance (approxi-

mately $271,541) of the $280,078 appropriation for the Targeted Housing Improvement Programs from the Improving the Housing Stock and General Property Conditions Objective, Housing Development Fund allocation, Community Housing Development Organization (CHDO) of the 2012-13 HOME Program; and

2. Establish $53,000 as maximum compensation for an agreement with ISLA for pre-development costs for the EH Apartments project. Said amount will be appropriated from the funds unappropriated herein. The term of the agreement will be for eighteen months, with the option of a one year extension if unspent funds remain.

Ordinance No. 2013-179 established $280,078 as the appropriation of 2012-13 HOME Program CHDO funding for the Targeted Housing Improvement Programs. Subsequent to the approval of the ordinance, the U.S. Department of Housing and Urban Development (HUD) revised the HOME Program regulations regarding CHDO activities. One of those revisions added the requirement that CHDOs hold title to the properties being developed with CHDO resources. As a result, the City determined that the previously approved Targeted Housing Improvement Programs no longer met HUD's CHDO requirements. Unappropriating those funds will free them to be used for CHDO eligible activities.

The proposed agreement with ISLA, which is a City designated CHDO and owns the properties identified for redevelopment as part of the EH Apartments project, complies with current HOME regulations for the use of CHDO funds. In July 2015, Council endorsed ISLA's application for a New York State Main Street Grant for the EH Apartments project as part of the Consolidated Funding Application process (Res. No. 2015-13). The project is intended to improve the physical environment along North Clinton Avenue through the rehabilitation or adaptive re-use of mixed-use buildings owned by ISLA located at 1172 and 1164-1168 North Clinton Avenue, as well as the properties located at 1478 St. Paul Street and 688 Brown Street. It will include a total of 10 rental units and the ISLA offices.

The assistance from the City will be used for pre-development expenses which are necessary for ISLA to pursue additional funding opportunities for the project. Such pre-development expenses may include, but are not limited to, environmental testing, architectural, geotechnical and engineering services, as well as a limited market analysis of the sites included in the project. Pre-development must be completed in advance in order to support ISLA's anticipated application to the New York State Division of Housing and Community Renewal for full project funding by the end of 2015.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-296
(Int. No. 341)

Authorizing funding amendments and an agreement with ISLA Housing Development Corporation for Elston Hernandez Apartments pre-development costs

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

Section 1. Ordinance No. 2013-179 is hereby amended by unappropriating the unexpended balance (approximately $271,541) of the appropriation of $280,078 for the Targeted Housing Improvement Programs from the Improving the Housing Stock and General Property Conditions Objective, Housing Development Fund allocation, Community Housing Development Organization (CHDO) of the 2012-13 HOME Program.

Section 2. The sum of $53,000 is hereby established as the maximum compensation to be paid for an agreement with ISLA Housing Development Corporation to fund pre-development costs for the Elston Hernandez Apartments project. Said amount shall be appropriated from the funds unappropriated in Section 1 herein. The term of the agreement shall be for eighteen months, with the option of a one year extension if unspent funds remain.

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

Section 4. The Director of Finance shall record all fund transfers authorized herein and shall have the authority to make adjustments to the amounts set forth which may have changed prior to the adoption of this ordinance.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

Councilmember Palumbo moved to discharge Int. No. 74 from Committee.

The motion was seconded by Councilmember Spaull.

The motion was adopted by the following vote:

Ayes - Councilmembers Conklin, Haag, McFadden, Miller, Palumbo, Patterson, Spaull - 7.

Nays - Councilmember Ortiz - 1.

Councilmember Palumbo moved to amend Int. No. 74.

The motion was seconded by Councilmember Conklin.

The motion was adopted by the following vote:

Ayes - Councilmembers Conklin, Haag, McFad-

den, Miller, Palumbo, Patterson, Spaull - 7.

Nays - Councilmember Ortiz - 1.

Introductory No 74 was introduced March 17, 2015 and appears in its original form with its transmittal letter on page 76 of the current Council Proceedings.

Attachment No. AO-165

Ordinance No. 2015-297
(Int. No. 74, as amended)

Amending the Zoning Code, Chapter 120 of the Municipal Code with regard to outdoor storage

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

Section 1. Chapter 120 of the Municipal Code, the Zoning Code, as amended, is hereby further amended by adding the following new definitions in Section 120-208 as follows:

COMMERCIAL /INDUSTRIAL MATERIALS Materials stored, warehoused, exchanged, used, consumed, assembled, repaired, salvaged, manufactured, generated, displayed, offered for sale, or discarded at a commercial or industrial use facility including, but not limited to, raw materials, equipment, parts, merchandise, construction materials, by-products, regardless of whether they are intended to be used, salvaged, or discarded.

CONTRACTOR STORAGE An outdoor area used for the storage of equipment and/or materials used for construction, building trades, landscaping services or maintenance including but not limited to building construction or renovation, heating, plumbing, roofing, landscaping and excavation.

GARBAGE All putrescible animal and vegetable waste resulting from growing, processing, marketing, and preparation of food items, including container in which packaged.

JUNK APPLIANCE Any household appliance, or parts thereof, including but not limited to, a stove, washing machine, dryer, dishwasher, freezer refrigerator, air conditioner, water heater ~~lamp or lighting fixture~~, or television, electronic equipment and parts thereof, including but not limited to computers, copiers, fax machines and printers, ~~lamps and lighting fixtures~~, which is placed outside of any residence or structure.

JUNK FURNITURE ~~Placed,~~ Furniture that is abandoned, discarded or ~~irreparably substantially~~ damaged to an extent that renders it unsuitable for its ordinary and customary use, ~~furniture~~ including, but not limited to, sofas, upholstered and unupholstered chairs, mattresses, bed frames, desks, tables, and chests of drawers.

JUNK ITEM Worn out or discarded material of little or no value which is no longer intended or in condition for ordinary and customary use.

RUBBISH, LITTER AND DEBRIS Ordinary household or commercial trash, including but not limited to paper and paper products, barrels, cartons, boxes, cardboard, cans, glass metals, machinery, plastics, rubber crates, furniture, rugs, clothing, rags, mattresses, blankets, tires, automobile and other vehicle parts, lumber, brick, stone, and other building materials no longer intended or in condition for ordinary use.

STORAGE, CONTRACTOR See "contractor storage."

Section 2. Section 120-208 of the Municipal Code, the Zoning Code as amended is hereby amended by amending the definition of Outdoor Storage to read as follows:

~~OUTDOOR STORAGE~~

~~Storage of any materials, merchandise, stock, supplies, machines and the like that are not kept in a structure having at least four walls and a roof, regardless of how long such materials are kept on the premises. Outdoor storage shall not include junk and salvage yards, auto wrecking yards or the like.~~

OUTDOOR STORAGE The placing, maintaining, keeping or abandonment of junk, junk furniture, junk appliances, commercial or industrial materials, contractor storage, garbage, rubbish, litter and debris in a place other than a structure with a roof and fully enclosed on all sides.

Section 3. Section 120-175 of the Municipal Code, the Zoning Code is hereby repealed in its entirety, and a new Section 120-175 is hereby adopted to read as follows:

§ 120-175 Outdoor Storage

A. Prohibited Outdoor Storage

(1) Outdoor storage shall not be permitted in any zoning district, except as provided by subsection B of this Section. It shall be unlawful for any person to store, deposit, place, maintain or cause or permit to be stored, deposited, placed or maintained outdoors, any junk, junk furniture, junk appliance commercial/industrial materials, garbage, rubbish, litter and debris, as such terms are defined in Section 120-208, upon private property within in any zoning district, except as provided by subsection B of this Section.

(2) It shall be unlawful for any person to use any unenclosed front porch area or side porch area for the storage or placement of mattresses or upholstered furniture, within any zoning district.

B. Permitted Outdoor Storage

(1) Outdoor storage subject to the following restrictions may be authorized in the H-V and PMV districts by means of a special permit granted in accordance with Section 120-192B and the applicable district (H-V or PMV) regulations in this Chapter:

a. Outdoor storage shall not be allowed in the front yard.

b. Outdoor storage shall not occupy more than 10% of the entire lot area.

c. All outdoor storage shall be screened to ensure it is not visible from the public right-of-way or adjacent residential properties.

d. Screening shall be of sufficient height and density to completely hide the storage from public view.

e. Screening shall be of sufficient height and density to completely hide storage from major highways, passenger rail lines and other public accessways.

f. Display and storage of boats and boat trailers is permitted in the H-V district.

g. Any requirements established by the Planning Commission as a condition of granting a special permit for the use.

(2) Outdoor storage subject to the following restrictions may be authorized in the C-3 and M-1 districts by means of a special permit granted in accordance with Section 120-192B and the applicable district (C-3 or M-1) regulations in this Chapter:

a. Outdoor storage shall not be allowed in the front yard setback.

b. All outdoor storage shall be fully screened to ensure the area is not visible from the public right-of-way or adjacent residential properties.

c. Screening shall be of sufficient height and density to completely hide the storage from public view.

d. Screening shall be of sufficient height and density to completely hide storage from major highways, passenger rail lines and other accessways.

e. Contractor storage must be a minimum of 200 feet from a residential or open space district.

f. Any requirements established by the Planning Commission as a condition of granting a special permit for the use.

C. Exclusions. Subsections 120-175(A) and 120-175(B) shall not apply to the following:

(1) Wood intended for consumption on the premises in a wood burning stove, furnace or fireplace provided that the volume of wood does not exceed a face cord measuring no more than 4 feet high x 4 feet wide x 8 feet long, placed in the rear yard and stacked on a wood pallet or otherwise raised from the ground.

(2) Lawn, yard and/or garden ornaments, tools and machinery intended for use on the premises.

(3) Hoses and sprinklers used for watering lawns and gardens.

(4) Storage or placement and accumulation of materials in connection with a commercial operation conducted on the premises where such storage, placement and accumulation is situated, operated and authorized in accordance with this or any other chapter of the Municipal Code including, but not limited to, junkyards and salvage yards authorized pursuant to this Chapter and Chapter 66 of the Municipal Code.

(5) Temporary storage of contractor materials and equipment being used for the construction, renovation, or demolition of a building or structure on the premises for which a current building or demolition permit has been issued or other improvements not requiring a permit.

(6) Items that are prepared and placed for collection at curbside or elsewhere in compliance with the refuse and recyclable collection regulations in Chapter 20 of the Municipal Code.

Section 4. §120-51 of the Zoning Code, relating to special permit uses in the C-3 Regional Destination Center District is hereby amended by adding the following new subsection:

J. Outdoor storage, subject to the additional requirements set forth in §120-175.

Section 5. Subsection B of §120-76 of the Zoning Code, relating to special permit uses in the PMV Public Market Village District is hereby amended by adding the following new item:

(5) Outdoor storage, subject to the additional requirements set forth in §120-175.

Section 6. Subsection B of §120-77 of the Zoning Code, relating to special permit uses in the H-V Harbortown Village District is hereby amended by adding the following new item:

(14) Outdoor storage, subject to the additional requirements set forth in §120-175.

Section 7. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed by the following vote:

Ayes - Councilmembers Conklin, Haag, McFadden, Miller, Palumbo, Patterson, Spaull - 7.

Nays - Councilmember Ortiz - 1.

By Councilmember Haag
September 16, 2015

To the Council:

The Parks & Public Works Committee recommends for adoption the following entitled legislation:

Int. No. 326 - Authorizing funding amendments for the Driving Park Bridge Preventive Maintenance Project

Int. No. 327 - Authorizing a professional services agreement with Passero Associates, PC for planning and design services for the Charlotte Street and Haags Alley Improvement Project

Int. No. 328 - Authorizing agreement with ExteNet

Int. No. 329 - Authorizing amendatory agreement for additional construction phase design and resident project representation services for the Midtown Redevelopment Project

Int. No. 330 - Appropriating funds for the Lake Avenue Improvement Project

Int. No. 331 - Resolution approving appointment to the Downtown Enhancement District Advisory Committee

Int. No. 332 - Authorizing an application to New York State for funding of water quality infrastructure projects

Int. No. 333 - Amending Ordinance No. 2015-268 regarding abandonment of a portion of Hayward Avenue on the Official Map

Int. No. 342 - Authorizing an intermunicipal agreement with the County Of Monroe for the disposal of solid waste and the processing of recyclable materials

Int. No. 346 - Authorizing an intermunicipal agreement with Town of Richmond to stabilize the Hemlock Lake Outlet stream bank adjacent to Frost Hollow Road

Respectfully submitted,

Matt Haag
Elaine M. Spaull
Michael A. Patterson
Dana K. Miller
Loretta C. Scott
Parks & Public Works Committee

Received, filed, and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-298
Re: Driving Park Bridge Preventive Maintenance Project

Council Priority: Jobs and Economic Development

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

1. Authorize the receipt and use of $37,500 in anticipated reimbursements from New York State Department of Transportation (NYSDOT), Marchiselli Aid program to finance design of the project. The City qualifies to receive reimbursement of up to 75% of the eligible local share project costs through the State; and

2. Amend Ordinance No. 2012-370 to replace a portion of the City funded share of the design agreement with LaBella Associates with the funds appropriated herein.

Recent bridge inspections indicate that specific bridge elements have reached a point of deterioration that necessitates preventative maintenance to prolong the life of the structure. Included in the project are the following work activities: full removal and replacement of the concrete deck for the main span (span 3); partial and localized deck repairs; removal and resetting of bridge railing; removal and replacement of curbs and sidewalks; structural steel repairs (span 3); expansion joint replacements; bridge washing; scupper cleaning; and localized paint repairs.

Street improvements on Driving Park (St. Paul Boulevard to Lake Avenue) include milling and resurfacing of the pavement; upgrade of sidewalk curb ramps; decorative crosswalks; 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 handicap accessibility, and expand the useful life of the pavement structure. The existing light poles will be upgraded with decorative fixtures that improve the pedestrian light levels.

The project was bid in winter 2015, however bids

exceeded available funding, so the project was not awarded and additional aid has been requested from the Federal Highway Administration. Participation, design and construction funds were approved via Ordinances Nos. 2012-331, 2015-43, 2015-44, and 2015-45. The City is qualified to receive up to 80% of the eligible project costs from the Federal Highway Administration with the remaining 20% being a local share.

Construction of the project is scheduled for spring 2017 with anticipated completion by fall 2017. As previously reported in Ordinance No. 2015-43, the project will result in the creation and/or retention of the equivalent of 36 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-166

Ordinance No. 2015-298
(Int. No. 326)

Authorizing funding amendments for the Driving Park Bridge Preventive Maintenance Project

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

Section 1. Ordinance No. 2012-370, which authorizes a professional services agreement and appropriations for design services for the Driving Park Bridge Preventative Maintenance Project, is hereby amended by reducing the 2012-13 Cash Capital appropriation for the Project by $37,500 and appropriating $37,500 in anticipated revenues from the New York State Marchiselli Aid program ("Marchiselli Aid") as a substitute for that purpose.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-299
Re: Agreement - Passero Associates, PC, Charlotte Street and Haags Alley Improvements

Council Priority: Jobs and Economic Development

Transmitted herewith for your approval is legislation establishing $106,000 as maximum compensation for an agreement with Passero Associates, PC, Rochester, New York, for planning and design services for the Charlotte Street and Haags Alley Improvement Project. The cost of the agreement will be financed from 2013-14 Cash Capital ($88,000) and 2015-16 Water Cash Capital ($18,000).

The project includes new asphalt pavement for Charlotte Street and new concrete pavement for Haags Alley. Both streets will have new granite curbs, concrete sidewalk replacement, new driveway aprons, catch basin upgrades, and new water main and services, hydrants, and street lighting upgrades. The project will include some enhanced sidewalk and crosswalk materials that will coordinate with the materials used for the development at 14-80 Charlotte Street. The construction cost is estimated at $1,251,000, including resident project representation services and contingency, and is partially funded with a Dormitory Authority of the State of New York (DASNY) grant of $1 million and local funding in the 2015-16 Capital Improvement Program. Council authorized an agreement with DASNY for the aforementioned grant in May 2015 via Ordinance No. 2015-120.

Passero Associates, PC, was selected for planning and design services through a request for proposal process, which is described in the attached summary. The contract will terminate six months after completion and acceptance of the construction of the project.

Planning and design of the project will begin in fall 2015; it is anticipated that construction will begin in summer 2016, with scheduled completion in spring 2017. The agreement for planning and design services will result in the creation and/or retention of the equivalent of 1.1 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-167

Ordinance No. 2015-299
(Int. No. 327)

Authorizing a professional services agreement with Passero Associates, PC for planning and design services for the Charlotte Street and Haags Alley Improvement Project

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

Section 1. The Mayor is authorized to enter into a professional services agreement with Passero Associates, PC, in the maximum amount of $106,000, for planning and design services for Charlotte Street and Haags Alley Improvement Project.

Section 2. Funding for the agreement shall consist of $88,000, from 2013-14, Cash Capital and $18,000 from 2015-16 Water Cash Capital.

Section 3. The term of said agreement is for six (6) months after the completion and acceptance of the construction of the project.

Section 4. The agreement shall contain such terms and conditions as the Mayor deems to be appropriate.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-300
Re: Agreement - ExteNet Systems, Inc., Cellular Wireless Equipment

Transmitted herewith for your approval is legislation authorizing an agreement with ExteNet Systems, Inc., Lisle, Illinois, to place their small cellular wireless equipment on City street light poles in Center City for an annual fee. ExteNet is a leading provider of distributed network infrastructure to the wireless industry and maintains a Certificate of Public Convenience and Necessity to operate in the State of New York as a facilities-based provider and reseller of telephone service.

ExteNet plans to place small cellular wireless equipment on approximately 41 street light poles to enhance wireless services in Center City. Some street light poles will require replacement prior to mounting the equipment, which will require City approval and be undertaken at no cost to the City. The cellular wireless equipment will be operated and maintained by ExteNet and will generate annual revenue in the amount 5% of gross revenue plus $500 per street light pole utilized by ExteNet ($20,500 plus 5% of gross revenue).

ExteNet is also proposing the placement of small cellular wireless equipment on traffic poles and utility owned wood poles, and will be contracting for fiber placement to support this new system.

The agreement will be for a term of five years with three additional five year renewals. At the conclusion of the term, all equipment will be removed from the street light poles.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-168

Ordinance No. 2015-300
(Int. No. 328)

Authorizing agreement with ExteNet

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 ExteNet Systems, Inc., 3030 Warrenville Road, Ste. 340, Lisle, Illinois 60532 to allow the company to place small cellular wireless communications equipment (Equipment) on approximately 41 City street light poles for an annual fee and subject to the following terms and conditions.

Section 2. The Equipment shall be installed, operated and maintained at no cost to the City. The company may replace some street light poles prior to installation of Equipment, provided that it obtains prior approval from the City to do so and the replacement is undertaken at no cost to the City.

Section 3. ExteNet shall pay the City an annual fee comprised of five percent (5%) of the gross revenue derived from ExteNet's rental of the Equipment to cellular communications providers plus $500 for each street light pole utilized.

Section 4. The agreement shall be for a term of five years with the option to extend for up to three additional terms of five years each upon the mutual consent of the parties. At the conclusion of the agreement, ExteNet shall remove all Equipment from the street light poles at no cost to the City.

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

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-301
Re: Amendatory Agreement - LaBella Associates, Midtown Redevelopment Project

Council Priority: Jobs and Economic Development

Transmitted herewith for your approval is legislation establishing funding for an amendatory agreement with LaBella Associates for additional construction phase design and resident project representation services (RPR) required for the Midtown Redevelopment Project. This amendment will increase total compensation to $4 million and will be funded from 2013-14 Cash Capital ($150,000) and 2014-15 Cash Capital ($250,000).

Below is a summary of related legislative actions for the agreement:

Ord. No.	Amount
Purpose	
2012-155	$ 950,000
Original: Phase 1 RPR	
2012-469	1,150,000
Amendatory: Phase 2 RPR	
2013-55	1,400,000
Amendatory: Phase 3 RPR	
2013-333	100,000
Amendatory: Phase 4 RPR	
Proposed	400,000
Amendatory: Added Work	
Total	$4,000,000

The proposed amendatory agreement with LaBella Associates will provide RPR and construction phase design services for Phase 5 Midtown Commons work that was added to the Phase 3 contract; installation of a new heating system at the garage; and construction of a pedestrian walkway between

Broad and Elm Streets.

The Midtown Redevelopment Project has included various construction phases as summarized below:

Phase 1 - Construction of the Midtown Truck Tunnel. Contractor: Crane-Hogan Structural Systems. Work completed March 2013 with a final cost of $6,856,429.

Phase 2 - Rehabilitation of level 3 of the Midtown Parking Garage. Work included reconstruction of deck slabs, utility upgrades, and deck coatings. Work is substantially complete. Final estimated cost is $13,964,050.

Phase 3 - Project site work. Work included various utility improvements; realignment and reconstruction of streets at the project site; and installation of various open space landscape features. Contractor: Sealand Contractors Corp. Work is substantially complete. Currently estimated cost is $8,866,148.

Phase 4 - Construction of a new access building and security office space for the garage. Contractor: Crane-Hogan Structural Systems. Work is substantially complete. Final estimated cost is $1,242,513.

Phase 5 - Additional landscaping features for open space. The City was originally going to bid this phase as a separate project. However, due to schedule requirements, this work was added to the Phase 3 contract. Work is substantially complete. Costs for this work are included in the Phase 3 costs above.

Garage Heating Project - The City has recently bid a contract to install a heating system in the garage. Work will be performed by Nairy Mechanical and Blackmon Farrell Electric at a total low bid amount of $390,890. This work is expected to begin in September 2015 and be complete by December 2015.

Pedestrian Walkway - The City is adding work to install a new pedestrian walkway from Broad Street to Elm Street, adjacent to the Midtown Tower. Estimated cost of the walkway is $550,000. This work will be performed by the Phase 3 contractor and is expected to begin in September 2015 and be complete by April 2016.

All Phases - Total construction cost of all phases is currently estimated to be $31,870,030.

This amendment will result in the creation and/or retention of the equivalent of 4.3 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-301
(Int. No. 329)

Authorizing amendatory agreement for additional construction phase design and resident project representation services for the Midtown Redevelopment Project

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

Section 1. The Mayor is hereby authorized to enter into an amendatory agreement with LaBella Associates for additional construction phase design and resident project representation services for the Midtown Redevelopment Project.

Section 2. Said amendatory agreement shall increase by no more than $400,000 the aggregate maximum compensation for the agreement originally authorized in Ordinance No. 2012-155 and last authorized to be amended in Section 1 of Ordinance No. 2013-333 so that the maximum aggregate compensation shall be no more than $4,000,000.

Section 3. The cost of said amendatory agreement shall be funded by $150,000 from 2013-14 Cash Capital and $250,000 from 2014-15 Cash Capital.

Section 4. The amendatory agreement may extend until three (3) months after completion of a two year guarantee inspection of the Project.

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

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-302
Re: Lake Avenue Improvement Project

Council Priority: Jobs and Economic Development

Transmitted herewith for your approval is legislation related to the Lake Avenue Improvement Project (Merrill and Winchester Streets to Burley Road). This legislation will:

1. Appropriate $3,587,200 in anticipated reimbursements from the Federal Highway Administration (FHWA) to finance a portion of the construction and construction inspection services for the project.

2. Appropriate $612,600 in anticipated reimbursements from the New York State (NYS) Marchiselli Aid Program to finance a portion of the construction and construction inspection services for the project.

The Lake Avenue Improvement Project is a federal aid project administered by the City through the New York State Department of Transportation. The City is qualified to receive up to 80% of the

eligible project costs from the FHWA and up to 15% from NYS, with the remainder locally funded.

The project includes street reconstruction, new curbing, sidewalks, limited water main and services, hydrants, receiving basins and a street lighting system. The project is designed by T.Y. Lin International, as authorized in May 2011 (Ord. No. 2011-151).

Construction is anticipated to begin in fall 2015, with substantial completion in the summer 2016. The construction phase of this project will result in the creation and/or retention of the equivalent of 58.4 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-302
(Int. No. 330)

Appropriating funds for the Lake Avenue Improvement Project

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

Section 1. $3,587,200, is hereby appropriated for a portion of the construction and construction inspection services for the Lake Avenue Improvement Project from anticipated reimbursements from the Federal Highway Administration. The Project work will extend from Merrill and Winchester Streets to Burley Road.

Section 2. $612,600, is hereby appropriated to finance a portion of the construction and construction inspection services for the Lake Avenue Improvement Project from anticipated reimbursements from the New York State Marchiselli Aid Program.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2015-16
Re: Appointment - Downtown Enhancement District Advisory Committee

Transmitted herewith for your approval is legislation for the appointment of Susan Eliaszewskyj to the Downtown Enhancement District Advisory Committee. She will be appointed to a two-year term expiring on December 31, 2016.

Appointment
Susan Eliaszewskyj
Excellus Blue Cross Blue Shield
Administrative Services
165 Court Street
Rochester, New York 14647

A summary description of the Downtown Enhancement District Advisory Committee with a list of current members is attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-169

Resolution No. 2015-16
(Int. No. 331)

Resolution approving appointment to the Downtown Enhancement District Advisory Committee

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

Section 1. The Council hereby approves the appointment of Susan Eliaszewskyj, of Excellus Blue Cross Blue Shield, Administrative Services, 165 Court Street, Rochester, to the Downtown Enhancement District Advisory Committee for a term of two years to expire December 31, 2016.

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-303
Re: Grant Application- Water Improvement Projects

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

Transmitted herewith for your approval is legislation authorizing the Mayor to apply to New York State for a grant under the New York State Water Infrastructure Improvement Act. This program provides grants to assist municipalities in funding water quality infrastructure projects that focus on improving water quality and protecting public health. Municipalities may receive up to $2 million or 60% of the total project cost, whichever is less. The balance of the funds needed to finance the projects will be funded from the Capital Improvement Program.

The City is preparing applications for grant assistance for the following projects:

- Installation of a floating cover over Highland Reservoir to protect the finished drinking water from airborne contaminants and algae. This will also bring this facility into compliance with federal drinking water regulations and certain aspects of the Bilateral Compliance Agreement between the City and the New York State Department of Health.

- Replacement or renewal of aged water mains within the City that have experienced repeat-

ed breaks. Water main breaks are possible sources of water contamination and water service disruption to City water customers.

Grant applications must be submitted by September 4, 2015 to be considered for funding during the State fiscal year, SFY 2015-2016. Construction for eligible projects must be completed during or after the 2016 federal fiscal year. Additional grants are expected to be available in SFY 2016-2017 and SFY 2017-2018.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-303
(Int. No. 332)

Authorizing an application to New York State for funding of water quality infrastructure projects

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

Section 1. The Mayor is hereby authorized to submit an application to New York State for grants under the New York State Water Infrastructure Improvement Act to fund a portion of the costs of water quality infrastructure projects that focus on improving water quality and protecting public health.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-304
Re: Corrective Amendment - Ordinance No. 2015-268, Official Map Amendment Abandoning Portion of Hayward Avenue

Transmitted herewith for your approval is legislation correcting errors in some of the references to the name of the street right-of-way that the Council authorized to be abandoned via Ordinance No. 2015-268. The transmittal and Planning Commission recommendation accompanying the original legislation (approved in August 2015) and the legal description incorporated therein correctly refer to the abandoned street right-of-way as being a portion of Hayward Avenue, but the title and some other references in Section 1 of the original ordinance incorrectly refer to "Haywood" Avenue.

The proposed corrective amendment replaces the errant references to Haywood Avenue with Hayward Avenue as is consistent with the intended meaning of the original ordinance.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-304
(Int. No. 333)

Amending Ordinance No. 2015-268 regarding abandonment of a portion of Hayward Avenue on the Official Map

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

Section 1. The title and Section 1 of Ordinance No. 2015-268 are hereby amended to correct errors in the references to the street name specified therein as follows:

Amending the Official Map by abandonment of a portion of ~~Haywood~~ Hayward Avenue

Section 1. Chapter 76 of the Municipal Code, Official Map or Plan, as amended, is hereby further amended by changing and deleting therefrom the following described property, heretofore dedicated to street purposes and constituting a portion of ~~Haywood~~ Hayward Avenue:

LEGAL DESCRIPTION OF PROPOSED LANDS TO BE ABANDONED - ~~HAYWOOD~~ HAYWARD AVENUE

Intending to describe the east end of Hayward Avenue, running from Chamberlain Street to the westerly boundary of The Rochester Greater Regional Transit Authority ("RGRTA") parcel, located in the City of Rochester, Monroe County, New York State. Beginning at the point of intersection of the south highway boundary of Hayward Avenue and the east highway boundary of Chamberlain Street, thence;

- N 10°58'19" E a distance of 3.20, thence;
- Through said right of way of Hayward Avenue along a non-tangent curve to the left a distance of 84.91 feet, said curve having a radius of 50.00 feet, the chord of which is N 42°28' 27" W for a distance of 75.07 feet to the point of intersection of the north highway boundary of said Hayward Avenue and the east highway boundary of Chamberlain Street, thence;
- N 88°15'48" E along the said north highway boundary of Hayward Avenue, a distance of 315.40 feet to the point of intersection of the north highway boundary of Hayward Avenue and the westerly boundary of The Rochester Greater Regional Transit Authority parcel, thence;
- S 21°22'51" W along said westerly parcel boundary, a distance of 65.24 feet to the point of intersection of the westerly boundary of The Rochester Greater Re-

gional Transit Authority parcel and the south highway boundary of Hayward Avenue, thence;

- S 88°15'48" W along said south highway boundary of Hayward Avenue, a distance of 241.50 feet to the Point of Beginning, containing 0.361± acre (15728± sq. ft.).

Section 2. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-305
Re: Intermunicipal Agreement - Monroe County

Council Priority: Deficit Reduction and Long Term Financial Stability

Transmitted herewith for your approval is legislation authorizing an intermunicipal agreement with Monroe County for the disposal of solid waste and processing of recyclable materials collected by the City. The term of the proposed agreement will retroactively commence on January 1, 2015 and extend through December 31, 2028. This agreement will supersede the current agreement.

The current agreement, authorized by City Council in September 2008 via Ordinance No. 2008-332, requires that all refuse collected by the City be delivered to the Monroe County Transfer Station, and that the County is required to accept all such refuse. Similarly, the City delivers all collected recyclables to the County's designated authorized recycling facility, and the County is required to accept all such recyclables. The proposed agreement will extend these stipulations.

New aspects of the proposed agreement include the acceptance of single stream recyclables at no cost to the City for the duration of the agreement; a 15% contamination threshold for recyclables; the provision of a 24 month grace period to start upon full implementation of the City's single stream recycling program; the establishment by the County of an e-waste management program for illicit electronic materials with the acceptance of up to $35,000 worth of such materials annually at no cost to the City; and the City will not be required to travel beyond a seven mile radius from its Operations Center on Mt. Read Boulevard to deliver its solid waste, recyclables and leaves.

The City currently delivers approximately 104,000 tons of Municipal Solid Wastes (MSW) to the County Transfer Station annually. The current rate schedule for full-service disposal fees for solid waste remains in effect through December 31, 2018 ($51.92 for calendar year 2015, $52.44 for calendar year 2016, $52.96 for calendar year 2017, and $53.49 for calendar year 2018), and increases 1% annually thereafter. The County will lower its rate on bulk demolition material (whole house with friable asbestos) to $84 per ton (from the current rate of $90.09), and maintain that rate through December 31, 2016, and increase it 2% annually thereafter while rates for friable asbestos will increase 1% annually. There is no cost to the City for the disposal of recycled materials. The agreement will be funded from the annual budgets of the Department of Environmental Services over the life of the agreement, contingent upon adoption of the future budgets.

The proposed agreement will allow the City to control its cost of disposal of MSW and recyclables for the next fourteen years, and will provide the following benefits to the City: attractive full-service disposal rates and long-term budget certainty; continued partnership with the County and one-stop shopping for all of its solid waste needs (including municipal solid waste, recyclable materials, construction and demolition debris, leaves including windrowing, street sweepings, wood chipping, whole tire processing and public education services); protection for the City's planned investment in single stream recycling through a guaranteed market for its mixed recyclables; access to the ecopark for residents to dispose of difficult-to-manage recoverable and recyclable materials including household hazardous waste, e-waste, pharmaceuticals, scrap metal, appliances, textiles, bulky plastics, etc.; a manner in which to manage illicit electronics and $35,000 worth of disposal annually at no cost; and the continuation of a rebate program for certain higher-value commercial recycling streams (cardboard and high grade paper).

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-305
(Int. No. 342)

Authorizing an intermunicipal agreement with the County Of Monroe for the disposal of solid waste and the processing of recyclable materials

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 disposal of solid waste and the processing of recyclable materials. The agreement shall supersede the current solid waste agreement, shall apply retroactively as of January 1, 2015, and extend through December 31, 2028. The maximum fee for full-service disposal of each ton of solid waste shall be $51.92 for calendar year 2015, $52.44 for 2016, $52.96 for 2017, $53.49 for calendar year 2018 and shall increase 1% each year thereafter. The maximum fee for full-service disposal of each ton of bulk demolition material (including whole house with friable asbestos) shall begin at $84 and continue through December 31, 2016, and increase 2% each calendar year thereafter, except for the rate for friable asbestos, which

shall increase 1% each calendar year thereafter. There shall be no cost to the City for the County's acceptance and management of recyclable materials.

Section 2. The agreement shall set a 15% contamination threshold for recyclables, provide a 24-month grace period for the City's full implementation of a single stream recyclables collection program, and require the County to share revenues with the City on the sale of certain elements of the recyclable waste stream. The agreement shall require the County to establish an electronic waste (e-waste) management program for illicit e-waste materials and to accept up to $35,000 worth of such materials each year at no cost to the City. The agreement shall require the County to accept the City's delivery of solid waste, recyclables and leaves at a location no further than seven miles away from the City's Operations Center on Mt. Read Boulevard. The agreement shall require the County to promote recycling, to accept construction and demolition debris, leaves including windrowing and street sweepings in addition to municipal solid waste, and to provide services such as wood chipping, loose leaf composting and whole tire processing, as well as access to an ecopark for residents to dispose of household hazardous waste, illicit e-waste and certain other difficult-to-manage recoverable and recyclable materials.

Section 3. The cost of the agreement shall be funded from the annual budgets of the Department of Environmental Services over the life of the agreement; contingent upon adoption of the future budgets.

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-306
Re: Intermunicipal Agreement - Town of Richmond - Stream Bank Erosion

Transmitted herewith for your approval is legislation authorizing a no-cost intermunicipal agreement with the Town of Richmond, Ontario County, for work required to stabilize the Hemlock Outlet stream bank adjacent to Frost Hollow Road. This work is necessary to protect the City's water transmission Conduits 2 and 3, which are located underneath this road. Several intense localized storm events earlier this year have caused erosion along the stream bank which is threatening to undermine the conduits and road. It is anticipated that the Town of Richmond will furnish the heavy stone stabilization material and that the City's Water Bureau will provide the manpower and equipment required to install the stone.

All work will be performed under an Emergency Regional Permit issued by the US Army Corps of Engineers, Buffalo District, to the Ontario County Soil and Water Conservation District. This agreement will be effective through completion of the work, which must be completed by the permit deadline of January 14, 2016.

The Town of Richmond will consider this matter at their Town Board meeting on Tuesday, September 8, 2015 and is expected to authorize furnishing the stone material at that time.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-170

Ordinance No. 2015-306
(Int. No. 346)

Authorizing an intermunicipal agreement with Town of Richmond to stabilize the Hemlock Lake Outlet stream bank adjacent to Frost Hollow Road

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 Town of Richmond to stabilize the Hemlock Lake Outlet stream bank adjacent to Frost Hollow Road in order to protect the City's water transmission conduits located beneath the road.

Section 2. The Town of Richmond shall provide heavy stone stabilization material and the City shall provide the labor and equipment necessary to install the material. Neither party shall require monetary compensation from the other party for the materials, labor, and use of equipment provided for herein.

Section 3. The term of the agreement shall continue through to completion of the project, which is expected to occur on or before January 14, 2016.

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember McFadden
September 16, 2015

To the Council:

The Public Safety, Youth & Recreation Committee recommends for adoption the following entitled legislation:

Int. No. 334 - Authorizing an agreement with

Best Friends Animal Society for the No More Homeless Pets Network

Int. No. 335 - Authorizing a grant agreement with the New York State Office of Victim Services and amend the 2015-16 Budget of the Police Department

Int. No. 336 - Appropriating funds and authorizing agreements related to federal forfeited property revenues allocated to the Police Department

Int. No. 337 - Authorizing an agreement with the New York State Division of Homeland Security and Emergency Services

Int. No. 338 - Authorizing a professional services agreement with Rochester Rapids Swim Team, Inc. for a competitive swimming program for youth

Int. No. 345 - Amending Ordinance No. 2015-277, authorizing agreements for towing services

Respectfully submitted,
Adam C. McFadden
Matt Haag
Elaine M. Spaull
Dana K. Miller
Loretta C. Scott
PUBLIC SAFETY, YOUTH & RECREATION COMMITTEE

Received, filed, and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-307
Re: Agreement - Best Friends Animal Society, No More Homeless Pets Network

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing an agreement with Best Friends Animal Society, to become a partner in their No More Homeless Pets (NMHP) Network. There is no cost to the City for participation in the network.

Best Friends Animal Society is a nonprofit corporation whose mission is to end the unnecessary euthanasia of dogs and cats in shelters, with a goal of housing every pet. The organization operates the nation's largest sanctuary for homeless animals; provides adoption, spay/neuter and educational programs; manages the Best Friends Animal Society Pet Adoption and Spay/Neuter Center in Los Angeles; and publishes *Best Friends* magazine. The Best Friends' NMHP Network brings animal shelters and rescue groups together from across the country to hold mutual adoption events, public education campaigns and fundraising drives.

Network membership includes the following:

- Opportunity to participate in network partner-only national fundraising/adoption events organized and promoted by Best Friends.
- Access to regional NMHP partners for information, networking, and funding resources.
- Opportunity to apply for grant support (for organizations with significant, measurable decreases in euthanasia rates and increased adoptions).
- Access to free webinars presented by Best Friends staff and experts from around the country.
- Discounted registration rates for the annual NMHP conference.
- Scholarships or discounts for Best Friends workshops.
- Listing on the NMHP Network website with a link to the City's Animal Services web pages.

The term of this agreement will be one year with infinite renewals until such time as either party terminates the agreement.

Respectfully submitted,

Lovely A. Warren
Mayor

Ordinance No. 2015-307
(Int. No. 334)

Authorizing an agreement with Best Friends Animal Society for the No More Homeless Pets Network

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 Best Friends Animal Society, a Utah nonprofit organization, to participate in its No More Homeless Pets Network. No monetary compensation shall be provided. The term of the agreement shall be September 1, 2015 through August 31, 2016, and may be renewed annually upon the mutual consent of the parties.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-308
Re: Grant Agreement - New York State Office of Victim Services

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing an agreement with New York State

Office of Victim Services (NYSOVS) for the receipt and use of a grant totaling $282,467, and amending the 2015-16 Budget of the Police Department by $1,600 to reflect a portion of these funds. The term of this agreement is October 1, 2015 through September 30, 2016.

These funds will support the Police Department's Office of Victim Services. The grant is used primarily to finance salary expenses for the counseling positions in the Family and Victim Services Section (salary is $269,007.33; fringe is $11,924.84). The NYSOVS funds were anticipated and included in the 2015-16 Budget of the Police Department. The required 25% local match will be fulfilled with volunteer counselor hours and the City's contribution of fringe benefits which were also included in the 2015-16 Budget. The remaining $1,534.83 will be used for travel for victim services staff attendance at NYSOVS and crime victim conferences.

The previous NYSOVS award was approved in August 2014 via Ordinance No. 2014-267.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-308
(Int. No. 335)

Authorizing a grant agreement with the New York State Office of Victim Services and amend the 2015-16 Budget of the Police Department

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Office of Victim Services for funding in the amount of $282,467 for the Family and Victim Services Section of the Rochester Police Department.

Section 2. The 2015-16 budget of the Police Department is hereby amended by increasing by $1,600 the allocation for the Family & Victim Services Section to reflect a portion of the funds received from the New York State Office of Victim Services. The remainder of the funding was anticipated and is included in the Police Department's existing budget.

Section 3. The term of this agreement shall be October 1, 2015 through September 30, 2016.

Section 4. The agreement shall contain such terms and conditions as the Mayor deems to be appropriate.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-309
Re: Appropriation - Federal Forfeiture Funds for Community Programs

Council Priority: Public Safety

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

1. Appropriate $25,000 in RPD federal forfeiture funds to support community programs as described below and amend the 2015-16 Budget of the Police Department to reflect this amount.

2. Establish $15,000 as maximum compensation of for an agreement with Crime Stoppers. This organization allows anonymous crime tips and provides rewards for tips that result in arrests. It also publishes the *Fugitive Flyer* to assist local law enforcement in arresting known career criminals. The cost of this agreement will be funded from the 2015-16 Budget of the Police Department and have a term of one year.

RPD will use up to $4,000 of the funds appropriated herein to support the Police Explorers program by purchasing uniforms for the members. The remaining $6,000 of the amount appropriated herein will be distributed throughout the year to other organizations in accordance with federal requirements and with the knowledge and support of City Council.

This appropriation will result in a balance of approximately $418,500 in the fund.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-309
(Int. No. 336)

Appropriating funds and authorizing agreements related to federal forfeited property revenues allocated to the Police Department

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

Section 1. $25,000 is hereby appropriated in RPD federal forfeiture funds to support community programs by RPD and various organizations. The 2015-16 RPD budget is hereby amended to reflect the increase of $25,000 from the RPD federal forfeiture funds.

Section 2. The Mayor is authorized to enter into an agreement with Crime Stoppers for an amount not to exceed $15,000. The cost of said agreement is for a term of one year and will be funded from the 2015-16 budget of the Police Department.

Section 3. $4,000 of the $25,000 appropriated herein, is hereby appropriated for use to support the

Police Explorers program by purchasing uniforms for the members.

Section 4. $6,000 of the $25,000 appropriated herein will be distributed throughout the year to other organizations in accordance with federal requirements.

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

Section 6. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - Councilmembers Haag, McFadden, Miller, Ortiz, Palumbo, Patterson, Spaull - 7.

Nays - Councilmember Conklin - 1.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-310
Re: Agreement - New York State Division of Homeland Security and Emergency Services, 2015 State Law Enforcement Terrorism Prevention Program Grant

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing an agreement with the New York State Division of Homeland Security and Emergency Services for the receipt and use of $136,864 for a State Law Enforcement Terrorism Prevention Program grant. The term of this grant is September 1, 2015 through August 31, 2018. No matching funds are required.

The grant funds will be used to purchase equipment to enhance and maintain the capabilities of Rochester Police Department's Special Teams. The equipment purchase plan includes a new van for the Bomb Squad, x-ray panels, reconnaissance robots, a night vision device, and various wet and dry gear for the SCUBA team.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-310
(Int. No. 337)

Authorizing an agreement with the New York State Division of Homeland Security and Emergency Services

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

Section 1. The Mayor is authorized to enter into an agreement with the New York State Division of Homeland Security and Emergency Services for the receipt and use of a $136,864 grant for a State Law Enforcement Terrorism Prevention Program. Said funds will be used to purchase equipment to enhance and maintain the capabilities of the Rochester Police Department's Special Teams.

Section 2. The term of this agreement is September 1, 2015 through August 31, 2018.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-311
Re: Agreement - Rochester Rapids Swim Team

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing $15,500 as maximum compensation for an agreement with the Rochester Rapids Swim Team, Inc. (RRST), Rochester, New York, to provide a competitive swimming program and instruction for youth for the 2015-16 year. The agreement will be funded from the 2015-16 Budget of the Department of Recreation and Youth Services (DRYS) and have a term of one year with an option to renew for four additional one-year terms, with a possible maximum increase of 5% per year, to be funded from future budgets of DRYS, contingent upon approval of said budgets.

The RRST began in the late 1970's as a coalition of City parents who wanted to make sure there were competitive swimming opportunities available for City youth. DRYS has been collaborating with the RRST since the early 1980's, providing use of City facilities and modest financial support for the program. The RRST remains the only City-based competitive swim program with the exception of one City School District team composed of a number of current or former RRST swimmers. Under the proposed agreement, RRST will continue to be responsible for the management of most aspects of the program, including the selection and supervision of the coaching staff, scheduling of practices and meets, affiliations with various swimming associations, and recruitment and coordination of volunteers.

The program serves youth between the ages of 5 and 19 years, regardless of skill level. The team operates at the Adam Street R-Center and Genesee Valley Park pools and competes in the United States Swimming and Genesee Valley Swim Leagues.

The anticipated enrollment for 2015-16 is 60 youth. Preference for participation is provided to city residents. Recent participation by youth swimmers is as follows:

2012-13	2013-14	2014-15
Total		
72	67	46
City Residents		
43 (60%)	38 (57%)	30 (65%)
Minorities		
16 (22%)	12 (18%)	12 (26%)

The 2012-13 year was just after the Olympics, which usually results in a spike in participation, followed by a fall-off in later years. The National USA Swimming average for minority participation is around 3%.

The most recent agreement for this service was approved by Council in July 2010 via Ordinance No. 2010-268.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-311
(Int. No. 338)

Authorizing a professional services agreement with Rochester Rapids Swim Team, Inc. for a competitive swimming program for youth

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

Section 1. A sum not to exceed $15,500 is hereby established as the annual compensation to be paid for a professional services agreement with the Rochester Rapids Swim Team, Inc. for continued operation of a competitive swimming program and instruction for youth.

Section 2. The agreement shall be for an initial term not to exceed one year, with up to four additional one-year renewal options if both parties consent. For any subsequent year, the annual compensation may be increased by a maximum of 5% per year.

Section 3. The initial term of the agreement shall be funded from the 2015-16 Budget of the Department of Recreation and Youth Services, and any optional renewals will be funded from the Department's future year budgets, contingent upon Council approval.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-312
Re: Amending Ordinance No. 2015-277 - Vehicle Towing Services

Council Priority: Public Safety

Transmitted herewith for your approval is legislation amending Ordinance No. 2015-277 to include terms in each agreement for towing services that would allow for an inflationary adjustment to the fees for service. The agreements authorized by Ordinance No. 2015-277 included an increase of 2.8% to the fee schedule which represented cumulative inflation between October 2012 and May 2015. Future inflationary adjustments to the fees for services would be effective beginning October 1, 2016 and annually thereafter. The fees would be adjusted by the increase in the Consumer Price Index for Urban consumers (CPI-U) based upon the most recently completed City fiscal year. It was discovered that this inflationary adjustment was inadvertently excluded from the original legislation.

The inflationary increases to the fees for services will be funded from future budgets of the Police Department, contingent upon City Council approval.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-312
(Int. No. 345)

Amending Ordinance No. 2015-277, authorizing agreements for towing services

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

Section 1. Section 3 of Ordinance No. 2015-277, is hereby amended to allow for Consumer Price Index adjustments to the fees for service specified therein as follows:

Section 3. The agreements shall obligate the City to pay the following fees for such services. Said agreements will allow for inflationary adjustments beginning October 1, 2016, and annually thereafter. Inflationary fees will be adjusted by the Consumer Price Index for Urban Consumers (CPI-U) based upon the most recently completed fiscal year.

Section 2. Ordinance No. 2015-277 is hereby further amended by adding a section 4 as follows:

Section 4. Said amounts shall be funded from the 2015-16 and subsequent Budgets of the Rochester Police Department, contingent upon adoption of subsequent budgets.

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

Section 4. This ordinance shall take effect immediately.

Strike out indicates deleted text, new text is underlined.

Passed unanimously.

The meeting was adjourned at 8:10 p.m.

HAZEL L. WASHINGTON
City Clerk

* * * * *

REGULAR MEETING
OCTOBER 13, 2015

Present - President Scott Councilmembers Conklin, Haag, McFadden, Miller, Ortiz, Palumbo, Patterson, Spaull – 9.

Absent - None – 0.

The Council President requested the Council to rise for a Moment of Silence.

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

Recognition Ceremony

Retirement:
Environmental Services
*Dennis J. Reavis
Recreation and Youth Services
*Jean E. Filardo
Police Department
*Brian K. Tucker
Library
*Somsack Bouapha
*Jacqueline Campbell
*Jane H. McManus
Did not attend meeting.

APPROVAL OF THE MINUTES
By Councilmember Conklin

RESOLVED, that the minutes of the Regular Meeting of September 16, 2015 be approved as published in the official sheets of the Proceedings.

Adopted unanimously.

COMMUNICATIONS FROM THE MAYOR, COUNCIL PRESIDENT, CORPORATE OFFICERS AND OTHERS.

The following communications are hereby directed to be received and filed:

The Mayor submits the following:
Administrative Cancellation or Refund of Erroneous Taxes and Charges 4198-15
Quarterly Report - NBD Loans & Grants Report 4199-15
Public Auction 4200-15
Public Disclosure - CDBG Participation 4201-15
Public Disclosure - HOME Participation (3) 4202-15, 4203-15, 4204-15

The Council submits a Disclosure of Interest Form from Councilmember Haag on Int. Nos. 370, 371, 378 & 379.

PRESENTATION AND REFERENCE OF PETITIONS AND OTHER COMMUNICATIONS.

Councilmember Spaull submits 67 signatures requesting to keep Michael Porter employed at Humboldt Recreation Center. Petition No. 1720

PUBLIC HEARINGS.

Pursuant to law, public hearing will now be had on the following matter:

Local Improvement Ordinance - Replacing Traffic Signal at Entrances to Holy Sepulchre Cemetery Int. No. 362 No Speakers.

Changing the traffic flow on Martin Street from two-way to one-way southbound Int. No. 366 1 Speaker: Gretchen Mahoney.

Per the request of the Council, public hearing will now be had on the following matter:

Adopting a policy for advertising on City-owned assets Int. No. 382 3 Speakers: Cassandra Petsos, William Collins, Marilyn Schutte.

REPORTS OF STANDING COMMITTEES AND ACTION THEREON

By Councilmember Conklin
October 13, 2015

To the Council:

The Finance Committee recommends for adoption the following entitled legislation:

Int. No. 347 - Authorizing a lease agreement for a Library Café

Int. No. 377 - Establishing maximum compensation for a professional services agreement with Workday, Inc., to provide hosting services and implementation of an Enterprise Process and System Solution for Human Resource Management and Payroll

Int. No. 378 - Establishing maximum compensation for a professional services agreement with Kronos Incorporated, to provide software, hardware and implementation services, related to the implementation of an Enterprise Process & System Solution for Scheduling, Time and Attendance

Int. No. 379 - Bond Ordinance of the City of Rochester, New York authorizing the issuance of $1,440,000 Bonds of said City to finance a new City Scheduling, Time and Attendance System

Int. No. 380 - Approving the contracting of a Program Manager for Phase II of the Rochester Joint Schools Construction Board's Facilities Modernization Program

Int. No. 383 - Resolution approving appointment to Board of Trustees of the Rochester Public Library

Int. No. 384 - Authorizing consent to change of control of city's cable television franchise

The following entitled legislation is being held in Committee:

Int. No. 381 - Authorizing a professional services agreement with Normal Communications LLC for a City asset advertising program

Int. No. 382 - Adopting a policy for advertising on City-owned assets

Respectfully submitted,
Carolee A. Conklin
Carla M. Palumbo
Jacklyn Ortiz
Dana K. Miller
Loretta C. Scott
FINANCE COMMITTEE

Received, filed and published.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2015-313
Re: Lease Agreement - Central Library of Rochester and Monroe County, Coffee Ventures, LLC

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation authorizing a lease agreement between the City and Coffee Ventures, LLC, Rochester, New York, for the use of 1,794 square feet of the first floor of the Bausch & Lomb public library building to operate a Starry Nites Café location. The lease will have a five year term with a five year renewal option, and will commence on October 15, 2015. The monthly rental amount for the initial term will be $1,750 and $2,000 for the optional five year renewal, as established through an independent appraisal prepared by Kevin Bruckner, MAI as of April 2015.

The City previously leased this space to Tim Horton's (Tim Donut US Limited, Inc.), which terminated the lease in August 2015. Notification about the available space was posted on the City's website and sent directly to seven known vendors; no responses were received. Through networking on the part of the Real Estate Division and Library, Coffee Ventures, LLC was identified and became interested in the space.

The Rochester Public Library Board of Trustees will review authorization of this sub-lease agreement at its meeting on September 30, 2015 and the Board's decision will be forwarded to Council.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-313
(Int. No. 347)

Authorizing a lease agreement for a Library Café

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 Coffee Ventures, LLC for the operation of a Starry Nites Café in the Bausch & Lomb Public Library Building for five years, commencing on October 15, 2015, with an option to renew for an additional five-year term.

Section 2. The monthly rent for said lease shall be $1,750. Monthly rent for the renewal term shall be $2,000.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-314
Re: Agreement - Workday, Inc., Human Resource Management and Payroll

Transmitted herewith for your approval is legislation establishing $6,201,000 as maximum compensation for an agreement with Workday, Inc., Pleasanton, California, to provide hosting services and implementation of an Enterprise Process and System Solution for Human Resource Management and Payroll. Funding for this agreement is as follows:

Implementation Services (Phase 1 and 2):	
Prior Years Cash Capital	$2,500,000
2015-16 Budget of Information Technology	200,000
	$2,700,000
Hosting Fees/Services for 2015-16:	
2015-16 Budget of Information Technology	$508,000

The remaining costs of hosting services and training fees of $2,993,000 will be funded from the subsequent annual budgets of Information Technology, contingent upon their approval. The term of this agreement will be for seven years and six months, which will allow for rate caps for hosting fees for this period.

This agreement provides for continuation of the Process and System Integration (PSI) program to replace existing legacy Human Resource Management and Payroll systems. This implementation will replace approximately 25 legacy systems with one enterprise solution for Human Resource Management and Payroll functions. Workday will provide hosting for the application and implementation services to include project management, data migration, system integration, system configuration

and training.

A request for proposals for these services was issued in August of 2014 on the City Website and sent directly to 24 companies. Responses were received from six companies and five vendors were invited for a week-long scripted demonstration.

Workday was selected as the top ranking vendor for Human Resource Management and Payroll based on the evaluation of an interdepartmental team of users from the following departments: Finance, Department of Human Resource Management, Police, Fire, Department of Environmental Services, Neighborhood and Business Development, Department of Recreation and Youth Services, Emergency Communications Department /311, Library, Office of Management and Budget, Office of Public Integrity, Information Technology and the Mayor's Office. In three of the four core process areas (position control, Human Resources and Payroll), Workday received the highest scores by the participants. Participants recognized the innovation in Workday's software service and design to be one that is highly configurable with a modern user interface making data available across all Human Resources and Payroll areas with ease. Workday also received very high marks in the areas of project implementation, installation and post-live support according to their references.

Members of the Information Technology Team reviewed Workday's security model, including the most recent audit report from an independent third-party firm, Ernst & Young, certifications of compliance with International Privacy Standards (Safe Harbor) and International Standards for Information Security Management Systems (ISO 27001). The team determined that the quality of security controls and annual audits met or exceeded expectations. Workday provides protection for over 17 million identities across more than 1,000 customers, including leading organizations from information technology security (e.g. Symantec), and financial institutions (e.g. Bank of America).

A vendor selection process summary is attached.

A separate transmittal will be issued for Scheduling, and Time and Attendance.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-171

Ordinance No. 2015-314
(Int. No. 377)

Establishing maximum compensation for a professional services agreement with Workday, Inc., to provide hosting services and implementation of an Enterprise Process and System Solution for Human Resource Management and Payroll

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

Section 1. The sum of $6,201,000 or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Workday, Inc., to provide hosting services and implementation of an Enterprise Process and System Solution for Human Resource Management and Payroll.

Section 2. The term of said agreement shall be seven (7) years and six (6) months.

Section 3. Said agreement shall be funded as follows:

a) Implementation Services (Phase 1 and 2):

i.	Prior Years Cash Capital	$2,500,000
ii.	2015-16 Budget of Information Technology	200,000
Total		$2,700,000

b) Hosting Fees/Services:

i.	2015-16 Budget of Information Technology	$ 508,000
ii.	Hosting Fees/Services for remainder of the agreement will be funded from subsequent Budgets of Information Technology, contingent upon their approval	2,993,000
Total		$3,501,000

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-315
Ordinance No. 2015-316
Re: Agreement - Kronos Incorporated, Scheduling, Time and Attendance

Transmitted herewith for your approval is legislation related to the implementation of an Enterprise Process and System Solution for Scheduling, Time and Attendance. This legislation will:

1. Establish $1,880,000 as maximum compensation for an agreement with Kronos Incorporated, Chelmsford, Massachusetts, for the provision of software, hardware and implementation services for the enterprise system. The agreement will be funded from the appropriations herein and have a term of two years; and

2. Authorize the issuance of bonds totaling $1,440,000 and the appropriation of the proceeds thereof and appropriate $250,000 from the 2015-16 Budget of Information Technology to finance the agreement.

Funding for this agreement is as follows:

Implementation Services and Hardware (Phase 1):	
Bond authorization	$ 760,000
2015-16 Budget of Information Technology	250,000
	$1,010,000
Licensing Fees for 2015-16:	
Bond authorization	$680,000

The remaining costs for maintenance and training of $190,000 will be funded from the subsequent annual budgets of Information Technology, contingent upon their approval. This agreement provides for continuation of the Process and System Integration (PSI) program to replace existing legacy Human Resource Management and Payroll systems. This includes scheduling and automating existing manual processes for time entry and attendance tracking and/or reporting.

This implementation will replace approximately four legacy systems with one enterprise solution. Included in this agreement is the replacement of existing time clocks in the Department of Environmental Services. Kronos will provide software, hardware, and implementation services to include project management, system integration, system configuration and training.

A request for proposals for these services was issued in August of 2014 on the City Website and sent directly to 24 companies. Responses were received from six companies and five were invited for a week-long scripted demonstration.

Kronos was selected as the top ranking vendor for Schedule, Time and Attendance based on the evaluation of an interdepartmental team of users from the following departments: Finance, Department of Human Resource Management, Police, Fire, Department of Environmental Services, Neighborhood and Business Development, Department of Recreation and Youth Services, Emergency Communications Department /311, Library, Office of Management and Budget, Office of Public Integrity, Information Technology and the Mayor's Office.

A vendor selection process summary is attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-172

Ordinance No. 2015-315
(Int. No. 378)

Establishing maximum compensation for a professional services agreement with Kronos Incorporated, to provide software, hardware and implementation services, related to the implementation of an Enterprise Process & System Solution for Scheduling, Time and Attendance

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

Section 1. The sum of $1,880,000 or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Kronos Incorporated, to provide software, hardware and implementation services, related to the implementation of an Enterprise Process & System Solution for Scheduling, Time and Attendance.

Section 2. The term of said agreement shall be two (2) years.

Section 3. Said agreement shall be funded as follows:

a) Implementation Services and Hardware (Phase 1):

i. General Obligation Bond to be authorized for this purpose	$ 760,000
ii. 2015-16 Budget of Information Technology	250,000
Total	$1,010,000

b) Licensing Fees:

i. General Obligation Bond to be authorized for this purpose	$ 680,000
ii. Maintenance and training fees for remainder of the agreement will be funded from subsequent Budgets of Information Technology, contingent upon their approval	190,000
Total	$ 870,000

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2015-316
(Int. No. 379)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of $1,440,000 Bonds of said City to finance a new City Scheduling, Time and Attendance System

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 acquisition and implementation of an Enterprise Process & System Solution for Scheduling, Time and Attendance for the City pursuant to the terms of a Professional Services Agreement with Kronos Incorporated (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 $1,880,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of $1,440,000 bonds of the City to finance said appropriation, $250,000 from the 2015-2016 Information Technology Budget, $190,000 from future Information Technology budgetary authorizations, to the extent appropriated, 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 $1,440,000 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 $1,440,000. 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. 81 (b) of the Law, is five (5) years.

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

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

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

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

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

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

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

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-317
Re: Program Manager - Rochester School District Facilities Modernization Program Phase II

City Council Priority: Support the Creation of Effective Educational Systems

Transmitted herewith for your approval is legislation authorizing the Selection Committee of the Rochester Joint Schools Construction Board (RJSCB) to enter into exclusive negotiations with Savin Engineers, P.C., Pleasantville, New York, to serve as the independent Program Manager for Phase II of the Rochester Schools Modernization Program (RSMP).

The RJSCB was created by Chapter 416 of the Laws of 2007 of the State of New York and amended by Chapter 533 of the Laws of 2014 of the State of New York to manage the design, reconstruction or rehabilitation of school buildings (collectively, the "Phase I Projects"). The legislation provided for a maximum cost and bond authorization of up to $325 million.

Legislation for Phase II of the RSMP (also known as the Facilities Modernization Program) was signed into law by the Governor of the State of New York on December 17, 2014. The legislation authorized up to 26 projects in Phase II of the RSMP including a District Wide Technology program which involves technology upgrades and infrastructure work at several of the possible projects. The total cost authorized for Phase II projects is a maximum of $435 million.

The legislation for Phase II requires that all contracts entered into by the RJSCB are to be managed by an independent Program Manager. The Program Manager is required to assist the RJSCB with developing and implementing project procedures; reviewing project plans and specifications; developing and implementing policies and procedures for employment resource utilization and training programs; and providing planning, design, financing and other services for projects, as appropriate.

The legislation also requires a competitively bid process and approval of the selected Program Manager by the Mayor, City Council, the Rochester City School District (RCSD) Superintendent and the Board of Education. A Request for Proposals (RFP) was issued directly to 61 organizations for the Phase II Program Manager. The RFP was also advertised in numerous news outlets and posted on the websites of the RJSCB, RCSD, the City of Rochester and other organizations' websites. Four proposals were received.

A Selection Committee was convened in May 2015 consisting of the members of the RJSCB, William J. Ansbrow (Superintendent's representative), Michael Patterson (City Council representative), Cynthia Elliot (School Board representative) and myself to represent the City Administration. In September, the Committee reconvened in additional executive sessions to deliberate further on the independent Program Manager selection and conduct additional interviews.

After due deliberation, it is the consensus of the RJSCB Selection Committee to enter into exclusive negotiations with Savin Engineers, P.C. to serve as the independent Program Manager for Phase 2 of the RSMP, and for these exclusive negotiations to provide the RJSCB the opportunity to review additional requirements and gather additional information that is necessary before entering into a formal contract.

Savin Engineers, P.C. has headquarters in Pleasantville, New York with a local office at 1776 North Clinton Avenue, Rochester, New York. They are an MBE firm, founded in 1988, and have experience with K through 12 educational construction projects valued over $4 billion, located throughout New York State, including Phase 1 of the RSMP. Savin Engineers, P.C. is consistently ranked among the Top 100 construction management firms by an industry magazine, *Engineering News-Record,* and is also an industry leader in providing program and construction management for educational, wastewater and transportation facilities.

On October 5, 2015, during the RJSCB Meeting, the Board approved the selection of Savin Engineers, P.C. via Resolution No. 2015-16: 55, which is attached. Likewise, on October 6, 2015, during a special meeting of the RCSD Board of Education, the Board approved Savin Engineers, P.C. via Resolution No. 2015-16: 255, which is attached.

Although subject to negotiation, it is expected that the Phase II Program Manager contract will not exceed $20 million over a four and a half to six year period.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-173

Ordinance No. 2015-317
(Int. No. 380)

Approving the contracting of a Program Manager for Phase II of the Rochester Joint Schools Construction Board's Facilities Modernization Program

WHEREAS, the Rochester Joint Schools Construction Board (the "RJSCB") was created by the Rochester School Facilities Modernization Program Act, which was enacted in Chapter 416 of the Laws of 2007 and amended by Chapter 533 of the Laws of 2014 (the "Act") to manage the design, reconstruction or rehabilitation of existing school buildings for their continued use as schools of the Rochester City School District (the "Facilities Modernization Program");

WHEREAS, Section 10 of the Act requires the RJSCB to contract with an independent Program Manager to manage all Facilities Modernization Plan contracts entered into by the RJSCB, including assisting the RJSCB with the development and implementation project procedures, reviewing project plans and specifications, developing and implementing policies and procedures for employment resource utilization and training, and providing planning, design, financing and other services for projects as appropriate;

WHEREAS, Sections 8 and 10 of the Act require that the Program Manager for Phase II of the Facilities Modernization Program ("Program Manager") be selected by means of a competitive selection process and that, prior to issuing a contract, the Program Manager selected shall be approved by the School District Superintendent, the Mayor, the City Council, and the Rochester Board of Education;

WHEREAS, RJSCB has convened a Program Manager Selection Committee for that purpose in May 2015, issued a Request for Proposals directly to 61 organizations and published it widely elsewhere, and reviewed in-depth the four proposals that were received;

WHEREAS, after due deliberation, it is now the consensus recommendation of the Program Manager Selection Committee that the RJSCB enter into exclusive negotiations with Savin Engineers, P.C. to serve as Program Manager; and

WHEREAS, Council has been provided with a summary of the qualifications of Savin Engineers, P.C. to perform the duties of Program Manager.

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

Section 1. The City Council hereby approves of and authorizes the RJSCB to enter into exclusive negotiations with Savin Engineers, P.C. for the position of independent Program Manager and to enter into a contract with Savin Engineers, P.C. for said services at the conclusion of such negotiations.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2015-17
Re: Appointment - Rochester Public Library Board of Trustees

Council Priority: Support the Creation of Effective Educational Systems

Transmitted herewith for your approval is legislation confirming the appointment of Glenn A. Gardner, 35 Coburg Street, Rochester, New York 14612, to the Rochester Public Library Board of Trustees.

Mr. Gardner will complete the five year term of Hans DeBruyn, who resigned from the Board because he moved to a residence outside of the City of Rochester. Mr. Gardner's term will expire on December 31, 2019.

A copy of Mr. Gardner's resume is available for review in the City Clerk's office.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-174

Resolution No. 2015-17
(Int. No. 383)

Resolution approving appointment to the Board of Trustees of the Rochester Public Library

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

Section 1. The Council hereby approves the appointment of Glenn A. Gardner, 35 Coburg Street, Rochester, NY 14612, to the Rochester Public Library Board of Trustees for a term which shall expire on December 31, 2019.

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-318
Re: Transfer of Cable Television Franchise

City Council Priority: Deficit Reduction and Long Term Financial Stability

Transmitted herewith for your approval is legislation related to the proposed merger of Time Warner Cable Northeast LLC and Charter Communications Inc., and the City's cable franchise agreement. This legislation will approve the merger and authorize the transfer of the cable franchise to the merged entity, Charter Communications Inc.

The City currently has a franchise agreement with Time Warner Cable Northeast LLC to operate a cable TV system. That franchise has been in effect since 1992 when the City approved an agreement with Greater Rochester Cablevision, Inc., which was later acquired by Time Warner.

At this time, Time Warner Cable has agreed to merge with Charter Communications Inc. This merger requires approval by the Federal Communications Commission (FCC) and the New York State Public Service Commission. Part of the FCC regulatory process requires Charter Communications to send a notice of the merger to each municipality asking for consent to transfer the franchise. This requires City Council approval.

In anticipation of the need to negotiate a new franchise agreement, the City retained expert assistance from the Cohen Law Group. Cohen attorneys have negotiated on our behalf with Charter Communications' language approving the transfer under conditions that protect the City's rights under the current franchise agreement. This will also provide the basis for negotiation of a new franchise agreement, which will occur after the merger is approved.

Key elements affecting the City's interests in this proposed legislation are:

- Legal protections for the City related to potential non-compliance issues both pre-closing and post-closing of the merger; and
- An expanded definition of "gross revenues" that, in addition to many other revenue sources, includes fee-on-fee; the FCC regulatory fee; late fees; and broadcast retransmission fees.

Under federal law, the City has until October 28 to act on Charter Communications' request. If we do not act, then we are deemed to have consented. Therefore, in order to protect the City's rights, it is important to consider this legislation now. Council approved a similar ordinance consenting to transfer the franchise to Comcast Corporation on October 14, 2014 via Ordinance No. 2014-312, but that proposed merger between Comcast and Time Warner Cable was rejected by the FCC.

Sincerely,
Lovely A. Warren
Mayor

Ordinance No. 2015-318
(Int. No. 384)

Authorizing consent to change of control of city's cable television franchise

WHEREAS, Time Warner Cable Northeast LLC ("Franchisee"), successor to Greater Rochester Cablevision, Inc., is the duly authorized holder of a franchise by virtue of a Cable Television Franchise Agreement and the City's Cable Television Ordinance, codified at Chapter 4A of the City Code as amended to date (the "Franchise"), authorizing Franchisee to operate and maintain a cable system to serve the City of Rochester, NY (the "City"); and

WHEREAS, on May 23, 2015, Charter Communications, Inc. ("Charter Communications") along with its subsidiary CCH I, LLC ("New Charter") entered into agreements with Time Warner Cable Inc. ("TWC") (the ultimate parent company of Franchisee), Advance/Newhouse Partnership ("A/N"), and Liberty Broadband Corporation ("Liberty") in order to merge with TWC, the ultimate parent of the Franchisee (the "Transaction"); and

WHEREAS, TWC will merge into a subsidiary of New Charter; and

WHEREAS, Charter Communications will merge with a subsidiary of New Charter, and New Charter will assume the name Charter Communications, Inc. ("Charter"); and

WHEREAS, the ultimate control of Franchisee will transfer to Charter; and

WHEREAS, Charter has filed an FCC Form 394 with the City (the "Application") requesting approval of the transfer of control; and

WHEREAS, the City has considered the Application and approves of the Transaction.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ROCHESTER AS FOLLOWS:

Section 1. The City consents to the Transaction and to the corporate reorganization described in the Application in accordance with the terms of the Franchise and applicable law.

Section 2. The City confirms that the Franchise is valid and outstanding and in full force and effect and there are no defaults under the Franchise. Subject to compliance with the terms of this Ordinance, all action necessary to approve the change of control of the Franchisee to Charter has been duly and validly taken.

Section 3. Charter or Franchisee may (a) assign, transfer, or transfer control of its assets, including the Franchise, provided that such assignment, transfer, or transfer of control is to an entity directly or indirectly controlling, controlled by or under common control with Charter; (b) restructure debt or change the ownership interests among existing equity participants in Charter; (c) pledge or grant a security interest to any lender(s) of Charter's assets, including, but not limited to, the Franchise, or of interest in Charter, for purposes of securing any indebtedness; and (d) sell equity interests in Charter or any of Charter's affiliates.

Section 4. After the closing date of the Transaction (the "Closing Date"), Franchisee shall remain bound by the lawful terms, conditions, responsibilities, obligations, liabilities, and rights contained in the Franchise, including any and all pre-closing non-compliance issues identified after the Closing Date, until the Franchise is either renewed, not renewed or terminated by the City pursuant to federal law and regulations.

Section 5. This Ordinance shall have the force of a continuing agreement with Franchisee, and the City shall not amend or otherwise alter this Ordinance without the consent of Franchisee and Charter.

Section 6. Charter agrees that the Franchise shall be deemed amended to incorporate the following provision: Beginning ninety (90) days after the Closing Date, Franchisee will calculate franchise fees in accordance with the definition of Gross Revenues set forth in Exhibit A below. This requirement shall be prospective only and contingent upon closing of the Transaction.

Exhibit A

Gross Revenues - All revenue received by the Franchisee arising from, attributable to, or in any way derived from the operation of its Cable System in the City to provide Cable Services. Gross Revenues shall include, but are not limited to, the following:

(1) Basic Service fees;

(2) fees charged to Subscribers for any Cable Service tier other than Basic Service;

(3) fees charged for premium Cable Services;

(4) fees for all digital video tiers;

(5) fees for video-on-demand;

(6) fees charged to Subscribers for any optional, per-channel or per- program Cable

Services;

(7) revenue from the provision of any other Cable Services;

(8) charges for installation, additional outlets, relocation, disconnection, reconnection and change-in-service fees for Cable Service;

(9) fees for changing any level of Cable Service programming;

(10) fees for service calls on Cable Services;

(11) inside wire maintenance fees for Cable Services;

(12) service plan protection fees on Cable Services;

(13) convenience fees;

(14) early termination fees on Cable Services;

(15) fees for leased access Channels;

(16) charges based on the sale or lease of any portion of the Cable System for Cable Service;

(17) rental or sales of any and all equipment, including converters and remote control devices;

(18) any and all locally-derived advertising revenues for advertising delivered by Cable Services;

(19) revenues or commissions from locally-derived home shopping channels;

(20) revenues from interactive Cable Services;

(21) broadcast retransmission fees;

(22) late payment fees on Cable Services;

(23) billing and collection fees on Cable Services;

(24) Nonsufficient funds (NSF) check charges;

(25) FCC Regulatory Fee; and

(26) Franchise Fees.

Gross Revenues shall not include bad debts, program launch fees, investment income, refunded deposits, or any taxes on services furnished by Franchisee and imposed directly upon any Subscriber or user by the Town, state, federal or other governmental unit. In the event of any dispute over the classification of revenue, the Town and Franchisee agree that reference should be made to generally accepted accounting principles ("GAAP") as promulgated and defined by the Financial Accounting Standards Board ("FASB").

Section 7. The City does not, as a result of the transfer of control, or by virtue of this Resolution, waive, release or otherwise limit its rights with respect to any failure by Franchisee to comply with any and all of the terms and conditions of the Franchise prior to the Closing Date.

Section 8. The City's consent to the transfer of control arising from the Transaction is contingent upon the parties to the Transaction obtaining all other necessary and applicable federal governmental approvals, permits, and authorizations, and is further contingent upon Charter signing a Certificate of Acceptance of this Ordinance.

Section 9. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Introductory No. 381
Re: Agreement - Normal Communications, LLC, City Asset Advertising Program

Council Priority: Deficit Reduction and Long Term Financial Stability

Transmitted herewith for your approval is legislation establishing a percentage of advertising revenue as maximum compensation for an agreement with Normal Communications, LLC, Rochester, New York, to provide marketing and advertising services for the City Asset Advertising Program. The percentage to be retained by the consultant will be negotiated and approved by the Mayor. The term of this agreement will be for two years, with two one-year renewal options.

On February 6, 2015, the City issued a request for proposals (RFP) for City Asset Advertising Program Services. The purpose of this program is to create a mechanism to bring economic value to City assets through the use of advertising. The RFP was posted on the City's website and sent directly to six area firms. Normal Communications was the sole respondent and found capable of meeting the expectations set forth in the RFP.

The consultant will be responsible for drafting advertising rates for the City's approval; direct sales; acting as the agent for sales to other agencies and their customers; facilitating production, installation and removal on deadline of advertising; and ensuring a smooth transition to the next scheduled advertisements. Normal Communications will also be responsible for the collection and remittance of all funds associated with the program.

In addition, the consultant will be responsible for reviewing all advertising for compliance with the City's proposed Advertising Policy and applicable law. In this way, sales of advertising will be limited to commercial advertisements and those assets determined by the City to be suitable for use.

A vendor selection process summary is attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Introductory No. 381

AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH NORMAL COMMUNICATIONS LLC FOR A CITY ASSET ADVERTISING PROGRAM

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 Normal Communications LLC (consultant) for a City asset advertising program. The agreement shall not obligate the City to spend any funds, but shall provide for compensation to the consultant based on a percentage of the revenue obtained through the sale of advertising on City assets. The percentage to be retained by the consultant shall be approved by the Mayor. Sales of advertising pursuant to this agreement shall be limited to assets determined by the City to be suitable for advertising.

Section 2. The agreement shall extend for a term of two years, with two one-year renewal options.

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.

Held in Committee.

TO THE COUNCIL
Ladies and Gentlemen:

Introductory No. 382
Re: City Asset Advertising Program

Council Priority: Deficit Reduction and Long Term Financial Stability

Transmitted herewith for your approval is legislation adopting a City Asset Advertising Program. The Program authorizes the City to select an advertising agent through a request for proposal process. The agent would be responsible for the solicitation of advertisements and obtaining compensation from the advertisers. Advertising will comply with all applicable federal, state and local laws, appear as incidental to the public purpose or function of the City asset upon which it is placed, and be deemed suitable for placement on City assets by using a baseline criteria as outlined in the proposed legislation.

The public venues for placing private advertising are limited. At this time the prevailing legal precedents say that it is not permissible on municipal assets that are used in a predominantly governmental capacity, such as Police, Fire and City Hall. However, the courts have recognized an exception that allows advertising on municipal assets that are used for "proprietary" functions common to private property. Ads are also allowed by state statute in municipal parking garages. Based on the present status of the law, the Mayor intends to focus advertising on special events, parking garages and non-permanent fixtures at City-owned facilities.

The First Amendment free speech provision limits municipalities' authority to control the content of private advertising. In its recent decision in the case of *Reed v. Town of Gilbert*, the U.S. Supreme Court invalidated several municipal restrictions on the content of private advertising that are common in many municipalities and that had previously been perceived as being acceptable under the First Amendment. Therefore, in the City's most constitutionally defensible interests of avoiding the actual or perceived governmental endorsement of certain political or religious beliefs or entities, the Program restricts content to commercial advertising (i.e., messages that propose a commercial transaction). The Program also prohibits messages that promote illegal activity or that infringe on trademarks or other intellectual property. The Program may have to be revised in the future to keep up with developments in First Amendment law.

To implement the Program, the Mayor will establish a five member Advertising Committee consisting of one representative from the Mayor's Office, Law Department, Bureau of Communications, Department of Environmental Services, and an appointee of the President of City Council. The Advertising Committee will perform annual reviews of the agent's rate schedule and performance and evaluate the Program and recommend its possible expansion to other media.

Respectfully submitted,
Lovely A. Warren
Mayor

Introductory No. 382

ADOPTING A POLICY FOR ADVERTISING ON CITY-OWNED ASSETS

WHEREAS, the City wishes to adopt a policy to authorize and regulate advertising on City-owned assets in order to make the best utilization of assets to generate revenue while protecting the public interest;

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

Section 1. The Council does hereby adopt the City of Rochester advertising policy set forth herein:

CITY OF ROCHESTER
ADVERTISING POLICY

I. DEFINITION OF AGREEMENTS FOR ADVERTISING ON CITY ASSETS

For the purpose of this Policy an advertising sign or display ("Advertising") may be placed on a City

Asset pursuant to a mutually beneficial business agreement ("Advertising Agreement") between the City of Rochester ("City") and a private party, wherein the private party assists the City to promote the use of a City Asset for Advertising. This program will be known as the City Asset Advertising Program, or "Program." Under this Policy, a City Asset may consist of any real or personal property, or appurtenance thereto, that is owned, leased or otherwise controlled by the City, including but not limited to land, buildings, parking facilities, assets, equipment, and communications media. Advertising shall only be placed on City Assets where the City has the legal authority to permit advertising.

The Advertising authorized under this Policy shall be limited to advertising signs or displays that propose a commercial transaction, product or service for which a nongovernmental individual or entity pays a fee for placement on a City Asset. The purpose of the Program is to generate revenue from City Assets, not to create any additional public forum for the open exchange of ideas.

In general, it is the intent of the City to enter into Advertising Agreements with media companies to serve as the City's agents to solicit and obtain compensation from private parties to place Advertising on City Assets in accord with the terms and conditions of the Agreement. The Mayor or the Mayor's designee, in consultation with the Advertising Committee described below, shall supervise the negotiation with and the efforts of the media company ("Agent") retained under such an Agreement.

II. COMPLIANCE WITH LAWS AND POLICIES

Advertising shall comply with all applicable Federal, State and Local laws, ordinances, codes, regulations, policies and procedures, including this Policy (collectively, "Applicable Law and Policies").

All Advertising Agreements will be reviewed for compliance with Applicable Law and Policies. Every Advertising Agreement shall reserve for the City the right to terminate and require the immediate removal of Advertising in the event that it is determined that such Advertising violates this Policy or any other Applicable Law or Policy and shall indemnify and hold the City harmless from any claims or losses arising from the early termination of an Advertising use in this manner.

The standards and arrangements for administrative management and review of Advertising set forth in this Policy are subject to and will not supersede the oversight and authority that the City Council exercises over City Assets, including, but not limited to, the requirement of City Council approval for any professional services agreement that will exceed $10,000 in value or one year in duration.

III. SUITABLE ADVERTISING ON CITY ASSETS

Advertising must be merely incidental to, and not interfere with, the public purpose and function of the City Asset upon which it is placed ("Suitable" or "Suitability"). The City will assure that only Suitable Advertising is placed on City Assets by considering the nature of the Advertising medium, the function and location of City Asset upon which the Advertising is to be placed, and compliance with this and other Applicable Laws and Policies. Factors relevant to the evaluation of the Suitability of Advertising may include but are not limited to:

- identifying functions and locations of City Assets, including without limitation law enforcement and firefighting facilities and assets, where Advertising is contrary to Applicable Laws and Policies;
- the size, location, condition and municipal uses of the City Asset where the Advertising would be placed;
- the size and prominence of the Advertising relative to the City Asset where it would be placed;
- the potential for the Advertising to cause distractions that interfere with traffic or pedestrian safety;
- the Advertising's potential to interfere with or "crowd out" City signs or other communications important to the City Asset's public purpose;
- the potential for the Advertising to cause an unacceptable implication of City endorsement of the Advertising's content;
- the potential for the Advertising to detract from desirable aesthetic, historical, architectural or cultural attributes of a City Asset or nearby areas; and
- mechanical or other physical elements (e.g., type of sign structure, posts or brackets attaching the sign to the City Asset; the condition of the part of the City Asset to be attached to the Advertising sign, etc.) bearing on whether and how the Advertising can be installed and thereafter quickly removed without harming the City Asset.

Any Advertising Agreement that is approved will require the Agent and/or private advertiser to abide by and maintain those specified conditions that are necessary to maintain the Suitability of the Advertising arrangement.

IV. ADVERTISING COMMITTEE

The Mayor shall establish an Advertising Committee consisting of one representative each from the Mayor's Office, Law, Communications and Department of Environmental Services, and one additional member to be appointed by the President of City Council. The role of the Committee will be to review the efficacy of the Program on an annual basis and make recommendations to the Mayor.

V. LIMITATION ON TYPES OF ADVERTISING

The City shall provide to its Agent a list of City Assets that the City in its discretion has determined to be suitable for advertising. The scope of the agreement with the Agent shall be limited to these assets.

Advertising to be placed on City Assets pursuant to this policy shall be limited to commercial advertising for a transaction, product or service. The City shall not accept advertising for political, religious or issue-oriented purposes because such advertising might convey the false impression that the City either endorses or opposes such purposes.

In addition to being Suitable and complying with Applicable Law and Policies, Advertising on City Assets shall not:

- promote an unlawful or illegal activity, including but not limited to deceptive acts and practices in violation of Article 22-A of the General Business Law; and
- infringe upon any copyright, trade or service mark, title or slogan, or infringe upon any patent.

The City may omit or modify one or more of the above restrictions if it determines, with the advice of Corporation Counsel, that doing so is necessary to comply with Applicable Law or Policies, particularly the First Amendment of the United States Constitution.

VI. ADVERTISING AGREEMENTS

In general, every Advertising relationship shall be established and managed in accord with an Advertising Agreement between the City and the Agent that is retained to solicit and obtain compensation from advertisers who will place their messages on City Assets. The contract between the City and one or more qualified media company agents will be awarded in accordance with the "Policy and Procedures for Procurement of Professional Services and Requests for Proposals" (Ordinance No. 2012-318) and other applicable procurement laws and policies.

Every Advertising Agreement shall be consistent with this Policy and comply with all other Applicable Law and Policies and should include the following:

- Contractual relationship of parties;
- The term, circumstances under which agreement may be terminated prior to end of term, and obligations of the parties such as the removal of advertising, upon termination;
- Renewal provision if any;
- Consideration to be paid to the City, and compensation to be paid to or retained by the Agent; and
- Provisions setting forth the Agent's obligations and defining the elements of Suitable Advertising that Agent can offer to third-party advertisers.

Section 2. This ordinance shall take effect immediately.

Held in Committee.

By Councilmember Palumbo
October 13, 2015

To the Council:

The Neighborhood & Business Development Committee recommends for adoption the following entitled legislation:

Int. No. 348 - Authorizing the sale of real estate

Int. No. 349 - Establishing maximum compensation for a professional services agreement with Fisher Associates to conduct a study, authorize an agreement with the Genesee Transportation Council, and allocate funds related to the Monroe Ave Parking Study

Int. No. 350 - Establishing maximum compensation for the continuation of a professional services agreement with the Center for Dispute Settlement for Hearing Officer Services related to the City demolition program

Int. No. 351 - Establishing maximum compensation for a professional services agreement with The Novak Consulting Group for services related to the Organizational Review and Strategic Plan Development for the Department of Neighborhood and Business Development

Int. No. 352 - Amending Ordinance No. 2015-224, by adding additional funds

Int. No. 353 - Authorizing a professional services agreement for the Bull's Head Brownfield Opportunity Area Nomination Study and appropriating funds

Int. No. 355 - Authorizing an intermunicipal agreement with Monroe County for lead paint poisoning prevention inspection services

Int. No. 374 - Amending Section 3-15 of the City Charter with regard to the abatement of nuisances

The following entitled legislation is being held in Committee:

Int. No. 354 - Authorizing agreements and appropriating funds for the Street Manager Program

Int. No. 376 - Authorizing a real property tax exemption, amendatory payment in lieu of taxes agreement and postponement of City's reversionary ownership interest for Chatham Gardens Apartments

Respectfully submitted,
Carla M. Palumbo
Carolee A. Conklin
Michael A. Patterson
Dana K. Miller
Loretta C. Scott
NEIGHBORHOOD & BUSINESS DEVELOPMENT COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-319
Re: Sale of Real Estate

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation approving the sale of six 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.

The first two properties are vacant lots sold by negotiated sale to the adjacent owners. The owners will combine the lots with their existing properties and utilize as green space.

The next four properties are unbuildable vacant lots, being sold for $1.00 (as per City policy) to their adjacent owners who will combine the respective lots with their existing properties. The first year projected tax revenue for these six properties, assuming full taxation, current assessed valuations and current tax rates, is estimated to be $ 1,890.

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

Attachment No. AO-175

Ordinance No. 2015-319
(Int. No. 348)

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 with proposal:

Address	SBL#	Lot Size	Sq. Ft.	Price	Purchaser	Tax Impact
83 Harris St	106.21-1-16	40 x 119	4,794	$475	Telesco Irrevocable Trust*	$340
100 Superior St	120.58-2-50	40 x 198	7,933	$500	Vanessa Spencer	$336

*Anne G. Telasco, Trustee

Section 2. The Council hereby approves the negotiated sale of the following parcels of unbuildable vacant land for the sum of $1.00:

Address	SBL#	Lot Size	Sq. Ft.	Purchaser	Tax Impact
127 Flower St	106.30-4-35	36 x 67	2,445	Pentecostal Holiness Church of Rochester**	$248
37 Friederich Pk	106.24-3-7.1	70 x 65	4,566	David L. Robinson	$485
16 Langham St	106.23-4-55	36 x 153	5,619	Veronica Siaca	$263
79 Silver St	120.35-2-78	33 x 169	5,702	Dorothy Cotton	$217

** Board of Directors: José Marrero, Co-Chairman, Nereida Marrero, Co-Chairman

Section 3. 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 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-320
Re: Agreement - Fisher Associates, Monroe Avenue Parking Study

Council Priority: Jobs and Economic Development

Transmitted herewith for your approval is legislation related to the Monroe Avenue Parking Study. This legislation will:

1) Establish $55,000 as maximum compensation for an agreement with Fisher Associates to conduct the parking study, the cost of which will be funded from the appropriations herein. The term of the agreement is one year;

2) Authorize the receipt and use of a $50,000 Unified Planning Work Program grant from the Genesee Transportation Council; and

3) Allocate $5,000 from the 2015-16 Budget of the Department of Neighborhood and Business Development.

Fisher Associates will identify and evaluate parking issues along the Monroe Avenue Corridor (between the Inner Loop and Culver Road) in the City of Rochester. The parking study will develop a series of recommendations to improve the quality of parking programs and resources for area residents, businesses, visitors and other vested stakeholders. It will also identify how responsible transportation management can be used to provide parking alternatives by encouraging the use of transit while enhancing accessibility for pedestrians and bicyclists.

Fisher Associates was selected through a request for proposals process, which is described in the attached summary.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-176

Ordinance No. 2015-320
(Int. No. 349)

Establishing maximum compensation for a professional services agreement with Fisher Associates to conduct a study, authorize an agreement with the Genesee Transportation Council, and allocate funds related to the Monroe Avenue Parking Study

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 Genesee Transportation Council for the receipt and use of a Unified Planning Work Program (UPWP) grant in the amount of $50,000.

Section 2. $5,000 is hereby appropriated from the 2015-16 budget of the Department of Neighborhood and Business Development as a partial grant match, which will be supplemented with in-kind labor by City staff.

Section 3. Mayor is authorized to enter into a professional services agreement with Fisher Associates in the maximum amount of $55,000 to conduct the Monroe Avenue Parking study. Said agreement shall be funded from funds authorized, and appropriated in sections 1 and 2, herein. The term of said agreement shall be one (1) year.

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

Section 5. This ordinance shall take effect immediately

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-321
Re: Agreement - Center for Dispute Settlement, Demolition Hearing Officers

Council Priority: Rebuilding and Strengthening Neighborhood Housing; Public Safety

Transmitted herewith for your approval is legislation establishing $9,500 as maximum compensation for an agreement with the Center for Dispute Settlement for demolition hearing officers. The agreement will be funded from the 2015-16 Budget of the Department of Neighborhood and Business Development and have a term of eight months, expiring on June 30, 2016, with the option to renew for one year.

As part of the City's demolition program, the Department of Neighborhood & Business Development conducts demolition hearings against owners whose properties are in a state of disrepair and a potential health and safety hazard. An important aspect of the demolition hearing process is an im-

partial, third party hearing officer. The hearing officer will listen to testimony and render written decisions for each privately owned property that the City schedules for a demolition hearing. Those hearing findings are the legal basis for further action, including demolition that the City may undertake.

The Center for Dispute Settlement is the current provider for demolition hearing services for the City (Ord. No. 2014-279). This year, the Center for Dispute Settlement is requesting $190 for each property over which they preside as hearing officer. This per case amount is an increase of $15 from the previous agreement. The requested funding will permit the Center for Dispute Settlement to conduct 50 demolition hearings from November 1, 2015 through June 30, 2016.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-177

Ordinance No. 2015-321
(Int. No. 350)

Establishing maximum compensation for the continuation of a professional services agreement with the Center for Dispute Settlement for Hearing Officer Services related to the City demolition program

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

Section 1. The sum of $9,500, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City the Center for Dispute Settlement for hearing officer services related to the City demolition program. The agreement shall extend through June 2016, with the option to extend the agreement through the fiscal year 2016-17, contingent upon approval of subsequent budgets.

Section 2. Said agreement shall be funded from the 2015-16 budget of the Department of Neighborhood and Business Development.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-322
Re: Agreement - The Novak Consulting Group, Organizational Review and Strategic Planning

Transmitted herewith for your approval is legislation establishing $67,500 as maximum compensation for an agreement with The Novak Consulting Group for an Organizational Review and Strategic Plan Development for the Department of Neighborhood and Business Development (NBD). This agreement will be funded from the 2015-16 Budget of Undistributed Expenses and have a term of one year.

The City has four primary goals for this study:

1. To determine whether the 2009-10 reorganization of three departments into NBD was successful at achieving its stated objectives; and

2. To identify whether the current NBD structure is operating efficiently and effectively, and make recommendations for change and improvement; and

3. To determine whether best practices exist in other medium-sized cities regarding economic and community development organizational structures that will be considered by the City of Rochester; and

4. To develop a five-year strategic plan for NBD.

The scope of work for the proposed study includes the following major components: provide upstate comparisons, identify best practices, review the current structure of NBD, review metrics to evaluate progress, and develop a strategic plan.

The Novak Consulting Group was selected through a request for proposal process described in the attached summary.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-178

Ordinance No. 2015-322
(Int. No. 351)

Establishing maximum compensation for a professional services agreement with The Novak Consulting Group for services related to the Organizational Review and Strategic Plan Development for the Department of Neighborhood and Business Development

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

Section 1. The sum of $67,500 or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and The Novak Consulting Group for organizational review and strategic plan development for the Department of Neighborhood and Business Development.

Section 2. Said agreement shall be funded from

2015-16 Undistributed Expense.

Section 3. The term of said agreement shall be one (1) year.

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-323
Re: Amending Ordinance No. 2015-224 - Appraisal Services

Council Priority: Rebuilding and Strengthening Neighborhood Housing; Jobs and Economic Development

Transmitted herewith for your approval is legislation amending Ordinance No. 2015-224 which authorized agreements with Pogel, Schubmehl & Ferrara, LLC, Midland Appraisal Associates, Inc., Bruckner, Tillett, Rossi, Cahill & Associates and Monroe Barrie Corporation d/b/a Metro Appraisal Associates for appraisal services as required by the City during the 2015-16 fiscal year. This amendment will modify funding for the following agreements:

Amt. Authorized Via Ord. No. 2015-224	Amendment Amount	Total
Midland Appraisal Associates, Inc.		
$9,500	$5,000	$14,500
Bruckner, Tillet, Rossi, Cahill & Associates		
$9,500	$5,000	$14,500

The source of funds for the additional funding is 2014-15 Cash Capital.

There has been an increased demand for appraisal services during this fiscal year related to increased acquisitions. The amounts originally allocated to each firm did not anticipate the high level of increased services needed for added project related acquisitions, mainly associated with the redevelopment of Bull's Head. The monies added to the two agreements listed above will allow appraisal services to continue until the end of the fiscal year.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-323
(Int. No. 352)

Amending Ordinance No. 2015-224, by adding additional funds

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

Section 1. Section 1, of Ordinance No. 2015-224, is hereby amended by increasing the compensation amount for Midland Appraisal Associates, Inc. from $9,500 to $14,500, an increase of $5,000. Said increase in compensation shall be funded from 2014-15 Cash Capital.

Section 2. Section 1, of Ordinance No. 2015-224, is hereby amended by increasing the compensation amount for Bruckner, Tillet, Rossi, Cahill & Associates from $9,500 to $14,500, an increase of $5,000. Said increase in compensation shall be funded from 2014-15 Cash Capital.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-324
Re: Agreement - Fisher Associates, Bull's Head Brownfield Opportunity Area Nomination Study

Council Priorities: Rebuilding and Strengthening Neighborhood Housing; Jobs and Economic Development

Transmitted herewith for your approval is legislation establishing $243,745 as maximum compensation for an agreement with Fisher Associates to complete a Brownfield Opportunity Area (BOA) Nomination Study, and appropriating $243,745 from anticipated grant reimbursements from the New York State Department of State (NYDOS) BOA grant to fund the agreement. The agreement will have an initial term of three years with provisions for an additional one year extension, if the project duration and scope require additional services.

In September 2011, City Council authorized the City to apply for and enter into agreements with NYSDOS for the proposed Bull's Head BOA grant (Ord. No. 2011-296). With the City as the lead applicant, the City and co-applicant, Sector 4 CDC, applied for the BOA grant in March 2012. In October 2013, NYSDOS announced the award of the Bull's Head BOA grant. In December 2014, City Council authorized the City to enter into an agreement with Sector 4 CDC in an amount not to exceed $40,000 for services relating to the Bull's Head BOA project (Ord. No. 2014-375).

The NYSDOS BOA program provides funding to assist municipalities and community-based organizations with the costs of inventorying brownfields, completing area-wide planning approaches to brownfields redevelopment, and investigating key brownfield sites. BOA grants provide funding for up to 90% of eligible project costs.

The City issued a request for proposals (RFP) for the Bull's Head Brownfield Opportunity Area Nomination Study on June 22, 2015, as described in the attached summary. Fisher Associates was selected to provide an area-wide planning study relating to approximately 188 acres of property located in the City's Bull's Head neighborhood. The study will include a review of existing land use planning studies and efforts, the identification of viable brownfield cleanup and redevelopment strategies within the BOA, and the development of a proposed land use plan.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-179

Ordinance No. 2015-324
(Int. No. 353)

Authorizing a professional services agreement for the Bull's Head Brownfield Opportunity Area Nomination Study and appropriating funds

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

Section 1. The sum of $243,745, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Fisher Associates, P.E., L.S., L.A. of New York, P.C., 135 Calkins Road, Henrietta, New York, for the Bull's Head Brownfield Opportunity Area Nomination Study. The term of the agreement shall be three years, with an option to extend for one additional year.

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

Section 3. The sum of $243,745 is hereby appropriated for the compensation under said agreement from anticipated reimbursements from the New York State Department of State Brownfield Opportunity Area grant for the Bull's Head neighborhood authorized by Ordinance No. 2011-296.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-325
Re: Agreement - Monroe County, Lead Paint Poisoning Prevention Inspection Services

Council Priority: Rebuilding and Strengthening Neighborhoods

Transmitted herewith for your approval is legislation authorizing an intermunicipal agreement with Monroe County for the receipt and use of $310,000 for lead paint poisoning prevention inspection and enforcement services. The term of the agreement is one year, from April 1, 2015 through March 31, 2016.

The agreement provides reimbursement to the City of Rochester for visual lead inspection services, lead dust wipe analysis, and reporting services. The City's Code Enforcement Office will conduct visual lead inspections at 2,950 pre-1978 housing units as part of its routine inspection duties. Any units inspected as a result of a referral by the Monroe County Department of Public Health will be included in the total number of reimbursable units. All corrections for identified deteriorated lead paint will be enforced by the City of Rochester through the issuance of Notice and Orders and follow-up enforcement procedures.

The City will perform 1,332 lead dust wipe sampling series (5-10 dust wipes per series) in units as required and performed in conjunction with Certificate of Occupancy inspections, complaints, referrals and surveys.

The Monroe County Legislature authorized the execution of this agreement on August 15, 2015 via Resolution 219.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-325
(Int. No. 355)

Authorizing an intermunicipal agreement with Monroe County for lead paint poisoning prevention inspection services

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

Section 1. The Mayor is hereby authorized to enter into an intermunicipal agreement with Monroe County for the receipt of $310,000 for lead paint poisoning prevention inspection and enforcement services.

Section 2. The term of said agreement is April 1, 2015 through March 31, 2016.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Local Law No. 2
Re: Amendment of Section 3-15 of the City Charter

Transmitted herewith for your approval is legislation amending Section 3-15 of the City Charter, Abatement of Nuisances.

Currently when the City commences a nuisance abatement proceeding, the property owners cannot be notified of the nuisance proceeding by mail; they must be served the notification in accordance with Article 3 of the Civil Practice Law and Rules. This amendment would allow for official notice to the owner to be achieved via certified mail.

Certified mail would be sent to the owner of the property, to the address on file with the City, and upon receipt would serve as formal notification that the City has commenced a proceeding for the abatement of a nuisance at their property.

Under the current language, the requirement to serve the owner in person sometimes delays the commencement of the nuisance abatement process. This amendment would allow for a more effective, efficient and timely means of notification, likely resulting in quicker corrective action(s) by the property owner.

Respectfully submitted,
Michael A. Patterson
Northeast District Councilmember

Local Law No. 2
(Int. No. 374)

Amending Section 3-15 of the City Charter with regard 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 amending Section 3-15 C. (2) (a) to read as follows:

(2) Service of notice.

(a) Prior to the issuance of orders by the Mayor or the Mayor's designee pursuant to this section, the Mayor or the Mayor's designee shall give notice and opportunity for a hearing to the owner, lessor, lessee and mortgagee of a building, erection or place wherein the public nuisance is being conducted, maintained or permitted. Such notice shall be served upon an owner pursuant to Article 3 of the Civil Practice Law and Rules <u>or by means of first-class mail with delivery confirmation sent to the owner's last known address</u>, upon a ~~lessor or~~ lessee pursuant to § 735 of the Real Property Actions and Proceedings Law, and upon a mortgagee by means of first-class mail with delivery confirmation sent to the mortgagee's last known address, provided that any service other than delivery to the person to be served shall be complete immediately upon delivery, mailing or posting without the necessity of filing proof of service with the clerk of any court before the hearing. The person in whose name the real estate affected by the orders of the Mayor or the Mayor's designee is recorded in the office of the County Clerk shall be presumed to be the owner thereof. Proceedings shall be commenced by service of the notice and opportunity for a hearing within 90 days after the occurrence of the most recent violation cited in the notice.

Section 2. This local law shall take effect immediately upon filing in the Office of the Secretary of State as provided by Section 27 of the NYS Municipal Home Rule Law.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

Councilmember Palumbo moved to discharge Int. No. 376 from Committee.

The motion was seconded by Councilmember Spaull.

The motion was adopted by the following vote:

Ayes - President Scott, Councilmembers Conklin, Haag, McFadden, Miller, Palumbo, Patterson, Spaull - 8.

Nays - Councilmember Ortiz - 1.

Councilmember Palumbo moved to amend Int. No. 376.

The motion was seconded by Councilmember Patterson.

The motion was adopted by the following vote:

Ayes - President Scott, Councilmembers Conklin, Haag, McFadden, Miller, Palumbo, Patterson, Spaull - 8.

Nays - Councilmember Ortiz - 1.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-326
Re: Agreements - Chatham Gardens Apartments

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation related to refinancing Chatham Gardens Apartments, 51 Holland Street, which is owned by Chatham Gardens, Inc. and managed by Rochester Management, Inc. This legislation will:

1. Authorize an extension of the reversionary

interest of the City in the project located at 51 Holland Street for 30 years, until January 1, 2046; and

2. Authorize the property to be mortgaged to The Community Preservation Corporation; and

3. Authorize the acceptance of payment in the amount of $479,625 for the reversion extension of Chatham Gardens Apartments by Chatham Gardens, Inc.; and

4. Authorize a new 30 year Payment In Lieu of Tax Agreement (PILOT) for an annual in-lieu payments equal to 10% of project shelter rents (gross rents minus utility costs).

Chatham Gardens Apartments are located at 51 Holland Street, Rochester, New York. It consists of eleven buildings and a total of 184 apartments (one, two, and three bedroom units). The property was constructed in 1964 through the New York State Mitchell Lama Program, which enabled the property to obtain low interest mortgage financing, and was built as affordable housing under the Limited Profit Housing Companies Law (now Article 2 of the Private Housing Finance Law).

In 1992, City Council authorized a 100% tax exemption for the property, effective until the year 2016, provided that the corporation make in-lieu-of-tax payments to the City equal to 10% of gross shelter rents. The original agreements for Chatham Gardens Apartments stated that following completion of mortgage payments, ownership would revert to the City.

The complex is in need of major rehabilitation and systems replacement, with costs estimated at $4,665,539. Refinancing is necessary to fund this expense. Extending the reversion agreement for Chatham Gardens Apartments to cover the term of the new mortgage will allow the apartments to qualify for funding and the units to continue as affordable housing.

The scope of work for the project includes: roof replacements; hot water system upgrade; new kitchens in each unit including energy star appliances, cabinets, countertops, sinks and flooring; apartment lighting upgrades; and bathroom renovations. Construction will be underway in November 2015 and is expected to be completed in the fall of 2016.

Chatham Gardens, Inc. has agreed to pay the City $479,625 for the use of the land for Chatham Gardens Apartments. This represents approximately 17% of the estimated value of the property. The payment would be made upon approval of the tax agreement and financial closing. The PILOT Review Committee approved this proposal on September 22, 2015.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-326
(Int. No. 376, as amended)

Authorizing a real property tax exemption, amendatory payment in lieu of taxes agreement and postponement of City's reversionary ownership interest for Chatham Gardens Apartments

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

Section 1. Pursuant to Section 33 of the New York State Private Housing Finance Law, the Council hereby extends the exemption ~~from real property taxes an additional 30 years until January 1, 2046~~ for Chatham Gardens Apartments, 51 Holland Street, SBL #106.56-1-49 (the Apartments) from real property taxes an additional 30 years until the City's 2045-2046 tax year, and the County's 2046 tax year, provided that the exemption shall cease prior to ~~January 1, 2046~~ the aforementioned tax years if and when the Apartments are no longer operated under the restrictions and for the purposes of affordable housing in substantial compliance with Article 2 of the New York State Private Housing Finance Law.

Section 2. The Mayor is hereby authorized to enter into an amendatory payment in lieu of taxes agreement with Chatham Gardens~~, Inc.~~ Housing Corporation for the same term as the real property tax exemption, whereby the owner of the Apartments shall be obligated to make annual tax and payments in lieu of taxes to the City of Rochester equal in total to no less than 10% of the Apartments' annual "shelter rent," a phrase which refers to the amount of gross rents less utility costs.

Section 3. The Mayor is hereby authorized to consent to the Apartments being mortgaged to CPC Funding SPE 1 LLC and/or The Community Preservation Corporation and/or an affiliate of The Community Preservation Corporation in order to finance the rehabilitation work and system replacements necessary for the Apartments to continue as quality affordable housing.

Section 4. The Mayor is hereby authorized to enter into an amendatory agreement which extends to no later than January 1, ~~2046~~ 2048 the date upon which fee title to the Apartments shall revert to the City of Rochester, in return for a payment to the City in the amount of $479,625.

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

Section 6. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed by the following vote:

Ayes - President Scott, Councilmembers Conklin, Haag, McFadden, Miller, Palumbo, Patterson, Spaull - 8.

Nays - Councilmember Ortiz - 1.

TO THE COUNCIL
Ladies and Gentlemen:

Introductory No. 354
Re: Agreements - Street Managers

Council Priority: Jobs and Economic Development

Transmitted herewith for your approval is legislation establishing $20,000 as total maximum compensation for community-based agencies to provide street managers for the City's Street Manager Program. The cost of the agreements will be funded from the 2015-16 Community Development Block Grant (CDBG), Neighborhood Commercial Assistance allocation of the Promote Economic Stability Fund. The contracts will be of varying lengths based on the end dates of their current contracts. All of the contracts will have an end date of March 31, 2016.

City Council last authorized agreements for the Street Manager Program in September 2014 for four quadrants: the Northeast, Northwest, Southeast and Southwest (Ord. No. 2014-276). The current agreement with Highland Planning LLC for the Northwest Street Manager already expires on March 31, 2016, however, and is not included in the agreements below:

Agency Quadrant	Amount
Action for a Better Community	
Northeast	$ 6,667.00
South Wedge Planning Committee	
Southeast	5,000.00
Sector 4 Community Development Corporation	
Southwest	8,333.00
Total	$20,000.00

A request for proposals (RFP) was not issued for these services due to the abbreviated term which will bring these agreements into compliance with the Department of Neighborhood and Business Development's new procedure for streamlining CDBG agreements and expenditures to follow the City's fiscal year. A justification for not issuing an RFP is attached.

The program is currently being evaluated to determine its effectiveness.

Respectfully submitted,
Lovely A. Warren
Mayor

Introductory No. 354

AUTHORIZING AGREEMENTS AND APPROPRIATING FUNDS FOR THE STREET MANAGER PROGRAM

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

Section 1. The Mayor is hereby authorized to enter into agreements with the following organizations in the following amounts for the Street Manager Program:

a) Action for a Better Community	$ 6,667.00
b) South Wedge Planning Committee	5,000.00
c) Sector 4 Community Dev't. Corporation	8,333.00
Total	$20,000.00

Section 2. The term of said agreements shall extend until March 31, 2016.

Section 3. Said agreements shall be funded from the Community Development Block Grant 2015-16, Neighborhood Commercial Assistance allocation of the Promote Economic Stability Fund.

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

Section 5. This ordinance shall take effect immediately.

Held in Committee.

By Councilmember Haag
October 13, 2015

To the Council:

The Parks & Public Works Committee recommends for adoption the following entitled legislation:

Int. No. 356 - Amending Chapter 34 of the Municipal Code as it relates to the regulation of riding bicycles

Int. No. 357 - Authorizing a professional services agreement with Lu Engineers for construction phase design and resident project representation (RPR) services for the Durand Eastman Beach Outfall and Durand Eastman Utilities and Site Improvements Projects

Int. No. 358 - Authorizing amendatory municipal cooperation agreement and acquisition of real estate and easements for the Highland Park/Canalway Trail Improvements Project

Int. No. 359 - Authorizing a professional services agreement with T.Y. Lin International, and appropriate funds related to the Lake Avenue Improvement Project (Merrill Street to 600 feet South of Burley Road)

Int. No. 360 - Bond Ordinance of the City of Rochester, New York authorizing the issuance of $1,004,000 Bonds of said City to finance the reconstruction of certain portions of Lake Avenue related to the 2015 Lake Avenue Improvement Project, as amended

Int. No. 361 - Bond Ordinance of the City of Rochester, New York authorizing the issuance of $577,000 Bonds of said City to finance the recon-

struction of water services along certain portions of Lake Avenue related to the 2015 Lake Avenue Improvement Project, as amended

Int. No. 363 - Authorizing the receipt and use of funds and amend ordinances related to the 2016 Contract 2 Preventive Maintenance (Ames Street, Buffalo Road, West Main Street and West Ave.), the 2017 Preventive Maintenance Group 5 (Arnett Blvd, Genesee Park Blvd., and Webster Ave.) and Joseph Ave. at Kelly Street Diverter projects

Int. No. 364 - Authorizing a Cleaner, Greener Communities Program grant agreement for developing a developer's guidance for Sustainable Planning and Design Practices

Int. No. 365 - Amending Ordinance Nos. 2014-99 and 2014-347 as it relates to the Hincher Group Street Improvement Project

The Parks & Public Works Committee recommends for consideration the following entitled legislation:

Int. No. 362 - Local Improvement Ordinance - Replacing Traffic Signal at Entrances to Holy Sepulchre Cemetery

Int. No. 366 - Changing the traffic flow on Martin Street from two-way to one-way southbound

Respectfully submitted,
Matt Haag
Elaine M. Spaull
Michael A. Patterson
Dana K. Miller
Loretta C. Scott
PARKS & PUBLIC WORKS COMMITTEE

Received, filed, and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-327
Re: Municipal Code Amendment - Bicycles

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation amending Chapter 34: Bicycles of the Municipal Code to modernize the section, making it more supportive of current transportation trends and consistent with City initiatives such as the Complete Streets policy.

The Municipal Code currently requires children under age 12 to ride their bicycles on the sidewalk at all times, and to walk their bicycles across all streets. This prevents families from taking rides together on City streets, which is counter to the City's efforts to establish safe, bicycle-friendly streets for residents and visitors of all ages. The proposed legislation will make it legal for families with children under age 12 to bicycle together on our streets provided that the children are accompanied by a person over 18 years of age.

The Municipal Code also prohibits anyone from riding a bicycle on sidewalks within the downtown area, i.e., the Central Traffic District, even though the Genesee Riverway Trail (GRT) directs trail users onto sidewalks in multiple locations. The proposed legislation will make it legal to ride bicycles on any downtown sidewalk that is identified as part of the GRT or other multi-use trail system. It will remain illegal to ride a bicycle on all other downtown sidewalks.

Lastly, in acknowledgement that riding bicycles on the sidewalk may pose a hazard for pedestrians, this proposed legislation makes it a requirement that bicyclists yield the right-of-way to pedestrians when riding on the sidewalk.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-180

Ordinance No. 2015-327
(Int. No. 356)

Amending Chapter 34 of the Municipal Code as it relates the regulation of riding bicycles

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

Section 1. Chapter 34 subsection 6 of the Municipal Code of the City of Rochester, as amended, is hereby amended as follows:

a) §34-6 C.

Children under 12 years of age shall ride ~~bicycles~~, velocipedes or tricycles only on the sidewalk and must walk ~~bicycles~~, velocipedes or tricycles across all streets. Children under 12 years of age shall ride bicycles only on the sidewalk unless accompanied by a person over 18 years of age. ~~All~~ Outside of the Central Traffic District, persons over 12 years of age may ride bicycles upon any multi-use trail or sidewalk ~~except in the Central Traffic District~~ but may not ride bicycles on any plot in the roadway planted with grass, flowers or shrubs or on any ornamental parkway in any roadway. Within the Central Traffic District, riding a bicycle on the sidewalk is prohibited except where the sidewalk is identified as part of the Genesee River Trail or other multi-use trail system. The prohibition against riding bicycles upon sidewalks in the Central Traffic District shall not apply to police officers in the performance of their duties.

b) §34-6 G.

Bicycle riding by children under 12 years of age is forbidden in the Central Traffic District, unless accompanied by a person over 18 years of age.

c) §34-6 H.

When riding a bicycle on the sidewalk, bicycle riders shall yield the right-of-way to pedestrians.

Section 2. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-328
Re: Agreement - Lu Engineers, Durand Eastman Beach Improvements Projects

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing $140,000 as maximum compensation for an agreement with Lu Engineers, Pittsford, New York, for construction phase design and resident project representation (RPR) services for the Durand Eastman Beach Outfall and Durand Eastman Beach Utilities and Site Improvements Projects. The agreement will be funded from Monroe County ($56,100), New York State Department of State ($28,000), Bond Ordinance No. 2014-224 ($31,500), and Bond Ordinance No. 2014-289 ($24,400).

Since 2006, the City has operated Durand Eastman Beach as a public bathing beach, with conditional permits from the Monroe County Health Department, based on the provision of temporary facilities and plans for permanent improvements to meet the requirements of the New York State Sanitary Code. A single consultant was selected to perform RPR services on both the Outfall and Utilities and Site Improvements Projects (described below) because of the nature and location of the work and concurrent schedule of the projects. Lu Engineers was selected based on their familiarity of the site and availability of staff. A justification statement for not issuing a request for proposals is attached.

The Durand Eastman Beach Outfall Project was designed by Lu Engineers and includes drainage repairs to the outfall (Ord. No. 2015-47). Construction is estimated at $660,000 including contingency with funding provided from Bond Ordinance No. 2014-289; Monroe County (Ord. No. 2015-47); and the United States Environmental Protection Agency (US EPA) (Ord. No. 2010-332). The US EPA grant also partially funded emergency repairs at the site and construction of an antimicrobial filter system to improve the quality of storm water flowing to the bathing beach, which was completed in 2013.

The Durand Eastman Beach Utilities and Site Improvements Project is designed by LaBella Associates (Ord. No. 2014-223). The project will install public water and sanitary sewer services to the site to support the current temporary facilities and the potential permanent improvements at Durand Eastman Beach. The construction cost is estimated at $524,000 including contingency.

Construction of the Outfall Project is anticipated to begin and be completed in fall 2015; construction of the Utilities and Site Improvements Project is anticipated to begin in fall 2015 and be completed in spring 2016.

The proposed RPR agreement and construction of the two projects will result in the creation and/or retention of the equivalent of 13 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-181

Ordinance No. 2015-328
(Int. No. 357)

Authorizing a professional services agreement with Lu Engineers for construction phase design and resident project representation (RPR) services for the Durand Eastman Beach Outfall and Durand Eastman Utilities and Site Improvements Projects

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

Section 1. The Mayor is authorized to enter into a professional services agreement with Lu Engineers in the maximum amount of $140,000, for construction phase design and resident project representation (RPR) services for the Durand Eastman Beach Outfall and Durand Eastman Utilities and Site Improvements Projects.

Section 2. Funding for the agreement shall consist of the following:

a) $56,100 from Monroe County

b) $28,000 from the New York Department of State

c) $31,500 authorized in Bond Ord. 2014-224

d) $24,400 authorized in Bond Ord. 2014-289

Section 3. This agreement may extend until three (3) months after a two year guarantee inspection of the project.

Section 4. The agreement shall contain such terms and conditions as the Mayor deems to be appropriate.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-329
Re: Highland Park/Canalway Trail Improvements Project

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation related to the Highland Park/Canalway Trail Improvements Project. This legislation will:

1. Authorize the acceptance of two easements, as noted below, for the construction of trail improvements; and

2. Appropriate $24,800 in anticipated reimbursements from the Town of Brighton, New York to finance the federal aid eligible portion of the easements; and

3. Amend the intermunicipal agreement authorized via Ordinance No. 2010-126 to reduce Prior Years' Cash Capital amount of the agreement by $6,200 for the City portion of the right-of-way (ROW) incidentals and acquisition and to extend the term of the agreement to two years after completion and acceptance of the construction of the project or the termination of the grant agreement with the New York State Department of Transportation (NYSDOT), whichever occurs first; and

4. Authorize the acceptance of the donation of NYS land from the People of the State of New York for ROW.

This federally funded project will construct a multi-use neighborhood connector trail between the Canalway Trail (south of Westfall Road) to the east bank of the Genesee Riverway Trail at McLean Street (north of the University of Rochester). The trail will connect neighborhoods in the Town of Brighton and the City of Rochester to the Canalway Trail and Genesee Riverway Trail, thereby providing trail users access to adjacent parks and open space. The Town of Brighton is administering the federal grant, design and construction of the project.

Ordinance No. 2008-300 authorized an intermunicipal agreement with the Town of Brighton and $7,900 for project administration and design services. Ordinance Nos. 2009-203 and 2010-126 amended the agreement to a not to exceed amount of $158,980 for design, ROW and construction services for the City share of the federal aid project. Originally, the intermunicipal agreement provided that the Town of Brighton would acquire the permanent easements on behalf of the City; instead, the City will acquire the easements and accept the state land directly. The Town of Brighton will reimburse the City for the federal share of the acquisitions.

The easements and donations are required for the construction of the proposed trail improvements. The values of these permanent easements were established by an independent appraisal performed by R.K. Hite and Company, Inc. and reviewed and approved by the City's Director of Real Estate.

The total cost of the easements and donations, including closing costs, will not exceed $31,000 and will be financed from the $24,800 in anticipated reimbursements from the Town of Brighton appropriated herein and $6,200 from Prior Years' Cash Capital also appropriated herein.

Address	Sq. Ft.	Value
Property Owner		
1000 Elmwood	1,185.5	$3,300
Al Sigl Center for Rehabilitation Agencies, Inc.		
1201 Elmwood	10,935.0	$25,100
293 A Alden Rd LLC		
1111 Elmwood	3,410.3	donation
People of the State of New York		
1149 Elmwood	7,497.4	donation
People of the State of New York		

The initial intermunicipal agreement stated that the agreement was to terminate on December 31, 2011 or the termination of the grant agreement with the NYSDOT, whichever comes first. The subsequent amendatory agreements did not extend the term of the agreement. The revised term will extend the agreement through project completion.

Design of the project is planned to be complete in the winter 2016. Construction is anticipated to begin in spring 2016 with completion in fall 2016.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-182

Ordinance No. 2015-329
(Int. No. 358)

Authorizing amendatory municipal cooperation agreement and acquisition of real estate and easements for the Highland Park/Canalway Trail Improvements Project

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

Section 1. The Mayor is hereby authorized to enter into an amendatory agreement with the Town of Brighton to implement the Highland Park/Canalway Trail Improvements Project.

Section 2. Said amendatory agreement shall decrease by $6,200 the maximum compensation for design and construction services under the amendatory agreement authorized in Ordinance No. 2010-126 so that the maximum compensation shall be no more than $152,780.

Section 3. Said amendatory agreement shall provide for the City's acquisition of easements and donations of real property for the Project and the reimbursement of the acquisition costs thereof as provided for in this Ordinance.

Section 4. Said amendatory agreement shall ex-

tend the term of the agreement originally authorized in Ordinance No. 2008-300 and as last authorized to be amended in Ordinance No. 2010-126 until two (2) years after completion and acceptance of the construction of the Project or the termination of the grant agreement with the NYS Department of Transportation**,** whichever occurs first.

Section 5. Said amendatory agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 6. The Council hereby approves the acquisition of permanent easements over, or accepts the donation of ownership of, the following parcels for use in the development of the Project:

Address (and interest)	Property Owner	Tax Account No.	Sq. Ft.	Value
1000 Elmwood (easement)	AI Sigl Center for Rehabilitation Agencies, Inc	136.47-1-20	1,185.5	$3,300
1201 Elmwood (easement)	293 A Alden Rd LLC	136.56-1-1	10,935.0	$25,100
1111 Elmwood (ownership)	People of the State of New York	136.55-1-1.5	3,410.3	donation
1149 Elmwood (ownership)	People of the State of New York	136.55-1-2.4	7,497.4	donation

Section 7. The acquisitions shall obligate the City to pay an amount, including closing costs, not to exceed $31,000.

Section 8. $24,800, is hereby appropriated for said acquisition costs from anticipated reimbursements from the Town of Brighton for the portion of the acquisitions eligible for federal funding.

Section 9. The remainder of said acquisition costs shall be funded by up to $6,200 in prior years Cash Capital removed from the allocation for Project design and construction services in Section 2 of this Ordinance.

Section 10. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-330
Ordinance No. 2015-331
Ordinance No. 2015-332
Local Improvement Ordinance No. 1708
Re: Lake Avenue Improvement Project

Council Priority: Jobs and Economic Development

Transmitted herewith for your approval is legislation related to the Lake Avenue Improvement Project (Merrill Street to Burley Road). This legislation will:

1. Establish $642,000 as maximum compensation for an agreement with T.Y. Lin International, 255 East Avenue, Rochester, NY 14604 for resident project representation (RPR) services; and

2. Authorize the issuance of bonds totaling $1,004,000 and appropriate the proceeds thereof to finance the City share of the street improvements; and

3. Authorize the issuance of bonds totaling $577,000 and appropriate the proceeds thereof to finance the City share of the water improvements; and

4. Appropriate $143,000 from the Local Improvement Fund to finance the cost of a private traffic signal at the entrances to Holy Sepulchre Cemetery, and authorize a Local Improvement Ordinance (LIO) to assess the affected property for the same amount.

The project includes street reconstruction, new curbing, sidewalks, a multi-use path, new water mains and services, hydrants, receiving basins and a street lighting system. A multi-use path will be installed along the majority of the project, and a new curbed median will be installed in the center of the roadway at St. Bernard's to function as a pedestrian refuge for those crossing the road. The water main will have cathodic protection installed along the length of the project area. The project was designed by T.Y. Lin International, as authorized in May 2011 (Ord. No. 2011-151), and the necessary geometric changes for the curbed median were authorized in June 2015 (Ord. No. 2015-205).

Ordinance No. 2015- 205 also authorized the acquisition of two easements needed for traffic signal work at the entrances to Holy Sepulchre Cemetery. The LIO will pre-finance the cost of replacing the traffic signal and will be reimbursed at 1% over the City's borrowing rate in one payment at the next LIO billing.

The impacted property is:

Address	Property Owner	LIO Amount
2270 Lake Avenue	Holy Sepulchre Cemetery	$143,000

The Lake Avenue Improvement Project is a federal aid project administered by the City through the New York State Department of Transportation (NYSDOT). The City is qualified to receive up to 80% of the eligible project costs from the Federal Highway Administration (FHWA) and up to 15% from NYS, with the remainder locally funded. These funds were appropriated in September 2015 (Ord. No. 2015-302)

Bids for construction were received on September 15, 2015. The apparent low bid of $5,295,973 was submitted by Ramsey Constructors, Inc. which is 11.6% more than the engineer's estimate. An additional $ 78,282 will be allocated for additional project contingencies.

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

Source	Construction	Contingency	RPR	City Administration	Total
FHWA (Ord. No. 2015-302)	$3,169,917	$ 0	$384,363	$32,920	$3,587,200
NYS (Ord. No. 2015-302)	541,336	0	65,639	5,625	612,600
Street Bond	833,589	58,846	111,565	0	1,004,000
Water Bond	507,595	7,856	61,549	0	577,000
Traffic Reimbursement	29,734	2,661	3,605	0	36,000
Monroe County Pure Waters (Ord. No. 2015-132)	87,676	7,324	0	0	95,000
LIO	126,126	1,595	15,279	0	143,000
Total	$5,295,973	$78,282	$642,000	$38,545	$6,054,800

T.Y. Lin International was selected to provide RPR services from the NYSDOT list of pre-approved regional engineering firms, which is described in the attached summary. The agreement may extend until two years after final acceptance of the project.

Construction is anticipated to begin in fall 2015, with substantial completion in the summer 2016. The construction phase of this project will result in the creation and/or retention of the equivalent of 66 full-time jobs.

A public hearing is required for the Local Improvement Ordinance.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-330
(Int. No. 359)

Authorizing a professional services agreement with T.Y. Lin International, and appropriate funds related to the Lake Avenue Improvement Project (Merrill Street to 600 feet south of Burley Road)

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

Section 1. The Mayor is authorized to enter into a professional services agreement with T.Y. Lin International in the maximum amount of $642,000 for the resident project representation (RPR) services of the Lake Avenue Improvement Project (Merrill Street to 600 feet south of Burley Road). The agreement may extend until two years after final acceptance of the project.

Section 2. Said agreement shall be funded from the following sources:

a)	Federal Highway Administration, Ordinance No. 2015-302	$384,363
b)	New York State, Ordinance No. 2015-302	$65,639
c)	Street Improvement Bond	$111,565
d)	Water Improvements Bond	$61,549
e)	2011-12 Cash Capital	$3,605
f)	Local Improvement Ordinance	$15,279

Section 3. $143,000 shall be funded from a Local Improvement Ordinance established for the replacement of the traffic signal at Holy Sepulchre Cemetery.

Section 4. The agreement shall contain such terms and conditions as the Mayor deems to be appropriate.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2015-331
(Int. No. 360, as amended)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of $1,004,000 Bonds of said City to finance the reconstruction of certain portions of Lake Avenue related to the 2015 Lake Avenue Improvement 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 of certain portions of Lake Avenue (from Merrill Street to 600 feet South of Burley Road) related to the 2015 Lake Avenue Improvement Project for the City, including new curbing, sidewalks, street lighting, a curbed center median and other roadway improvements (the "Project"). The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is $4,666,355, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of $1,004,000 bonds of the City to finance a portion of said appropriation, $3,128,151.27 from the Federal Highway Administration, $534,203.73 from the New York State Department of Transportation Marchiselli Aid Program, appropriated under Ordinance ~~2015-330~~ 2015-302, 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 $1,004,000 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 $1,004,000. 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.

Strike indicates deleted text, new text is underlined

Passed unanimously.

Ordinance No. 2015-332
(Int. No. 361)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of $577,000 Bonds of said City to finance the reconstruction of water services along certain portions of Lake Avenue related to the 2015 Lake Avenue Improvement 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, water services, hydrants and installation of a cathodic protection system along certain portions of Lake Avenue (from Merrill Street to 600 feet south of Burley Road) related to the 2015 Lake Avenue Improvement Project for the City (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 $606,387, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of $577,000 bonds of the City to finance said appropriation, $25,101 from the Federal Highway Administration, $4,286 from the New York State Department of Transportation Marchiselli Aid Program 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 $577,000 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 $577,000. 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 com-

plied with, and an action, suit or proceeding contesting such validity, is commenced within twenty (20) days after the date of such publication, or

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

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

Passed unanimously.

Local Improvement Ordinance No. 1708
(Int. No. 362)

Local Improvement Ordinance - Replacing Traffic Signal at Entrances to Holy Sepulchre Cemetery

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

Section 1. The Council hereby authorizes the replacement of the traffic signal at the entrances to the Holy Sepulchre Cemetery located on Lake Avenue concurrent with implementation of the Lake Avenue Improvement Project, which is anticipated to begin in Fall 2015 with substantial completion in Summer 2016.

Section 2. The limits of the District of Assessment for the replacement of the traffic signal shall be the following parcels, which constitute Holy Sepulchre properties on opposing sides of Lake Avenue that are accessed from the intersection where the traffic signal will be replaced:

Property Address	SBL Number	Owner Name	Acreage	Allocation
2461 Lake Avenue	075.51-1-1.002	Holy Sepulchre Cemetery	±236.08	82%
2270 Lake Avenue	075.52-1-1	Holy Sepulchre Cemetery	±52.96	18%

Section 3. The Council hereby finds that the upgrading of said traffic signal will benefit the parcels of property within the district described in proportion to the size of each parcel.

Section 4. The cost of replacing said traffic signal in an amount not exceeding $143,000, plus interest at the rate of one percent (1%) above the City's most recent lone term borrowing rate as determined by the Director of Finance shall be assessed and billed on the 2016-17 tax bill and shall be due in one installment. Any assessment not paid by its due date shall be a lien upon the property billed and a personal obligation of the property owner.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-333
Re: Preventive Maintenance - New York
State Department of Transportation
Marchiselli Aid

Council Priority: Deficit Reduction and Long
Term Financial Stability

Transmitted herewith for your approval is legislation related to the appropriation of New York State Marchiselli Aid for the 2016 Preventive Maintenance Contract 2 (Ames Street, Buffalo Road, West Main Street and West Avenue), 2017 Preventive Maintenance Group 5 (Arnett Boulevard, Genesee Park Boulevard and Webster Avenue), and Joseph Avenue at the Kelly Street Diverter Projects. The New York State Department of Transportation Marchiselli Aid program provides for the reimbursement of up to 75% of the eligible local share of federal aid project costs. This legislation will:

1. Authorize the receipt and use of $17,400 in anticipated reimbursements from the Marchiselli Aid program to the 2016 Preventive Maintenance Contract 2 (Ames Street, Buffalo Road, West Main Street and West Avenue) Project design costs; and

2. Amend Ordinance No. 2014-392 to replace a portion of the City funded share ($17,400) of the design agreement with Hunt Engineers, Architects and Land Surveyors related to the 2016 Preventive Maintenance Contract 2 (Ames Street, Buffalo Road, West Main Street and West Avenue) Project with the funds appro-

priated herein; and

3. Authorize the receipt and use of $23,700 in anticipated reimbursements from the Marchiselli Aid program to finance the 2017 Preventive Maintenance Group 5 (Arnett Boulevard, Genesee Park Boulevard and Webster Avenue) Project design costs; and

4. Amend Ordinance No. 2014-396 to replace a portion of the City funded share ($23,700) of the design agreement with C & S Companies, Inc. related to the 2017 Preventive Maintenance Group 5 (Arnett Boulevard, Genesee Park Boulevard and Webster Avenue) Project with the funds appropriated herein; and

5. Authorize the receipt and use of $12,750 in anticipated reimbursements from the Marchiselli Aid program to finance the Joseph Avenue at the Kelly Street Diverter Project construction costs; and

6. Amend Ordinance Nos. 2013-423 and 2015-11 to replace a portion of the City funded share ($1,950) of the resident project representation services agreement with Bergmann Associates, P.C. related to the Joseph Avenue at the Kelly Street Diverter Project with the funds appropriated herein.

The remaining Marchiselli Aid ($10,800) appropriated herein for the Joseph Avenue at the Kelly Street Diverter Project will be used to reduce the City funded portion of the construction costs.

Construction of the 2016 Preventive Maintenance Contract 2 (Ames Street, Buffalo Road, West Main Street and West Avenue) Project is scheduled for spring 2016 with anticipated completion by summer 2016. Construction of the 2017 Preventive Maintenance Group 5 (Arnett Boulevard, Genesee Park Boulevard and Webster Avenue) Project is scheduled for spring 2017 with anticipated completion by summer 2017. Construction of the Joseph Avenue at the Kelly Street Diverter Project was completed in 2014.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-333
(Int. No. 363)

Authorizing the receipt and use of funds and amend ordinances related to the 2016 Contract 2 Preventive Maintenance (Ames Street, Buffalo Road, West Main Street and West Avenue), the 2017 Preventive Maintenance Group 5 (Arnett Boulevard, Genesee Park Boulevard, and Webster Avenue), and Joseph Avenue at Kelly Street Diverter projects

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Department of Transportation for the receipt and use of $17,400 in anticipated reimbursements from the Marchiselli Aid Program to the 2016 Preventive Maintenance Contract 2 (Ames Street, Buffalo Road, West Main Street and West Avenue) project design costs.

Section 2. Ordinance No. 2014-392 is hereby amended by replacing $17,400 of the City funded share of the design agreement with Hunt Engineers, Architects and Land Surveyors related to the 2016 Contract 2 Preventive Maintenance (Ames Street, Buffalo Road, West Main Street and West Avenue) project design costs with funds authorized in section 1 herein.

Section 3. The Mayor is hereby authorized to enter into an agreement with the New York State Department of Transportation for the receipt and use of $23,700 in anticipated reimbursements from the Marchiselli Aid Program to finance the 2017 Preventive Maintenance Group 5 (Arnett Boulevard, Genesee Park Boulevard, and Webster Avenue) project design costs.

Section 4. Ordinance No. 2014-396 is hereby amended by replacing $23,700 of the City funded share of the design agreement with C&S Companies, Inc. related to the 2017 Preventive Maintenance Group 5 (Arnett Boulevard, Genesee Park Boulevard, and Webster Avenue) project design costs with funds authorized in section 3 herein.

Section 5. The Mayor is hereby authorized to enter into an agreement with the New York State Department of Transportation for the receipt and use of $12,750 in anticipated reimbursements from the Marchiselli Aid Program to finance the 2017 Joseph Avenue at Kelly Street Diverter project construction costs.

Section 6. Ordinance Nos. 2013-423 and 2015-11 are hereby amended by replacing $1,950 of the amounts authorized therein for the resident project representation agreement with Bergman Associates PC related to the Joseph Avenue at Kelly Street Diverter project with funds authorized in section 5 herein.

Section 7. The agreements shall contain such terms and conditions as the Mayor deems to be appropriate.

Section 8. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-334
Re: Grant Agreement - New York State Energy Research and Development Authority/Cleaner, Greener Communities Program, City of Rochester Developer's Guidance for Sustainable Planning and Design Practices

Transmitted herewith for your approval is legislation related to the creation of developer's guidance for incorporating Sustainable Planning and Design Practices (SPDP) for the City of Rochester. This legislation will:

1. Authorize a grant agreement with the New York State Energy Research and Development Authority (NYSERDA); and

2. Appropriate a maximum of $56,300 in anticipated grant reimbursements from NYSERDA to finance the project.

In June 2014, the City applied for and was subsequently awarded competitive grant funding through NYSERDA's Cleaner, Greener Communities Category 2 Planning Program. The grant program is designed to provide communities with funding for planning projects that will align with their region's sustainability goals and lead to a community-wide reduction of greenhouse gas emissions.

NYSERDA will provide $56,250 in grant funding to the City for the preparation of SPDP guidance materials that are intended to improve the design and development of residential, commercial, and mixed-use projects within the City. The SPDP guidance will be tailored to the conditions and opportunities in the City by considering local and regional climate change projections, local economic conditions, City and other regulatory processes, and financial resources available in Rochester for sustainable development.

The guidance materials will describe the economic and environmental benefits of sustainable design and greenhouse gas reduction initiatives and will incorporate techniques for climate adaptation, green buildings, energy efficiency and renewable energy, water efficiency, storm water management, recycling/reuse of buildings and/or materials, green space, and transportation.

The development of the SPDP guidance compliments the City's current efforts to prepare a Community Climate Action Plan which is also being funded by NYSERDA. It is anticipated that the SPDP materials will help achieve the greenhouse gas emission reduction target that will be included in the Community Climate Action Plan. The SPDP project is also consistent with the City's January 2015 Energy Plan which was prepared with assistance from the New York State Power Authority under the Five Cities Energy Plans initiative.

The City's existing *Developer's Guidance for Urban and Brownfield Properties* will also be updated to summarize and cross-reference the SPDP guidance materials. In addition, the SPDP guidance materials will be made available as a user-friendly, interactive, decision-based web tool, as well as in hard copy.

The NYSERDA grant will fund up to 75% of the costs for preparation of the SPDP guidance. The remaining 25% will be provided by City staff in-kind services. In the fall of 2015, the Department of Environmental Services, Division of Environmental Quality will prepare and issue a request for proposals for consulting services to assist in the implementation of the project.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-334
(Int. No. 364)

Authorizing a Cleaner, Greener Communities Program grant agreement for developing a developer's guidance for Sustainable Planning and Design Practices

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 Energy Research and Development Authority (NYSERDA) for funding in the amount of $56,250 and any Cost of Living Allowances thereto for the development of a developer's guidance for Sustainable Planning and Design Practices (SPDP).

Section 2. The term of the agreement shall extend to the completion and the City's and NYSERDA's acceptance of the SPDP guidance.

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

Section 4. Ordinance No. 2015-167, the 2015-16 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget for the Department of Environmental Services by the sum of $56,250 to be received from NYSERDA under the grant agreement authorized herein, which sum is hereby appropriated from the Budget of the Department of Environmental Services for consultants' fees and other costs of developing of the SPDP guidance.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-335
Re: Technical Amendment - Ordinance Nos. 2014-99 and 2014-347, Hincher Group Street Improvement Project

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation amending Ordinance Nos. 2014-99 and 2014-347 to revise the values of the acquisitions associated with the Hincher Group Street Improvement Project. The changes are detailed below:

Address	Property Owner	Ordinance Number	Sq. Ft.	Original Value	Revised Value
20 Fleming	Anthony & Theresa Agostinelli	2014-99	1,695	$2,600	$15,000
54 Fleming	Rockbridge Properties, LLC	2014-347	90	$630	$1,200

The just compensation for each property has been augmented by an administrative adjustment permitted under the Eminent Domain Procedure Law in consideration of the legal costs of attempting to acquire the properties through condemnation.

The property at 20 Fleming Street possesses a complicated title because the last deed of the property was recorded more than forty years ago, the property has passed through two estates, and a third estate proceeding is pending. It is doubtful that the property can be acquired in time for the project through condemnation, so the cooperation of all eight owners is necessary. The owners believe the property has substantially greater value than the City's appraisal, but are willing to convey the property with the indicated administrative adjustment.

The owner of 54 Fleming Street has appeared and contested the condemnation, and the increased just compensation will result in a timely conveyance without additional litigation costs.

The properties' value increased from a total of $3,230 to $16,200, with an additional $2,530 anticipated for closing costs. The total additional cost of $15,500 will be funded from 2013-14 Cash Capital.

Construction is underway on this project, with completion anticipated in summer 2016.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-335
(Int. No. 365)

Amending Ordinance Nos. 2014-99 and 2014-347 as it relates to the Hincher Group Street Improvement Project

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

Section 1. Ordinance 2014-99 is hereby amended by increasing the value of 20 Fleming owned by Anthony and Theresa Agostinelli from $2,600 to $15,000.

Section 2. Ordinance 2014-347 is hereby amended by increasing the value of 54 Fleming owned by Rockbridge Properties, LLC from $630 to $1,200.

Section 3. Ordinance Nos. 2014-99 and 2014-347 are hereby further amended by increasing the amount for closing costs by $2,530. The total additional costs ($15,500) specified herein shall be funded from 2014-15 Cash Capital.

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-336
Re: Traffic Flow Change - Martin Street

Council Priority: Rebuilding and
Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation authorizing a change in the direction of traffic flow on Martin Street from 110' south of Hart Street to Hartel Alley from two-way to one-way southbound.

The section of Martin Street from Hartel Alley to Upper Falls Boulevard is currently one-way southbound; however, the section of Martin Street to the north, from Hartel Alley to Hart Street, is two-way. In order to accommodate school buses at the Martin Street educational campus, on-street parking must be restricted in the two-way section for traffic safety purposes. This has posed a hardship for residents with inadequate off-street parking.

To alleviate the residential parking problem, the portion of Martin Street that is one-way southbound will be ex-

tended northward, facilitating the re-establishment of on-street parking on the east side of that part of the street. The section of Martin Street from Hart Street to 110' south of Hart Street will remain two-way in order to maintain access to and from private parking lots at the corner.

Residents and property owners within this block of Martin Street have been notified of the proposed change and no opposition has been received. The change to one-way southbound has been reviewed by the City's Traffic Control Board and endorsed at its September 15, 2015 meeting.

A public hearing is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-183

Ordinance No. 2015-336
(Int. No. 366)

Changing the traffic flow on Martin Street from two-way to one-way southbound

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

Section 1. The Council hereby approves a change in the direction of the traffic flow on Martin Street from two-way to one-way southbound on the portion located between 110 feet south of Hart Street and Hartel Alley.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember McFadden
October 13, 2015

To the Council:

The Public Safety, Youth & Recreation Committee recommends for adoption the following entitled legislation:

Int. No. 367 - Authorizing and extending grant agreements for police/citizen patrols, community policing and SWAT Team rifle upgrades and amending the 2015-16 Budget

Int. No. 368 - Appropriating Federal asset forfeiture funds for a gun buy-back event

Int. No. 369 - Authorizing an amendatory agreement, amending the 2015-16 Budget of the Department of Recreation and Youth Services ~~("DRYS")~~, and establishing maximum compensation for professional services contracts, related to World AIDS Day, as amended

Int. No. 370 - Authorizing amendatory agreements and funding for the Comprehensive Adolescent Pregnancy Prevention Program

Int. No. 371 - Authorizing amendatory agreements with the US Department of Health and the University of Rochester for the Federal Teenage Pregnancy Prevention (TPP) Program

Int. No. 373 - Authorizing an agreement with United Negro College Fund, Inc.

Int. No. 375 - Authorizing agreements and funding for the Flower City AmeriCorps program

Respectfully submitted,
Adam C. McFadden
Matt Haag
Elaine M. Spaull
Dana K. Miller
Loretta C. Scott
PUBLIC SAFETY, YOUTH & RECREATION COMMITTEE

Received, filed, and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-337
Re: Grant Agreements - New York State Division of Criminal Justice Services

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing agreements with the New York State Division of Criminal Justice Services (DCJS) for the receipt and use of two grants described below, and amending the 2015-16 Budget of the Police Department by $27,600 to reflect the new awards and carry over funds ($13,600) from a 2014-15 DCJS award.

New York State Senate Grant/Funke, September 1, 2015 - August 31, 2016
This $4,000 grant, received under the auspices of Senator Rich Funke, will be used to upgrade scopes on the M-4 rifles used by the SWAT team for search warrant execution and other SWAT operations. Use of the most up-to-date optics on SWAT team weapons enhances the team's ability to carry out operations with the utmost accuracy, safety and security for officers and citizens.

New York State Senate Grant/Ranzenhofer, October 1, 2015 - September 30, 2016
This award, not to exceed $10,000, was secured by Senator Michael H. Ranzenhofer to provide overtime for community policing patrols in the Police Department's Genesee Section. Fringe benefits, in the amount of $3,568, are not included in this grant.

2014-15 Community Policing Grants- Carry Over Funds
In March 2015, the Police Department received $20,000 in funds from DCJS for overtime patrols through two Community Policing grants garnered by Senator Robach (Ord. No. 2015-78). These grants provide police overtime for officers to walk with citizens, including members of PAC-TAC, clergy, and teens. These funds were not fully expended in 2014-15 as anticipated, and therefore

need to be carried over into the 2015-16 fiscal year. The remaining overtime in the amount of $13,600, which does not include $4,850 in fringe, will be used for the original intended purpose. The term of this agreement is through December 31, 2015.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-337
(Int. No. 367)

Authorizing and extending grant agreements for police/citizen patrols, community policing and SWAT Team rifle upgrades and amending the 2015-16 Budget

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Division of Criminal Justice Services for receipt and use of funds to upgrade the scopes on rifles used by the Rochester Police Department's SWAT team in the amount of $4,000, and such funds are hereby appropriated for said purpose. The term of this agreement shall be September 1, 2015 through August 31, 2016.

Section 2. The Mayor is hereby authorized to enter into a second agreement with the New York State Division of Criminal Justice Services for receipt and use of funds for community policing patrols in the Rochester Police Department's Genesee Section in the amount of $10,000 and such funds are hereby appropriated for said purpose. The term of this agreement shall be October 1, 2015 through September 30, 2016.

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

Section 4. Ordinance No. 2015-167, the 2015-16 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Rochester Police Department by the sum of $14,000, which amount is hereby appropriated from funds to be received under the grant agreement authorized herein.

Section 5. Ordinance No. 2015-167, the 2015-16 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Rochester Police Department by the sum of $13,600, which amount is hereby appropriated from unspent grant funds appropriated in the 2014-15 budget for agreements with the New York State Division of Criminal Justice Services originally authorized by Ordinance No. 2015-78 that provide for police/citizen patrols and community policing. Said funds shall be used for their original purposes and within a term that ends on December 31, 2015, as provided for in the original agreements.

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-338
Re: Appropriation - Federal Asset Forfeiture Fund, Gun Buy-back Event

Council Priority: Public Safety

Transmitted herewith for your approval is legislation appropriating up to $4,400 from federal asset forfeiture funds generated by the Police Department and amending the 2015-16 Budget of the Police Department by said amount to support a gun buy-back event. This appropriation will result in a balance of approximately $569,700 in the fund.

These federal forfeiture funds will be used to provide overtime salary ($3,243) and fringe ($1,157) for police officers to staff the gun buy-back event. Wegmans is donating up to $15,000 in gift cards as rewards for turned in guns. We are requesting the Rochester Police Foundation, Inc. to provide additional funds in reserve, in case the gun buy-back exceeds expectations and necessitates increased funding.

Wegmans gift cards will be given as a reward for each operable gun that is turned in to police. Rewards are as follows: a $100 gift card for an operable hand gun or operable assault rifle, and a $50 gift card for an operable long gun. There will also be a cap of $300 in gift cards per person regardless of the number of operable guns turned in. We will have police firearms experts on scene for the buy-back, and they will examine every gun to determine if it is operable before we compensate for turning it in. If the gun is inoperable, we will offer to take it and properly dispose of it, but we will not compensate for guns deemed to be inoperable.

During the 2012 gun buy-back, the reward amount distributed in gift cards was $12,450 for a total of 144 operable guns (105 hand guns and 39 long guns); in 2013 we distributed $15,600 in gift cards for a total of 242 operable guns (1 assault rifle, 145 handguns, 89 long guns, and 7 antique guns).

Respectfully submitted,

Lovely A. Warren	Loretta C. Scott
Mayor	City Council President

Ordinance No. 2015-338
(Int. No. 368)

Appropriating Federal asset forfeiture funds for a gun buy-back event

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

Section 1. Ordinance No. 2015-167, the 2015-16 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue

estimates and appropriations to the Rochester Police Department by the sum of $4,400 to be received from the Federal asset forfeiture fund from seized and forfeited assets, and such sum is hereby appropriated to fund the Rochester Police Department's staffing of a gun buy-back event.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-339
Re: Agreements - New York State Department of Health Grant, World AIDS Day

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

Transmitted herewith for your approval is legislation related to a New York State Department of Health (NYSDOH) grant for World AIDS Day. This legislation will:

1. Authorize an amendatory agreement with the NYSDOH for receipt and use of $10,000 designated for World AIDS Day 2015 events; and

2. Amend the 2015-16 Budget of the Department of Recreation and Youth Services (DRYS) by $10,000 to reflect the grant; and

3. Establish $2,000 as maximum compensation for an agreement with Action for a Better Community (ABC) to co-host World AIDS Day events. This agreement, which will have a term of October 15 to December 31, 2015, will be funded from the 2015-16 Budget of DRYS, utilizing the funds received herein; and

4. Authorize an amendatory agreement with Baden Street Settlement to increase maximum compensation in the amount of $1,512, to be funded from the 2015-16 Budget of DRYS, utilizing the funds received herein.

The remaining grant funds ($6,488) will be used for World AIDS Day 2015 programming and incentives for program participants.

World AIDS Day 2015 is on December 1 and is an outreach and awareness effort aimed at preventing the spread of HIV/AIDS. NYSDOH has provided these funds as an addition to the existing grant for Sexual Health Promotion through Youth Leadership (SHPYL), approved by City Council in May 2014 via Ordinance No. 2014-152, and amended in August 2015 by Ordinance No. 2015-278.

ABC is also a recipient of State SHPYL funding, and the State directed the City to co-sponsor World AIDS Day activities with them. However, a justification statement for not issuing a request for proposals is attached. Baden Street Settlement is a subcontractor on the SHPYL grant and the amendatory agreement will pay wages for youth workers conducting added outreach events on World AIDS Day.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-184

Ordinance No. 2015-339
(Int. No. 369, as amended)

Authorizing an amendatory agreement, amending the 2015-16 Budget of the Department of Recreation and Youth Services ~~("DRYS")~~, and establishing maximum compensation for professional services contracts, related to World AIDS Day

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

Section 1. The Mayor is hereby authorized to enter into an amendatory agreement with the New York State Department of Health for the receipt and use of $10,000 for World AIDS Day 2015 events.

Section 2. The 2015-16 Budget of ~~DRYS~~ the Department of Recreation and Youth Services ("DRYS") is hereby amended to reflect said $10,000 from the New York State Department of Health.

Section 3. The Mayor is hereby further authorized to enter into an amendatory agreement with Baden Street Settlement of Rochester, Inc./Metro Council to increase maximum compensation for teen potential by $1,512, related to World AIDS Day. Said agreement shall be funded from the 2015-16 Budget of DRYS.

Section 4. The sum of $2,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Action for a Better Community to co-host World AIDS Day events. The term of said agreement shall be from October 15, 2015, to December 31, 2015, and will be funded from the 2015-16 Budget of DRYS.

Section 5. Remaining ~~$6,448~~ $6,488 in grant funds will be used for World AIDS Day 2015 programming and incentives for program participants.

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

Section 7. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-340
Re: Amendatory Agreements - Comprehensive Adolescent Pregnancy Prevention Grant

Transmitted herewith for your approval is legislation related to the Comprehensive Adolescent Pregnancy Prevention (CAPP) Grant. This legislation will:

1. Authorize an amendatory agreement with the New York State Department of Health (NYSDOH) for the receipt and use of a $273,018 grant award for a six month extension of the fifth year of a five year grant and any additional Cost of Living Adjustment funds; and

2. Establish maximum compensation for amendatory agreements with the following organizations to provide related services from January 1, 2016 to June 30, 2016:

Highland Family Planning	$ 23,235
Baden Street Settlement	31,771
YWCA of Rochester and Monroe County	25,280
Society for the Protection and Care of Children	27,231
Crestwood Children's Center	6,287
Total	$113,804

A portion of the balance of the grant was anticipated and included in the 2015-16 Budget of the Department of Recreation and Youth Services ($69,134) and Undistributed Expenses ($34,883) to support City staff wage and fringe costs through June 30, 2016.

The remaining $55,197 will be accounted for in the City's Teenage Pregnancy Prevention Special Revenue Fund to cover non-personnel expenses such as educational supplies, printing, travel, office supplies, and indirect expenses.

This extension is intended by the State to ensure a continuation of services until the State can issue a new request for proposals, which is anticipated by June 30, 2016. The program was originally approved by NYSDOH for a five year term: January 1, 2011 to December 31, 2015. The grant was last authorized by Council in November 2014 via Ordinance No. 2014-359.

The goal of this program is to significantly reduce the rate of pregnancy among teenagers in targeted areas. The primary goals of the program are to:

- Implement evidence-based curricula in the Rochester City School District
- Reduce adolescent pregnancy rates
- Improve high school graduation rates

Respectfully submitted,

Lovely A. Warren
Mayor

Attachment No. AO-185

Ordinance No. 2015-340
(Int. No. 370)

Authorizing amendatory agreements and funding for the Comprehensive Adolescent 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 amendatory agreement with the New York State Department of Health for the receipt and use of $273,018 in funding to extend the operation of the Comprehensive Adolescent Pregnancy Prevention Program (Program) an additional six (6) months to June 30, 2016.

Section 2. The Mayor is hereby authorized to enter into amendatory agreements to continue to provide Program services with the following organizations up to the maximum amount specified therein for the term January 1, 2016 through June 30, 2016:

Organization	Amount
Highland Family Planning	$ 23,235
Baden Street Settlement, Inc.	31,771
YWCA of Rochester and Monroe County	25,280
Society for the Protection and Care of Children	27,231
Crestwood Children's Center	6,287
Total	$113,804

provided that, in the event that all funds for any listed provider are not expended, the Mayor is authorized to enter into amendatory agreements with one or more of the other above providers to use the unexpended funds to provide additional Program services.

Section 3. The provider agreements shall obligate the City to pay an aggregate amount not to exceed $113,804, and said amount, or so much thereof as may be necessary, is hereby appropriated from the funds to be received from the New York State Department of Health under the grant agreement authorized herein.

Section 4. Grant funds in the amount of $55,197 are hereby appropriated to the Teenage Pregnancy Special Revenue Fund to pay for non-personnel and indirect expenses relating to the Program.

Section 5. The grant agreement and provider agreements authorized herein shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-341
Re: Amendatory Agreements - Federal Teenage Pregnancy Prevention Program

Transmitted herewith for your approval is legislation to reallocate unspent funds from the fifth year of the Teenage Pregnancy Prevention Program (TPP) to support a six month no-cost extension of the fifth year of a five year grant. This legislation will:

1. Authorize an amendatory agreement with the US Department of Health and Human Services (HHS) for the use of unspent funds from year five (2014-15) of this project in the amount of $208,862; and

2. Authorize an amendatory agreement with the University of Rochester for a six month period from September 1, 2015 through February 28, 2016 and increase maximum compensation in the amount of $138,994.

The remaining funds, $69,868, will be used to support City staff costs through February 28, 2016. This amount was anticipated and included in the 2015-16 Budget of the Department of Recreation and Youth Services for personnel ($43,450) and 2015-16 Budget of Undistributed Expenses for fringe ($26,418).

The original grant was for five years, from September 1, 2010 through August 31, 2015, in the amount of $1,499,705 per year, for a total of $7,498,525. The remaining $208,862 is 2.8% of the total, and results from lower than expected expenses for staff, fringe, supplies and indirect expenses for the City and various subcontractors.

During this six month extension, the primary activities will be the collection of six month follow-up data on youth from year five (2014-15) and the completion of the final report to HHS. This funding was granted by HHS as a study of the effectiveness of various interventions, and completion of the survey work, including the continuing role of the University of Rochester as evaluator, is part of the federal requirements.

Approval by HHS of the use of the unspent funds was received on August 27, 2015.

The fifth year of TPP was authorized by Council via Ordinance No. 2014-261 and amended via Ordinance No. 2015-80.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-341
(Int. No. 371)

Authorizing amendatory agreements with the US Department of Health and the University of Rochester for the Federal Teenage Pregnancy Prevention (TPP) Program

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

Section 1. The Mayor is hereby authorized to enter into an amendatory agreement with The US Department of Health and Human Services for the use of $208,862 in unspent grants funds from the fifth year (2014-15) of a five year grant for the Federal Teenage Pregnancy Prevention Program.

Section 2. The Mayor is hereby authorized to enter into an amendatory agreement with the University of Rochester to increase maximum compensation by $138,994, for the Federal Teenage Pregnancy Prevention Program. The term of said agreement shall be for six (6) months from September 1, 2015 to February 28, 2016.

Section 3. Remaining funds ($69,868) shall be used to support City staff costs through February 28, 2016.

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-342
Re: Agreement with United Negro College Fund for a College Fair

Council Priority: Support the Creation of Effective Education Systems, and Public Safety

Transmitted herewith for Council approval is legislation establishing $30,000 for support of a Black College Fair in partnership with the United Negro College Fund (UNCF), which will be held in Rochester November 2, 2015.

This conference is open to the public in an effort to increase awareness among our youth with regards to collegiate opportunities, specifically historically Black colleges and universities. Over 100 historically Black colleges and universities have been invited to participate in this event.

For too long, the Rochester City School District (RCSD) has maintained substandard graduation rates; the most recent statistic states that only 9% of black males graduate from RCSD. This event will allow youth the opportunity to interact with colleges from around the country and learn about opportunities that are available to them at these institutions.

In addition to the college fair, a luncheon and town hall meeting will also take place in an effort to

answer questions that our youth may have and to reinforce the importance of education.

Sincerely,
Adam C. McFadden
Chair, Public Safety, Youth & Recreation

Ordinance No. 2015-342
(Int. No. 373)

Authorizing an agreement with United Negro College Fund, 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 agreement with United Negro College Fund, Inc., for an amount not to exceed $30,000, for services related to a College Fair and Town Hall Meeting to provide information and increase access to higher education for youth in the City. The cost of said agreement shall be funded from the 2015-16 Budget for Undistributed Expenses.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-343
Re: Agreements - New York State Office of Children and Family Services, Flower City AmeriCorps

Council Priority: Jobs and Economic Development; Support the Creation of Effective Educational Systems

Transmitted herewith for your approval is legislation related to a grant from the New York State Office of Children and Family Services (NYS OCFS) to establish the Flower City AmeriCorps, which will focus on anti-poverty programming. This legislation will:

1. Authorize an agreement with NYS OCFS for the receipt and use of a grant award of $431,600; and

2. Amend the 2015-16 Budget of the following departments to reflect the grant authorized herein:

Department of Recreation and Youth Services (DRYS)	$ 30,600
Undistributed Expenses	300,800
Total	$331,400

3. Amend the 2015-16 Budget by transferring a total of $180,800 from Contingency to the following departments:

Department of Recreation and Youth Services (DRYS)	$ 43,100
Rochester Public Library (RPL)	66,500
Undistributed Expenses	71,200
Total	$180,800

The agreement with OCFS will be for a 15 month period, October 1, 2015 to December 31, 2016, as required by OCFS. This will be the first year of a three year grant, which has been provided specifically to the City for a City-sponsored AmeriCorps aimed at anti-poverty programming.

The grant amount above is for the full 12 months of October 1, 2015 to September 30, 2016, however, the budget amendments are for the remaining nine months of the 2015-16 fiscal year. Future expenses will be anticipated and included in future years' budgets, subject to approval by Council.

The Flower City AmeriCorps will work within four focus areas which are the block groups in each of the city's quadrants that have been identified as having the most extreme poverty levels. The goal is to reduce poverty through engaging individuals and families in programs such as childhood literacy, financial literacy, employment readiness, and positive youth development. The AmeriCorps members will either directly deliver these services, or assist residents by helping them navigate systems to access existing services.

32 AmeriCorps members will be recruited, at least 11 of whom will be residents of the focus areas, to provide one year of service. Members will serve through placement in DRYS (16 Corps members), RPL (12 Corps members), or Neighborhood Service Centers (four Corps members). The AmeriCorps members are volunteers, but will receive a $12,500 annual "living allowance".

In the first year of a this three year grant, the program is projected to reach 375 individuals and 375 families (as measured separately) through employment readiness and mentoring activities. We anticipate that the program will reach at least 80 families through early childhood development programming; 80 youth through teen pregnancy prevention curriculum; 80 families through financial literacy education; 400 families through the Raising a Reader program; and 400 children through childhood literacy programming.

Oversight of the program will be performed by two DRYS staff and one RPL staff.

A program description, budget and maps are attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-186

Ordinance No. 2015-343
(Int. No. 375)

Authorizing agreements and funding for the

Flower City AmeriCorps program

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Office of Children and Family Services (OCFS) for the receipt and use of $431,600 to establish and operate the Flower City AmeriCorps program (Program) for a term of 15 months commencing October 1, 2015 and continuing through December 31, 2016. The Program will recruit, train and provide a living allowance for approximately 32 AmeriCorps volunteers for placements with the Department of Recreation and Youth Services (DRYS), Rochester Public Library (RPL) and Neighborhood Service Centers to engage individuals and families in anti-poverty programs including but not limited to childhood literacy, financial literacy, employment readiness, and youth development.

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

Section 3. Ordinance No. 2015-167, the 2015-16 Budget of the City of Rochester, as amended, is hereby further amended to increase the Budgets of the following departments with anticipated proceeds from the OCFS grant:

DRYS	$ 30,600
Undistributed Expenses	300,800
Total	$331,400

Section 4. Ordinance No. 2015-167, the 2015-16 Budget of the City of Rochester, as amended, is hereby further amended by transferring a total of $180,800 from Contingency to the following departments:

DRYS	$ 43,100
RPL	66,500
Undistributed Expenses	71,200
Total	$180,800

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Spaull
October 13, 2015

To the Council:

The Arts & Culture Committee recommends for adoption the following entitled legislation:

Int. No. 372 - Establishing maximum compensation for an agreement for Step Jam

Respectfully submitted,
Elaine M. Spaull
Adam C. McFadden
Dana K. Miller
Loretta C. Scott
ARTS & CULTURE COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-344
Re: Agreement - Monroe County Broadcasting Company, Ltd., d/b/a WDKX, Step Jam Event

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing $12,500 as maximum compensation for an agreement with Monroe County Broadcasting Company, Ltd., d/b/a WDKX, for the December 12, 2015 Step Jam event. This agreement will be financed from the 2015-16 Budget of the Bureau of Communications.

The Step Jam has been a positive youth and community event held at the Blue Cross Arena at the War Memorial for the last six years. It is a competition for county-wide step teams that fosters school spirit, community pride, and a sense of unity and belonging for participants. The event focuses on positive dance, step and music experiences for the entire family. Parents are given a chance to see their children showcase their talents and students get to interact in a positive way with City of Rochester police officers, school sentries, and Pathways to Peace personnel.

Schools reward students with free tickets to the event for doing well in school and keeping up attendance in school. Colleges have been known to attend the event to share their step teams' experience and recruit future college-ready youth to their teams.

WDKX has been the champion of this event which continues to grow each year with more performers, spectators and community vendors. Last year's event drew more than 5,500 people. As the popularity of the Step Jam has increased, additional funding is needed to support it. This year's funding is an increase of $7,500 from last year; however, for the first time, City funding is leveraging a matching grant from the Rochester City School District.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-344
(Int. No. 372)

Establishing maximum compensation for an agreement for Step Jam

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

Section 1. The sum of $12,500, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an agreement between the City and Monroe County Broadcasting

Company, Limited, d/b/a WDKX to present the Step Jam dance competition event to occur on or about December 12, 2015.

Section 2. Said compensation shall be funded from the 2015-16 Budget of the Bureau of Communications.

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.

Passed unanimously.

The meeting was adjourned at 8:11 p.m.

HAZEL L. WASHINGTON
City Clerk

* * * * *

REGULAR MEETING
NOVEMBER 17, 2015

Present - President Scott Councilmembers Conklin, Haag, McFadden, Miller, Ortiz, Palumbo, Patterson, Spaull - 9.

Absent - None - 0.

The Council President requested the Council to rise for a Moment of Silence.

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

Recognition Ceremony
Retirement:
Communications Bureau
Margaret Reichert
Fire Department
*James A. McTiernan III
*William P. Shea
*Robert P. Vetuskey
Library
David Creek
*Lawrence S. Taylor
Did not attend meeting.

APPROVAL OF THE MINUTES
By Councilmember Haag

RESOLVED, that the minutes of the Regular Meeting of October 13, 2015 be approved as published in the official sheets of the Proceedings.

Adopted unanimously.

COMMUNICATIONS FROM THE MAYOR, COUNCIL PRESIDENT, CORPORATE OFFICERS AND OTHERS.

The following communications are hereby directed to be received and filed:

The Mayor submits the following:

Administrative Cancellation or Refund of Erroneous Taxes and Charges 4205-15
Public Disclosure - HOME Participation 4206-15
Public Disclosure - CDBG Participation 4207-15
Quarterly Report - Schedule of Revenues & Expenditures 4208-15

The Council submits a Disclosure of Interest Form from President Scott on Int. No. 393, Councilmember Conklin on Int. Nos. 386 & 387, Councilmember Haag on Int. Nos. 414, 415 & 417, and Councilmember Palumbo on Int. No. 420.

PRESENTATION AND REFERENCE OF PETITIONS AND OTHER COMMUNICATIONS.

Councilmember Spaull submits 146 signatures opposing a housing project on East Main Street. Petition No. 1721

Councilmember Palumbo submits 50 signatures regarding the matter of properties affected by the American Tax Funding, LLC. Petition No. 1722

PUBLIC HEARINGS.

Pursuant to law, public hearing will now be had on the following matter:

Changing the zoning classification of 83 Potomac Street and 1033 Maple Street from R-1 Low Density Residential District to M-1 Industrial District Int. No. 395 No Speakers.

Amending the Zoning Code, Chapter 120 of the Municipal Code with regard to permitted uses in C-1 districts and O-B districts, and with regard to the definitions of retail sales and service Int. No. 396 5 Speakers: Bill Collins, David Ahl, Mike Berger, Alex White, and Lisa Jaques.

Authorizing pavement width changes related to the Broad Street Bridge Preventive Maintenance Project Int. No. 404 1 Speaker: Eileen Buholtz.

REPORTS OF STANDING COMMITTEES AND ACTION THEREON

By Councilmember Conklin
November 17, 2015

To the Council:

The Finance Committee recommends for adoption the following entitled legislation:

Int. No. 385 - Authorizing the cancellation of taxes and charges

Int. No. 386 - Authorizing an amendatory professional services agreement and funding for the Rochester Public Library Central Library Master Space Plan Phase 2 and Phase 3

Int. No. 387 - Authorizing agreement with the

New York State Department of Education and amending the Budget of the Rochester Public Library for Maplewood Community Library HVAC upgrade

Int. No. 414 - Resolution adopting a comprehensive investment policy

Int. No. 415 - Amending Chapter 8 of the Municipal Code as it relates the designation of depositories

Int. No. 418 - Authorizing an amendatory agreement with Allpro Parking for customer service staffing of City parking garages

Int. No. 422 – Resolution approving appointments to the Board of Assessment Review, as amended

Respectfully submitted,
Carolee A. Conklin
Carla M. Palumbo
Jacklyn Ortiz
Dana K. Miller
Loretta C. Scott
FINANCE COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-345
Re: Cancellation or Refund of
Erroneous Taxes and Charges

Transmitted herewith for your approval is legislation approving the cancellation or refund of taxes and charges totaling $27,593.20.

The properties listed below were foreclosed on by Monroe County. When the county forecloses on properties in the city, they transfer title to the City of Rochester. Title to the properties transferred by separate deed on April 22, 2015. Due to the timing of the filing of the deed, they were not able to be removed from the 2015-16 tax roll.

Address	Cancelled
63 Rohr Street	$ 6,695.31
137 Ravine Avenue	6,879.14
559 Oak Street	1,106.64
15 Terry Street	1,203.20
132 Ave B	9,382.53
34 Miller Street	2,326.38
Total	$27,593.20

If these cancellations are approved, total cancellations thus far for 2015-16 will be as follows:

	Accounts	Amounts
City Council	7	$ 30,605.44
Administrative	549	74,840.51
Total	556	$105,445.95

These cancellations represent 0.042% of the taxes receivable as of July 1, 2015.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-345
(Int. No. 385)

Authorizing the cancellation of taxes and charges

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

Section 1. The City Treasurer is authorized to cancel the following taxes and charges.

(A) The properties listed below were foreclosed on by Monroe County. When the county forecloses on properties in the city, it transfers title to the City of Rochester. Title to the properties transferred by

separate deed on April 22, 2015. Due to the timing of the filing of the deed, they were not able to be removed from the 2015-16 tax roll.

S.B.L. #	Class	Address	Tax Year	Cancelled	Subtotal
106.43-1-28	H	63 Rohr Street	2016	$6,695.31	$ 6,695.31
105.35-4-54	H	137 Ravine Ave	2016	$6,879.14	6,879.14
105.75-2-83.1	N	559 Oak Street	2016	$1,106.64	1,106.64
120.35-3-56.1	H	15 Terry Street	2016	$1,203.20	1,203.20
106.21-1-68.2	H	132 Ave B	2016	$9,382.53	9,382.53
106.42-3-23	H	34 Miller Street	2016	$2,326.38	2,326.38
			Grand Total		$27,593.20

Section 2. If full or partial payment of the aforesaid taxes and charges has been made and received, the City Treasurer is hereby authorized and directed to remit to the owner of the parcel the amount of said payment without interest.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-346
Re: Central Library Master Space Plan
Phases 2 and 3

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation related to the Central Library Master Space Plan Phases 2 and 3. This legislation will:

1. Establish $30,000 as maximum compensation for an amendatory agreement with Edge Architecture, PLLC, Rochester, New York, for additional architectural and engineering services for this project. The original agreement for $170,000 was authorized in September 2014 (Ord No. 2014-288). This amendment will increase maximum compensation to a total of $200,000. The cost of the agreement will be financed from Prior Years' Cash Capital and the term of the agreement may extend until six months after the completion of construction; and

2. Authorize the receipt and use of $400,000 from The Friends and Foundation of the Rochester Public Library for construction costs, and amend the 2015-16 Cash Capital allocation to reflect this amount; and

3. Authorize the receipt and use of $153,721 from the New York State Education Department, Division of Library Development in construction grant funds for the purpose of constructing a Teen Center on the second floor of the Bausch & Lomb building; and

4. Authorize the receipt and use of $100,000 from Dormitory Authority of the State of New York (DASNY) grant funds, to be used for project construction.

Edge Architecture, PLLC will provide additional architectural and engineering services including: ImagineYOU, a youth services media lab on the second floor of the Bausch & Lomb building; a catering area on the first floor of the Rundel building to support public and private events; and a multipurpose room on the first floor of the Rundel building.

DASNY funds for the Master Space Plan construction were secured through the efforts of Senator Joseph Robach.

Construction will begin in spring 2016 with completion anticipated by November 2016. The estimated construction cost is $1,350,000. The construction project will result in the creation and/or retention of the equivalent of 15 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-187

Ordinance No. 2015-346
(Int. No. 386)

Authorizing an amendatory professional services agreement and funding for the Rochester Public Library Central Library Master Space Plan Phase 2 and Phase 3

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 Edge Architecture, PLLC for additional architectural and engineering services for the Rochester Public Library Central Library Master Space Plan Phase 2 and Phase 3 (Project). The original agreement for a maximum compensation of $170,000 was authorized in Ordinance No. 2014-288. The amendatory agreement shall increase the maximum compensation by $30,000 to a total of $200,000. The term of the amendatory agreement may extend until 6 months after completion of the construction.

Section 2. The cost of the amendatory agreement shall be funded from Prior Years' Cash Capital.

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

Section 4. The Council hereby authorizes the receipt and use of $400,000 in funds to be donated by the Friends & Foundation of the Rochester Public Library, hereby amends the Cash Capital allocation of the 2015-16 Budget to reflect the receipt of said amount, and hereby authorizes the expenditure of said amount for Project construction.

Section 5. The Council hereby authorizes the receipt and use of $153,721 from a New York State Education Department, Division of Library Development construction grant for the purpose of constructing a teen center on the second floor of the Library's Bausch & Lomb Building.

Section 6. The Council hereby authorizes the receipt and use of $100,000 from the Dormitory Authority of the State of New York for the purpose of Project construction.

Section 7. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-347
Re: Maplewood Community Library
HVAC Project

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation authorizing the receipt and use of $118,425 from the New York State Education Department, Division of Library Development in construction grant funds to provide HVAC replacement and upgrades at the Maplewood Community Library.

The project will replace cooling units and boilers that are at the end of their useful life with rooftop units, furnace and ventilation systems that will improve zone control and energy efficiency. This project is managed by the Department of Environmental Services, Bureau of Architecture and Engineering.

Each year the Monroe County Library System is allocated State funds for library construction projects on a competitive basis within the system. The estimated construction cost of the Maplewood Community Library project is $157,900, 75% of which is covered by the State funding authorized herein, and 25% of which is the local match funded from Prior Years' Cash Capital.

It is anticipated that this project will begin in spring 2016 and be completed by summer 2016. The project will result in the creation and/or retention of the equivalent of 1.7 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-347
(Int. No. 387)

Authorizing agreement with the New York State Department of Education and amending the Budget of the Rochester Public Library for Maplewood Community Library HVAC upgrade

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Department of Education, Division of Library Development for the receipt and use of $118,425 in construction grant funds.

Section 2. The grant funds authorized herein are hereby appropriated to fund a replacement and upgrade of the HVAC at the Maplewood Community Library. Said grant funds represent 75% of the total construction costs estimated at $157,900, and the remaining 25% City match will be funded from Prior Years' Cash Capital.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2015-18
Ordinance No. 2015-348
Re: City of Rochester Investment Policy and City Code for Designated Depositories

City Council Priority: Deficit Reduction and Long Term Financial Stability

Transmitted herewith for your approval is legislation related to City investments and deposits. This legislation will:

1. Adopt a new City of Rochester Investment Policy; and

2. Amend the City Code to update the list of financial institutions designated as City depositories.

On November 9, 1993 the City of Rochester adopted a comprehensive investment policy as required by Section 39 of the New York State General Municipal Law (GML).

The current investment policy provides for:

1. Investments in federal, state or municipal obligations, time deposits and certificates of deposit, as authorized by Section 11 of the GML and a listing of permitted investments;

2. Diversification of investments by type of obligations and maturity and among financial institutions;

3. Securing or collateralization by the financial institution of all City deposits in accordance with Section 10 of the GML by:

   a. A pledge of eligible securities, or
   b. An irrevocable letter of credit, or
   c. An eligible surety bond;

4. Separation by a financial institution of all City securities and collateral;

5. Written security and custodial agreements providing for the above; and

6. Deposits in only those financial institutions designated by the City Council.

The new policy will include the above provisions and add the following:

1. Add a provision allowing the acceptance of letters of credit from a federal home loan bank as collateral to secure City deposits as provided for by Section 10(3)(c)(ii) of the GML;

2. Add a provision to allow a Deposit Placement Program as a permitted investment as provided by Section 10(2)(a)(ii) of the GML;

3. Add a provision and language allowing the acceptance as security a pledge of a pro rata portion of a "pool" of eligible securities as provided by Section 10(3)(a) of the GML; and

4. Replace "Finance Director" with "City Treasurer" to more accurately reflect the delegation of authority by Section 6-3 of the City Charter to the City Treasurer for investments. As provided in Section 6-2 of the City Charter, the Finance Director may exercise this function as necessary.

The designation of depositories is required by Section 6-22 of the City Charter and Section 39 of the New York State General Municipal Law. The most recent depository designation change was June, 21, 2011.

At present, seven financial institutions are so designated. The proposed legislation will amend the City Code to delete HSBC Bank, USA, and add Five Star Bank and Upstate National Bank to the list of financial institutions designated as depositories.

HSBC Bank, USA (the US division of HSBC) is a bank that had many branches in the Rochester area, mostly former locations of Buffalo-based Marine Midland (which was acquired and rebranded by HSBC in the 1980s and 1990s). In early 2012, HSBC exited the Western NY retail banking market; most HSBC branches in the Rochester area are now First Niagara while 11 branches were sold and converted to KeyBank.

Five Star Bank's most recent Consolidated Report of Condition lists assets of $3.359 billion, equity of $284.435 million, and total deposits of $2.656 billion. Adding Five Star Bank enhances the City's competitive rate environment. The proposed maximum deposit limit to be established with Five Star Bank is $30 million.

Upstate National Bank's most recent of Consolidated Report of Condition lists assets of $94.480 million, equity of $11.967 million, and total deposits of $74.036 million. Adding Upstate Bank also enhances the City's competitive rate environment. The proposed maximum deposit limit to be established with Upstate National Bank is $3.750 million.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-188

Resolution No. 2015-18
(Int. No. 414)

Resolution adopting a comprehensive investment policy

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

Section 1. In accordance with Section 39 of the General Municipal Law, the Council hereby approves and adopts the City of Rochester Investment Policy dated November 2015, submitted by the Mayor and filed in the Office of the City Clerk. This investment policy shall supersede the investment policy adopted by Resolution No. 93-48.

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

Ordinance No. 2015-348
(Int. No. 415)

Amending Chapter 8 of the Municipal Code as it relates to the designation of depositories

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

Section 1. Chapter 8 subsection 9 of the Municipal Code of the City of Rochester, as amended, is hereby further amended as follows:

The following are designated as depositories of the City's money, and the City Treasurer may deposit moneys received by the City in such depositories up to the specified maximum amounts:

Depository Name	**Maximum Amount**
JP Morgan Chase Bank, N.A.	$250,000,000
~~HSBC Bank, USA~~	~~$225,000,000~~
Bank of America	$175,000,000
Manufacturers & Traders Trust Company	$150,000,000
KeyBank	$150,000,000
Citizens Bank	$150,000,000
First Niagara Bank	$150,000,000
Five Star Bank	$30,000,000
Upstate National Bank	$3,750,000

Section 2. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-349
Re: Amendatory Agreement - Allpro Parking, LLC, Staffing of City Parking Garages

Council Priority: Deficit Reduction and Long Term Financial Stability

Transmitted herewith for your approval is legislation establishing $600,000 as maximum compensation for an amendatory agreement with Allpro Parking, LLC to provide customer service staffing and light-duty maintenance in six City parking garages, and extending the term of the agreement by eight months, from November 1, 2015 through June 30, 2016. Council authorized the original agreement via Ordinance No. 2012-2 with monthly compensation of $53,000. The amendatory agreement increases monthly compensation by $22,000 for a total of $75,000 per month. The amendatory agreement will be funded from the 2015-16 Budget of the Department of Finance (Parking Fund).

In 2013, the City awarded a bid contract to Acme NY Powerwashing for maintenance services in the City parking garages. Both service contracts are set to expire on October 31, 2015. In an effort to save the City money, the two services were combined into one bid contract and submitted for bid on August 31, 2015. Bids were opened on September 14, 2015. However, the submitted bids did not provide adequate cost savings to the City. Therefore, the Purchasing Agent and the Director of Parking Services determined that more time is needed to analyze viable cost saving alternatives to the current City parking garage operations.

During this eight month extension, Allpro Parking, LLC will continue its customer service staffing and light-duty maintenance of the parking garages while Acme NY Powerwashing will continue operating under its current maintenance contract, which can be extended until June 30, 2016.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-349
(Int. No. 418)

Authorizing an amendatory agreement with Allpro Parking for customer service staffing of City parking garages

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 Allpro Parking for customer service staffing of City parking garages. The amendment shall extend the term of the agreement authorized in Ordinance No. 2012-2, from November 1, 2015 through June 30, 2106 and shall increase the amount of said agreement by $600,000, to be funded from the 2015-16 Budget of the Department of Finance (Parking Fund).

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2015-19
Re: Appointment - Board Of

Assessment Review

Council Priority: Rebuilding and Strengthening Neighborhood Housing, and Deficit Reduction and Long-Term Financial Stability

Transmitted herewith for your approval is legislation to approve the appointments of the following individuals to the Board of Assessment Review:

Permanent Panel Members (5-year term)

Ruth Brooks-Ward
104 Melrose Street
Rochester, NY 14619

Temporary Panel Members (1-year term)

Carmen Diamond
342 Birr Street
Rochester, NY 14613
LaShay Harris
323 Aldine Street
Rochester, NY 14619
Carlos Mercado
12 Vick Park A
Rochester, NY 14607
Gerald Roberts
32 Berkeley Street
Rochester, NY 14607
Susan Sanford
76 Bond Street
Rochester, NY 14620

Résumés of the above appointees are on file with the City Clerk and all have maintained a perfect attendance record while serving on the City's 2015 Board of Assessment Review.

Respectfully submitted,
Loretta C. Scott
President

Resolution No. 2015-19
(Int. No. 422, as amended)

Resolution approving appointments to the Board of Assessment Review

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

Section 1. The Council hereby approves the appointment of

Ruth Brooks-Ward
104 Melrose Street
Rochester, New York 14619

to the Board of Assessment Review for a term that will expire on September 30, 2020.

Section 2. The Council hereby approves the appointments of

Carmen Diamond
342 Birr Street
Rochester, New York 14613

And

~~LaShay Harris~~
~~323 Aldine Street~~
~~Rochester, New York 14619~~

Jeannine Whitaker
3 Thayer St
Rochester, NY 14607

And

Gary D. Thomas, Sr.
1 Bly Street
Rochester, NY 14620

Carlos Mercado
12 Vick Park A
Rochester, New York 14607

And

Gerald Roberts
32 Berkeley Street
Rochester, New York 14607

And

Susan Sanford
76 Bond Street
Rochester, New York 14620

to the Board of Assessment Review for a term that will expire on September 30, 2016.

Section 3. This resolution shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Adopted unanimously.

By Councilmember Palumbo
November 17, 2015

To the Council:

The Neighborhood & Business Development Committee recommends for adoption the following entitled legislation:

Int. No. 388 - Authorizing the sale of real estate, as amended

Int. No. 391 - Bond Ordinance of the City of Rochester, New York authorizing the issuance of $480,000 Bonds of said City to finance the costs of asbestos abatement and demolition of 68 Genesee Street

Int. No. 393 - Appropriating funds and authorizing a professional services agreement with Action for a Better Community to provide customer services for the Emergency Assistance Repair Program

Int. No. 394 - Authorizing an amendatory agreement for the Asset Control Area/Home Rochester program

Int. No. 419 - Local Law amending Section 3-15 of the City Charter with regard to the abatement of nuisances

Int. No. 420 - Approving a Property Tax Exemption and Authorizing an in Lieu of Taxes Agreement for the Alexander Street Apartments Project

Int. No. 421 - Authorizing a payment in lieu of taxes agreement for Charlotte Lake River Homes

The Neighborhood & Business Development Committee recommends for consideration the following entitled legislation:

Int. No. 395 - Changing the zoning classification of 83 Potomac Street and 1033 Maple Street from R-1 Low Density Residential District to M-1 Industrial District

Int. No. 396 - Amending the Zoning Code, Chapter 120 of the Municipal Code with regard to permitted uses in C-1 districts and O-B districts, and with regard to the definitions of retail sales and service

The following entitled legislation is being held in Committee:

Int. No. 389 - Amending Chapter 63 of the Municipal Code with regard to housing discrimination on the basis of source of income

Int. No. 390 - Appropriating funds for asbestos abatement, demolition and interim environmental cleanup at 68 Genesee Street

Int. No. 392 - Appropriating funds and authorizing a professional services agreement with Interface Studios, LLC. related to evaluating the impact of the Focused Investment Strategy Initiative

Int. No. 423 - Authorizing an agreement to establish and operate a temporary homeless shelter, as amended

Respectfully submitted,
Carla M. Palumbo
Carolee A. Conklin
Michael A. Patterson
Dana K. Miller
Loretta C. Scott
NEIGHBORHOOD & BUSINESS DEVELOPMENT COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-350
Re: Sale of Real Estate

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation approving the sale of sixteen 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.

The first two properties are vacant lots sold by negotiated sale to the adjacent owners. The owners will combine the lots with their existing properties and utilize as green space. The third property will be sold to Home Leasing, LLC, who will combine with their adjoining property for potential future development.

The next four properties are vacant lots sold as a package by a Request for Proposal to the adjacent owner. The owner will construct an 8,000 square foot addition to his existing building and add parking spaces.

The next nine properties are unbuildable vacant lots, being sold for $1.00 (as per City policy) to their adjacent owners who will combine the respective lots with their existing properties.

The first year projected tax revenue for these sixteen properties, assuming full taxation, current assessed valuations and current tax rates, is estimated to be $5,709.

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

Attachment No. AO-189

Ordinance No. 2015-350
(Int. No. 388, as amended)

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 the negotiated sale of each of the following ~~four~~ two vacant parcels with proposal to an adjacent landowner:

Address	S.B.L. #	Lot Size	Sq. Ft.	Price	Purchaser
614 Brown St	120.35-2-36.1	57 x 164	9,117	$550	Prince Hall Masons/Stars Rochester, Inc.*
~~32 Edward St~~	~~106.40-4-61~~	~~40 x 105~~	~~3,956~~	~~$400~~	~~James Peterson~~
1307 E. Main St	107.69-2-5	40 x 136	5,440	$450	Home Leasing, LLC, for itself or as Agent for a Housing Development ~~Company~~ Fund Corp. to be Formed**

*Board Officers - Edna Majors, President; Ocuilen Mandella, Vice President; Betty Crews, Recording Secretary; Sharon Smith, Treasurer; Robert Mallory,III, Worshipful Master; Eartha Danner, Worthy Matron; Robert Frasier, Sr., Worthy Patron; Eugene Crews, Property Manager; Anthony Gregg, Property Manager; Lawrence Brown, Chaplain

**Members - Nelson B. Leenhouts, Chairman/CEO; Catherine Sperrick, President, Darin ~~Yount~~ Young, CFO, Owners-Nelson B. Leenhouts, Jeffrey Leenhouts, Colin P. Leenhouts, Matthew J. Leenhouts, Eric J. Leenhouts. Claire E. Leenhouts, Deborah Leenhouts Linnea Shumway, Cathy Leenhouts, Megan Houppert, Sarah Struzzi

Section 2. The Council hereby approves the negotiated sale of the following four parcels of vacant land to one adjoining owner with proposal:

Address	S.B.L.#	Lot Size	Sq. Ft.	Price	Purchaser
124 Woodbury St	106.56-1-9	40 x 110	4,493	●	American Mega Packing, LLC***
130 Woodbury St	106.57-1-1	40 x 110	4,400	●	same
136 Woodbury St	106.57-1-2	40 x 110	4,444	●	same
140 Woodbury St	106.57-1-3.1	52 x 110	5,720	●	same

● Sold together as a package for $4,000
***Sole Member - Eddie Harris, President

Section 3. The Council hereby approves the negotiated sale of the following parcels of unbuildable vacant land for the sum of $1.00 each:

Address	S.B.L. #	Lot Size	Sq. Ft.	Purchaser
411 Conkey Av	091.77-1-23	35 x 120	4,200	Vivian Hill
33 Dale St	106.23-2-5	37 x 98	3,631	Loriann J. Dean
~~38 Edward St~~	~~106.40-4-62~~	~~36 x 108~~	~~3,888~~	~~James Peterson~~
49 Ernst St	091.73-3-84	35 x 105	3,618	JR Cummings Development LLC****
27 Galusha St	106.46-3-19	33 x 130	4,290	Howard Grant
14 Kappel Pl	106.38-2-21.1	70 x 78	5,172	Daniel Caletz
495 Maple St	120.34-1-14	27 x 70	3,294	Issa Zahran
8 Parker Pl	105.84-3-69.1	84 x 45	3,737	Corbin Cuylear
57 Silver St	120.35-2-83	37 x 134	4,215	Altamese I. Jones

****Managing Member: Joseph R. Cummings

Section 4. 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 5. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Introductory No. 390
Ordinance No. 2015-351
Re: Demolition- 68 Genesee Street

Transmitted herewith for your approval is legislation authorizing the issuance of bonds totaling $480,000 and appropriating the proceeds thereof to finance the asbestos abatement, demolition and interim environmental cleanup of 68 Genesee Street.

68 Genesee Street is the privately owned, former United Dry Cleaners located in the Bulls Head area. The building is vacant, deteriorated and contaminated with various dry cleaning chemicals and asbestos. There is now

concern that chemical contamination may have penetrated the building floor and is seeping below grade, possibly to adjoining properties. Above grade contaminated chemicals remaining in the building have been characterized and removed. In order to address the building condition, remediate asbestos contamination and investigate any below grade chemical contamination, the building must be demolished.

A demolition hearing was conducted against the property owner in July 2015. The owner did not attend the hearing, nor did the owner comply with the demolition hearing findings. The owner is now in default of the hearing findings.

Upon completion of the asbestos abatement and demolition of 68 Genesee Street, any remaining funds will be utilized by the Department of Environmental Services, Office of Environmental Quality, for additional environmental investigation and remediation services at the property.

Respectfully submitted,
Lovely A. Warren
Mayor

Introductory No. 390

APPROPRIATING FUNDS FOR ASBESTOS ABATEMENT, DEMOLITION AND INTERIM ENVIRONMENTAL CLEANUP AT 68 GENESEE STREET

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

Section 1. The Council hereby appropriates the sum of $480,000, said amount to be funded from the proceeds of bonds to be issued for said purpose, to conduct asbestos abatement, demolition, and interim environmental cleanup at the property located at 68 Genesee Street.

Section 2. This ordinance shall take effect immediately.

Held in Committee.

Ordinance No. 2015-351
(Int. No. 391)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of $480,000 Bonds of said City to finance the costs of asbestos abatement and demolition of 68 Genesee Street

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the costs of asbestos abatement and demolition of the building located at 68 Genesee Street in the City (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 $480,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of $480,000 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 $480,000 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 $480,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

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

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

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

Fiscal Officer of the City.

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

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

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

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

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

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-352
Re: Emergency Assistance Repair Program
Council Priority: Rebuilding and
Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation relating to the Emergency Assistance Repair Program (EARP). This legislation will:

1. Establish $40,500 as maximum compensation for an agreement with Action for a Better Community (ABC) to provide customer service for EARP, to be funded from the appropriations and reappropriations approved herein. The term of the agreement will be from December 1, 2015 to November 30, 2016;

2. Re-appropriate a total of $6,584.62 from the EARP allocation of the Housing Development Fund of the 2007-08 Community Development Block Grant (CDBG);

3. Re-appropriate a total of $.70 from the EARP allocation of the Housing Development Fund of the 2008-09 CDBG;

4. Re-appropriate a total of $2,711.59 from the EARP allocation of the Housing Development Fund of the 2011-12 CDBG;

5. Appropriate $131,203.09 from the EARP allocation of the Housing Development Fund of the 2015-16 CDBG; and

6. Allocate $100,000 from the appropriation herein for the City's use to operate the program.

The re-appropriations listed above are EARP fund balances from prior years.

EARP is a housing program designed to assist eligible homeowners to make emergency repairs to their homes. Eligible homeowners are those with household incomes at or below 80% of the area median income, are current with City property tax payments and are in need of a water line replacement, hot water tank or furnace. EARP has been operating in-house with the assistance of ABC to manage the application intake process. The work has been undertaken by vendors that have term agreements with the City. These vendors have been responsible for responding to requests for services and have been required to provide services within four hours from the time of the request. A City program manager has been responsible for overseeing the activities of the intake agency to ensure a smooth flow of applications from homeowners. The program manager accepts and approves applications and coordinates the work activities.

ABC has been providing application intake for EARP for the past two years and has performed to the City's satisfaction. Through their current agreement, they are required to submit 100 applications to the city for approval. To date they have submitted 101 applications. The organization has submitted a budget proposal which does not include a cost increase from last year. ABC was originally selected as the service provider from a request for proposals conducted in 2013.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-190

Ordinance No. 2015-352
(Int. No. 393)

Appropriating funds and authorizing a professional services agreement with Action for a Better Community to provide customer services for the Emergency Assistance Repair Program

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

Section 1. The Mayor is authorized to enter into a professional services agreement with Action for a Better Community in the maximum amount of $40,500, to provide customer services for the Emergency Assistance Repair Program ("EARP").

Section 2. $31,203.09 from the Emergency Assistance Repair Program allocation of the Housing Development Fund of the 2015-16 Community Development Block Grant, $6,584.62 from the

Emergency Assistance Repair Program allocation of the Housing Development Fund of the 2007-08 Community Development Block Grant, $0.70 the Emergency Assistance Repair Program allocation of the Housing Development fund of the 2008-09 Community Development Block Grant, and $2,711.59 from the Emergency Assistance Repair Program allocation of the Housing Development fund of the 2011-12 Community Development Block Grant are hereby appropriated to fund the agreement authorized herein.

Section 3. The term of said agreement shall be from December 1, 2015 to November 30, 2016.

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

Section 5. $100,000 from the Emergency Assistance Repair Program allocation of the Housing Development Fund of the 2015-16 Community Development Block Grant is hereby appropriated for the City's use to operate the EARP.

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-353
Re: Asset Control Area Program, Loan VI Financing

City Council Priority: Rebuilding and Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation authorizing amendatory agreements with the Rochester Housing Development Fund Corporation (RHDFC) for Loan VI of the Asset Control Area Program (ACAP) Home Rochester program. The amendments will extend float loans and loans related to property acquisition and rehabilitation for a period of nine months. This legislation will:

1. Amend the Supplemental Funding Agreement for $1,919,256 by extending the term to October 31, 2016 (Ord. No. 2012-364). This is the City's contribution to the $16,000,000 financing pool for Loan VI. The source of funds is a revenue trust account from Loan V.

2. Amend the agreement for a loan loss reserve fund for $238,000 by extending the term to October 31, 2016 (Ord. No. 2012-364). This is funded by the Capital Project Housing Revolving Loan Fund.

3. Amend the agreement for the $25,000 Interest Reserve on Working Capital by extending the term to October 31, 2016 (Ord. No. 2012-364). This is funded by the Capital Project Housing Revolving Loan Fund and pays interest on the $725,000 Working Capital Account.

4. Amend the agreement for the $725,000 Working Capital Account by extending the term to October 31, 2016 (Ord. No. 2012-364). This is financed by the Martin Luther King, Jr. Housing Fund of the Greater Rochester Housing Partnership. The City does not contribute to this fund, but acknowledges that the loan will be repaid prior to the City being repaid.

Loan VI was originally authorized via Ordinance No. 2012-364, and amended via Ordinance No. 2012-461. Loan VI participants are JP Morgan Chase, M&T Bank, First Niagara Bank, HSBC Bank, Partners for the Common Good, the Low Income Investment Fund, Enterprise Community Partners, the Greater Rochester Housing Partnership, Inc. (GRHP) and the City of Rochester.

Of the 57 properties purchased with Loan VI funds, 16 were acquired late in the Loan VI loan period, and need time to move through the renovation and sale process.

RHDFC has operated the Home Rochester program since its inception in 2001 in partnership with the City, GRHP and neighborhood-based, non-profit developers. RHDFC buys vacant homes and oversees their renovation for sale to first-time homebuyers.

RHDFC has also facilitated City participation in ACAP since the City's original agreement with the US Department of Housing and Urban Development in 2004. ACAP obligates the City to purchase Federal Housing Administration or FHA-foreclosed, single-family properties in specified areas of the city and to oversee these properties for resale to eligible borrowers. RHDFC's Board of Directors is comprised of representatives from participating entities, and RHDFC's management agreement is assigned to GRHP for implementation.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-353
(Int. No. 394)

Authorizing an amendatory agreement for the Asset Control Area/Home Rochester program

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

Section 1. The Mayor is hereby authorized to enter into an amendatory agreement with the Rochester Housing Development Fund Corporation (RHDFC) and the Greater Rochester Housing Partnership, Inc. to permit the continued operation of the Asset Control Area/Home Rochester (ACA) Program through the acquisition and development of ACA properties under the Loan VI allocation. The original Loan VI agreement was authorized in Ordinance No. 2012-364 and last authorized to be amended in Ordinance No. 2012-461. Said amendatory agreement shall extend to October 31,

2016 the term of the supplemental funding agreement for the City's contribution of $1,919,256 to the Loan VI fund.

Section 2. The amendatory agreement shall extend to October 31, 2016 the term of the $238,000 Loan VI loss reserve fund that offsets expenses incurred through the development of the ACA properties.

Section 3. The amendatory agreement shall extend to October 31, 2016 the term of the City's obligation to maintain the $25,000 Interest Reserve on Working Capital account that is funded by the Capital Project Housing Revolving Loan Fund.

Section 4. The amendatory agreement shall extend to October 31, 2016 the term of the $725,000 Working Capital Account financed by a loan from the Martin Luther King, Jr. Housing Fund of the Greater Rochester Housing Partnership and shall provide that the proceeds of Loan VI repayments shall be used to pay off said King Housing Fund's loan prior to repayment of the City's contribution.

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

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-354
Re: Zoning Map Amendment - 83 Potomac and 1033 Maple Streets

Transmitted herewith for your approval is legislation amending the Zoning Map of the City of Rochester by rezoning the vacant land at 83 Potomac and 1033 Maple Streets from R-1 Low Density Residential District to M-1 Industrial District. The purpose of this rezoning is to enable the two parcels to be combined into a single tax parcel. This action is requested in response to market interest for development of the properties for uses that are not permitted or specially permitted in R-1.

The property at 83 Potomac Street is approximately 2.5 acres and has been vacant land since 1981. The property was zoned Transitional Parking (T-P) in 1975 and served as parking for the former Mapledale Party House at 1020 Maple Street. The property was rezoned from T-P to M-1 in 1995, and to R-1 in 2003. The property at 1033 Maple Street is .09 acres and has been vacant land since 1995. This property was rezoned from M-1 to R-1 in 1975.

Both properties abut M-1 to the northeast, extending the designation along Maple and Potomac streets and R-1 to the south and west.

The City Planning Commission held an informational meeting on the proposed amendments on Monday, October 19, 2015. One person spoke in support of the amendments, and no one spoke in opposition. By a vote of 6-0, the Planning Commission recommended approval.

A public hearing is required for the Zoning Map Amendment.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-191

Ordinance No. 2015-354
(Int. No. 395)

Changing the zoning classification of 83 Potomac Street and 1033 Maple Street from R-1 Low Density Residential District to M-1 Industrial District

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

Section 1. Chapter 120 of the Municipal Code, Zoning Code, as amended, is hereby further amended by changing the zoning classification of the parcels constituting 83 Potomac Street and 1033 Maple Street from R-1 Low Density Residential District to M-1 Industrial District.

LEGAL DESCRIPTION OF LANDS
TO BE REZONED FROM R-1 TO M-1
#83 POTOMAC STREET & #1033 MAPLE STREET
T.A. # 120.310-02-009.001 & #120.310-02-002

All that tract or parcel of land, situate in the City of Rochester, County of Monroe, State of New York, being part of Town Lot 76 of the 20,000 Acre Tract, and being more particularly bounded and described as follows: Beginning at a point on the centerline of Maple Street (66' ROW) at the northerly extension of the west line of Lot 1 of the William A. Williamson's Resubdivision, as filed in the Monroe County Clerk's Office in Liber 49 of Maps, Page 34, said point being the Point or Place of Beginning; thence

1) Easterly, along said centerline, a distance of 117.0 feet to the northerly extension of the east line of Lot 3 of said Williamson's Resubdivision; thence

2) Southerly, along said extension and the east line of Lot 3, a distance of 142.5 feet to the southeast corner thereof and the northerly line of the William A. Williamson's Resubdivision, as filed in the Monroe County Clerk's Office in Liber 77 of Maps, Page 28; thence

3) Easterly, along said north line of Williamson's Resubdivision, a distance of 158.0 feet to the northwest corner of Lot 40 of said resubdivision; thence

4) Southerly, along the west line of said Lot 40, a distance of 36.5 feet to the southwest corner thereof; thence

5) Easterly, along the south line of said Lot 40 and it's extension, a distance of 146.25 feet, more or less, to the centerline of Potomac Street (ROW Varies); thence

6) Southerly, along said centerline, a distance of 232.5 feet, more or less, to the easterly extension of the south line of Lot 35 of said Williamson's Resubdivision; thence

7) Westerly, along said extension and the south line of Lot 35, and along the south line of said Williamson's Resubdivision, a distance of 420.5 feet, more or less, to the southwest corner of Lot 28 of said resubdivision; thence

8) Northerly, along the west line of said Lot 28, and the west line of said Williamson's Resubdivisions, a distance of 413.7 feet, more or less, to the said centerline of Maple Street, being the Point or Place of Beginning.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-355
Re: Zoning Text Amendments - Retail Sales and Service, and Definitions

Transmitted herewith for your approval is legislation amending Chapter 120, the Zoning Code of the City of Rochester, relating to the following sections: C-1 Neighborhood Center District, O-B Overlay-Boutique, and Retail Sales and Service High-Impact definition.

This legislation will:

1. Add language to the C-1 and O-B districts identifying that there are no hours of operation restrictions for bars and restaurants which hold a New York State Alcoholic Beverage Control License for the sale of on-premise items; and

2. Amend the definition of Retail Sales and Service by deleting alcoholic beverages from the definitions of High Impact, Specialty, and Full-Line Food Store.

This amendment would continue all the current restrictions imposed on High Impact retail, but would no longer apply to businesses that sell only alcohol and do not sell tobacco, lottery, firearms or secondhand goods or other items covered in the current High Impact definition. Those businesses that sell tobacco, lottery, firearms or secondhand goods or other items covered in the current High Impact definition would continue to be covered by all the High Impact rules.

The City Planning Commission held an informational meeting on the proposed amendments on Monday, October 19, 2015. Four people spoke in support of the amendments; and one person spoke in opposition. By a vote of 6-0, the Planning Commission recommended approval.

A public hearing is required for the Zoning Text Amendments.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-192

Ordinance No. 2015-355
(Int. No. 396)

Amending the Zoning Code, Chapter 120 of the Municipal Code with regard to permitted uses in C-1 districts and O-B districts, and with regard to the definitions of retail sales and service

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

Section 1. Chapter 120 of the Municipal Code, as amended, is hereby further amended by amending Section 120-34 Subsection O, changing to R the denomination of Subsection P, and adding new Subsections P, Q and S as follows:

Article VI. C-1 Neighborhood Center District

§ 120-34. Permitted uses and structures.

The following uses are permitted in the C-1 District when conducted entirely within an enclosed building, except as specifically provided otherwise:

O. ~~Bars and~~ ~~r~~Restaurants, operating between the hours of 6:00 a.m. and 11:00 p.m., including accessory outdoor seating/assembly areas but excluding drive-through facilities.

P. Restaurants licensed by New York State to sell alcoholic beverages for on premises consumption pursuant to the Alcoholic Beverage Control Law, including accessory outdoor seating/assembly areas but excluding drive through facilities.

Q. Bars, including accessory outdoor seating/assembly areas.

R. Mixed uses, as listed in this section, not including industrial uses.

S. Where accessory outdoor seating/assembly areas are permitted, they shall operate only between the hours of 6 a.m. and 11:00 p.m.

Section 2. Chapter 120 of the Municipal Code, Zoning Code, as amended, is hereby further amended by amending Section 120-105 Subsection

B (13) as follows:

Article XIV. O-B Overlay Boutique District

§ 120-105. Permitted uses.

The following uses and structures are permitted in the O-B District in existing structures only. The initial conversion is subject to site plan approval in accordance with the provisions of § 120-191:

B. Retail sales and services limited to the sale of the following items, operating between the hours of 6:00 a.m. and 11:00 p.m.:

(13) Restaurants limited to 650 square feet of net floor area but excluding drive-through facilities. The hours restriction set forth in this subsection shall not apply to restaurants licensed by New York State to sell alcoholic beverages for on premises consumption pursuant to the Alcoholic Beverage Control Law.

Section 3. Chapter 120 of the Municipal Code, as amended, is hereby further amended by amending Section 120-106 as follows:

§ 120-106. Special permit uses.

The following uses are allowed as special permit uses in the O-B District in existing structures only:

A. Special permit uses allowed in the underlying district.

B. Bar, cocktail lounge and tavern, excluding dancing and entertainment, not exceeding 650 square feet of floor area devoted to customer seating and service~~, operating between the hours of 6:00 a.m. and 11:00 p.m~~.

C. Restaurants, excluding dancing, entertainment and drive-through facilities, ~~not~~ exceeding 650 square feet of net floor area devoted to customer seating and service, operating between the hours of 6:00 a.m. and 11:00 p.m.~~, including outdoor seating/assembly areas~~.

D. Restaurants licensed by New York State to sell alcoholic beverages for on premises consumption pursuant to the Alcoholic Beverage Control Law, excluding dancing, entertainment and drive-through facilities, exceeding 650 square feet of net floor area devoted to customer seating and service.

E. ~~Accessory o~~Outdoor seating areas operating between the hours of 6:00 a.m. and 11:00 p.m. that are accessory to permitted uses or to specially permitted restaurants.

Section 4. Chapter 120 of the Municipal Code, as amended, is hereby further amended by amending Section 120-208 to amend the definitions of Retail Sales and Service as follows:

RETAIL SALES AND SERVICE, HIGH-IMPACT
Retail sales and service, (excluding full-line food store), offering for sale any product or service that is within one or more of the following three categories:

A. Requires an owner, operator or employee to obtain a City of Rochester secondhand dealer's license (excluding vehicle-related dealers);

B. Requires an owner, operator or employee to obtain any county or state license or registration for tobacco, ~~alcohol, beer, wine coolers,~~ or lottery and/or a federal firearms dealer's license; or

C. Offering for sale tobacco, tobacco paraphernalia or smoking paraphernalia, including products that contain nicotine, liquid nicotine, vapors or inhalants and/or involve the on-site inhaling or smoking of such products.

RETAIL SALES AND SERVICE, FULL-LINE FOOD STORE
Retail sales and service offering for sale a full selection of food products, including at least a variety of fresh produce, and not offering for sale products from more than one of the following categories:

A. Tobacco.
~~B. Beer/wine coolers.~~
~~C~~.B. Lottery.

~~RETAIL SALES AND SERVICE, HIGH-IMPACT Retail sales and service offering for sale any product or service which requires an owner, operator or employee to obtain a City of Rochester secondhand dealer's license (excluding vehicle-related dealers); any county or state license or registration for tobacco, beer, wine coolers, or lottery (excluding full-line food store); and/or a federal firearms dealer's license; or offering for sale tobacco, tobacco paraphernalia or smoking paraphernalia, except not a full-line food store.~~

RETAIL SALES AND SERVICE, LOW-IMPACT
Retail sales and service not meeting the definitions of "high-impact retail sales and service," "specialty retail," or a "full-line food store."

RETAIL SALES AND SERVICE, SPECIALTY
Low-impact retail sales and service, occupying less than 1,000 square feet, offering for sale only specialized types of foods, products, or services, including, but not limited to, baked goods, candy, health food, antiques, fashion accessories, sporting goods, art objects, art and craft supplies, books, clothing, decorative accessories, flowers and plants, handicrafts, jewelry, toys, specialty foods, meats, seafood, shoe repair, and frame shops, and excluding tattoo parlors. No tobacco, ~~beer/wine coolers,~~ or lottery may be included in the inventory of specialty retail sales and service.

Section 5. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Local Law No. 3
Re: Amending Chapter 3-15 of the City Charter with Respect to Domestic Violence

Council Priority: Public safety

Transmitted herewith for your approval is legislation amending Chapter 3-15 of the City Charter with respect to nuisance points related to domestic violence.

The amendments offered in this legislation will prevent the assignment of nuisance points in response to incidents related to domestic violence, dating violence, sexual abuse or stalking related activities.

This legislation will ensure that victims of domestic violence are not penalized after reporting crimes. This is one of many ways that the community can stand with victims of domestic violence and ensure that the systems in place do not penalize them, but instead offer the needed support and protection.

Respectfully submitted,
Carla M. Palumbo
Councilmember - Northwest District

Local Law No. 3
(Int. No 419)

Local Law amending Section 3-15 of the City Charter with regard 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 amending Section 3-15 to read as follows:

§ 3-15. 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 authorize and empower the Mayor to impose sanctions and penalties for such public nuisances, and such powers of the Mayor may be exercised either in conjunction with, or apart from, the powers contained in other laws without prejudice to the use of procedures and remedies available under such other laws. The Council further finds that the sanctions and penalties imposed by the Mayor pursuant to this law constitute an additional and appropriate method of law enforcement in response to the proliferation of the above-described public nuisances. The sanctions and penalties 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 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 domestic violence, dating violence, stalking or sexual abuse who are victims of triggering enumerated crimes or violations that are deemed public nuisances pursuant to § 3-15 (B); accordingly points, sanctions and penalties assessed under this ordinance 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.

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

(a) Article 220 of the Penal Law - Controlled Substances Offenses.

(b) Article 221 of the Penal Law - Offenses Involving Marihuana.

(c) Article 225 of the Penal Law - Gambling Offenses.

(d) Article 230 of the Penal Law - Prostitution Offenses.

(e) Sections 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) Article 265 of the Penal Law - Firearms and other Dangerous Weapons.

(h) Sections 260.20 and 260.21 of the Penal Law - Unlawfully Dealing with a Child.

(i) Article 263 of the Penal Law - Sexual Performance by a Child.

(j) Section 415-a of the Vehicle and Traffic Law - Vehicle Dismantlers.

(k) Section 175.10 of the Penal Law - Falsifying Business Records.

(l) Sections 170.65 and 170.70 of the Penal Law - Forgery of and Illegal Possession of a Vehicle Identification Number.

(m) Possession, use, sale or offer for sale of any alcoholic beverage in violation of Article 18 of the Ta x Law, or of any cigarette or tobacco products in violation or Article 20 of the Tax Law.

(n) Article 158 of the Penal Law - Welfare Fraud.

(o) Article 178 of the Penal Law - Criminal Diversion of Prescription Medications and Prescriptions.

(p) Section 147 of the Social Services Law - Food stamp program fraud.

(q) Section 3383 of the Public Health Law - Imitation controlled substances.

(r) The Agriculture and Markets Law.

(s) Operating a premises without the requisite business permit in violation of § 90-33 of the Code of the City of Rochester.

(t) Sections 240.36 and 37 of the Penal Law - Loitering in the First Degree and Loitering for the Purpose of Engaging in a Prostitution Offense.

(u) Section 2024 of Title 7 of the United States Code.

(v) Section 1324a of Title 9 of the United States Code.

(w) Suffering or permitting the premises to become disorderly, including suffering or permitting fighting or lewdness.

(x) Chapter 75 of the Municipal Code - Noise.

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

(a) Chapter 20 of the Code of the City of Rochester - Refuse Collection.

(b) Chapter 29 of the Code of the City of Rochester - Amusements.

(c) Chapter 47 of the Code of the City of Rochester - Dangerous Articles.

(d) Chapter 54 of the Code of the City of Rochester - Fire Prevention Code.

(e) Chapter 90 of the Code of the City of Rochester - Property Code.

(f) Any commercial violations of Chapter 120 of the Code of the City of Rochester - Zoning.

(g) Allowing persons on the premises in excess of occupancy limits.

(h) Chapter 569, Article 8 (Service Food Establishments) and Article 9 (Food and Food Establishments) of the Laws of the County of Monroe - Sanitary Code.

(3) The following violations shall be assigned a point value of three points:

(a) Chapter 69 of the Municipal Code - Littering.

(b) Sections 31-5, 11 and 19 of the Municipal Code - Howling dogs, Number of Dogs, and Nuisances.

(c) Operating a business at the premises in a manner which causes it to be a source of disruption for the neighborhood and/or a focal point of police attention.

(4) For purposes of this section, a conviction for an offense in a court of competent jurisdiction or an administrative bureau shall not be required. Instead, the City shall prove by a preponderance of the evidence that the violations have 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 vio-

lation. Conviction of an attempt to commit a violation of any of the specified provisions shall be considered a conviction for a violation of the specified provision.

(5) 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 and is a victim of domestic violence, dating violence, sexual abuse, or stalking.

(6) For the purposes of this section, "victim of domestic violence" shall be defined by Social Services Law §459-a.

C. Powers of the Mayor with respect to public nuisances.

(1) In addition to the enforcement procedures established elsewhere, the Mayor or the Mayor's designee, after notice and opportunity for a hearing with respect to a public nuisance, shall be authorized:

(a) To order the closing of the building, erection or place to the extent necessary to abate the nuisance; or

(b) 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

(c) 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 shall also apply to any other locations operated by the holder for which the license or permit is required; or

(d) 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

(e) Any combination of the above.

(2) Service of notice.

(a) Prior to the issuance of orders by the Mayor or the Mayor's designee pursuant to this section, the Mayor or the Mayor's designee shall give notice and opportunity for a hearing to the owner, lessor, lessee and mortgagee of a building, erection or place wherein the public nuisance is being conducted, maintained or permitted. Such notice shall be served upon an owner pursuant to Article 3 of the Civil Practice Law and Rules, upon a lessor or lessee pursuant to § 735 of the Real Property Actions and Proceedings Law, and upon a mortgagee by means of first-class mail with delivery confirmation sent to the mortgagee's last known address, provided that any service other than delivery to the person to be served shall be complete immediately upon delivery, mailing or posting without the necessity of filing proof of service with the clerk of any court before the hearing. The person in whose name the real estate affected by the orders of the Mayor or the Mayor's designee is recorded in the office of the County Clerk shall be presumed to be the owner thereof. Proceedings shall be commenced by service of the notice and opportunity for a hearing within 90 days after the occurrence of the most recent violation cited in the notice. Notices shall inform the parties that with regard to residential properties, 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 and is a victim of domestic violence, dating violence, sexual abuse, or stalking.

(b) The lack of knowledge of, acquiescence or participation in or responsibility for a public nuisance on the part of the owners, lessors, lessees, mortgagees and all those persons in possession or having charge of as agent or otherwise, or having any interest in the property, real or personal used in conducting or maintaining the public nuisance, shall not be a defense by such owners, lessors and lessees, mortgagees and such other persons.

(c) Every Certificate of Occupancy, Certificate of Zoning Compliance and real property tax bill issued by any City Department shall state the number of nuisance points, if any, assessed against the premises as of

the date of the record being issued.

(3) Orders of the Mayor or the Mayor's designee issued pursuant to this section shall be posted at the building, erection or place where a public nuisance exists or is occurring in violation of law and shall be mailed to the owner of record thereof within one business day of the posting.

(4) Five business days after the posting of an order issued pursuant to this section and upon the written directive of the Mayor or the Mayor's designee, officers of the Rochester Police Department are authorized to act upon and enforce such orders.

(5) Where the Mayor or the Mayor's designee closes a building, erection or place pursuant to this section, such closing shall be for such period as the Mayor or the Mayor's designee may direct, but in no event shall the closing be for a period of more than one year from the posting of the order pursuant to this section. If the owner, lessor or lessee shall file a bond in an amount determined by the Mayor or the Mayor's designee but which may not exceed the value of the property ordered to be closed and submit proof satisfactory to the Mayor or the Mayor's designee that the nuisance has been abated and will not be created, maintained or permitted for such period of time as the building, erection or place has been directed to be closed by the order of the Mayor or the Mayor's designee, then the Mayor or the Mayor's designee may vacate the provisions of the order that direct the closing of the building, erection or place.

(6) A closing directed by the Mayor or the Mayor's designee pursuant to this section shall not constitute an act of possession, ownership or control by the City of the closed premises, nor will it constitute a closure caused by a government for purposes of nonconformity under § 120-199(G)(2) of the Zoning Code of the City of Rochester.

(7) It shall be a misdemeanor for any person to use or occupy or to permit any other person to use or occupy any building, erection or place, or portion thereof, ordered closed by the Mayor or the Mayor's designee. Mutilation or removal of a posted order of the Mayor or the Mayor's designee shall be punishable by a fine of not more than $250 or by imprisonment not exceeding 15 days, or both, provided such order contains therein a notice of such penalty.

(8) Intentional disobedience or resistance to any provision of the orders issued by the Mayor or the Mayor's designee pursuant to this section, in addition to any other punishment prescribed by law, shall be punishable by a fine of not more than $1,000 or by imprisonment not to exceed six months, or both.

(9) The Mayor or the Mayor's designee may promulgate rules and regulations to carry out and give full effect to the provisions of this section, <u>including but not limited to rules and regulations to insure that 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 and is a victim of domestic violence, dating violence, sexual abuse, or stalking.</u>

(10) 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.

(11) The Mayor shall prepare a quarterly report to be submitted to City Council summarizing the actions taken under this section and indicating the results of such actions.

Section 2. This local law shall take effect immediately upon filing in the Office of the Secretary of State as provided by Section 27 of the NYS Municipal Home Rule Law.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-356
Re: Payment In Lieu of Taxes Agreement - Alexander Street Apartments Project

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation authorizing a property tax exemption and payment in lieu of taxes (PILOT) for the Alexander Street Apartments, a development project to be undertaken by East House Corporation with Path-Stone Development Corporation as co-developer and property manager. The PILOT will be with the Housing Development Fund Corporation to be formed by for the project and will be equal to 10% of shelter rents minus utilities for 175 Alexander Street.

Alexander Street Apartments includes the new

construction of a three story, 60-unit, affordable housing community, which will provide a combination of affordable rental housing and permanent supportive housing for individuals with mental illness. Thirty of the units will be designated for persons with psychiatric disabilities. Fourteen of these units will be licensed by the New York State Office of Mental Health (OMH); sixteen of these units will be OMH Supported Permanent Single Room Occupancy units. East House will provide on-site supportive services to all 30 of these supportive housing units. Individuals in these units will receive rental subsidies through support from OMH. All sixty of the units will be affordable for households with incomes at or below 50% of area median income. PathStone will be the property manager for the project.

The project will entail the construction, which will also be managed by PathStone, of a 63,348 square foot, three-story elevator building, with a landscaped courtyard and 41 space parking lot. Amenities will include coin operated laundry on each floor, and designated storage for each unit. A large community space will open directly into a landscaped exterior courtyard. The building will meet the New York State Energy Research and Development Authority (NYSERDA) Environmental Protection Agency (EPA) Energy Star Qualified Homes certification; each unit will have energy efficient appliances and central air conditioning.

The total cost of the project is $16,621,904. East House and PathStone are requesting a PILOT as an alternate to assessment under Real Property Tax Law 581A, to which the project is entitled under State law to offset operating costs needed to maintain rents affordable to the target population. The PILOT agreement will extend for 30 years and result in annual payments of $35,000.

The project has received the support of the business association, neighborhood association, and Rochester City School District, whose Monroe High School is located across the street from the project. The PILOT was approved by the PILOT Review Committee on October 27, 2015.

The current project budget is summarized below:

Costs	
Acquisition	$ 525,000
Construction	10,923,034
Soft Costs	2,605,283
Contingency	546,152
Development Fee	1,952,435
Working Capital	70,000
Total	$16,621,904

Sources	
Tax Credit Equity	$ 6,258,247
HFA Perm. Bonds	7,310,000
MRT Loan	2,550,000
NYSERDA	151,000
MRT Interest	54,621
Deferred Dev. Fee	298,036
Total	$16,621,904

Respectfully submitted,

Lovely A. Warren
Mayor

Ordinance No. 2015-356
(Int. No. 420)

Approving a property tax exemption and authorizing an in lieu of taxes agreement for the Alexander Street Apartments Project

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

Section 1. Pursuant to Section 577 of the New York State Private Housing Finance Law, the Council hereby exempts from real property taxes, for a period of 30 years, 175 Alexander Street (SBL #121.49-1-12.6), that will be developed for the Alexander Street Apartments Project.

Section 2. The Mayor is hereby further authorized to enter into an in-lieu-of-taxes payment agreement for a period of thirty years with the housing development fund corporation or an affiliated housing development fund company to be formed for the Project, whereby the owner shall be obligated to make annual tax and in-lieu-of-taxes payments to the City of Rochester equal in total to at least 10% of the Project's annual "shelter rent". "Shelter rent" shall equal gross rents less utility costs.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-357
Re: Payment In Lieu of Taxes Agreement - Charlotte Lake River Homes Project

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation transferring the existing tax exemption and payment in lieu of taxes (PILOT) agreement, authorized through September 2047, for the Charlotte Lake River Homes, from Charlotte Lake River Houses, Inc. to Charlotte-Lake River Homes Housing Development Fund Company, Inc.

The Charlotte Lake River Homes project, consisting of 553 affordable rental units, eighty percent of which are restricted for adults aged 55 or older, and/or disabled, is located at 4575 Lake Avenue, 60 River Street and 86 River Street in the Harbortown Village District of the Charlotte Neighborhood in northwest Rochester. The project consists of two high rise buildings containing 157 studios and 297 one-bedroom apartments, and 16 townhouse building containing 35 one-bedroom units, 36 two-

bedroom units, 22 three-bedroom units and 6 four-bedroom units.

The requested transfer of the PILOT is necessary because the owner, Charlotte Lake River Houses, Inc., is changing from an Article II Corporation to an Article XI Housing Development Fund Company under the New York State Housing Finance Law. Under the new entity, Charlotte-Lake River Housing Development Fund Company, Inc., the project will be allowed to pre-pay Section 236 HUD Loan, maturing in December 2015, in order to obtain Section 8 for 400 units within the project that will increase revenue and enhance the project's financial stability. The other 153 units in the project are already covered by a HUD Rental Assistance Demonstration Program agreement. The new anticipated PILOT payment would be $390,000 annually, an increase of $120,000 from the 2014 PILOT payment of $270,000.

In 2005, the City of Rochester's Corporation Counsel conducted a legal review of the project's plan to refinance the property for significant rehabilitation, and determined that the PILOT would extend through September 2047 in accordance with Section 33 (1)(c) of the Private Housing Finance Law.

The project received approval by the PILOT Review Committee on October 27, 2015.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-357
(Int. No. 421)

Authorizing a payment in lieu of taxes agreement for Charlotte Lake River Homes

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

Section 1. The Mayor is hereby authorized to enter into a payment in lieu of taxes agreement (PILOT agreement) for Charlotte Lake River Homes, 4575 Lake Avenue (SBL # 47.540-1-41), 60 River Street (SBL # 61.220-1-7) and 86 River Street (SBL # 61.210-1-23) (the Project) with Charlotte-Lake River Homes Housing Development Fund Company, Inc. (Charlotte-Lake HDFC). Under the PILOT agreement, Charlotte-Lake HDFC shall succeed to the property tax exemption and Project obligations now held by Charlotte Lake River Houses, Inc. (Charlotte Lake River Houses) under the Project's current PILOT arrangement.

Section 2. The PILOT agreement shall provide that the Project remain entitled to a real property tax exemption pursuant to the New York State Private Housing Finance Law, provided that Charlotte-Lake HFDC makes annual payments in lieu of taxes to the City of Rochester equal in total to no less than 10% of the Project's annual "shelter rent," a phrase which refers to the amount of gross rents less utility costs.

Section 3. The term of the PILOT agreement shall run through September 30, 2047, provided that said agreement and the associated real property tax exemption shall cease prior to that date if and when the Project is no longer operated for the purposes of affordable housing in substantial compliance with Article 11 of the New York State Private Housing Finance Law.

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

Councilmember Palumbo moved to discharge Int. No. 354 from Committee.

The motion was seconded by Councilmember Spaull.

The motion was adopted unanimously.

Councilmember Palumbo moved to amend Int. No. 354.

The motion was seconded by Councilmember Patterson.

The motion was adopted unanimously.

Introductory No. 354 was introduced October 13, 2015 and appears in its original form with its transmittal letter on page 363 of the current Council Proceedings.

Attachment No. AO-193

Ordinance No. 2015-358
(Int. No. 354, as amended)

Authorizing agreements and appropriating funds for the Street Manager Program

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

Section 1. The Mayor is hereby authorized to enter into agreements with the following organizations in the following amounts for the Street Manager Program:

a) Action for a Better Community	$6,667.00
b) South Wedge Planning Committee	$5,000.00
c) Sector 4 Community Dev't Corporation	$8,333.00
Total	$20,000.00

Section 2. The term of said agreements shall extend until ~~March 31~~ May 15, 2016.

Section 3. Said agreements shall be funded from the Community Development Block Grant 2015-16, Neighborhood Commercial Assistance allocation of the Promote Economic Stability Fund.

Section 4. The agreements shall contain such

additional terms and conditions as the Mayor deems to be appropriate.

Section 5. This ordinance shall take effect immediately.

Strike out indicates deleted text, new text is underlined

Passed unanimously.

Councilmember Palumbo moved to discharge Int. No. 392 from Committee.

The motion was seconded by Councilmember Conklin.

The motion was adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-359
Re: Agreement - Interface Studio, LLC, Focused Investment Strategy Initiative Evaluation

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation establishing $92,860 as maximum compensation for an agreement with Interface Studio, LLC, Philadelphia, Pennsylvania, for an evaluation of the Focused Investment Strategy (FIS) Initiative. The cost of this agreement will be funded from the 2013-14 Community Development Block Grant (CDBG) Community Plan Development allocation of the Neighborhood and Asset Based Planning Fund ($60,000) and the 2014-15 CDBG Community Plan Development allocation of the Neighborhood and Asset Based Planning Fund ($32,860). The term of the agreement will be for one year.

Interface Studio, LLC (Principal: Scott Page) will provide a comprehensive review of the FIS Neighborhood Revitalization program as conducted between 2009 and 2014. The review will include the identification of constraints and challenges to redevelopment, a summary of existing planning efforts and an analysis of market information relevant to the designated FIS neighborhoods. The report will be used to guide future revitalization efforts and inform funding decisions for development and other investment activities in city neighborhoods.

Interface Studios, LLC was selected through a request for proposals process, which is described in the attached summary.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-194

Ordinance No. 2015-359
(Int. No. 392)

Appropriating funds and authorizing a professional services agreement with Interface Studios, LLC. related to evaluating the impact of the Focused Investment Strategy Initiative

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

Section 1. The Mayor is authorized to enter into a professional services agreement with Interface Studios, LLC in the maximum amount of $92,860, to evaluate the impact of the Focused Investment Strategy Initiative.

Section 2. $60,000 from the 2013-14 CDBG Community Plan Development allocation of the Neighborhood and Asset Based Planning Fund, and $32,860, from the 2014-15 CDBG Community Plan Development allocation of the Neighborhood and Asset Based Planning Fund is hereby appropriated to fund the agreement authorized herein.

Section 3. The term of said agreement shall be one (1) year.

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

Councilmember Palumbo moved to discharge Int. No. 423 from Committee.

The motion was seconded by Councilmember Spaull.

The motion was adopted unanimously.

Councilmember Palumbo moved to amend Int. No. 423.

The motion was seconded by Councilmember Spaull.

The motion was adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-360
Re: Temporary Winter Homeless Shelter

Council Priority: Public Safety

Transmitted herewith for your approval is legislation that will provide support to the Rochester Emergency Action Committee for the Homeless (REACH), or another organization to be designated by REACH, to establish a temporary winter shelter for the chronically homeless. This legislation will:

1. Authorize up to $50,000 from the 2015-16 Budget for Undistributed Expenses to fund the shelter; and

2. Authorize the Mayor to enter into an agreement with REACH to establish and oversee the shelter.

The chronically homeless often times have no option other than to reside on the streets or places not fit for human habitation. The establishment of the shelter will help provide a safe, secure location with very low barriers to entry during the inclement weather months. A similar shelter was operated last winter from January 15 to April 15, 2015. The proposed temporary shelter will be authorized to operate from November 15, 2015 to April 15, 2016 with the option to extend its operations up to 30 additional days. Prior to the release of funding for the shelter, the following guidelines must be met:

- Secure a safe location(s) acceptable to the City to house no more than a total of 50 individuals;
- Commit matching funding of at least $50,000 each from Monroe County and private contributions for this purpose;
- Submit a detailed budget;
- Submit a work plan that outlines procedures for intake and connecting the participants to essential services to help them work toward independence;
- Provide evidence that the shelter is a community response by working with other shelters and providers included in the Continuum of Care; and
- Other guidelines that may be deemed necessary.

The members of REACH together have extensive experience assisting the homeless. The Finger Lakes Area Community Endowment (FLACE) of the Canandaigua National Bank will be designated to receive the funds and act as the fiduciary agent for disbursement of the funds.

Respectfully submitted,

Lovely A. Warren Mayor	Carla M. Palumbo Chair, Neighborhood & Business Development Committee
Loretta C. Scott President	

Ordinance No. 2015-360
(Int. No. 423, as amended)

Authorizing an agreement to establish and operate a temporary homeless shelter

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 Rochester Emergency Action Committee for the Homeless (REACH), or another organization that REACH shall designate or form for the same purpose, to establish and operate a temporary homeless shelter for no more than 50 chronically homeless individuals during the cold weather months (Shelter)~~ in conjunction with the~~.

Section 2. The agreement shall obligate the City to pay an amount not to exceed $50,000, and said amount, or so much as may be necessary, is hereby appropriated from the 2015-16 Budget for Undistributed Expenses to fund the cost of said agreement. The agreement shall designate the Finger Lakes Area Community Endowment (FLACE) of the Canandaigua National Bank to receive the funds appropriated herein and to act as fiduciary agent for disbursing them.

Section 3. The agreement shall make the release of funds appropriated herein contingent on the following conditions precedent: (a) the Shelter obtaining use of a suitable location that is approved by the City; and (b) the Shelter obtaining commitments for at least ~~$50,000~~ $100,000 in matching funding ~~from the County of Monroe; and (c) the Shelter obtaining at least $50,000 in donations~~ from other sources, whether governmental and/or private donations.

Section 4. The term of the Agreement and the operation of the Shelter may extend no later than April 15, 2016, with an option to extend the operation of the Shelter up to 30 additional days upon the mutual consent of the parties.

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

Section 6. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Introductory No. 389
Re: Amending the Municipal Code with regard to housing discrimination on the basis of source of income

Transmitted herewith for your approval is legislation amending Chapter 63 of the Municipal Code with regard to housing discrimination on the basis of source of income. This legislation with expand the definition of discrimination to include the term "Source of Income." Discrimination based on one's "source of income" can include, but is not limited to, Housing Choice Vouchers (formerly Section 8), Social Security, Supplemental Security Income (SSI), unemployment insurance, or veteran's benefits.

Landlords and property managers will be prohibited from discriminating against an individual on the basis of his or her income source by refusing to show, sell, or rent housing based on the individual's actual or perceived source of income. In addi-

tion, it will be prohibited to print or circulate any advertisement or publication that contains exclusionary language based on potential source of income. The legislation does not prohibit discrimination based on the *amount* of income. A landlord still may refuse to lease to an applicant whose income is insufficient to meet the rent.

There are no Federal or New York State statutes prohibiting source of income discrimination. There are limited Federal laws prohibiting source of income discrimination by the recipients of certain housing subsidies. Although New York State does not have a statute, many states do prohibit "source of income discrimination," as do several municipalities in New York State, including: Buffalo, Hamburg, Nassau County, New York City, and West Seneca.

This statute will be enforced by providing victims of discrimination with the right to sue in state court, but with the option first to seek mediation through the City's grievance program administered by the Center for Dispute Settlement.

Respectfully submitted,
Adam C. McFadden
South District Councilmember

Introductory No. 389

AMENDING CHAPTER 63 OF THE MUNICIPAL CODE WITH REGARD TO HOUSING DISCRIMINATION ON THE BASIS OF SOURCE OF INCOME

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

Section 1. Chapter 63 of the Municipal Code, Human Rights, as amended, is hereby further amended by amending Sections 63-1, 63-2 and 63-5 as follows:

§ 63-1. Legislative findings.

The Council hereby finds and declares that the City has the responsibility to act to assure that every individual within this City is afforded an equal opportunity to enjoy a full and productive life and that the failure to provide such equal opportunity, whether because of discrimination, prejudice or intolerance in employment, housing, public accommodations and financing practices based upon age, race, creed, color, national origin, gender, gender identity or expression, sexual orientation, disability, ~~or~~ marital status or source of income, not only threatens the rights and proper privileges of its inhabitants but menaces the institutions and foundation of a free democratic state and threatens the peace, order, health, safety and general welfare of the City and its inhabitants.

§ 63-2. Definitions.

When used in this chapter, the following terms shall have the following definitions:

DISCRIMINATION, DISCRIMINATE or DISCRIMINATORY
Any direct or indirect act, policy or practice of exclusion, distinction, restriction, segregation, limitation, refusal, denial, or any other act or practice of differentiation or preference based on, or the perception of, age, race, creed, color, national origin, gender, gender identity or expression, sexual orientation, disability, ~~or~~ marital status or source of income; or the aiding, abetting, inciting, coercing or compelling thereof.

SOURCE OF INCOME
Payments from a lawful occupation or employment, as well as other payments including, but not limited to, pensions, annuities, public assistance, supplemental security income, social security disability insurance, unemployment benefits, Housing Choice Vouchers (formerly known as Section 8), other housing voucher or subsidy programs, and any other governmental or charitable subsidy.

§ 63-5. Discrimination in housing and commercial space.

A. It shall be unlawful, due to discrimination, for the owner, lessee, sublessee, assignee, or managing agent of, real estate broker, real estate salesperson or other person having the right to sell, rent or lease real property, housing or commercial space, constructed or to be constructed, or any officer, agent or employee thereof:

   (1) To refuse to show, sell, transfer, rent, lease or refuse to receive and transmit any bona fide offer to buy, sell, rent or lease any real property, housing or commercial space;

   (2) To discriminate against any person in the terms, conditions or privileges of the sale, rental or lease of any real property, housing or commercial space or in the furnishing of facilities or services in connection therewith; or

   (3) To print or circulate or cause to be printed or circulated any statement, advertisement or publication, or to use any form of application for the purchase, rental or lease of real property, housing or commercial space or to make any record or inquiry in connection with the prospective purchase, rental or lease of real property, housing or commercial space which expresses, directly or indirectly, any discrimination or any intent to discriminate, but nothing in this subsection prohibits using a form or making a record or inquiry for the purpose of required government reporting.

B. The provisions of ~~this~~ subsection A shall not apply:

   (1) To the rental of a dwelling unit in a two-family dwelling, if the owner or members of the owner's family reside in one of such dwelling units;

   (2) To the restriction of the rental of all rooms

in a dwelling to individuals of the same gender;

(3) To the rental of a room or rooms in a dwelling if the renter or lessee would share common living areas with the owner or lessor or members of the owner's or lessor's family; or

(4) Solely with respect to age, to the restriction of the sale, rental or lease of housing exclusively to persons 55 years of age or older.

C. It shall be an unlawful discriminatory practice, based on the actual or perceived source of income, for the owner, lessee, sublessee, assignee, or managing agent of, real estate broker, real estate salesperson or other person having the right to sell, rent or lease housing, constructed or to be constructed, or any officer, agent or employee thereof:

(1) To refuse to show, sell, transfer, rent, lease or refuse to receive and transmit any bona fide offer to buy, sell, rent or lease any housing;

(2) To exclude, deny, restrict, limit, segregate, or otherwise differentiate against any person in the terms, conditions or privileges of the sale, rental or lease of any housing or in the furnishing of facilities or services in connection therewith; or

(3) To print or circulate or cause to be printed or circulated any statement, advertisement or publication, or to use any form of application for the purchase, rental or lease of housing or to make any record or inquiry in connection with the prospective purchase, rental or lease of housing which expresses, directly or indirectly, any differentiation or intent to differentiate on the basis of source of income.

D. The provisions of subsection C shall not apply:

(1) To any inquiry, required disclosure, or required verification about a person's source of income that is necessitated by a Federal, State, or local law that is generally applicable, applicable to the housing at issue, or applicable to the financing or subsidies necessary to a person's purchase or leasing of such housing.

(2) To a refusal to rent or lease housing to a person due to one or more of the following conditions and such refusal is based on selection criteria that are applied equally to all tenants or prospective tenants or purchaser without regard to the category of income source:

[a] the person's income is insufficient to make the payments over the term of the lease; and/or

[b] the person is a tenant who has been unable to make timely lease payments in all or part of the preceding 18 months.

(3) To a refusal to rent or lease housing to a person whose income is from an illegal source.

Section 2. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Held in Committee.

By Councilmember Haag
November 17, 2015

To the Council:

The Parks & Public Works Committee recommends for adoption the following entitled legislation:

Int. No. 397 - Bond Ordinance of the City of Rochester, New York authorizing the issuance of $196,000 Bonds of said City to finance replacement of the Central Vehicle Maintenance Facility Building 101 Roof

Int. No. 398 - Appropriating funds for the Central Vehicle Maintenance Facility Building 101 Roof Replacement

Int. No. 399 - Bond Ordinance of the City of Rochester, New York authorizing the issuance of $200,000 Bonds of said City to finance replacement of the roof membrane for the Edgerton Park Recreation Center

Int. No. 400 - Authorizing the receipt and use of funds to finance the construction of the Inner Loop/Sidewalk ADA Accessible Ramps and Other Arterial Sidewalks Project, as amended

Int. No. 401 - Authorizing a professional services agreement for Train Bridge Overlook Project

Int. No. 402 - Authorizing a professional services agreement with Transmap Corporation for professional design services to implement a Pavement Management System

Int. No. 403 - Amending Chapter 20 of the Municipal Code as it relates to electronic recyclable materials

The Parks & Public Works Committee recommends for consideration the following entitled legislation:

Int. No. 404 - Authorizing pavement width changes related to the Broad Street Bridge Preventive Maintenance Project

Respectfully submitted,
Matt Haag

Elaine M. Spaull
Michael A. Patterson
Dana K. Miller
Loretta C. Scott
PARKS & PUBLIC WORKS COMMITTEE

Received, filed, and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-361
Ordinance No. 2015-362
Re: Central Vehicle Maintenance Facility
Building 101 Roof Replacement

Transmitted herewith for your approval is legislation authorizing the issuance of $196,000 in bonds and appropriating the proceeds thereof to partially finance to the roof replacement and lightning protection upgrades of the Central Vehicle Maintenance Facility (CVMF) Building 101.

Design and construction administration for the project will be performed by the Department of Environmental Services, Architecture and Engineering Bureau staff. The current roof is over 30 years old. The project will include partial roof tear-off and replacement with a fully adhered Ethylene Propylene Diene Monomer (EPDM) rubber roof with a 25 year warranty. The existing insulation will remain and more insulation will be added per New York State Energy Code. The lightning protection upgrades are being designed by Stantec Consulting Engineers under their engineering term contract (Ord. No. 2014-346).

The estimated cost of construction is $281,000 including contingency to be funded by the bonds authorized herein and $85,000 in 2015-16 Cash Capital.

Construction is scheduled to begin in spring 2016 and be completed by fall 2016. The project will result in the creation and/or retention of the equivalent of 3 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-361
(Int. No. 397)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of $196,000 Bonds of said City to finance replacement of the Central Vehicle Maintenance Facility Building 101 Roof

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 replacing the roof on the City's Central Vehicle Maintenance Facility Building 101 located at 945 Mt. Read Boulevard (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 $196,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of $196,000 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 $196,000 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 $196,000. 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. 35. 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.

Passed unanimously.

Ordinance No. 2015-362
(Int. No. 398)

Appropriating funds for the Central Vehicle Maintenance Facility Building 101 Roof Replacement

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

Section 1. The Council hereby appropriates the sum of $196,000, said amount to be funded from the proceeds of a bond ordinance to be authorized for said project, for the Central Vehicle Maintenance Facility (CVMF) Building 101 Roof Replacement.

Section 2. The remainder of the said project's cost of construction including contingency shall be funded by 2015-16 Cash Capital in the amount of $85,000.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-363
Re: Edgerton R-Center Roof Restoration

Transmitted herewith for your approval is legislation authorizing the issuance of $200,000 in bonds and appropriating the proceeds thereof to finance the Edgerton R-Center Roof Restoration which will replace the roof membrane and extend the roof warranty for a minimum of 20 years.

Design and construction administration for the project will be performed by the Department of Environmental Services, Architecture and Engineering Bureau staff. The project will include a partial roof tear-off and replacement with a prefabricated, reinforced, homogeneous Styrene-Butadiene-Styrene (SBS modified bitumen) block polymer asphalt membrane, applied over a prepared substrate.

The estimated cost of construction including contingency is $200,000.

Construction is scheduled to begin in spring 2016 and be completed by fall 2016. The project will result in the creation and/or retention of the equivalent of 2.2 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-363
(Int. No. 399)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of $200,000 Bonds of said City to finance replacement of the roof membrane for the Edgerton Park Recreation Center

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 replacing the roof membrane and extending the roof warranty for the City's Edgerton Park Recreation Center located at 41 Backus Street (the "Project"). The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is $200,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of $200,000 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 $200,000 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 $200,000. 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. 35. 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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-364
Re: Accessible Sidewalk Ramps

Council Priority: Deficit Reduction and
Long Term Financial Stability

Transmitted herewith for your approval is legislation authorizing the receipt and use of $120,300 in anticipated reimbursements from the New York State Department of Transportation Marchiselli Aid program to finance the Inner Loop/Sidewalk Americans with Disabilities Act (ADA) Accessible Ramps and Other Arterial Sidewalks Project.

The Marchiselli Aid program provides for the reimbursement of up to 75% of the eligible local share of federal aid project costs. The $120,300 appropriated herein for the Inner Loop/Sidewalk ADA Accessible Ramps and Other Arterial Sidewalks Project will be used to reduce the City funded portion of the construction costs.

Construction of the Project was completed in 2013.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-195

Ordinance No. 2015-364
(Int. No. 400, as amended)

Authorizing the receipt and use of funds to finance the construction of the Inner Loop/Sidewalk ADA Accessible Ramps and Other Arterial Sidewalks project

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Department of Transportation for the receipt and use of $120,300 in anticipated reimbursements from the NYS Marchiselli Aid Program to finance a portion of the Inner Loop/Sidewalk ADA acces-

sible ramps and other arterial sidewalks project construction costs. The 2015-16 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations for the 2015-16 Cash Capital allocation to reflect the receipt of funds authorized herein.

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.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-365
Re: Agreement - LaBella Associates, DPC, Train Bridge Overlook Project

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing $90,000 as maximum compensation for an agreement with LaBella Associates, DPC, Rochester, New York, for design and resident project representation (RPR) services for the Train Bridge Overlook Project. The cost of the agreement will be funded by 2015-16 Cash Capital ($30,000) and a New York State Department of State (NYS DOS) grant ($60,000) approved via Ordinance No. 2015-139. The term of the agreement is six months after completion and acceptance of the Project.

In May 2015, City Council authorized the receipt and use of a NYS DOS grant from the Local Waterfront Revitalization Program in the amount of $200,000. The Project uses a portion of this grant and includes basic design and RPR services for the design and construction of a public overlook on the City-owned remnant abutment of the former CSX Swing Bridge on the Genesee River in the Port of Rochester. LaBella Associates, DPC will provide survey, preliminary and final design, public participation, contract documents, bidding and award, and construction observation services.

The Train Bridge Overlook is located on the west bank of the Genesee River and will create a trailside waterfront access point on the Genesee Riverway Trail, which runs the length of the city. The overlook will transform a derelict structure into a scenic amenity which is immediately adjacent to the Port of Rochester Marina and Mixed Use Development Project.

LaBella Associates, DPC was selected for design and RPR services through a request for proposals process, which is described in the attached summary.

Design will begin in winter 2016, and it is anticipated that construction will begin in fall 2016 with scheduled completion in spring 2017. The agreement will result in the creation and/or retention of the equivalent of one full-time job.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-196

Ordinance No. 2015-365
(Int. No. 401)

Authorizing a professional services agreement for Train Bridge Overlook Project

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

Section 1. The sum of $90,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and LaBella Associates DPC, 300 State Street, Suite 201, Rochester, New York 14614 for design and resident project representation services for the Train Bridge Overlook Project located on the west bank of the Genesee River at the Port of Rochester (the "Project"). Said amount shall be funded by $60,000 appropriated to the Project in Ordinance No. 2015-139 and $30,000 from 2015-16 Cash Capital.

Section 2. The term of the agreement may extend to six (6) months after the completion and acceptance of the Project.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-366
Re: Agreement - Transmap Corporation, Pavement Management System

Transmitted herewith for your approval is legislation establishing $242,650 as maximum compensation for an agreement with Transmap Corporation, Upper Arlington, Ohio, for design services to implement a Pavement Management System (PMS). The cost of the agreement will be funded by 2012-13 Cash Capital ($80,000) and 2013-14 Cash Capital ($162,650). The term of the agreement will be for three years with two, one-year renewals.

The project involves the development of a PMS which will be comprised of two components:

1. Collecting data by surveying the condition of the road network within the city; and

2. Implementing a PMS based on software with analytical capabilities.

The consultant will analyze all city streets to evaluate their conditions and establish a baseline for future street improvements. Pavement surface condition data will be collected from downward facing pavement images that are obtained using cameras that are positioned in such a way as to provide an image of the pavement surface that is at least 12 feet wide. In addition to the pavement condition images, the consultant will provide right-of-way imagery from a minimum of two forward facing cameras that capture a view of the right shoulder travel lane with associated geographic positioning system (GPS) data streams. The GPS and image data collected may also be used to extract street inventory data for various assets within the right-of-way, for upload to the City's geographic information system.

Transmap Corporation was selected for design services through a request for proposals process, which is described in the attached summary.

The project will begin in spring 2016 with substantial completion by spring 2019. The project will result in the creation and/or retention of the equivalent of 2.6 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-197

Ordinance No. 2015-366
(Int. No. 402)

Authorizing a professional services agreement with Transmap Corporation for professional design services to implement a Pavement Management System

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

Section 1. The Mayor is authorized to enter into a professional services agreement with Transmap Corporation in the maximum amount of $242,650, for professional design services to implement a Pavement Management System.

Section 2. Said agreement shall be funded by $80,000 from 2012-13 Cash Capital, and $162,650 from 2013-14 Cash Capital.

Section 3. The agreement shall extend for a term of three years, with two one-year renewal options, contingent upon the approval of subsequent budgets.

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-367
Re: Code Amendment - Refuse Code,
Electronic Recyclables Materials

Transmitted herewith for your approval is legislation amending the City Code at Chapter 20, Refuse Code, with regard to electronic recyclable materials.

The proposed revisions are necessary to bring the Refuse Code into conformance with the State of New York's Environmental Conservation Law Article 27 Title 26: Electronic Equipment Recycling and Reuse. Electronic materials covered under the legislation include computers, televisions, cathode ray tubes (CRT), computer peripherals, small electronic equipment, small scale servers, and cables, cords or wiring accompanying computers or small electronic devices.

The proposed changes will prohibit individuals from placing electronic recyclable materials at the curb for collection. E-recyclable materials may be brought to several local recycling locations for proper disposal.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-198

Ordinance No. 2015-367
(Int. No. 403)

Amending Chapter 20 of the Municipal Code as it relates to electronic recyclable materials

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

Section 1. Chapter 20 subsection 3 of the Municipal Code of the City of Rochester is hereby amended as follows:

ELECTRONIC RECYCLABLE MATERIALS
Any solid waste generated or originated within the City as designated in the rules and regulations promulgated hereunder, which may include but not be limited to the following:

A. COMPUTERS
-Laptops, desktops, tablets, and e-readers.

B. TELEVISIONS (TV)
- Any television including flat-screen.

C. CATHODE RAY TUBES (CRT)
- Any vacuum tube containing one or more electron guns and a fluorescent screen used to view images, with the exclusion of commercial medical equipment that contains within it a cathode ray tube.

D. COMPUTER PERIPHERALS
-Monitors, electronic keyboards, electronic mice or similar pointing devices, facsimile machines, document scanners and printers (only those intended for use with a computer and weighing less than 100 lbs.).

E. SMALL ELECTRONIC EQUIPMENT
- VCR's, digital converter recorders (DVR's), portable digital music players, DVD players (including projectors with DVD player capabilities intended for home-use), digital converter boxes, cable or satellite receivers (including digital media receivers), and electronic or video game consoles (including both handheld devices and those intended for use with a video display device), and digital picture frames (4 inches and larger).

F. SMALL SCALE SERVERS

G. ACCOMPANYING ITEMS
- Any cable, cord, or wiring accompanying a computer peripheral or small electronic device.

REFUSE
All rejected or discarded putrescible and non-putrescible solid materials, including garbage, rubbish, ashes, and dead animals, but not including body wastes, hazardous waste, industrial waste, infectious waste, or electronic recyclable materials.

SCAVENGING
To physically search through any material placed out for collection between the sidewalk and curb for the purposes of the removal of materials. ~~The uncontrolled removal of materials at any point in waste management~~

Section 2. Chapter 20 subsection 11 of the Municipal Code of the City of Rochester, as amended, is hereby further amended as follows:

20-11 Public Collection and disposal of refuse.

The Department shall collect and dispose of dead animals and all residential refuse originating in the City, as further limited by this article. Such refuse shall be stored and prepared for collection by property owners and occupants in accordance with the provisions of this article. The Department may collect and dispose of commercial refuse originating in the City as further limited by this article. The Department shall not collect industrial, infectious, ~~or~~ hazardous waste, or electronic recyclable materials. The Commissioner may promulgate regulations covering the items of collection of refuse and the fees charged therefore, and such other matters pertaining to the public collection and disposal of refuse as he or she may deem necessary, provided that such regulations are not contrary to the provisions hereof.

Section 3. Chapter 20 subsection 16 of the Municipal Code of the City of Rochester, as amended, is hereby further amended as follows:

20-16 Illegal dumping.

No person shall place, throw, deposit or dump or cause to be placed, thrown, deposited or dumped any refuse, residential refuse, building refuse, bulk refuse, commercial refuse, institutional refuse, waste, construction waste, hazardous waste, industrial waste, infectious waste, electronic recyclable materials, and/or recyclable materials in or upon any premises, street (including the area between the sidewalk and the curb), sidewalk or park, or in any litter basket, recycling bin or container placed in a right-of-way, park or public place, or provided for a special project or event. This section shall not apply to refuse placed for collection in front of the premises in which it originated, to filling for which a permit has been granted pursuant to Article IV of Chapter 39 of the Municipal Code or to the deposit of litter and recyclables generated on the public right-of-way in City litter baskets and street recycling ~~bins~~ containers by pedestrians and motorists, the placement of refuse generated in parks and other public places in provided receptacles, or to the deposit of refuse from special events or projects in containers placed for the collection of such refuse. Any motor vehicle used in connection with the commission of a violation of this section shall be towed in accordance with 111-75 of the Municipal Code.

Section 4. Chapter 20 subsection 25 of the Municipal Code of the City of Rochester, as amended, is hereby further amended as follows:

20-25 Scavenging.

No person shall interfere with, remove or scavenge for any material ~~in any City-issued container, recycling container, alternate container or in any bulk refuse or building refuse~~ which has been placed between the sidewalk and the curb by the owner and/or occupant for public collection, or at any point during the collection process.

Section 5. Chapter 20 subsection 40 of the Municipal Code of the City of Rochester, as amended, is hereby further amended as follows:

20-40 Scope.

This article establishes rules for the collection of commercial and institutional refuse and recyclables and commercial refuse and /or recyclable collectors. It is not intended to regulate refuse collectors involved in hazardous or infectious waste, or electronic recyclable materials collection and transportation.

Section 6. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

Councilmember Haag moved to return Int. No. 404 to Committee.

The motion was seconded by Councilmember Palumbo.

The motion was adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Introductory No. 404
Re: Broad Street Bridge Preventive Maintenance Project - Geometric Changes

Council Priority: Jobs and Economic Development

Transmitted herewith for your approval is legislation authorizing geometric changes on Broad Street from Exchange Boulevard to South Avenue as part of the Broad Street Bridge Preventive Maintenance Project. The specific changes are detailed in the attached legislation.

The change in pavement width will enhance winter plowing operations across the bridge and provide space for the installation of pedestrian amenities, landscaping, scenic overlooks, pedestrian refuge and the Heritage Trail. The Heritage Trail will be extended across the Genesee River, linking heritage sites on both sides of the river, including the overview of the Main Street Bridge, early river walls, Erie Canal Aqueduct, Rundel Library, RG&E Station 4, Ely Hervey's Flour Mill, the 1905 LVRR Train Station and the Johnson Seymour raceway. The Heritage Trail provides overlooks, benches, medallions, landscaping, historic lighting and interpretive panels. Partial removal of the existing concrete parapet (found along the bridge sidewalk) will be undertaken and replaced with an historic themed open railing system that opens up views to the river, provides context of the site and aids in snow removal operations.

The geometric changes will be reviewed by the Traffic Control Board on November 3, 2015 and the determination will be forwarded to Council. The project has also been reviewed and supported by the State of New York, Monroe County Department of Transportation and the Landmark Society of Western New York.

The project is designed by T.Y. Lin International, as authorized in February 2008 (Ord. No. 2008-56) and amended in November 2014 (Ord. No. 2014-350).

The Broad Street Bridge Preventive Maintenance Project repurposes funds from the former Erie Canal Aqueduct Redevelopment Project, and is a federal aid project administered by the City through the New York State Department of Transportation. Construction is anticipated to begin in spring 2016, with substantial completion in the winter 2016.

A public hearing on the pavement width changes is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Introductory No. 404

AUTHORIZING PAVEMENT WIDTH CHANGES RELATED TO THE BROAD STREET BRIDGE PREVENTIVE MAINTENANCE PROJECT

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

Section 1. In furtherance of the Broad Street Bridge Preventive Maintenance Project authorized in Ordinance No. 2014-350, Council hereby approves the following pavement width changes on Broad Street:

- From Exchange Boulevard to approximately 185 feet to the east of the intersection, the pavement shall be narrowed 10 feet to provide a pavement width of 72 feet. From that point extending 290 feet to the east, the pavement shall be narrowed between 12 feet and 6 feet to provide a pavement width of 48 feet. Such 48-foot width shall extend to approximately 365 feet from the South Avenue intersection. From that point, the pavement width shall taper as it approaches the South Avenue intersection with the existing and proposed width remaining approximately the same.

Section 2. This ordinance shall take effect immediately.

Held in Committee

By Councilmember McFadden
November 17, 2015

To the Council:

The Public Safety, Youth & Recreation Committee recommends for adoption the following entitled legislation:

Int. No. 405 - Bond Ordinance of the City of Rochester, New York authorizing the issuance of $888,000 Bonds of said City to finance the costs of acquisition of certain firefighting apparatus

Int. No. 406 - Authorizing an intermunicipal agreement with Monroe County for the construction and maintenance of an exercise apparatus in Highland Park

Int. No. 407 - Authorizing an intermunicipal agreement with Monroe County for the construction and maintenance of a concession building in Ontario Beach Park

Int. No. 408 - Authorizing a professional services agreement for R-Center STEM Program

Int. No. 409 - Authorizing an agreement and funding for the Child Passenger Safety Program

Int. No. 410 – Authorizing an agreement~~s~~ for an Explosive Detection Canine Team grant ~~with the New York State Division of Homeland Security and Emergency Services~~ and amending the 2015-16 Budget of the Police Department, as amended

Int. No. 410A - Authorizing an agreement for a Bomb Squad Initiative grant and amending the 2015-16 Budget of the Police Department

Int. No. 411 - Authorizing an agreement and funding for the Live-Scan program, as amended

Int. No. 412 - Authorizing intermunicipal agreements for the STOP DWI Program and amending the 2015-16 Budget, as amended

Int. No. 416 - Authorizing agreements for the 2015 Body-Worn Cameras Pilot Implementation Program

Int. No. 417 - Authorizing cost of living adjustment funding and amendatory agreements for the Comprehensive Adolescent Pregnancy Prevention Program, as amended

Respectfully submitted,
Adam C. McFadden
Matt Haag
Elaine M. Spaull
Dana K. Miller
Loretta C. Scott
PUBLIC SAFETY, YOUTH & RECREATION COMMITTEE

Received, filed, and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-368
Re: Fire Apparatus Financing

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing the issuance of $888,000 in bonds and appropriating the proceeds thereof to finance the purchase of firefighting apparatus.

The Fire Department periodically replaces firefighting and rescue apparatus based upon a combination of use and age. The two engine pumpers being replaced are first line apparatus and are currently located at the Hudson Avenue and Chestnut Street fire stations. They are both 10 years old and respond to an average of 3,000 emergency calls each year. Upon replacement, the existing engine pumpers will replace reserve engine pumpers that are over 15 years old and eligible for disposal through the Purchasing Bureau's surplus process.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-368
(Int. No. 405)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of $888,000 Bonds of said City to finance the costs of acquisition of certain fire fighting apparatus

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 acquisition of certain fire fighting apparatus consisting of two (2) pumper trucks initially assigned to the City Fire Stations located at 704 Hudson Avenue and 185 North Chestnut Street (the "Project"). The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is $888,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of $888,000 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 $888,000 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 $888,000. 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. 27 of the Law, is twenty (20) years.

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

Section 6. Subject to the provisions of this Ordinance and of said Law, and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or

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

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

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

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

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

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

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-369
Re: Intermunicipal Agreement - County of Monroe, Construction and Maintenance of Exercise Apparatus in Highland Park

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation authorizing an inter-municipal agreement with the County of Monroe for the City to construct and maintain exercise apparatus in Highland Park, adjacent to School No. 12. This agreement will have a term of ten years, from January 1, 2016 to December 31, 2025.

The City will install exercise equipment in an area measuring 58 feet by 58 feet to enhance the offerings of the R-Center co-located with School No. 12 and the Highland Community Library. Installation will be completed in summer 2016.

The Monroe County Legislature will consider this agreement at its December meeting.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-369
(Int. No. 406)

Authorizing an intermunicipal agreement with Monroe County for the construction and maintenance of an exercise apparatus in Highland Park

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

Section 1. The Mayor is hereby authorized to enter into an intermunicipal agreement with Monroe County for the construction and maintenance of an exercise apparatus in Highland Park.

Section 2. The term of said agreement shall be from January 1, 2016 through December 31, 2025.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-370
Re: Intermunicipal Agreement - County of Monroe, Construction and Maintenance of a Concession Building in Ontario Beach Park

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation authorizing an inter-municipal agreement with the County of Monroe for the City to construct and maintain a concession building in Ontario Beach Park. This agreement will commence September 1, 2015 and terminate on June 5, 2060, the date of termination of the “City-County Parks Agreement.”

The concession building will service the Charlotte Youth Athletic Association (CYAA) baseball fields which are located south of the Roger Robach Community Center, beginning west of Hincher Street and continuing south to the railroad tracks.

The County Legislature will consider this agreement at its December meeting.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-370
(Int. No. 407)

Authorizing an intermunicipal agreement with Monroe County for the construction and maintenance of a concession building in Ontario Beach Park

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

Section 1. The Mayor is hereby authorized to enter into an intermunicipal agreement with Monroe County for the construction and maintenance of a concession building in Ontario Beach Park.

Section 2. The term of said agreement is September 1, 2015 through June 5, 2060, in accordance with the termination date of the City-County Parks Agreement in Chapter 127 of the Municipal Code.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-371
Re: Agreement - sySTEMic, STEM Program

Council Priority: Support the Creation of Effective Educational Systems

Transmitted herewith for your approval is legislation establishing $11,000 as maximum compensation for an agreement with sySTEMic, Rochester, New York, for the R-Center Science, Technology, Math and Engineering (STEM) education program. The cost of this agreement will be funded from the 2015-16 Budget of the Department of Recreation and Youth Services (DRYS). The term of this agreement will be for the balance of the 2015-16 fiscal year, with the option of two additional one-year renewals for a maximum annual compensation of $20,000 per year to include school year programming and summer STEM magnet programming. Subsequent costs will be funded from the annual budgets of DRYS, contingent upon approval of those budgets.

sySTEMic will deliver a multi-session, interactive STEM workshop series, reaching approximately 90 youth, ages 6 to 14, in an afterschool setting. Each activity will begin with an introduction to the topic and an explanation of the scientific concepts related to the experiment. A brief overview of the protocol will be given, followed by participants engaging in hands-on experiments and inquiry-based dialogue with the STEM facilitator. Attendance, learning assessments, and feedback surveys will be used to evaluate youth participation and learning.

This vendor was selected through a DRYS request for proposals process conducted in the spring of 2015. A vendor selection form is attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-199

Ordinance No. 2015-371
(Int. No. 408)

Authorizing a professional services agreement for R-Center STEM Program

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

Section 1. The sum of $11,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and sySTEMic (LaQuita Brock, owner) for the R-Center Science, Technology, Math and Engineering (STEM) Program, which will offer after-school educational workshops in the STEM subjects. Said amount shall be funded by the 2015-16 Budget of the Department of Recreation and Youth Services.

Section 2. The term of the agreement may extend for the remainder of the 2015-16 fiscal year with an option for two additional extensions of one year each, subject to funding in subsequent budgets and the condition that the compensation shall not exceed an annual rate of $20,000.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-372
Re: Governor's Traffic Safety Committee, 2016 Child Passenger Safety Grant

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing the receipt and use of up to $3,600 from the New York State Governor's Traffic Safety Committee for a Child Passenger Safety grant, and amending the 2015-16 Budget of the Police Department by this amount.

The Governor's Traffic Safety Committee provides this funding to allow the Police Department to run child safety seat inspections in the city during the

period of October 1, 2015 through September 30, 2016. The goal of this award is to increase the proper use and installation of child safety seats in New York State. Funding will be used primarily to purchase child car seats ($2,000) to be donated to city residents who may need them. The remaining funds, in the amount of $1,600, will be used for certification and continuing education of those teaching about and distributing safety seats, and for supplies to be used at community-based seat-checking events.

This is the fourth year the Police Department has received this grant. Last year, 63 car seats were inspected and 30 new seats were given to residents. No matching funds are required.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-372
(Int. No. 409)

Authorizing an agreement and funding for the Child Passenger Safety Program

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Governor's Traffic Safety Committee for receipt and use of $3,600 in grant funds for the Child Passenger Safety Program. The term of the agreement shall be October 1, 2015 through September 30, 2016.

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

Section 3. The 2015-16 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget for the Rochester Police Department by the sum of $3,600, which amount is hereby appropriated from funds to be received under the grant agreement authorized herein.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-373
Ordinance No. 2015-374
Re: New York State Division of Homeland Security and Emergency Services Grants

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing the receipt and use of two grants, as described below, from the New York State Division of Homeland Security and Emergency Services, and amending the 2015-16 Budget of the Police Department by $14,300 to reflect a portion of these grants.

2015 Bomb Squad Initiative Grant, September 1, 2015 - August 31, 2018
This $103,750 grant, which has been received for more than 10 years, will be used to purchase a replacement vehicle that will be used to transport the total containment vessel and incinerator, hand tools, and expenses related to required certifications training, including associated overtime and fringe for backfill, and travel expenses. An amount of $7,300 will be added to the 2015-16 Budget of the Police Department for use during the current fiscal year. No matching funds are required.

2015 Explosive Detection Canine Team Grant, September 16, 2015 - August 31, 2018
This award, in the amount of $19,700, will fund canine-mounted video cameras, first aid kits, and masks for the teams' officers, and overtime and associated fringe to allow team members to attend training that will continue to enhance their interoperability with the Police Department's other special teams. This is the fifth year that the Police Department has received this award. An amount of $7,000 will be added to the 2015-16 Budget of the Police Department for use during the current fiscal year. No matching funds are required.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-373
(Int. No. 410, as amended)

Authorizing an agreements for an Explosive Detection Canine Team grant ~~with the New York State Division of Homeland Security and Emergency Services~~ and amending the 2015-16 Budget of the Police Department

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

Section 1. ~~The Mayor is hereby authorized to enter into an agreement with the New York State Division of Homeland Security and Emergency Services for the Rochester Police Department's receipt and use of a 2015 Bomb Squad Initiative grant in the amount of $103,750. The term of said agreement shall extend from September 1, 2015 through August 31, 2018.~~ The Mayor is hereby authorized to enter into an agreement with the New York State Division of Homeland Security and Emergency Services for the Rochester Police Department's receipt and use of the 2015 Explosive Detection Canine Team grant in the amount of $19,700. The term of said agreement shall extend from September 16, 2015 through August 31, 2018.

Section 2. ~~The Mayor is hereby further authorized to enter into an agreement with the New York State Division of Homeland Security and Emergency Services for the Rochester Police Department's receipt and use of the 2015 Explosive Detection~~

~~Canine Team grant in the amount of $19,700. The term of said agreement shall extend from September 16, 2015 through August 31, 2018.~~ The 2015-16 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget for the Rochester Police Department by the sum of $7,000 in anticipated revenues from the 2015 Explosive Detection Canine Team grant, which amount is hereby appropriated from funds to be received under the grant agreement authorized herein.

~~Section 3. A total of $14,300, comprised of $7,300 in anticipated revenues from the 2015 Bomb Squad grant and $7,000 in anticipated revenues from the 2015 Explosive Detection Canine Team grant, is hereby appropriated to the 2015-16 Budget of the Rochester Police Department.~~

Section ~~4~~ 3. The agreement~~s~~ shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section ~~5~~ 4. This ordinance shall take effect immediately.

Strike out indicates deleted text, new text is underlined

Passed unanimously.

Ordinance No. 2015-374
(Int. No. 410A)

Authorizing an agreement for a Bomb Squad Initiative grant and amending the 2015-16 Budget of the Police Department

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Division of Homeland Security and Emergency Services for the Rochester Police Department's receipt and use of a 2015 Bomb Squad Initiative grant in the amount of $103,750. The term of said agreement shall extend from September 1, 2015 through August 31, 2018.

Section 2. The 2015-16 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget for the Rochester Police Department by the sum of $7,300 in anticipated revenues from the 2015 Bomb Squad Initiative grant, which amount is hereby appropriated from funds to be received under the grant agreement authorized herein.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-375
Re: New York State Division of Criminal Justice Services, Live-scan Grant

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing the receipt and use of $9,200 from the New York State Division of Criminal Justice Services (DCJS) for a Live-scan Grant.

This grant is made available by DCJS to continue to build the palm-print database, particularly in those jurisdictions submitting high numbers of arrest-related prints to date. In 2014, Rochester submitted the fourth highest number of prints in the State (not including New York City). These funds will be used to purchase and install a new Live-scan device for the City Court which will provide both fingerprint and palm-print scanning.

The term of this grant is October 1, 2015 through September 30, 2016. The Police Department will provide a match of $9,200 from 2014-15 Cash Capital.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-375
(Int. No. 411, as amended)

Authorizing an agreement and funding for the Live-Scan program

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Division of Criminal Justice Services for receipt and use of $9,200 from its Live-Scan Grant program. The term of the agreement shall be October 1, 2015 through September 30, 2016.

Section 2. The agreement may require a match of $9,200, which shall be funded from the ~~2015-16~~ 2014-15 Cash Capital.

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

~~Section 4. The 2015-16 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget for the Rochester Police Department by the sum of $3,600, which amount is hereby appropriated from funds to be received under the grant agreement authorized herein.~~

Section ~~5~~ 4. This ordinance shall take effect immediately.

Strike out indicates deleted text, underlined is new

text

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-376
Re: Monroe County STOP DWI Grants

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing the receipt and use of a total of $128,800 in New York State funding from Monroe County for two grant programs, and amending the 2015-16 Budget of the Police Department by $65,800 to reflect a portion of these grants.

2016 STOP DWI Program January 1 - December 31, 2016
The STOP DWI grant provides up to $118,200 to the City for enhanced detection and enforcement of driving while intoxicated and related offenses for the 2016 calendar year. Supported activities include expenses for STOP DWI overtime details and associated fringe costs, supplies, equipment, training, breathalyzer calibration, and underage alcohol enforcement. An amount of $59,300 of the grant will be added to the 2015-16 Budget of the Police Department for use during the current fiscal year.

2015-16 STOP DWI Foundation Crackdown Grant October 1, 2015 - September 30, 2016
The STOP DWI Crackdown grant, in an amount not to exceed $10,600, is administered by the New York State Stop DWI Foundation and the Monroe County STOP DWI Program and will be used for five STOP DWI Crackdown details during the term of the grant. The funds will be used for overtime for police officers and, as necessary for police experts to detect drug abuse in drivers. The 2014-15 grant funded five Crackdowns and resulted in 65 arrests. An amount of $6,500 of the grant will be added to the 2015-16 Budget of the Police Department for use during the current fiscal year. This grant does not allow fringe expenses, estimated at $3,782.

The previous STOP DWI grants were authorized with Ordinance No. 2014-355 on November 6, 2014. These grants do not require a match.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-376
(Int. No. 412, as amended)

Authorizing intermunicipal agreements for the STOP DWI Program and amending the 2015-16 Budget

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

Section 1. The Mayor is hereby authorized to enter into intermunicipal agreements with the County of Monroe for receipt and use of New York State funding for the 2016 STOP DWI Program in the amount of ~~$150,600~~ $118,200 and for the 2015-16 STOP DWI Foundation Crackdown Grant Program in the amount of $10,600.

Section 2. The term of the 2016 STOP DWI Program agreement shall be from January 1, 2016 through December 31, 2016. The term of the STOP DWI Foundation Crackdown Grant Program agreement shall be from October 1, 2015 through September 30, 2016.

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

Section 4. The 2015-16 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Rochester Police Department by the sum of ~~$81,900~~ $65,800, which amount is hereby appropriated from a portion of funds to be received under the grant agreements authorized herein.

Section 5. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text in underlined

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-377
Re: Agreement - US Department of Justice, 2015 Body-Worn Cameras Pilot Implementation Program

Council Priority: Public Safety

Transmitted herewith for your approval is legislation related to a US Department of Justice (US DOJ), Bureau of Justice Assistance grant. This legislation will:

1. Authorize the receipt and use of $600,000 from the US DOJ for the 2015 Body-Worn Cameras Pilot Implementation Program; and

2. Establish $100,000 as maximum compensation with the Rochester Institute of Technology (RIT), Center for Public Safety Initiatives for a sub-recipient agreement to perform an evaluation that is specifically required by the grant program using the funds authorized herein.

RIT is listed as a research partner on the approved grant application to complete a required independent program evaluation through a sub-recipient agreement. This partnership strengthened the Police Department's application for this highly competitive grant program. RIT has extensive experience working on similar projects, and the US DOJ has approved RIT as a sub-recipient as part of the grant award.

This 2015 Body-Worn Cameras Pilot Implementation Program will fund camera systems, associated software, networking and storage equipment, and a program evaluation. There is a match requirement of $600,000. Police staff salary and fringe benefits required to support the program will be funded from the 2015-16 and 2016-17 Budgets, contingent upon City Council approval, and Dormitory Authority of the State of New York funds, authorized via Ordinance No. 2015-120, may be used to purchase camera systems, associated hardware and software and data storage.

The term of this grant is October 1, 2015 through September 30, 2017.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-377
(Int. No. 416)

Authorizing agreements for the 2015 Body-Worn Cameras Pilot Implementation 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 Justice, Bureau of Justice Assistance, for the receipt and use of $600,000 in grant funds through the 2015 Body Worn Cameras Pilot Implementation Program with additional funding consisting of a grant match in the amount of $600,000 to be funded by the 2015-16 Budget of the Police Department.

Section 2. The term of said grant agreement is October 1, 2015 through September 30, 2017.

Section 3. The Mayor is hereby further authorized to enter into an agreement with the Rochester Institute of Technology, Center for Public Safety Initiatives in the maximum amount of $100,000, to perform an evaluation required by the terms of the Program grant.

Section 4. Said evaluation agreement shall be funded by the Program grant funds authorized herein.

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

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-378
Re: Amendatory Agreements -
Comprehensive Adolescent Pregnancy Prevention Program

Transmitted herewith for your approval is legislation related to funding for the Comprehensive Adolescent Pregnancy Prevention (CAPP) Program. This legislation will:

1. Authorize the receipt and use of $43,792 from the New York State Department of Health (DOH) for additional funding for the 2015 CAPP Program. This amount reflects an unanticipated cost of living adjustment (COLA) provided by the DOH.

2. Authorize amendatory agreements with four of the service providers to increase their maximum compensation by $5,000 each to reflect the COLA.

The remaining $23,792 will be included in the City's Teenage Pregnancy Special Revenue Fund and will be used to reimburse City non-personnel costs, including program supplies ($14,900); equipment ($4,292); a conference ($3,200); and youth special events ($1,400).

Year 5 of the CAPP Program was authorized by Council in November 2014 (Ord. No. 2014-359), and amended in October 2015 (Ord. No. 2015-340). The City was notified by DOH on October 15, 2015 regarding the COLA, which is based upon a Congressional Budget Office calculation for the State fiscal year 2014-15. COLA funds must be expensed by December 31, 2015.

The table below summarizes the current and proposed funding for the CAPP Program:

	Initially Authorized	COLA 2015	Proposed Total
U of R Medical Center/Highland Family Planning	$ 46,470	+$ 5,000	$ 51,470
YWCA of Rochester and Monroe County	50,559	+ 5,000	55,559
Baden St. Settlement/Metro Council for Teen Potential	63,542	+ 5,000	68,542
Society for the Protection and Care of Children	54,461	+ 5,000	59,461
Family Resource Center	12,574	0	12,574
City costs	318,430	+ 23,792	342,222
Total	$546,036	+$43,792	$589,828

No added funding is requested for the Family Resource Center because they provide program-related training only as needed by the City, and no additional services are required.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-378
(Int. No. 417, as amended)

Authorizing cost of living adjustment funding and amendatory agreements for the Comprehensive Adolescent 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 amendatory agreement with the New York State Department of Health for the receipt and use of $43,792 in cost of living adjustment (COLA) funds for the Comprehensive Adolescent Pregnancy Prevention Program (CAPP Program).

Section 2. The Mayor is hereby authorized to enter into amendatory agreements with the following organizations to provide additional compensation for CAPP Program services in the following maximum amounts:

Organization	Amount
Highland Family Planning	$ 5,000
YWCA of Rochester and Monroe County	5,000
Baden Street Settlement, Inc.	5,000
Society for the Protection and Care of Children	5,000
Total	$20,000

and said total amount, or so much as may be necessary, is hereby appropriated for such purpose from the COLA funds to be received from the New York State Department of Health under the amendatory agreement authorized in Section 1.

Section 3. The remainder of the COLA funds in the amount of $23,792 are hereby appropriated to the Teenage Pregnancy Special Revenue Fund to pay for non-personnel expenses relating to the CAPP Program.

Section 4. Ordinance No. 2015-23, authorizing an intermunicipal agreement with the Rochester City School District for life skills workshops for City students, is hereby amended to extend the term of the agreement to June 30, 2016.

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

Section 6. This ordinance shall take effect immediately.

Strike out indicates deleted text, new text is underlined

Passed unanimously.

By Councilmember Spaull
November 17, 2015

To the Council:

The Arts & Culture Committee recommends for adoption the following entitled legislation:

Int. No. 413 - Appropriation for a Mural Arts Project

Respectfully submitted,
Elaine M. Spaull
Adam C. McFadden
Jacklyn Ortiz
Dana K. Miller
Loretta C. Scott
ARTS & CULTURE COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-379
Re: Mural Arts Project

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation related to the Mural Arts Project. This legislation will:

1. Appropriate $81,000 from the Job Creation/Youth Development allocation of the General Community Needs Fund of the 2015-16 Community Development Block Grant; and

2. Amend the 2015-16 Budget of the Department of Recreation and Youth Services (DRYS) by $71,900; and

3. Amend the 2015-16 Budget of Undistributed Expenses by $5,500.

The balance of the funds ($3,600) will be used for supplies, field trips, and artistic training.

This project, initiated in 2012, in collaboration with the Department of Neighborhood and Business Development, engages Rochester youth to create, develop, and install public arts projects to enhance and improve the community. This current phase of the project will begin in December 2015 and conclude in June 2016. A team will be assembled consisting of a lead artist, staff assistant, maintenance worker and 10 youth workers. The youth hired for the project will receive training in community art development, leadership, and artistic techniques. They will also participate in field trips and in professional development training conducted by the DRYS Bureau of Employment Skills Training and Youth Services.

The team will design and install a number of murals, both small and large scale, and interior and/or exterior, at select R-Centers not included in the initial phases of the project. The team will determine the designs and locations through consultation with youth and adult R-Center members and with community stakeholders, including local residents and business associations, from the neighborhood surrounding the R-Center.

Since the program's inception in 2012, murals have been installed at the Ametek building on North

Union Street across from the Public Market; 17 "Words to Live By" murals in various locations; and four Rochester Pillars (Susan B. Anthony, Frederick Douglass, Nathaniel Rochester and Austin Steward) on the pillar abutments of the underpass at the corner of West Main and Ford Streets.

Previous approvals of this project by Council were in August 2011 via Ordinance No. 2011-289, and in January 2012 via Ordinance No. 2012-48.

A project description and budget are attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-200

Ordinance No. 2015-379
(Int. No. 413)

Appropriation for a Mural Arts Project

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

Section 1. The sum of $81,000 from the Job Creation/Youth Development allocation of the General Community Needs Fund of the 2015-16 Community Development Block Grant is hereby appropriated for the Mural Arts Project. The Project shall be comprised of the hiring and artistic training of youth workers to design and install murals at select R-Centers. The current phase of the Project will commence in December 2015 and conclude in June 2016.

Section 2. The 2015-16 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations for:

(a) the 2015-16 Budget of the Department of Recreation and Youth Services ("DRYS") by $71,900; and

(b) the 2015-16 Budget for Undistributed Expenses by $5,500,

said amounts to be funded from a portion of the funds appropriated in Section 1 herein.

Section 3. The remainder ($3,600) of the appropriation in Section 1 shall be allocated for Project supplies, field trips, and artistic training.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

The meeting was adjourned at 8:11 p.m.

HAZEL L. WASHINGTON
City Clerk

* * * * *

REGULAR MEETING
DECEMBER 15, 2015

Present - President Scott Councilmembers Conklin, Haag, McFadden, Miller, Ortiz, Palumbo, Patterson, Spaull - 9.

Absent - None - 0.

The Council President requested the Council to rise for a Moment of Silence.

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

Recognition Ceremony
Retirement:
Environmental Services
*Joseph G. Crispino
Thomas A. Mensing
Fire Department
*Robert F. McEneaney
*Allen W. Miles, Jr.
*Brian P. Mulcahy
**Did not attend meeting.*

APPROVAL OF THE MINUTES
By Councilmember McFadden

RESOLVED, that the minutes of the Regular Meeting of November 17, 2015 be approved as published in the official sheets of the Proceedings.

Adopted unanimously.

COMMUNICATIONS FROM THE MAYOR, COUNCIL PRESIDENT, CORPORATE OFFICERS AND OTHERS.

The following communications are hereby directed to be received and filed:

The Mayor submits the following:
Administrative Cancellation or Refund of Erroneous Taxes and Charges 4209-15
Public Disclosure - HOME Participation 4210-15
Public Disclosure - CDBG Participation 4211-15

The Council submits Disclosure of Interest Forms from President Scott on Int. No. 430 and Councilmember Haag on Int. No. 463.

PRESENTATION AND REFERENCE OF PETITIONS AND OTHER COMMUNICATIONS.

None presented.

PUBLIC HEARINGS.

Pursuant to law, public hearing will now be had on the following matter:

Authorizing pavement width changes related to the Broad Street Bridge Preventive Maintenance Project Int. No. 404 No Speakers.

Amending the Official Map by dedicating to

street purposes land to be named Brookscrest Way
Int. No. 454 No Speakers.

REPORTS OF STANDING COMMITTEES AND ACTION THEREON

By Councilmember Conklin
December 15, 2015

To the Council:

The Finance Committee recommends for adoption the following entitled legislation:

Int. No. 424 - Authorizing agreements for Managed Print Services

Int. No. 425 - Authorizing administrative tax cancellations and refunds of $1,000 or less for 2016

Int. No. 428 - Authorizing an amendatory agreement with DSS Digital Group for electronic document warehouse upgrade

Int. No. 429 - Amending the 2015-16 Budget for debt repayment

Int. No. 469 - Authorizing an agreement for medical services for the Police and Fire Departments

Int. No. 470 - Amending Chapter 90 of the Municipal Code with respect to retail sales

The following entitled legislation is being held in Committee:

Int. No. 426 - Resolution approving the 2015-16 debt limit for the City School District

Int. No. 427 - Bond Ordinance of the City of Rochester, New York authorizing the issuance of $17,195,000 Bonds of said City to finance the costs of improvements to specified City School District schools

Respectfully submitted,
Carolee A. Conklin
Carla M. Palumbo
Jacklyn Ortiz
Dana K. Miller
Loretta C. Scott
FINANCE COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-380
Re: Agreements - Xerox Corporation and Toshiba Business Solutions, Managed Print Services

Transmitted herewith for your approval is legislation establishing $1,000,000 as maximum compensation for the life of the agreements with Xerox Corporation, Rochester, New York, and Toshiba Business Solutions, Henrietta, New York, to provide managed print services for the City of Rochester's printer fleet. The initial term of these agreements will be for five years with the option to renew for an additional five years. Cost of the agreements will be funded from the 2015-16 and subsequent Budgets of the Information Technology Department, contingent upon approval of future budgets.

Managed print services will include, but not be limited to:

- Support for the City's current and future office Printer/Multi-Function Device fleet.
- Repair service and replacement toner.
- Printer optimization to reduce overall print costs.
- Billing and cost management support.

A request for proposals for these services was issued on August 3, 2015. Xerox Corporation and Toshiba Business Solutions will be used to fulfill different duties that comprise the managed print services project. A Vendor/Consultant Process Selection Summary is attached.

All printers will be purchased from State contract and funded from yearly Capital funds; printer costs are not included in these agreements.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-201

Ordinance No. 2015-380
(Int. No. 424)

Authorizing agreements for Managed Print Services

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

Section 1. The Mayor is hereby authorized to enter into professional services agreements with Xerox Corporation located in Rochester, NY and Toshiba Business Solutions in Henrietta, NY to provide Managed Print Services for the City's fleet of printers and multi-function devices for an initial term of five years with an option to renew for an additional term of up to five years.

Section 2. The agreements in aggregate shall obligate the City to pay an amount not to exceed $1,000,000 for the initial term, to be funded in amounts which shall not exceed funds available in the 2015-16 and subsequent budgets of the Information Technology Department for this purpose, contingent upon adoption of the subsequent budgets.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-381
Re: Authorization - 2016 Administrative Tax Cancellations and Refunds

Transmitted herewith for your approval is legislation authorizing the Director of Finance to cancel or refund certain erroneous *ad valorem* taxes, charges and fees up to $1,000 per account during 2016.

Each year, approximately 63,000 tax bills are issued by the City. In 2014-15 these bills contained a total of $237,298,968 in City and School taxes, charges and fees, and delinquencies. Of that amount, taxes and charges totaling $1,289,304, or 0.54**%,** of the total billed amount, were subsequently determined to be erroneous and were canceled. These cancellations involved 686 accounts or 1.09**%** of the total number.

Pursuant to Section 556 of the New York State Real Property Tax Law, the City Council is required to approve all cancellations. Under the provisions of Chapter 383 of the Laws of 1984, however, it may delegate to the Director of Finance the authority to approve such cancellations, under certain conditions. Under Chapter 515 of the Laws of 1997, the State allows administrative cancellations of up to $2,500 per account.

Delegation of authority was initially approved by the Council in March 1987 and requires annual authorization. In December 2013, Council reauthorized the Director of Finance to cancel up to $1,000 per account. Such delegation reduces the amount of time required to correct a taxpayer's account and, in some instances, to issue a refund.

The following conditions will continue to apply:

1. A report summarizing all cancellations approved by the Director of Finance during any month will be submitted to the Council by the fifteenth day of the subsequent month; and

2. The total cancellations approved by the Director for any fiscal year will not exceed the amount of the tax reserve (provision for uncollected or delinquent amounts) established by the Council for that year.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-381
(Int. No. 425)

Authorizing administrative tax cancellations and refunds of $1,000 or less for 2016

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

Section 1. The Director of Finance is hereby authorized to approve the cancellation of real property taxes and/or charges or fees added to those taxes subject to the following conditions:

a. The amount to be cancelled for any year for any particular account shall be $1,000 or less.

b. A report summarizing all cancellations approved by the Director during any month shall be submitted to the City Council by the 15th day of the subsequent month.

c. The total amount of cancellations approved by the Director for any fiscal year shall not exceed the amount of tax reserve (provisions for uncollected or delinquent amounts) established by the City Council for that year.

Section 2. This ordinance shall be in effect for calendar year 2016.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-382
Re: Amendatory Agreement - DSS Digital Group, Electronic Document Warehouse Upgrade

Transmitted herewith for your approval is legislation establishing $59,125 as maximum compensation for an amendatory agreement with DSS Digital Group, Rochester, New York, for additional services to upgrade the electronic document warehouse implemented in 2008 for the Department of Neighborhood and Business Development (NBD). The original agreement was executed in July 2015 for technical support services with maximum compensation of $1,875 and a term of one year. This amendment will substantially increase the services provided by DSS Digital Group for total compensation of $61,000. The additional cost will be funded from 2011-12 ($39,125) and 2012-13 ($20,000) Cash Capital.

NBD and the Fire Department currently use a SharePoint document management system developed by ExtraDev Inc. (now a division of DSS Digital Group) to store all of the documents associated with code enforcement for the Bureau of Inspection and Compliance, Permit Office, Neighborhood Service Centers and Fire Safety Inspection. Under this amendatory agreement DSS Digital Group will update the Microsoft SharePoint environment to align with an upgrade to the scanning equipment. The scanning equipment and Microsoft licenses will be purchased from State contract.

DSS Digital Group was selected because they designed and developed the original system and have an in-depth understanding of how the system is constructed. A justification for not issuing a request for proposals is attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-202

Ordinance No. 2015-382
(Int. No. 428)

Authorizing an amendatory agreement with DSS Digital Group for electronic document warehouse upgrade

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 between the City and DSS Digital Group, also known as Document Security Services, Inc., of Rochester, NY, to upgrade the electronic document warehouse for the Department of Neighborhood and Business Development. The amendment shall increase the maximum amount of the original agreement authorized in July 2015 by $59,125 for a maximum compensation of $61,000. The term of the amended agreement shall remain one year. Said additional compensation in an amount not to exceed $59,125 shall be funded in the amounts of $39,125 from the 2011-12 and $20,000 from the 2012-13 Cash Capital budgets of the Information Technology Department.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-383
Re: Budget Amendment - Debt

Council Priorities: Deficit Reduction and
Long Term Financial Stability

Transmitted herewith for your approval is legislation amending the 2015-16 Budget for Debt Service, by appropriating a total of $106,500 from the Premium and Interest fund to be used to pay additional interest expense.

On August 6, 2015, the City of Rochester converted a total of $59,620,000 bond anticipation notes into serial bonds. The 2015-16 Budget anticipated the conversion of these bond anticipation notes and therefore included an estimate of the coupon rate for the new interest payment that would be due in February 2016.

At the sale, 14 bids were received and the winning bidder was FTN Financial. Due to market conditions, the City was paid a significantly high premium of $7,719,321.88. The high premium received on the City's bond issue resulted in higher than anticipated coupon rates.

This premium will be budgeted as revenue over the repayment of the bond issue to offset the coupon rate on the bonds resulting in a lower and very favorable net interest rate of 2.43% for the life of the bond repayment.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-383
(Int. No. 429)

Amending the 2015-16 Budget for debt repayment

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

Section 1. Ordinance No. 2015-167, the 2015-16 Budget of the City of Rochester, as amended, is hereby further amended by appropriating the sum of $106,500 from the Premium and Interest Fund and by increasing the revenue estimates and appropriations to 2015-16 Debt Service by the same amount in order to fund the repayment of debt.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-384
Re: Agreement - Workfit Medical, LLC,
Medical Services for Uniformed
Employees

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing an agreement with Workfit Medical, LLC for medical examinations and occupational medical services for sworn employees and disabled retirees of the Rochester Police Department (RPD) and Rochester Fire Department (RFD). The term of this contract will be for three years, beginning January 1, 2016, with the option to renew for two additional one-year terms. The initial cost of this agreement will be funded from the 2015-16 Budgets of RPD, RFD and Undistributed. The agreement will provide for all regular medical services and additional special services, the fees for which will be established in the agreement and will not exceed funds available for this purpose in the annual budgets of RPD, RFD and Undistributed. There is no base contract amount as this is a fee-for-service contract. Subsequent costs will be funded from the annual of budgets of RPD, RFD and Undistributed, contingent upon Council approval.

These services will include, but are not limited to:

- Pre-employment medical examinations and assessments;
- Evaluation, treatment (acute care and emergency care), and case management for on-duty injuries and illnesses;
- Return to work and/or fitness for duty examinations for on- or off-duty injuries or illnesses;
- Required miscellaneous examinations and immunizations;
- Provision of referrals to specialists as needed;
- Provision of the services of a Medical Review Officer; and
- Other care and/or examinations as deemed appropriate.

Workfit Medical, LLC was selected through a request for proposals process which is described in the attached summary. Workfit Medical, LLC was overwhelmingly selected based on their flexibility in terms of scheduling, hours of availability, and willingness to provide a customized approach to the City's medical needs.

The current base contract period with Strong Occupational and Environmental Medicine (OEM) for these services will expire December 31, 2015. Strong OEM has indicated that they do not want to exercise the remaining one-year renewal option on the contract as authorized via Ordinance No. 2012-476.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-203

Ordinance No. 2015-384
(Int. No. 469)

Authorizing an agreement for medical services for the Police and Fire Departments

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 Workfit Medical, LLC for medical services for sworn employees and disabled retirees of the Rochester Police and Fire Departments for a term of three years beginning January 1, 2016, with two one-year renewal options. The agreement shall provide for all regular medical services and for additional special services. The fees for services shall be established in the agreement and shall not exceed funds available in the 2015-16 and subsequent budgets of the Rochester Police and Fire Departments and Undistributed Expense for this purpose, contingent upon adoption of the subsequent budgets.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-385
Re: Code Amendment - Chapter 90,
Business Permits

Transmitted herewith for your approval is legislation amending Chapter 90, the Property Code of the City of Rochester, with regard to the requirement of business permits for certain business establishments.

This amendment will delete from the definition of High-Impact Retail Store those retail stores where alcohol, beer or wine coolers are sold. The definition will retain the current business permitting requirement for retail stores with less than 20,000 square feet of floor space that sell tobacco products, smoking paraphernalia or lottery, but the permitting requirement will no longer apply to a retail store solely on account of its sale of alcoholic beverages.

This legislation is intended to make the business permitting program consistent with the Zoning Code amendments enacted in November via Ordinance No. 2015-355. Section 4 of that ordinance omits from the Zoning Code's definition of High-Impact Retail Sales and Service, those retail stores that had previously been classified as High-Impact solely on account of alcohol, beer or wine cooler sales.

The changes to Chapter 90 are recommended in order to comply with New York State law and court rulings, as were the related Zoning Code amendments which were adopted last month.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-385
(Int. No. 470)

Amending Chapter 90 of the Municipal Code with respect to retail sales

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

Section 1. Chapter 90 of the Municipal Code, as amended, is hereby further amended by amending the definition of High-Impact Retail Store in Section 90-32 as follows:

HIGH-IMPACT RETAIL STORE
Any business not otherwise covered by this section which is accessible to the public, where food, goods, merchandise or equipment is sold at

retail and where tobacco, tobacco paraphernalia, smoking paraphernalia, including products that contain nicotine, liquid nicotine, vapors or inhalants and/or involve the on-site inhaling or smoking of such products, ~~beer, wine coolers, alcohol,~~ and/or lottery tickets are sold, in a premises with a total floor space of less than 20,000 square feet.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Strikeout indicates deleted text

TO THE COUNCIL
Ladies and Gentlemen:

Introductory No. 426
Introductory No. 427
Re: Capital Improvement Program - Rochester City School District

Council Priority: Deficit Reduction and Long-Term Financial Stability; Support the Creation of Effective Educational Systems

Transmitted herewith for your approval is legislation related to the Capital Improvement Program of the Rochester City School District (District). This legislation will:

1. Establish $17,195,000 as the maximum amount of debt to be authorized for the 2015-16 fiscal year for the District; and

2. Authorize the issuance of bonds for $17,195,000 and the appropriation of the proceeds thereof for capital improvements to existing school buildings in the District.

By City Council Policy, borrowing in any fiscal year may not exceed the principal on outstanding debt redeemed for that year. During fiscal year 2015-16, the District will liquidate $17,195,000 in principal. Attachment A is a projection of the District debt to be repaid over the current and next four fiscal years.

For cities with dependent school districts, the New York State Constitutional Debt Limit is established at 9.0% of the five-year average full valuation. As specified in the City Charter, Rochester splits this limit into 5.5% for the City and 3.5% for the District. This split provides the District with a remaining borrowing capacity of $29,628,950 (Attachment B).

Attachment C is a letter from the School District detailing the planned uses of the new bonds and a copy of the Board of Education Resolution No. 356 approving the capital plan at its November 19, 2015 meeting.

The New York State Education Department, by letter dated November 5, 2015, has confirmed that the District has met the Maintenance of Effort (MOE) requirement for 2015-16 (Attachment D). When the City issues this debt, the repayments will be structured to the extent possible to continue meeting the MOE requirements, while remaining within the constraints of Local Finance Law.

Respectfully submitted,
Lovely A. Warren
Mayor

Introductory No. 426

RESOLUTION APPROVING THE 2015-16 DEBT LIMIT FOR THE CITY SCHOOL DISTRICT

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

WHEREAS, an important component of the City School District's expense budget and tax levy is debt service;

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

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

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

Section 1. NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Rochester, that it is the intent and policy of the City to limit the amount of bonds and notes authorized for City School District purposes in fiscal year 2015-16 to $17,195,000, which is less than the amount of debt to be redeemed in fiscal year 2015-16.

BE IT FURTHER RESOLVED, that for all bonds authorized for the City School District, the following language shall be inserted into the bond ordinance:

The proceeds of these bonds shall be appropriated to pay the cost of such purpose on the condition subsequent that State aid paid to the City or the City School District with respect to such bonds applied solely to meet debt service on such bonds shall not invalidate any obligations issued pursuant to this ordinance or any appropriation of proceeds of such bonds made pursuant to this ordinance.

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

BE IT FURTHER RESOLVED, that to insure continued awareness of and adherence to this policy, each separate request for authorized debt shall

be accompanied by a report in which the amount of debt actually authorized is compared to the amount of debt herein established as a limit.

BE IT FURTHER RESOLVED, that the bonds authorized herein shall not be issued until the City has received a written communication from the New York State Education Department confirming that this action will not affect the "city amount" required as its fiscal effort pursuant to subdivision 5-b of Section 2576 of the Education Law, in a form acceptable to the Director of Finance.

Section 2. This resolution shall take effect immediately.

Held in Committee.

Introductory No. 427

BOND ORDINANCE OF THE CITY OF ROCHESTER, NEW YORK AUTHORIZING THE ISSUANCE OF $17,195,000 BONDS OF SAID CITY TO FINANCE THE COSTS OF IMPROVEMENTS TO SPECIFIED CITY SCHOOL DISTRICT SCHOOLS

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 $17,195,000 of the costs of the City School District Capital Improvement Program, including the costs of the design, renovation and improvement of the City School District schools indicated on the attached Exhibit A (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 $17,195,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of $17,195,000 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 $17,195,000 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 $17,195,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said class of objects or purposes described in Section 1 of this Ordinance, within the limitations of 11.00 a.12(a)(1) of the Law, is twenty-five (25) 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.

Exhibit A
$17,195,000 Bond Ordinance to Finance Improvements to Specified Rochester City School District Schools

Section I: 2015-16 CONSTRUCTION PROJECTS

School Name	Project Description	Budget Request
No. 3 - Nathaniel Rochester Community School	Parking lot expansion, adjust existing and add new playground equipment, classroom renovations for STEM programs, provide variable speed drives and booster pumps, install dielectric unions for corrosion protection.	$ 408,000
No. 4 - George Mather Forbes	Construct elevator for northwest addition, reconstruct dock area, provide additional kitchen storage and lockdown hardware for classroom doors, site acquisition for parking lot expansion.	800,000
No. 9 - Dr. Martin Luther King Jr. Clinton/Baden Rec. Center	Convert science room, provide playground, variable speed drives for existing booster pumps, design media room/TV production office and reconstruct toilet room.	380,000
No. 10 - Dr. Walter Cooper Academy	Roof replacement, lower existing chimney and provide stack liner, construct security entrance vestibule, bus drop off and visitor parking area, provide playground improvements and renovate toilet rooms.	1,108,000
No. 41 - Kodak Park	Provide parapet reconstruction, window blinds and screens, replace fire alarm system, replace sinks and provide electric hand dryers, condensate line abatement and repairs, install boiler burner management system.	640,000
No. 43 - Theodore Roosevelt	Cafeteria improvements, provide fixed seating in balcony area, variable speed drives for booster pumps and projection system for auditorium/gym.	460,000
No. 46 - Charles Carroll	Replace roofing and flash parapets of kindergarten wing, window replacement on north and west elevations.	400,000
Charlotte Educational Campus	Masonry restoration, refurbish windows, replace gym air handling units, construct loading dock and north parking lot, asbestos abatement and air conditioning in auditorium, provide lockers in boys' locker room.	2,492,000
Edison Educational Campus	Replace roofing, windows and blinds, and air handling unit, renovate toilet rooms, reconstruct south parking lot, replace ceilings in stair towers and add security screens.	4,408,000
Franklin Educational Campus	Masonry restoration, replace sidewalks and steam valves, install boiler burner management system and dock canopy, toilet room and classroom renovation, locker replacement.	564,000
Jefferson Educational Campus	Renovate nurse's suite, ADA upgrades, replace steam traps, classroom conversion.	600,000
Wilson Commencement Academy	Reconstruct skylights in kitchen area, provide parking area and bus drop off on north side of school, renovate toilet rooms, replace mechanical systems and steam traps, provide ADA compliance.	776,000
Service Center	Expand freezer and construct new walk-in refrigerator in Central Kitchen.	320,000
District-wide Security Phase VI	Provide security cameras and secure computer equipment rooms at various schools.	400,000
	Section I - Subtotal	**$13,756,000**

Section II: 2015-16 20% ALLOCATION FOR 2016-17 PROJECTS

Project Description	Budget Request
The schools being considered for 2016-17 projects will be selected from the following list: 3, 4, 6, 8, 9, 10, 23, 25, 29, 33, 34, 39, 41, 42, 43, 44, 45, 46, 50, 57, 58, Charlotte, Douglass, Jefferson, Marshall, SOTA, School Without Walls Commencement, 107 N. Clinton, Dr. Freddie Thomas, Wilson Foundation.	
Building Envelope	$ 570,000
Mechanical/Electrical Systems	400,000
Compliance Issues	110,000
Major Renovations: Elementary Schools	600,000
Major Renovations: Secondary Schools	700,000
Miscellaneous Building Systems	130,000
Building Security Uprades	100,000
Academic Improvement Initiatives	829,000
Section II - Subtotal	**$ 3,439,000**

Grand Total 2015-16 Bond Request: $17,195,000

Held in Committee.

By Councilmember Palumbo
December 15, 2015

To the Council:

The Neighborhood & Business Development Committee recommends for adoption the following entitled legislation:

Int. No. 430 - Authorizing the sale of real estate

Int. No. 431 - Local Law extending the Residential-Commercial Urban Exemption Program

Int. No. 433 - Appropriating funds and agreements for Quadrant Support Planning Program

Int. No. 434 - Funding marketing for the Owner-Occupant Roofing Program

The following entitled legislation is being held in Committee:

Int. No. 432 - Authorizing the acquisition of 886 West Main Street

Respectfully submitted,
Carla M. Palumbo
Carolee A. Conklin
Michael A. Patterson
Dana K. Miller
Loretta C. Scott
NEIGHBORHOOD & BUSINESS DEVELOPMENT COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-386
Re: Sale of Real Estate

Council Priority: Rebuilding and
Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation approving the sale of twelve properties and amending Ordinance No. 2014-373. 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.

The first four properties are vacant lots sold by negotiated sale to the adjacent owners. The owners will combine the lots with their existing properties and utilize the lots as green space.

The next property is a vacant lot sold by a request for proposals. The buyer owns the adjacent property and will construct a self-storage building on the lot. The City-owned lot must be rezoned to M-1 and will be combined with the adjacent property once zoning approval is obtained.

The next seven properties are unbuildable vacant lots, being sold for $1.00 (as per City policy) to their adjacent owners who will combine the respective lots with their existing properties.

The first year projected tax revenue for these twelve properties, assuming full taxation, current assessed valuations and current tax rates, is estimated to be $4,316.

Amendment of Ordinance No. 2014-373
Ordinance No. 2014-373, relating to the sale of real estate, is hereby amended by removing the name of Stephen Schlegel as one of the purchasers of 124 Henrietta Street. Mr. Schlegel retains life use only in the adjoining property at 130 Henrietta Street.

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

Attachment No. AO-204

Ordinance No. 2015-386
(Int. No. 430)

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 with proposal:

Address	S.B.L. #	Lot Size	Sq. Ft.	Price	Purchaser
605 Bay St	107.45-1-8	42 x 142	5,985	$ 450	Kimberly M. Brunson
1403 E. Main St	107.69-2-20	40 x 136	5,440	$ 450	Nickolas Greco, III & Mana Greco
429 Norton St	091.62-2-13	91 x 232	19,973	$1,150	Phaym Souvannavong
143 Sherwood Av	120.64-3-28	39 x 114	4,526	$ 425	Rahul Kohli

Section 2. The Council hereby approves the negotiated sale of the following vacant parcel with proposal to develop a self-storage building:

Address	S.B.L. #	Lot Size	Sq. Ft.	Price	Purchaser
1009-1011 Jay St	105.80-1-79	60 x 106	6,360	$ 475	Christopher Brett

Section 3. The Council hereby approves the negotiated sale of the following parcels of unbuildable vacant land for the sum of $1.00:

Address	S.B.L. #	Lot Size	Sq. Ft.	Purchaser
445 Avenue D	091.79-1-49	32 x 98	3,199	Anthony R. Rizzo
32 Caspar St	106.42-2-29	30 x 110	3,305	Tracy L. Williams
451 Colvin St, North ½	105.81-2-48	18 x 100	1,854	Camelio Ocasio
451 Colvin St, South ½	105.81-2-48	18 x 100	1,854	New Day Global Mission**
1035 Hudson Av	091.73-1-71	33 x 110	3,630	Kenneth E. Hancock
35-37 Seabrook St	106.23-2-44	76 x 74	5,725	Gail Evans
273 Whitney St	105.74-2-5	30 x 101	3,048	Nina M. Rush

** Leadership Board: Natividad Fermin, Director; Fe Fermin, Co-Director; Ana Fermin, Secretary; Alex Luis, Treasurer
Members: Marisol Luis, Febe M. Fermin, Carlos Rodriguez, Alberto Cotto

Section 4. Section 1 of Ordinance No. 2014-373, relating to the sale of real estate, is hereby amended by removing the name of Stephen Schlegel as one of the purchasers of the following parcel, so that the negotiated sale of vacant land with proposal shall proceed as follows:

Address	S.B.L. #	Lot Size	Sq. Ft.	Purchaser
124 Henrietta St	121.74-2-29	44 x 137	5,118	Jeffrey J. Schlegel

Section 5. 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 because either the City has agreed to convey said properties free of City tax liens and other charges or such liens and charges have been included in the purchase price.

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Local Law No. 1
Re: Reauthorization of the Residential Commercial Urban Exemption Program

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation reauthorizing the Residential Commercial Urban Exemption Program (CUE). CUE was originally authorized by City Council in March 2003 by Local Law No. 3, under New York State Real Property Tax Law. The program allows cities with populations of between 50,000 and 1,000,000 to provide tax exemptions for certain classes of mixed-use properties. Since 2003, CUE has been re-authorized three times with the last one being in November 2012 under Local Law No. 7.

The objective of the program is to facilitate the conversion of underutilized office, retail, manufacturing, and warehouse buildings to promote downtown residential use. Under CUE, a non-residential property, upon conversion to mixed-use (residential-commercial), can be partially exempted from taxation and special ad valorem levies for a period of twelve years. The exemption is applied to the increase in assessed value attributable to the conversion to mixed-use.

In years one to eight, the exemption applies to 100% of the increase in assessment attributable to the conversion to mixed-use; in the years that follow, the exemption is reduced by 20% each year, with full taxation applying in year 13 and beyond. CUE is restricted to mixed-use conversion projects located in the Center City District. To qualify for the exemption, property owners must invest at least $250,000 in converting the property, and provide a minimum of 25% of the total developed space for use as rental housing.

Since its inception, 17 property owners have qualified for the CUE Program. There is currently one developer who has filed an application that is still pending, and four other applications are anticipated within the next year. A list of these properties is attached. The 17 projects currently enrolled have resulted in an investment of more than $50 million and the creation of 301 market-rate and affordable housing units in the Center City. The value of these properties has increased by more than $18 million.

The current authorization for CUE expires on December 31, 2015. If reauthorized, the extension will expire on December 31, 2018.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-205

Local Law No. 1
(Int. No. 431)

Local Law extending the Residential-Commercial Urban Exemption Program

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

Section 1. Section 6-71.7 of the Charter of the City of Rochester, Residential-Commercial Urban Exemption Program, shall remain in effect for the 2016, 2017 and 2018 assessment rolls. Any property that is granted an exemption on one of those rolls shall remain eligible for the additional years of exemption on that property, provided the property continues to meet the requirements of New York State Real Property Tax Law Section 485-a.

Section 2. This local law shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-387
Re: Quadrant Planning Support Program

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation related to the Quadrant Planning Support Program which provides $10,000 to each quadrant. This legislation will:

1. Appropriate $30,000 from the Quadrant Planning Support allocation of the Neighborhood and Asset Planning Fund of the 2015-16 Community Development Block Grant; and

2. Establish $8,000 as maximum compensation for an agreement with NeighborWorks to implement the Gateway Artwork project. The agreement will be funded from the appropriation herein and have a term of one year.

The projects supported by the program are listed in the quadrant plans, and are reviewed, prioritized and chosen by the Quadrant Teams. The Northeast Quadrant is requesting $10,000 for the Upper Falls/St. Paul Gateway to repair the median and landscaping and to install new lighting for the Lomb Memorial.

The Northwest Quadrant is requesting $10,000 for improvements to green space to create positive, safe spaces to engage neighbors by adding items including, but not limited to, chess tables and benches. Northwest leaders will partner to implement the plan and obtain the required permits.

The Southeast Quadrant is requesting a total of $10,000, with $8,000 for Gateway Artwork on the East Main Street and Culver Road four corners, and $2,000 for the triangle pocket green space at the intersection of North Goodman and Webster Avenues. The Gateway Artwork is supported by the four neighborhoods that converge at the corner of East Main Street and Culver Road. EMMA (East Main, Mustard and Atlantic), North Winton Village Neighborhood Association, Beechwood Neighborhood Association and NEMNU (North East Main Neighbors United) are partnering with NeighborWorks to have an artist work with East High School Students to create the gateway ($8,000). NeighborWorks will be required to issue a request for proposals for the artist and will contribute a $2,000 grant from NeighborWorks America to the project. The triangle pocket green space will undergo landscape improvements to offset the negative visual impact when Rochester Transit Service removes the bus stop at the site. The Southeast leaders will obtain the necessary permits.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-387
(Int. No. 433)

Appropriating funds and agreements for Quadrant Support Planning Program

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

Section 1. There is hereby appropriated from the Quadrant Planning Support allocation of the Neighborhood and Asset Planning Fund of the 2015-16 Community Development Block Grant the sum of $30,000, or so much thereof as may be necessary, to fund the Quadrant Support Planning Program in the following amounts:

Quadrant	Amount
Northeast	$10,000
Northwest	$10,000
Southeast	$10,000

Section 2. The Mayor is hereby authorized to enter into an agreement with NeighborWorks Rochester to provide it with $8,000, or so much thereof as may be necessary, to implement a Gateway Artwork project at the four corners of the intersection of East Main Street and Culver Road.

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

Section 4. The City shall enter into agreements for this Quadrant Support Planning Program only with organizations that are in compliance with federal regulations.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

Councilmember Palumbo moved to amend Int. No. 434.

The motion was seconded by Councilmember Spaull.

The motion was adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-388
Re: Owner-Occupant Roofing Program

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation appropriating $20,000 from the Owner-Occupant Roofing Program allocation of the Housing Development Fund of the 2015-16 Community Development Block Grant and authorizing the City's use of said funds to market the Owner-Occupant Roofing Program (OORP).

OORP is a housing rehabilitation initiative designed to assist eligible homeowners with roof replacements. Funding for the program in the amount of $1,700,000 was authorized through the City's 2014-15 ($700,000) and 2015-16 ($1,000,000) Capital Improvement Plan, which will assist approximately 140 property owners at an average expenditure of $12,000 per property.

The City will undertake a marketing campaign to raise community awareness of the program. The campaign will include radio advertisements, posters, brochures and print advertisements. The marketing will begin in January, and the City will hold the first OORP drawing in February.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-388
(Int. No. 434, as amended)

Funding marketing for the Owner-Occupant Roofing Program

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

Section 1. The amount of ~~$20,000~~ $12,800 is hereby appropriated from the Owner-Occupant Roofing Program allocation of the Housing Development Fund of the 2015-16 Community Development Block Grant and authorized for the City's use to conduct a marketing campaign to raise community awareness of the City's Owner-

Occupant Roofing Program for 2016.

Section 2. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed by the following vote:

Ayes - President Scott, Councilmembers McFadden, Miller, Ortiz, Palumbo, Patterson, Spaull - 7.

Nays - Councilmembers Haag, Conklin - 2.

Councilmember Palumbo moved to discharge Int. No. 432 from Committee.

The motion was seconded by Councilmember Haag.

The motion was adopted unanimously.

Councilmember Palumbo moved to amend Int. No. 432.

The motion was seconded by Councilmember McFadden.

The motion was adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-389
Re: Acquisition of 886 West Main Street

Council Priority: Rebuilding and Strengthening Neighborhood Housing; Jobs and Economic Development

Transmitted herewith for your approval is legislation authorizing the acquisition by negotiation of property at 886 West Main Street. The property consists of a .78 acre parcel with an existing vacant commercial building. The purchase price of $140,000 was established by an independent appraisal prepared by Midland Appraisal Associates, Inc. on August 12, 2015 and a review appraisal completed by Bruckner, Tillett, Rossi, Cahill & Associates on November 10, 2015. The total cost of $141,200, which includes the purchase price and closing costs, will be funded from 2014-15 Cash Capital.

The current owner of the property is Western Regional Off-Track Betting Corporation. The site is improved with an approximately 6,300 square foot one and partial two-story building. The property was formerly operated as the Western Regional Off-Track Betting (OTB) facility. The OTB operations have terminated and the building has been vacant for more than a year.

The City owns various adjacent properties, all of which consist of vacant land. These vacant properties include: 64 York Street; 17 Kensington Street; 7 Kensington Street, 816-822 Brown Street; and, 888-892 West Main Street.

Western Regional Off-Track Betting Corporation approached the City with interest in selling their vacant property. The property is situated adjacent to other City-owned vacant lots and within the Bull's Head Revitalization area. As part of the Bull's Heads Revitalization project, the City intends to prepare this property and other adjacent properties for future redevelopment. Activities for such preparation may include environmental testing, environmental clean-up and demolition.

A Phase I Environmental Site Assessment (ESA) dated October 23, 2015, was completed for the property by Day Environmental, Inc. Upon review by the City's Department of Environmental Services' Division of Environmental Quality, the Phase I ESA report included evidence of potential environmental contamination consistent with typical developed urban sites. There were no recognized environmental conditions that would preclude the City's acquisition of the property.

Upon acquisition by the City, 2015-16 City taxes will be canceled. The property will be conveyed with no other outstanding liens or encumbrances.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-206

Ordinance No. 2015-389
(Int. No. 432, as amended)

Authorizing the acquisition of 886 West Main Street

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

Section 1. The Council hereby approves the acquisition of the parcel described below by negotiation. The acquisition costs shall not exceed ~~$141,200~~ $121,200 including closing costs and shall be funded from 2014-15 Cash Capital.

Address:	886 West Main St.
S.B.L. #:	120.42-2-60.003
Lot Size:	±0.82 acre
Owner:	Western Regional Off-Track Betting Corporation

Section 2. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

By Councilmember Haag
December 15, 2015

To the Council:

The Parks & Public Works Committee recommends for adoption the following entitled legislation:

Int. No. 435 - Bond Ordinance of the City of Rochester, New York authorizing the issuance of $550,000 Bonds of said City to finance the reconstruction of certain portions of Winton Road North related to the 2015 Winton Road North Improvement Project

Int. No. 436 - Bond Ordinance of the City of Rochester, New York authorizing the issuance of $630,000 Bonds of said City to finance the reconstruction of certain water mains in Winton Road North related to the 2015 Winton Road North Improvement Project

Int. No. 437 - Authorizing a professional services agreement with Hunt Engineers Architects Surveyors, amending an Ordinance, and authorizing the receipt and use of funds related to the Winton Road North Improvement Project (Blossom Road to Corwin Road)

Int. No. 438 - Authorizing an amendatory agreement for the Emergency Communications Facility Console Replacement Project

Int. No. 439 - Bond Ordinance of the City of Rochester, New York authorizing the issuance of $1,542,000 Bonds of said City to finance the costs of replacement of the Emergency Communications Facility Console

Int. No. 440 - Bond Ordinance of the City of Rochester, New York authorizing the issuance of $2,599,000 Bonds of said City to finance the costs of the 2016 Annual Parking Garage Evaluation and Repair Program

Int. No. 441 - Amending an Ordinance related to the 2016 Annual Parking Garage Evaluation and Repair Program

Int. No. 442 - Authorizing the release of an easement over 103 Court Street

Int. No. 443 - Authorizing an agreement with New York Power Authority for the Energy Efficiency Services Program

Int. No. 444 - Authorizing a Power Purchase agreement with Solar Liberty

Int. No. 445 - Authorizing a cost sharing agreement with the United States Army Corps of Engineers for a study of the Port and Harbor of Rochester

Int. No. 446 - Authorizing a service agreement with the New York State Department of Environmental Conservation for maintaining Hemlock-Canadice State Forest property

Int. No. 447 - Resolution approving reappointments to the Downtown Enhancement District Advisory Committee

Int. No. 448 - Amending Chapter 104 of the Municipal Code as it relates to the responsibility of maintaining sidewalks free of obstructions and snow and ice

Int. No. 450 - Authorizing an amendatory agreement with Abundant Life Faith Center, Inc.

Int. No. 451 - Authorizing an amendatory agreement with North East Area Development, Inc., as amended

Int. No. 452 - Authorizing an amendatory agreement with Baden Street Settlement, Inc.

Int. No. 453 - Authorizing an amendatory agreement with the Center for Employment Opportunities, Inc.

Int. No. 466 - Authorizing the receipt and use of funds and amending the 2015-16 Budget related to preventive street maintenance

Int. No. 467 - Authorizing an agreement for an assessment of the trails in the Washington Grove section of Cobb's Hill Park

The Parks & Public Works Committee recommends for consideration the following entitled legislation:

Int. No. 454 - Amending the Official Map by dedicating to street purposes land to be named Brookscrest Way

The following entitled legislation is being held in Committee:

Int. No. 449 - Amending Chapter 13A of the Municipal Code as it relates to penalties for offenses

Respectfully submitted,

Matt Haag
Elaine M. Spaull
Michael A. Patterson
Dana K. Miller
Loretta C. Scott
PARKS & PUBLIC WORKS COMMITTEE

Received, filed, and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-390
Ordinance No. 2015-391
Ordinance No. 2015-392
Re: Agreement - Hunt Engineers Architects Surveyors, Winton Road North Improvement Project

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

Transmitted herewith for your approval is legislation related to the Winton Road North Improvement Project (Blossom Road to Corwin Road). This legislation will:

1. Authorize the issuance of bonds in the amount of $550,000 and appropriation of the

proceeds thereof to finance a portion of the costs of the street improvements; and

2. Authorize the issuance of bonds in the amount of $630,000 and appropriation of the proceeds thereof to finance the cost of the water improvements; and

3. Appropriate $2,132,000 in anticipated reimbursements from Monroe County to finance a portion of the costs of the street improvements; and

4. Authorize the receipt and use of $8,200 in additional anticipated reimbursements from New York State Department of Transportation (NYSDOT), Marchiselli Aid program to partially finance the North Winton Road City administrative design costs; and

5. Establish $405,000 as maximum compensation for an agreement with Hunt Engineers Architects Surveyors, Rochester, New York, for resident project representation (RPR) services; and

6. Amend Ordinance No. 2015-51 to replace a portion of the City funded share ($12,910) of the design services agreement with Hunt Engineers Architects Surveyors related to the Winton Road North Improvement Project with the Monroe County funds appropriated herein.

Federal and NYSDOT Marchiselli Aid funding is not available for the construction of this project. Monroe County will fund $2,132,000 under the 131-K arterial program, with the remaining construction cost funded by the City. Under the terms of the agreement, a design report was prepared and approved in June 2014. Features of the North Winton Road Improvement Project include rehabilitation and reconstruction of the pavement; reconfiguration of the roadway; and improvements to the intersection, drainage system, curb, traffic signal, signage, sidewalk, streetscape, landscaping, street lighting and water distribution system.

Bids for construction were received on October 20, 2015. The work will be performed by Keeler Construction Company, Inc., at a cost of $2,622,635 which is 10% less than the engineer's estimate. An additional $271,455 (10%) will be allocated for contingencies which include street lighting costs, trees and other items not included in the contract.

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

Funding Source	Construction	RPR	Contingency	Total
Monroe County Highway	$1,805,940	$279,450	$ 33,700	$2,119,090
Street Bond	316,378	48,600	185,022	550,000
Water Bond	500,317	76,950	52,733	630,000
Total	$2,622,635	$405,000	$271,455	$3,299,090

Hunt Engineers Architects Surveyors was selected to provide RPR services based on its familiarity of the site and availability of staff which is described in the attached summary. The agreement may extend until two years after final acceptance of the project.

Construction is anticipated to begin in fall 2015 with scheduled completion in summer 2016. The construction phase of this project will result in the creation and/or retention of the equivalent of 35.3 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-207

Ordinance No. 2015-390
(Int. No. 435)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of $550,000 Bonds of said City to finance the reconstruction of certain portions of Winton Road North related to the 2015 Winton Road North Improvement 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 of certain portions of Winton Road North (from Blossom Road to Corwin Road) related to the 2015 Winton Road North Improvement Project in the City, including new curbing, sidewalks, street lighting and other roadway improvements (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 $2,682,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of $550,000 bonds of the City to finance a portion of said appropriation, $2,132,000 in

anticipated reimbursements from the County of Monroe, 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 $550,000 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 $550,000. 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. 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.

Passed unanimously.

Ordinance No. 2015-391
(Int. No. 436)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of $630,000 Bonds of said City to finance the reconstruction of certain water mains in Winton Road North related to the 2015 Winton Road North Improvement 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 reconstruction and improvement of certain water mains and supply lines in Winton Road North (from Blossom Road to Corwin Road) related to the 2015 Winton Road North Improvement Project for the City (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 $630,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of $630,000 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 $630,000 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 $630,000. 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.

Passed unanimously.

Ordinance No. 2015-392
(Int. No. 437)

Authorizing a professional services agreement with Hunt Engineers Architects Surveyors, amending an Ordinance, and authorizing the receipt and use of funds related to the Winton Road North Improvement Project (Blossom Road to Corwin Road)

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Department of Transportation for the receipt and use of $8,200, in anticipated reimbursements from the Marchiselli Aid Program to partially finance the City's administrative design costs for the North Winton Road Improvement Project (Blossom Road to Corwin Road).

Section 2. The Mayor is hereby authorized to enter into an agreement with Monroe County for the receipt and use of $2,132,000, in anticipated reimbursements to finance a portion of the costs of the street improvements for the North Winton Road Improvement Project, and said funds are hereby appropriated for said use.

Section 3. The Mayor is authorized to enter into a professional services agreement with Hunt Engineers Architects Surveyors in the maximum amount of $405,000, for resident project representation (RPR) services for the North Winton Road Improvement Project.

Section 4. Funding for the agreement authorized in section 3 shall consist of the following:

a) $279,450 from Monroe County.

b) $48,600 authorized in a Bond Ordinance to be authorized for said purpose.

c) $76,950 authorized in Bond Ordinance to be authorized for said purpose.

Section 5. This agreement may extend until three (3) months after completion of a two year guarantee inspection of the Project.

Section 6. Ordinance No. 2015-51 is hereby amended by replacing $12,910 of the City funded share of the design services agreement with Hunt Engineers Architects Surveyors with a portion of the Monroe County Funds authorized in section 2, herein.

Section 7. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 8. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-393
Ordinance No. 2015-394
Re: Emergency Communications Facility Console Replacement

Council Priority: Jobs and Economic Development

Transmitted herewith for your approval is legislation related to the Emergency Communications Facility Project. This legislation will:

1. Establish $70,000 as maximum compensation for an amendatory agreement with SWBR Architecture, Engineering and Landscape Architecture, PC, of Rochester, New York, for additional resident project representative (RPR) services for this project. The amendatory agreement will increase maximum compensation from $130,000 (Ord. No. 2015-70) to a total of $200,000. The cost of the amendatory agreement will be financed from bonds appropriated herein; and

2. Authorize the issuance of bonds totaling $1,542,000 and the appropriation of the proceeds thereof to finance the project.

The Emergency Communications Department serves 84 different public safety agencies. The project will include console replacements throughout the facility to accommodate computer system replacements being performed by the County. The renovation will also include a new training area, carpet replacement throughout, acoustical improvements, and other interior improvements. The project also includes moving some existing consoles to the 311 Center.

SWBR Architecture, Engineering and Landscape Architecture, PC was selected to provide RPR services based on its familiarity of the site and availability of staff which is described in the attached summary. The agreement may extend until two years after final acceptance of the project.

Construction is scheduled to begin in spring 2016 and be completed by summer 2016. The project will result in the creation and/or retention of the equivalent of 16.7 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-208

Ordinance No. 2015-393
(Int. No. 438)

Authorizing an amendatory agreement for the Emergency Communications Facility Console Replacement Project

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

Section 1. The Mayor is hereby authorized to enter into an amendatory professional services agreement between the City and SWBR Architecture, Engineering & Landscape Architecture PC for resident project representative services.

Section 2. Said amendatory agreement shall increase the maximum compensation under the agreement authorized in Ordinance No. 2015-70, by $70,000, to a total of $200,000, said amendatory agreement shall be funded by bonds authorized for said purpose.

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.

Passed unanimously.

Ordinance No. 2015-394
(Int. No. 439)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of $1,542,000 Bonds of said City to finance the costs of replacement of the Emergency Communications Facility Console

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 replacement of the Emergency Communications Facility Console, including work station replacements, a new training area and acoustical and other facility improvements, located at 321 West Main Street in the City (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 $1,542,000, and said

amount is hereby appropriated therefor. The plan of financing includes the issuance of $1,542,000 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 $1,542,000 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 $1,542,000. 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. 98 of the Law, is ten (10) years.

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

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

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

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

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

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

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

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-395
Ordinance No. 2015-396
Re: Annual Parking Garage Evaluation and Repair Program

Council Priority: Jobs and Economic Development

Transmitted herewith for your approval is legislation related to the 2016 Annual Parking Garage Evaluation and Repair Program. This legislation will:

1. Authorize the issuance of bonds totaling $2,599,000 and the appropriation of the proceeds thereof to finance the 2016 Annual Parking Garage Evaluation and Repair Program (Garage Program); and

2. Amend the funding provision for Ordinance No. 2014-345, which authorized an agreement with T.Y. Lin International for engineering and architectural inspection and design services for the Garage Program, to allow the optional one-year extensions to be paid from either Cash Capital allocations of subsequent budgets, upon approval by Council, or a bond ordinance adopted and appropriated for the purpose.

The amendment of Ordinance No. 2014-345 is being requested because there is no Cash Capital allocation for the Garage Program in the 2015–16 Budget. $500,000 of the proposed bond ordinance will fund the cost of an additional year of service.

Ordinance No. 2014-345 authorized an agreement with T.Y. Lin International for engineering and architectural inspection and design services for the Garage Program. Ordinance No. 2015-128 authorized resident project representation (RPR) services for the garage program. Under these previously authorized agreements, T.Y. Lin International performs comprehensive garage inspections, condition ratings, prioritization, structural design, and RPR services. They also develop the annual, five-year and long-term capital program for the eight City-owned garages.

In addition to the inspection and design work, the bond appropriated herein also will fund the 2016 Garage Program's construction work including post-tensioned tendon repairs, deck waterproofing and sealing, repair to structural components, expansion joint repair, façade repairs and waterproofing, mechanical, electrical and plumbing system repairs, masonry repairs, and elevator replacements. The garages include the following City-owned facilities: Genesee Crossroads, Mortimer Street, High Falls, South Avenue, Washington Square, Sister Cities, and Court Street. Construction work at the East End Garage under this year's Garage Program will be minimal because a separate rehabilitation project for this garage is under construction pursuant to Ordinance No. 2014-343.

The 2016 Garage Program construction contract is scheduled to be bid in winter 2016, with construction beginning in summer 2016 and completed in summer 2017. The estimated total cost of the 2016 Garage Program, including contingency, is estimated at $3,299,000 and will be funded as follows:

	2015-16 Parking Bonds	DASNY Funding (Ordinance 2015-120)	Total
Design	$ 500,000	$ 0	$ 500,000
Construction	2,099,000	700,000	2,799,000
Total	$2,599,000	$700,000	$3,299,000

The funding results in the creation and/or retention of the equivalent of 36 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-395
(Int. No. 440)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of $2,599,000 Bonds of said City to finance the costs of the 2016 Annual Parking Garage Evaluation and Repair Program

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 2016 Annual Parking Garage Evaluation and Repair Program**,** including costs of design, waterproofing and structural rehabilitation of the Genesee Crossroads, Mortimer Street, High Falls, South Avenue, Washington Square, Sister Cities and Court Street Garages (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 $2,599,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of $2,599,000 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 $2,599,000 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 $2,599,000. 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. 13. of the Law, is ten (10) years.

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

Section 6. Subject to the provisions of this

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

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

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

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

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

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

Passed unanimously.

Ordinance No. 2015-396
(Int. No. 441)

Amending an Ordinance related to the 2016 Annual Parking Garage Evaluation and Repair Program

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

Section 1. Section 1 of Ordinance No. 2014-345 is hereby amended as follows:

The Mayor is hereby authorized to enter into a professional services agreement between the City and T.Y. Lin International for engineering and architectural inspection and design services for the Parking Garage Evaluation and Repair Program. The agreement shall have a maximum amount of $500,000 per year. The agreement shall have a term of one year with four optional one year renewals. The cost of the agreement shall be funded from the 2014-15 Parking Cash Capital allocation, and any renewals shall be funded from the Parking Capital allocations <u>or a Bond Ordinance adopted and appropriated for said purpose</u> in subsequent budgets, contingent upon the adoption of said budgets.

Section 2. This ordinance shall take effect immediately.

New text is underlined.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-397
Re: Easement at 103 Court Street

Council Priority: Jobs and Economic Development; Rebuilding and Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation authorizing the release of an easement reserved by the City over property located at 103 Court Street. Releasing the easement will enable development of 103 Court Street by Morgan Management.

Morgan Management intends to develop and construct a project on 1.63 acres of land located at 103 Court Street, at the southeast corner of Court Street and South Avenue. The project, known as the 103 Court Street Apartments, will include 124 residential units, 10,000 square feet of commercial/retail space, and underground parking.

The City sold 103 Court Street in 1982 to Jalynn, Inc., a Max Farash entity, reserving in the deed, recorded July 28, 1982 in Liber 6178 of Deeds at page 133, an easement to operate and maintain transportation facilities. Morgan Management has an option to purchase 103 Court Street from the Farash estate.

The board of directors of the Rochester-Genesee Regional Transportation Authority, at a meeting held on November 5, 2015, consented to the release of the easement reserved by the City for transportation facilities.

The resolution was supported in an email from the Genesee Transportation Council, indicating that no transportation facilities are planned or required at the intersection of South Avenue and Court Street.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-397
(Int. No. 442)

Authorizing the release of an easement over 103 Court Street

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

Section 1. The Council hereby approves the release of an easement reserved by the City for transportation facilities over a portion of 103 Court Street.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-398
Re: Agreement - New York Power Authority, Energy Efficiency Services Program

Council Priority: Deficit Reduction and Long Term Financial Stability

Transmitted herewith for your approval is legislation authorizing an agreement with the New York Power Authority (NYPA) for participation in its Energy Efficiency Services Program (EESP).

NYPA's EESP is intended to assist governmental entities in the design, installation and financing of projects that will reduce energy consumption and costs. Energy efficiency projects completed under the program will be under the direct management of NYPA and can include any combination of the following services: project financing, facility energy audits and/or feasibility study reports, project design, construction management services, and equipment procurement and installation.

Article 5, Title 1 of the Public Authorities Law gives NYPA the authority to finance and design, develop, construct, implement, provide and administer energy-related projects, programs and services for any public entity within the state. Any public entity is authorized to enter into an energy services agreement with NYPA for energy-related projects, programs and services.

It is anticipated that the initial projects implemented under the proposed EESP agreement with NYPA will be funded from the NYPA formula grant authorized in July 2015 via Ordinance No. 2015-231. Subsequent projects performed under this agreement will be financed from the annual budgets of the departments using the services, from capital funds appropriated for specific energy efficiency, projects, or with grant funding awarded to the City for energy efficiency improvement projects.

Implementation of projects under the NYPA EESP will help the City advance the goals and initiatives outlined in the Rochester Energy Plan recently completed under NYPA's Five Cities Energy Program. The NYPA EESP will allow the City to complete energy efficient improvement projects consistent with the Five Cities Program in a more timely and cost-effective manner.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-398
(Int. No. 443)

Authorizing an agreement with New York Power Authority for the Energy Efficiency Services Program

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York Power Authority to allow the City to participate in NYPA's Energy Efficiency Services Program in order to obtain assistance with the design, installation and financing of projects that will reduce the City's energy consumption and costs.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-399
Re: Agreement - Solar Liberty, Solar Power Purchase

Council Priority: Deficit Reduction and Long Term Financial Stability

Transmitted herewith for your approval is legislation authorizing a power purchase agreement (PPA) with Solar Liberty, Buffalo, New York. Under the proposed PPA, Solar Liberty will finance, permit, design, install, own, maintain and operate an approximately two megawatt (MW) photovoltaic (PV) solar energy generating facility on a portion of City-owned property at 1655 Lexington Avenue, the former Emerson Street Landfill. The City will purchase power from Solar Liberty and will benefit from energy savings over the 25 year term of the PPA.

In May 2015, the City issued a request for proposals (RFP) from solar energy providers. Solar Liberty is recommended based on the terms of the PPA pricing provided to the City, their experience installing PV systems and with the New York State Energy Research and Development Authority (NYSERDA) NY-Sun program, and their ability to complete the project as proposed. Solar Liberty has completed over 90 solar projects for municipalities in New York State and was recently selected by Monroe County for similar PPA projects. A Vendor/Consultant Selection Process Summary is at-

tached.

Under the terms of the PPA, the City will agree to purchase all of the electricity generated at the PV facility at an agreed upon rate and realize energy cost savings by remote net metering the electricity savings generated to energy accounts at one or more City facilities. Remote net metering will allow the City to utilize a monetary utility credit from RG&E for the electricity generated at the site by the PV system to offset actual costs for selected existing City electricity accounts. The utility credit rate, which is established by the Public Service Commission, is greater than the PPA rate that the City will pay Solar Liberty.

It is anticipated that the City will realize total cost savings of approximately $2 million over the 25 year term of the PPA. Solar Liberty will apply for and manage incentives available through the NYSERDA NY-Sun Program. In addition to the financial benefits of the PPA, the two MW PV solar energy generating facility will be a significant step toward achieving the renewable energy goals in the City's Energy Plan and the City's climate action planning objectives. The PPA will also include project workforce participation objectives and a solar education component related to the facility.

The 1655 Lexington Avenue solar array site has been vacant for 43 years since the landfill closed in 1972. The City has completed extensive environmental testing and analysis of the site over the last 15 years. As a result, in March 2015, the NYS Department of Environmental Conservation (NYSDEC) granted the City's petition to delist the location of the proposed solar array from the State's Inactive Hazardous Waste Disposal Site Registry, setting the stage for reuse under the proposed PPA. With regulatory approval from the NYSDEC, slag material excavated from the Port of Rochester marina project is being used to create the 6.7 acre pad for the proposed solar array. Beneficial reuse of the slag in this manner has allowed the City to avoid approximately $4 million in disposal costs.

During the term of the PPA, Solar Liberty will be solely responsible for all operating and maintenance activities at the site. Other than the obligation to purchase power, the City would incur no ongoing costs for operating or maintaining the PV facility. At the completion of the 25 year term of the PPA, the City will have the option of purchasing the system at its depreciated value or having Solar Liberty remove the system.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-209

Ordinance No. 2015-399
(Int. No. 444)

Authorizing a Power Purchase agreement with Solar Liberty

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

Section 1. The Mayor is hereby authorized to enter into a Power Purchase Agreement with Solar Liberty for the design and construction of a two megawatt photovoltaic solar energy generating facility on City-owned property at 1655 Lexington Avenue. Said agreement shall obligate the City to purchase all of the electricity generated at said facility. The term of said agreement shall be for 25-years with the option to purchase said system or to have it removed by Solar Liberty at the end of the term.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-400
Re: Cost Sharing Agreement - United States Army Corps of Engineers, Port and Harbor of Rochester

Council Priority: Jobs and Economic Development

Transmitted herewith for your approval is legislation related to the Port and Harbor of Rochester. This legislation will:

1. Authorize a Cost Sharing Agreement with the United States Army Corps of Engineers (USACOE) for the completion of a $118,000 study which will (1) evaluate the requirements and potential for greater cruise ship and excursion vessel activity in the Port of Rochester and (2) analyze sedimentation and wave surge patterns currently occurring within the Rochester Harbor; and

2. Establish $35,000 as maximum compensation for the City's contribution for the Cost Sharing Agreement. The agreement will have a term of one year and be financed from 2015-16 Cash Capital ($25,000) and Prior Years' Cash Capital ($10,000).

The USACOE, under Section 22 of the Water Resources Development Act of 1974 is authorized to assist states and localities in the preparation of studies relating to the development, utilization and conservation of water and related land resources. Under Section 22, the USACOE may use federal funds together with matching funds and in-kind services provided by a state or local sponsor to complete such studies.

The USACOE matching contribution for this agreement will be $59,000. In addition to the City's $35,000 Cash Capital contribution, the City

local match will also include $24,000 worth of in-kind City staff support to the project.

Under the proposed agreement, the USACOE, with support from the City will:

1. Determine the requirements for enhanced cruise and excursion activity in the Rochester Harbor including a gap analysis of the Harbor with respect to the physical infrastructure requirements, federal regulations, and dredging requirements. In addition, the planning study will include an analysis of how establishing an active, regular cruise/excursion destination at the Port of Rochester would impact the Great Lakes Navigation System and Rochester's ranking as a commercial harbor; and

2. Analyze sediment deposition and wave surge conditions within the Harbor, recognizing recent physical changes including the removal of the Hojak Swing Bridge and construction of the Colonel Patrick O'Rorke Memorial Bridge, and the resulting impacts on Essroc shipping, potential cruise activity, and current harbor front uses.

The City last entered into a Section 22 Cost Sharing Agreement with the USACOE in 2008. At that time the USACOE performed a study to evaluate existing statutory authorities, potential funding sources, internal capabilities, costs, and scheduling for several possible projects in the Port of Rochester. Projects included beach water quality improvement studies and projects, possible marina basin design and construction, river wall studies, river and lake hydraulic studies, river sediment transport and deposition studies, and hydrographic analysis of the beach and river channel. The information in that study has helped guide work in the harbor over the last several years.

The study to be performed under the proposed Cost Sharing Agreement will advance several action steps in the City's Harbor Management Plan and will provide important economic, infrastructure, and regulatory information for decision making regarding the future of the Port of Rochester.

It is estimated that the study will take six to twelve months to complete. The Cost Sharing Agreement obligates the City to pay its cash share of the project in advance. The City will be reimbursed by the USACOE in the event that not all of the City cash share is used for the project.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-400
(Int. No. 445)

Authorizing a cost sharing agreement with the United States Army Corps of Engineers for a study of the Port and Harbor of Rochester

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

Section 1. The Mayor is authorized to enter into a cost sharing agreement with the United States Army Corps of Engineers to complete a study related to the Port of Rochester and the Rochester Harbor. Said agreement shall obligate the City to contribute an amount not to exceed $35,000, in addition to $24,000 worth of in-kind City staff support.

Section 2. Said agreement shall be funded by $25,000, in 2015-16 Cash Capital and $10,000, from Prior Years Cash Capital.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-401
Re: Agreement - New York State Department of Environmental Conservation, Upland Watershed Maintenance

Transmitted herewith for your approval is legislation authorizing an agreement with the New York State Department of Environmental Conservation (NYSDEC) to reimburse the City for maintenance activities to be performed within the Hemlock-Canadice State Forest property. This State Forest is located within the City's Upland Watershed, on property that was sold to NYSDEC in 2010. The term of this agreement will be three years and total reimbursement to the City is not to exceed $100,000.

Anticipated services to be requested by NYSDEC and performed by the City include maintenance of unpaved roads, trails, fields, parking areas and trail heads within the Hemlock-Canadice State Forest. These maintenance activities not only benefit those using the State Forest, but also improve overall water quality in the City's source water supplies of Hemlock and Canadice Lakes.

The previous maintenance agreement with NYSDEC was authorized by Ordinance No. 2010-69, with an initial term of two years with three, one-year renewals. The total amount reimbursed by NYSDEC was $185,927.

Sale of this property to NYSDEC in 2010 had multiple, positive benefits for the City. The property continues to remain undeveloped, protecting the unique, natural environment. The agreement contains requirements for property maintenance and preservation that meet or exceed the City's standards, continuing the City's legacy of good stewardship. NYSDEC continues to assume the property tax burden, thus protecting the finances of the watershed towns and agencies.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-401
(Int. No. 446)

Authorizing a service agreement with the New York State Department of Environmental Conservation for maintaining Hemlock-Canadice State Forest property

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 to reimburse the City for maintenance activities performed within the Hemlock-Canadice State Forest property. The total reimbursement to the City shall not exceed $100,000. The term of said agreement shall be three (3) years.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2015-20
Re: Reappointments - Downtown Enhancement District Advisory Committee

Transmitted herewith for your approval is legislation confirming the re-appointment of six members to the Downtown Enhancement District Advisory Committee. They will be re-appointed to two-year terms expiring on December 31, 2017.

Reappointments

Valerie Akinlawon
Small Business Owner
172 East Main Street, 14604

James Brown
Riverside Convention Center
123 East Main Street, 14604

Frank Freida
Winn Company
25 Franklin Street, Suite 1122, 14604

Peter Kaplan
Hamberger & Weiss
One South Washington St., Suite 500
14614

Louis Nau
Canandaigua National Bank
45 East Main Street, 14604

Mark Stevens
S.B. Ashley
600 Powers Building, 14614

A summary description of the Downtown Enhancement District Advisory Committee with a list of current members is attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-210

Resolution No. 2015-20
(Int. No. 447)

Resolution approving reappointments to the Downtown Enhancement District Advisory Committee

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

Section 1. The Council hereby approves the reappointment to the Downtown Enhancement District Advisory Committee of the following persons for terms to expire December 31, 2017

Valerie Akinlawon
172 East Main Street, 14604

James Brown
Riverside Convention Center
123 East Main Street, 14604

Frank Freida
Winn Company
25 Franklin Street, Suite 1122
14604

Louis Nau
Canandaigua National Bank
45 East Main Street, 14604

Peter Kaplan
Hamberger & Weiss
One South Washington Street, Suite 500
14614

Mark Stevens
S.B. Ashley
600 Powers Building, 14614

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-402
Re: Code Amendment - Responsibility for Maintaining Sidewalks Free of Snow and Ice

Transmitted herewith for your approval is legislation amending the City Code, Chapter 104,-11(C),

Responsibility for Maintaining Sidewalks Free of Obstructions and Snow and Ice, with regard to the responsibility for maintaining sidewalks free of snow and ice.

The Code currently indicates that the person occupying the ground floor of a building and the owner of a building or lot must keep the sidewalks adjoining such building or lot free and clear from snow and ice. The proposed legislation will amend the language to make the property owner solely liable for this responsibility.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-402
(Int. No. 448)

Amending Chapter 104 of the Municipal Code as it relates to the responsibility of maintaining sidewalks free of obstructions and snow and ice

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

Section 1. Chapter 104 section 11 of the Municipal Code of the City of Rochester, as amended, is hereby further amended as follows:

a) §104-11–C

The ~~person occupying the ground floor of a building and the~~ owner of a building or lot must keep the sidewalks adjoining such building or lot free and clear from snow and ice and must not suffer or permit snow or ice to collect or remain on such sidewalk later than 9:00 a.m. if such snow shall have fallen or collected after 8:00 p.m. of the previous evening; or later than 8:00 p.m. if such snow shall have fallen and collected after 9:00 a.m. When the snow is removed from sidewalks by City contractors or City employees using plows, it shall be the duty of the ~~occupant and~~ owner to remove the snow and ice remaining after such plows have gone through. The portion of the sidewalk required to be kept free from snow and ice is the portion thereof which is paved, if any, and if no portion is paved, a space at least four feet in width shall be kept free and clear as stated above.

Section 2. This ordinance shall take effect immediately.

Strike out indicates deleted text

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-403
Ordinance No. 2015-404
Re: Amendatory Agreements - Abundant Life Faith Center, Inc. and North East Area Development, Inc., Job Training and Placement Program

Council Priority: Jobs and Economic Development

Transmitted herewith for your approval is legislation establishing $24,400 as maximum compensation for amendatory agreements with Abundant Life Faith Center, Inc. and North East Area Development, Inc., both of Rochester, New York, for additional services for job training and placement. The original agreements for $30,400 each were authorized in April 2015 (Ord. Nos. 2015-102 and 2015-103). The amendments will increase maximum compensation for each agreement to a total of $54,800. The additional funding will support services through the fall and winter seasons, instead of just spring and summer as originally planned. The term of the agreements will remain at one year and will be funded from the 2015-16 Budget of the Department of Environmental Services.

The amendatory agreements will result in the creation and/or retention of the equivalent of .6 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-403
(Int. No. 450)

Authorizing an amendatory agreement with Abundant Life Faith Center, 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 professional services agreement with Abundant Life Faith Center, Inc. for additional services for job training and placement. Said amendatory agreement shall increase the maximum compensation of the agreement authorized in Ordinance No. 2015-102, in the amount of $24,400, for a total of $54,800. The cost of said amendatory agreement shall be funded by the 2015-16 Budget of the Department of Environmental Services.

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.

Passed unanimously.

Ordinance No. 2015-404
(Int. No. 451, as amended)

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 professional services agreement with North East Area Development, Inc. for additional services for job training and placement. Said amendatory agreement shall increase the maximum compensation of the agreement authorized in Ordinance No. 2015-103, in the amount of $24,400, for a total of $54,800. The cost of said amendatory agreement shall be funded by the 2015-16 Budget of the Department of Environmental Services.

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.

New text is underlined

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-405
Re: Amendatory Agreement - Baden Street Settlement, Inc., Job Training and Placement Program

Council Priority: Jobs and Economic Development

Transmitted herewith for your approval is legislation establishing $32,000 as maximum compensation for an amendatory agreement with Baden Street Settlement, Inc., Rochester, New York, for additional services for job training and placement. The original agreement for $38,000 was authorized in April 2015 (Ord. No. 2015-104). This amendment will increase maximum compensation to a total of $70,000. The additional funding will support services through the fall and winter seasons, instead of just spring and summer as originally planned. The term of the agreement will remain at one year and will be financed from the 2015-16 Budget of the Department of Environmental Services.

The amendatory agreement will result in the creation and/or retention of the equivalent of .3 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-405
(Int. No. 452)

Authorizing an amendatory agreement with Baden Street Settlement, 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 professional services agreement with Baden Street Settlement, Inc. for additional services for job training and placement. Said amendatory agreement shall increase the maximum compensation of the agreement authorized in Ordinance No. 2015-104, in the amount of $32,000, for a total of $70,000. The cost of said amendatory agreement shall be funded by the 2015-16 Budget of the Department of Environmental Services.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-406
Re: Amendatory Agreement - Center for Employment Opportunities, Inc., Job Training and Placement Program

Council Priority: Jobs and Economic Development

Transmitted herewith for your approval is legislation establishing $37,600 as maximum compensation for an amendatory agreement with the Center for Employment Opportunities, Inc., New York, New York, for additional services for job training and placement. The original agreement for $56,000 was authorized in April 2015 (Ord. No. 2015-105). This amendment will increase maximum compensation to a total of $93,600. The additional funding will support services through the fall and winter seasons, instead of just spring and summer as originally planned. The term of the agreement will remain at one year and will be financed from the 2015-16 Budget of the Department of Environmental Services.

The amendatory agreement will result in the creation and/or retention of the equivalent of .4 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-406
(Int. No. 453)

Authorizing an amendatory agreement with the Center for Employment Opportunities, 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 professional services agreement with The Center for Employment Opportunities, Inc. for additional services for job training and placement. Said amendatory agreement shall increase the maximum compensation of the agreement authorized in Ordinance No. 2015-

105, in the amount of $37,600, for a total of $93,600. The cost of said amendatory agreement shall be funded by the 2015-16 Budget of the Department of Environmental Services.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-407
Re: Official Map Amendment -
Naming and Dedicating
Brookscrest Way,
1170 Genesee Street

Transmitted herewith for your approval is legislation amending the Official Map by naming and dedicating Brookscrest Way, a street created by the subdivision of the former Valley Court Apartments property located at 1170 Genesee Street.

Woodstone Custom Homes, Inc. has filed an application to dedicate the street as a street right-of-way and name the proposed right-of-way as Brookscrest Way.

The City Code requires consent from 75% of the abutting property owners when a street renaming is requested. Signatures in favor of the request were obtained from 75% of the abutting property owners.

The City Planning Commission, in its August 17, 2015 meeting recommended approval of this renaming by a vote of 5-0. Minutes of that meeting, along with the application, are attached.

Pursuant to the requirements of Article 8 of the New York State Environmental Conservation Law and Chapter 48 of the City Code, the proposal is a Type II Action requiring no further environmental review.

A public hearing is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-211

Ordinance No. 2015-407
(Int. No. 454)

Amending the Official Map by dedicating to street purposes land to be named Brookscrest Way

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

Section 1. Chapter 76 of the Municipal Code, Official Map, as amended, is hereby further amended by dedicating the following parcel to street purposes and naming said parcel Brookscrest Way:

All that tract or parcel of land situate in the City of Rochester, County of Monroe State of New York, and is more particularly described as follows:

Beginning at a point in the east right-of-way line of Genesee Street, said point being N 32°-39'-48" E, a distance of 169.22 feet from the intersection formed by the aforesaid east right-of-way line of Genesee Street and the north right-of-way line of Arvine Heights, as shown on a map of the Valley Court Subdivision filed in the Monroe County Clerk's Office Liber 343 of Maps, Page 78,

Thence, 1 - N 32°-39'-48" E, along the aforesaid east right-of-way line of Genesee Street, a distance of 90.06 feet to a point,

Thence, 2 - Southeasterly along a curve which has a radius of 20.00 feet, a distance of 32.22 feet to a point of compound curve,

Thence, 3 - Easterly along a curve which has a radius of 515.00 feet, a distance of 163.06 feet to a point of tangency,

Thence, 4 - S n°-47'-38" E, a distance of 125.41 feet to a point of curvature,

Thence, 5 - Easterly along a curve which has a radius of 975.00 feet, a distance of 140.62 feet to a point of compound curve,

Thence, 6 - Northeasterly along a curve which has a radius of 200.00 feet, a distance of 106.10 feet to a point of reverse curve,

Thence, 7 - Southeasterly, southerly and westerly along a curve which has a radius of 60.00 feet, a distance of 251.48 feet to a point of reverse curve,

Thence, 8 - Westerly along a curve which has a radius of 200.00 feet, a distance of 104.26 feet to a point of reverse curve,

Thence, 9 - Westerly along a curve which has a radius of 1025.00 feet, a distance of 149.95 feet to a point of tangency,

Thence, 10 - N 77°-47'-38" W, a distance

of 125.41 feet to a point of curvature,

Thence, 11 - Westerly along a curve which has a radius of 565.00 feet, a distance of 182.41 feet to a point of reverse curve,

Thence, 12 - Southwesterly along a curve which has a radius of 20.00 feet, a distance of 30.73 feet to the point and place of beginning.

Hereby intending to describe a 60.00 feet wide right-of-way, Brookscrest Way, Valley Court Subdivision, City of Rochester.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-408
Re: Preventive Street Maintenance -
New York State Department of
Transportation Marchiselli Aid

Council Priority: Deficit Reduction and
Long Term Financial Stability

Transmitted herewith for your approval is legislation related to the receipt and use of $402,349 in New York State Department of Transportation (NYSDOT) Marchiselli Aid for five street maintenance projects. This legislation will:

1. Appropriate $402,349 in anticipated reimbursements from the Marchiselli Aid program;
2. Authorize agreements with NYSDOT for the receipt and use of the anticipated reimbursements; and
3. Amend the 2015-16 Budget for Cash Capital in the amount of $115,500 to replenish City funds previously spent on these projects.

The Marchiselli Aid program provides for the reimbursement of up to 75% of the eligible local share of federal aid project costs for design, construction and resident project representation. NYSDOT has awarded the following aid to the City of Rochester for the following projects:

Original Legislation	Project	Cash Capital - Operating	Debt	Total
2012-336, 362	Elmwood Avenue Bridge	$ 29,371.91	$139,478.09	$168,850
2013-249	Preventive Maintenance Transportation Improvement Project	7,500.00	28,945.00	36,445
2013-13	Dewey and Driving Park Avenues Preventive Maintenance	0.00	54,600.00	54,600
2014-92	Union Street Improvement Project	15,356.90	63,797.10	79,154
2014-94	Dewey/Driving Park Avenues Intersection Realignment	63,300.00	0.00	63,300
Total		$115,528.81	$286,820.19	$402,349

Aid for each street project has typically been awarded after completion which allows for the replenishment of City funds initially used to fund the project. The reimbursement of funds originally spent from Cash Capital or the Operating Budget of the Department will be used to fund the budget amendment.

The remaining reimbursement of $286,820.19 will be deposited into the City's Premium and Interest Fund to be used to relieve a portion of the outstanding debt used to fund the projects.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-408
(Int. No. 466)

Authorizing the receipt and use of funds and amending the 2015-16 Budget related to preventive street maintenance

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

Section 1. The Mayor is hereby authorized to enter into agreements with the New York State Department of Transportation for the receipt and use of $402,349, in anticipated Marchiselli Aid for preventive street maintenance projects. Said funds are hereby appropriated to finance a portion of the costs of the following projects:

Original Legislation	Project	Cash Capital - Operating	Debt	Total
2012-336, 2012-362	Elmwood Avenue Bridge	$ 29,371.91	$139,478.09	$168,850
2013-249	Preventive Maintenance Transportation Improvement Project	7,500.00	28,945.00	36,445
2013-13	Dewey Avenue & Driving Park Preventive Maintenance	0.00	54,600.00	54,600
2014-92	Union Street Improvement Project	15,356.90	62,797.10	79,154
2014-94	Dewey Avenue & Driving Park Intersection Realignment	63,300.00	0.00	63,300
Total		$115,528.81	$286,820.19	$402,349

Section 2. The 2015-16 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations for the 2015-16 Cash Capital allocation by $115,500, to replenish City funds spent on said projects. The remaining anticipated reimbursement of $286,820.19, shall be deposited into the City's Premium & Interest Fund for the repayment of debt on said projects.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-409
Re: Agreement - Environmental Design & Research, Landscape Architecture, Engineering & Environmental Services, D.P.C., Washington Grove Trails Assessment

Transmitted herewith for your approval is legislation establishing $35,000 as maximum compensation for an agreement with Environmental Design & Research, Landscape Architecture, Engineering, & Environmental Services, D.P.C. (EDR), Rochester, New York, for assessment of the trails in the Washington Grove section of Cobb's Hill Park. The cost of this agreement will be funded from the 2015-16 Budget for Cash Capital. The term of this agreement will be one year.

EDR will assess the multi-use trail network in the Washington Grove section of Cobb's Hill Park and make recommendations related to the safety and sustainability of the overall trail system including:

- Evaluating the number and variety of trails and recommending which should be upgraded, otherwise modified, or closed;
- Identifying trails or a single loop that might be upgraded for heavier traffic including use for races;
- Making recommendations related to best practices for enhancement and maintenance of the system as a whole;
- Developing the design of the trail entrances at Nunda Boulevard, School No. 1 and the reservoir; and
- Producing a draft report for public presentation with the intention of incorporating feedback into the final report.

EDR was selected through a request for qualifications process as described in the attached summary.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-212

Ordinance No. 2015-409
(Int. No. 467)

Authorizing an agreement for an assessment of the trails in the Washington Grove section of Cobb's Hill Park

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

Section 1. The sum of $35,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Environmental Design & Research, Landscape Architecture, Engineering, & Environmental Services, D.P.C. for an assessment of the trails in the Washington Grove section of Cobb's Hill Park. Said amount shall be funded from the 2015-16 Budget of the Department of Recreation and Youth Services. The agreement shall have a term of one year.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Introductory No. 449
Re: Code Amendment - Municipal Code
Violations Bureau, Penalties for Offenses

Transmitted herewith for your approval is legislation increasing several fines contained in City Code Chapter 13A-11(A), 13A-11(B) and 13A-F(3).

The following amendments are proposed under the legislation:

§13A-11 Penalties for offenses

1) §13A-11(A)	Initial Penalty		Penalty Upon Default	
First offense	~~$25~~	$50	~~$50~~	$100
Second offense	~~$35~~	$70	~~$70~~	$140
Third and Subsequent Offenses	~~$65~~	$130	~~$130~~	$260

2) §13A-11(B)	Initial Penalty		Penalty Upon Default	
First offense	~~$75~~	$150	~~$150~~	$300
Second offense	~~$150~~	$300	~~$300~~	$600
Third and Subsequent Offenses	~~$375~~	$750	~~$750~~	$1,500

3) §13A-11F(3)	Initial Penalty		Penalty Upon Default	
First offense	~~Warning~~	$50	~~$Warning~~	$100
Second offense	~~$25~~	$70	~~$50~~	$140
Third and Subsequent Offenses	~~$50~~	$130	~~$100~~	$260

The legislation also provides language that affords the ability to add to taxes, pursuant to Chapter 6-94 of the City Charter, any unpaid judgments against property owners resulting from violations of the City Code at Chapter 104-11, Responsibility for Maintaining Sidewalks Free of Obstructions and Snow and Ice.

Respectfully submitted,
Lovely A. Warren
Mayor

Introductory No. 449

AMENDING CHAPTER 13A OF THE MUNICIPAL CODE AS IT RELATES TO PENALTIES FOR OFFENSES

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

Section 1. Chapter 13A of the Municipal Code of the City of Rochester is hereby amended by increasing the penalties as follows:

§13A-11 Penalties for offenses

1) §13A-11A	Initial Penalty		Penalty Upon Default	
First offense	~~$25~~	$50	~~$50~~	$100
Second offense	~~$35~~	$70	~~$70~~	$140
Third and Subsequent Offenses	~~$65~~	$130	~~$130~~	$260

2) §13A-11B	Initial Penalty		Penalty Upon Default	
First offense	~~$75~~	$150	~~$150~~	$300
Second offense	~~$150~~	$300	~~$300~~	$600
Third and Subsequent Offenses	~~$375~~	$750	~~$750~~	$1,500

3) §13A-11F3	Initial Penalty		Penalty Upon Default	
First offense	~~Warning~~	$50	~~$Warning~~	$100
Second offense	~~$25~~	$70	~~$50~~	$140
Third and Subsequent Offenses	~~$50~~	$130	~~$100~~	$260

Section 2. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Held in Committee.

By Councilmember McFadden
December 15, 2015

To the Council:

The Public Safety, Youth & Recreation Committee recommends for adoption the following entitled legislation:

Int. No. 455 - Authorizing agreement with the Center for Dispute Settlement, Inc. to provide complaint management services

Int. No. 456 - Authorizing an agreement with the Emergency Communications Network, LLC to provide high-speed emergency communications solutions

Int. No. 457 - Appropriating Federal asset forfeiture funds for a gun buy-back event

Int. No. 458 - Authorizing an agreement for adult employment readiness training

Int. No. 459 - Authorizing an agreement with Monroe Community College for the Police Recruit Education Project

Int. No. 468 - Authorizing an agreement for ATM machines at the Public Market

Respectfully submitted,
Adam C. McFadden
Matt Haag
Elaine M. Spaull
Dana K. Miller
Loretta C. Scott
PUBLIC SAFETY, YOUTH & RECREATION COMMITTEE

Received, filed, and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-410
Re: Agreement - Center for Dispute Settlement, Complaint Management Services

Council Priority: Public Safety

Transmitted herewith for your approval is legislation establishing maximum annual compensation of $145,700 for an agreement with the Center for Dispute Settlement, Inc. (CDS) to provide services relating to complaints involving members of the Rochester Police Department (RPD). The cost of the agreement will be funded from the 2015-16 and 2016-17 Budgets of the Police Department, contingent upon Council approval of the latter budget. The term of the agreement will be one year, from January 1, 2016 through December 31, 2016, with the option to renew for up to four additional one-year periods.

On September 28, 2015, RPD issued a request for proposals (RFP) for Police Complaint Services. The RFP was posted on the City's website and mailed to four local companies: CDS, Action for Better Community, Urban League of Rochester, and Baden Street Settlement. CDS was the sole respondent and is able to satisfactorily meet the requirements set forth in the RFP.

The citizen complaint review process was established by City Council Resolution No. 92-40, and modified by Resolution No. 95-8. CDS will select and train panelists, conduct hearings, provide conciliation services, maintain related records, and provide a Community Advocate.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-410
(Int. No. 455)

Authorizing agreement with the Center For Dispute Settlement, Inc. to provide complaint management 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 the Center For Dispute Settlement, Inc. for the provision of services relating to citizen complaints involving members of the Rochester Police Department. The term of the agreement shall be from January 1, 2016 through December 31, 2016 with the option to renew for up to four additional one-year periods.

Section 2. The sum of $145,700, or so much thereof as may be necessary, is hereby established as the compensation to be paid for the initial term of the agreement. Said amount shall be funded from the 2015-16 and 2016-17 Budgets of the Rochester Police Department, contingent upon adoption of the latter budget.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-411
Re: Agreement - Emergency Communications Network, Mass Notification System

Council Priority: Public Safety

Transmitted herewith for your approval is legislation establishing an annual maximum compensation of $8,000 for an agreement with Emergency Communications Network (ECN) to provide their high-speed emergency notification solution, CodeRED. The cost of the agreement will be funded from the 2015-16 Budget of the Police Department and have a term of one year, from January 1, 2016 through December 31, 2016, with the option to renew for up to three additional one-year periods.

CodeRED, the solution provided by ECN, is a mass notification system that allows for the distribution of personalized messages to a pre-determined list of clients for such things as emergency employee notifications, burglary patterns, missing persons, community outreach, recruitment, etc. The services provided will include, but will not be limited to:

- 50,000 system minutes for voice and SMS messages
- ECN-supplied data and data managed services
- Unlimited email and social media
- Unlimited CodeRED Mobile Alert app messaging (full text and voice file)
- ECN standard Esri-based mapping
- Real-time statistics and reporting
- Design and hosting of custom Web page for community enrollment

ECN was selected through a request for proposals process, which is described in the attached summary.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-213

Ordinance No. 2015-411
(Int. No. 456)

Authorizing an agreement with the Emergency Communications Network, LLC to provide

high-speed emergency communications solution

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with Emergency Communications Network, LLC, of Ormond Beach, FL to provide a high-speed emergency communications solution to the City. The term of the agreement shall be from January 1, 2016 through December 31, 2016, with the option to renew for up to three additional one-year periods.

Section 2. The sum of $8,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for the initial term of the agreement. Said amount shall be funded from the 2015-16 Budget of the Rochester Police Department.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-412
Re: Appropriation - Federal Asset Forfeiture Fund, Gun Buy-Back Events

Council Priority: Public Safety

Transmitted herewith for your approval is legislation related to gun buy-back events. This legislation will:

1. Appropriate up to $10,000 from federal asset forfeiture funds generated by the Police Department; and

2. Amend the 2015-16 Budget of the Police Department by $7,400; and

3. Amend the 2015-16 Budget of Undistributed Expenses by $2,600; and

4. Amend the revenue estimates of the 2015-16 Budget by $10,000.

The federal asset forfeiture funds will be used for overtime and fringe for police officers to staff two gun exchange events sponsored by Camp Good Days and Special Times, and its subsidiaries Project Exile and the Partnership Against Violence Everywhere, and the Pirate Toy Fund. This appropriation will result in a balance of approximately $605,800 in the fund.

The sponsors will exchange toys and children's gifts for guns voluntarily turned in. The sponsors are supplying all toys and gifts for the exchange. These events will occur in the City of Rochester. Project Exile has requested Rochester Police Department (RPD) assistance by providing officers who are firearms experts to inspect and collect the guns turned in. Other local police agencies are also being asked to participate, and this may reduce the actual amount of RPD overtime needed.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-412
(Int. No. 457)

Appropriating Federal asset forfeiture funds for a gun buy-back event

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

Section 1. Ordinance No. 2015-167, the 2015-16 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Rochester Police Department by the sum of $10,000 to be received from the Federal asset forfeiture fund from seized and forfeited assets, and such sum is hereby appropriated to fund the Rochester Police Department's staffing of a gun buy-back event.

Section 2. The 2015-16 Budget of the Police Department, as amended, is hereby further amended by adding $7,400 to reflect a portion of the funds appropriated in Section 1.

Section 3. The 2015-16 Budget of Undistributed Expenses, as amended, is hereby further amended by adding $2,600, to reflect a portion of the funds appropriated in Section 1.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-413
Re: Agreement - Young Adults Manufacturer Training Employment Program

Council Priority: Jobs and Economic Development

Transmitted herewith for your approval is legislation establishing $75,500 as maximum compensation for an agreement with the Young Adults Manufacturer Training Employment Program (YAMTEP) to deliver adult employment readiness training with a focus on technical manufacturing skills development. The cost of this agreement will be funded from the 2015-16 Budget of Undistributed Expenses and the term will be for the remainder of the City's fiscal year, with the option of two, one-year renewals with maximum annual compensation of $100,000. Subsequent costs will be funded from the annual Budgets of Undistributed Ex-

penses contingent upon approval of those budgets.

YAMTEP will engage approximately 60 young adults with low or no math and engineering skills and provide basic manufacturing skills training and practical experience, as well as opportunities to network with local manufacturing companies and potential employers. YAMTEP will partner with the City of Rochester's Operation Transformation Rochester program to recruit participants, provide soft skills employment readiness training, and support participant placements in entry level manufacturing jobs or continuing education programs upon successful completion of the program.

YAMTEP was selected for these services due to their unique positioning as a manufacturing skills training provider and their ability to leverage resources of local employers and manufacturing associations. A full justification for not issuing a request for proposals is attached.

A program overview and budget are attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-214

Ordinance No. 2015-413
(Int. No. 458)

Authorizing an agreement for adult employment readiness training

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

Section 1. The sum of $75,500, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and the Young Adults Manufacturer Training Employment Program for adult employment readiness training. Said amount shall be funded from the 2015-16 Budget of Undistributed Expenses. The agreement shall be for the remainder of the 2015-16 fiscal year with the option of two one-year renewals with a maximum annual compensation of $100,000, funded from annual Budgets of Undistributed Expenses contingent upon approval of said subsequent budgets.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-414
Re: Agreement - Monroe Community College, Police Recruit Education Project

Council Priority: Public Safety

Transmitted herewith for your approval is legislation establishing maximum compensation of $8,500 for an agreement with Monroe Community College (MCC) to support the Police Recruit Education Project. The cost of the agreement will be funded from the 2015-16 Budget of the Police Department and the term of the agreement is one year, from September 1, 2015 through August 31, 2016.

The MCC Police Recruit Education Project is designed to increase the academic success of minority students enrolled in the MCC criminal justice program who desire future employment with the City. The agreement provides a Program Director to lead the project in partnership with the Police Department. The Program Director will identify students to enter the program, assist with course selection, serve as an academic advisor, conduct workshops on the Civil Service Exam, and assist with physical fitness workshops.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-414
(Int. No. 459)

Authorizing an agreement with Monroe Community College for the Police Recruit Education 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 between the City and Monroe Community College for the Police Recruit Education Project. The agreement shall obligate the City to pay an amount not to exceed $8,500. Said amount shall be funded from the 2015-16 Budget of the Police Department. The term of the agreement shall be September 1, 2015 through August 31, 2016.

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.

Passed unanimously.

Councilmember McFadden moved to amend Int. No. 468.

The motion was seconded by Councilmember Ortiz.

The motion was adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-415
Re: Agreement - ATM Systems, LLC,

Automated Teller Machines for the
Rochester Public Market

Transmitted herewith for your approval is legislation authorizing an agreement with ATM Systems, LLC, Greece, New York, to provide and maintain Automated Teller Machines (ATMs) at the Rochester Public Market. Under the agreement, the City will be reimbursed $1.00 per transaction and receive 5% of advertising revenue from the ATM kiosks. The term will be for one year, with the option to extend for four additional one-year terms. No City funds are required for this agreement.

There are four ATMs at the Public Market located in the Market Office lobby, outside near the restroom building, outside by the east end of the winter shed, and inside the winter shed. The vendor will install up to three additional machines, based on volume, with one installed in the new building. The proposed customer fee is $2.75 per transaction.

ATM Systems, LLC is the current ATM provider at the Public Market (Ord. No. 2010-341), and was selected for this new agreement through a request for proposals process described in the attached summary.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-215

Ordinance No. 2015-415
(Int. No. 468, as amended)

Authorizing an agreement for ATM machines at the 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 a professional services agreement with ATM Systems, LLC to provide and maintain ATM machines at the Rochester Public Market. The term of said agreement shall be one (1) year and shall allow for an option to extend the term for four additional one-year terms. The agreement shall obligate ATM System LLC to pay to the City of Rochester the sum of $1 per transaction, and the City shall receive 5% of advertising revenue from the ATM machine kiosks.

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.

New text is underlined.

Passed unanimously.

By Councilmember Spaull
December 15, 2015

To the Council:

The Arts & Culture Committee recommends for adoption the following entitled legislation:

Int. No. 460 - Authorizing an agreement for the ROC the Park Concert Series

Int. No. 461 - Authorizing an agreement for the Rochester SummerFest

Int. No. 462 - Authorizing an agreement for the 2016 Xerox Rochester International Jazz Festival

Int. No. 463 - Authorizing an agreement for Ebony Fashion Fair exhibition

Int. No. 464 - Authorizing an agreement for the 2016 Rochester Flower City Challenge

Int. No. 465 - Authorizing an agreement for artists' residencies at recreation centers

Respectfully submitted,
Elaine M. Spaull
Adam C. McFadden
Jacklyn Ortiz
Dana K. Miller
Loretta C. Scott
ARTS & CULTURE COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-416
Re: Agreement - Carlton Wilcox LIVE,
ROC the Park Concerts at MLK Park

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing $60,000 as maximum compensation for an agreement with Ronald Carlton Wilcox, d/b/a Carlton Wilcox LIVE, Rochester, New York, for booking regional artists and producing the 2016 ROC the Park Concerts. The cost of this agreement will be financed from the 2016-17 Budget of the Bureau of Communications and the term will be for one year with two, one- year renewal options, contingent upon the approval of future budgets.

The outdoor concert series will continue to take place at Dr. Martin Luther King, Jr. Memorial Park at Manhattan Square over the summer months and will feature regional and local Motown, rhythm and blues, and jazz/neo-soul themes. Carlton Wilcox LIVE will provide talent booking, site management, sound and light production, marketing, food and beverage vending coordination, concert security and clean-up services for the series.

A similar agreement with Carlton Wilcox LIVE was executed in 2015 for $55,000. Last summer, more than 2,300 people attended the three ROC the Park concerts. A $5 admission fee was collected to help defray City costs.

This year, admission will be $6. The base fee for services will not exceed $55,000, but after the successful completion of the series, the promoter will receive $1 from each admission ticket sold, not to exceed $5,000. The City will receive the remaining $5 from each ticket as well as a revenue-sharing component from vendor fees.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-416
(Int. No. 460)

Authorizing an agreement for the ROC the Park Concert Series

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 Ronald Carlton Wilcox, d/b/a Carlton Wilcox LIVE, Rochester, NY, to provide booking and production services for the ROC the Park Concert Series. The maximum annual compensation for the agreement shall be $60,000. Of that amount, $55,000 shall be funded from the 2016-17 Budget of the Bureau of Communications, contingent upon approval of said budget, and the remainder shall be funded by the City's transfer to the contractor of $1 for each concert ticket sold, up to a maximum of $5,000.

Section 2. The agreement shall have a term of one year, with the option to renew for up to two renewals of one year each. The funding of subsequent renewal terms of the agreement shall be contingent upon the approval of future budgets of the Bureau of Communications.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-417
Re: Agreement - 2Strive Media, Inc.,
Rochester SummerFest

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing $175,000 as maximum compensation for an agreement with 2Strive Media, Inc. (principal: Liliana Ruiz), Rochester, New York, for booking national and regional artists and the overall production of the 2016 Rochester SummerFest. The cost of this agreement will be financed from the 2015-16 and 2016-17 Budgets of the Bureau of Communications, contingent upon approval of the latter budget.

2Strive Media was selected through a request for proposal process in 2014 and produced the 2015 SummerFest. 2Strive Media, Inc. redesigned SummerFest from a one day, indoor concert into a two day, outdoor event at Sahlen's Stadium. The first night featured a "Blues and BBQ" theme while the second night featured an "Old School Hip Hop with Today's R&B" theme. The events drew more than 9,600 people.

SummerFest is anticipated to take place July 8-9, 2016 at Sahlen's Stadium, pending final contractual agreement between the promoter and the venue. 2Strive Media will provide national and regional talent booking for an urban audience and production including sound, stage, and lighting, overall site management, marketing, sponsorship solicitation, ticket sales via the venue's approved vendor, and general administration for the two day event. Tickets will be available in the $15-60 range, with higher options for V.I.P. treatment.

Included in the City's investment are public safety services, including Police Department traffic control, Fire Department fire safety inspections, and Department of Environment Services' equipment rental, not to exceed $15,000 of in-kind value. No City revenue component is planned for 2016.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-417
(Int. No. 461)

Authorizing an agreement for the Rochester SummerFest

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 2Strive Media, Inc., Rochester, NY, to provide booking and production services for the 2016 Rochester SummerFest. The maximum compensation for the provider's services under the agreement shall be $175,000, which shall be funded from the 2015-16 and 2016-17 Budgets of the Bureau of Communications, the latter portion being contingent upon adoption of the subsequent budget.

Section 2. The agreement may also commit the City to provide public safety services and site equipment rental for the event with a value not to exceed $15,000.

Section 3. The agreement shall have a term of no more than one year.

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

Section 5. This ordinance shall take effect im-

mediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-418
Re: Agreement - Xerox Rochester International Jazz Festival

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing $175,000 as maximum compensation for an agreement with Rochester International Jazz Festival, LLC to designate the City of Rochester as the lead government sponsor of the 2016 Xerox Rochester International Jazz Festival (XRIJF). The cost of this agreement will be funded from the 2015-16 Budget of the Bureau of Communications, which is the same level of support as that of the 2015 festival. The term of the agreement is one year.

The 15th annual festival will be held June 24-July 2 and will include more than 300 shows at 19 city venues within walking distance of each other in the East End Cultural District. The City's contribution to the festival will underwrite free, outdoor events, including 14 headliner shows that take place on the weekends during the festival at the East Avenue and Chestnut Street stage, and more than 35 regional and local shows that take place daily on the Jazz Street (Gibbs Street) stage. The Jazz Street stage includes performances by local high schools and continuing education music programs. The festival also provides an additional 30 free performances, jam sessions, and children's workshops in both indoor and outdoor venues throughout the course of the nine days. These events are designed to attract approximately 15,000-20,000 visitors each night of the festival.

The City will provide additional investment through the cost of public safety services and equipment rental, not to exceed $68,000. Services include traffic control and pedestrian crossing for street closings, fire safety detail, and equipment rental such as barricades, flashers, signage, roll-off dumpsters, containers and trash disposal. This amount is the same as for the 2015 festival.

The XRIJF has become one of the nation's most popular and respected music festivals. The festival's growing recognition throughout the world further enhances Rochester's reputation as a major music destination. Founded in 2002, attendance has grown each year, attracting music lovers from around the U.S. and the world. In 2002, attendance for the festival was 15,000. In the last few years, attendance estimates have been close to 180,000.

Rochester International Jazz Festival, LLC consistently delivers a multi-dimensional festival with something for everyone. From legendary performers and familiar favorites to rising stars and new discoveries, the festival navigates all genres of creative improvised music from all corners of the world.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-418
(Int. No. 462)

Authorizing an agreement for the 2016 Xerox Rochester International Jazz Festival

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

Section 1. The Mayor is hereby authorized to enter into an agreement with Rochester International Jazz Festival, LLC (RIJF) to designate the City of Rochester as the lead government sponsor for the 2016 Xerox Rochester International Jazz Festival. The maximum compensation to be paid to RIJF under the agreement shall be $175,000, which shall be funded from the 2015-16 Budget of the Bureau of Communications.

Section 2. The agreement may also commit the City to provide public safety services and site equipment rental for the event with a value not to exceed $68,000.

Section 3. The agreement shall have a term of no more than one year.

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

Section 5. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Scott, Councilmembers Conklin, Haag, Miller, Ortiz, Palumbo, Patterson, Spaull - 8.

Nays - Councilmember McFadden - 1.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-419
Re: Agreement - Memorial Art Gallery of the University of Rochester, "Inspiring Beauty: 50 Years of Ebony Fashion Fair" Exhibition

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing $10,000 as maximum compensation for an agreement with the Memorial Art Gallery of the University of Rochester, for the "Inspiring Beauty: 50 Years of Ebony Fashion Fair" exhibition. This agreement will be financed from the 2015-16 Budget of the Bureau of Communications and have a term of one year.

The "Inspiring Beauty" exhibition explores the 50-year history of the Ebony Fashion fair, a travelling fashion show created by Eunice Johnson that featured male and female models mostly of African-American descent modeling fashion from world renowned designers like Yves St. Laurent, Oscar de la Renta, and Givenchy. The Ebony Fashion Fair redefined the concepts of beauty, style, and empowerment for African-Americans since its inception in 1958. The fair toured Rochester a number of times through its conclusion in 2009.

The exhibition will take place at the museum from January 31 to April 24, 2016. The City's sponsorship will support free admission on three Saturday mornings, February 6, March 5 and April 2, and during the Black History Month Family Day on Sunday, February 21. The Black History Month Family Day will also showcase tours of the collection, musical performances and hands-on activities for families.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-419
(Int. No. 463)

Authorizing an agreement for Ebony Fashion Fair exhibition

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 Memorial Art Gallery (MAG) of the University of Rochester to serve as a sponsor of and to support free admission on certain days for the "Inspiring Beauty: 50 Years of Ebony Fashion Fair" exhibition to be presented at the MAG on or about January 31 through April 24, 2016. The maximum compensation to be paid to MAG under the agreement shall be $10,000, which shall be funded from the 2015-16 Budget of the Bureau of Communications.

Section 2. The term of the agreement shall be no more than one year. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-420
Re: Agreement - YellowJacket Racing, LLC, Rochester Flower City Challenge

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing $40,000 as maximum compensation for an agreement with YellowJacket Racing, LLC (Principals: David Boutillier and Ellen Brenner) for production of the Rochester Flower City Challenge, which consists of a half marathon running event and other sports events planned for April 2016. The cost of this agreement will be financed from the 2015-16 Budget of the Bureau of Communications and have a term of one year.

This will be the seventh year of the event and will include the Rochester River Challenge Duathlon/Paddle Triathlon on Saturday, April 23, and the Rochester Flower City Half Marathon and a Family 5K run on Sunday, April 24. The Duathlon is a 5K run, followed by a 20 mile bicycle race, and finishing with a second 5K run. The Paddle Triathlon is a 5K run, followed by a 20 mile bicycle race, and a 3 mile canoe/kayak segment. These two events will be based at the Genesee Waterways Center in Genesee Valley Park. YellowJacket Racing provides free training workshops and programs leading up to the races.

The Half Marathon and Family 5K run will be based at the Blue Cross Arena with the course showcasing the city's historic neighborhoods, river and canal. This is the only half marathon distance running event in the Rochester area in the spring. It is marketed regionally to draw entrants from a 600-mile radius area. In 2015, there were 26 states represented (including New York) and participation from Canada.

The 2015 Duathlon and Triathlon totaled 399 finishers. The 2015 Half Marathon & 5K race had 3,744 registrants, including 130 children who participated in quarter mile, half mile, and mile races. In addition to the participants, more than 2,000 spectators lined the course. During the half marathon, participating neighborhoods host a spirit contest. Neighborhoods that are voted "most enthusiastic" by the runners receive donations from Yellow Jacket Racing. In 2015, a combined $1,300 was donated to the Susan B. Anthony Neighborhood (1st place) and Highland Park Neighborhood (2nd place).

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-420
(Int. No. 464)

Authorizing an agreement for the 2016 Rochester Flower City Challenge

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 YellowJacket Racing, LLC to serve as a sponsor of the 2016 Rochester Flower City Challenge. The maximum compensation to be paid to YellowJacket Racing under the agreement shall be $40,000, which shall be funded from the 2015-16 Budget of the Bureau of Communications.

Section 2. The agreement shall have a term of one year.

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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-421
Re: Agreement - Young Audiences of Rochester, Inc., Artist Residencies at Recreation Centers

Council Priority: Support the Creation of Effective Educational Systems

Transmitted herewith for your approval is legislation establishing $14,000 as maximum compensation for an agreement with Young Audiences of Rochester, Inc., for visual and performing artist residencies at City recreation centers. The cost of this agreement will be funded from the 2015-16 Budget of the Department of Recreation and Youth Services and will have a term of one year.

Under the proposed agreement, Young Audiences of Rochester, Inc. will provide the services of teaching artists for a total of up to 16 artist residencies. Each residency consists of seven, one-hour sessions serving up to 25 youth. The artists are practicing, professional, teaching artists who have experience providing interactive arts education programming to youth in an after-school setting. Young Audiences of Rochester, Inc. was selected through a request for proposals process conducted in the spring of 2015. A Vendor/Consultant Process Selection Summary form is attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-216

Ordinance No. 2015-421
(Int. No. 465)

Authorizing an agreement for artists' residencies at recreation centers

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

Section 1. The sum of $14,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Young Audiences of Rochester, Inc. for creative artists' residencies at recreation centers program. Said amount shall be funded from the 2015-16 Budget of the Department of Recreation and Youth Services. The agreement shall have a term of one year.

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.

Passed unanimously.

Miscellaneous Business:

Presentation to outgoing Councilmember Carla M. Palumbo.

The meeting was adjourned at 8:43 p.m.

HAZEL L. WASHINGTON
City Clerk

* * * * *

ITEMS HELD IN COMMITTEE AS OF DECEMBER 31, 2015

Held February 25, 2014

Int. No. 53 - Changing the traffic flow on Dunn Street between Hudson Avenue and Roser Street from two-way to westbound one-way Parks & Public Works Committee

Held March 25, 2014

Int. No. 74 - Establishing maximum compensation for a professional services agreement for engineering services for the Rochester Police Department Special Operations Building Parks & Public Works Committee

Held May 20, 2014

Int. No. 172 - Approving geometric changes to South Plymouth Avenue, as amended Parks & Public Works Committee

Held June 17, 2014

Int. No. 204 - Authorizing an agreement for the youth mentorship and empowerment program Public Safety, Youth & Recreation Committee

Held July 22, 2014

Int. No. 253 - Approving a grant application to the State Education Department for funding under the Statewide Universal Full-Day Prekindergarten Program Finance Committee

Held September 16, 2014

Int. No. 305 - Bond Ordinance of the City of Rochester, New York authorizing the issuance of $2,265,000 bonds of said City to finance the cost of the East End (Metro Center) Parking Garage Rehabilitation Project Parks & Public Works Committee

Held October 14, 2014

Int. No. 334 - Amending Section 90-16 of the Municipal Code with respect to certificates of occupancy Neighborhood & Business Development Committee

Int. No. 340 - Changing the zoning classification of 151 and 157 York Street from R-1 Low Density Residential District to M-1 Industrial District Neighborhood & Business Development Committee

Int. No. 348 - Amending the 2014-15 Budget and appropriating forfeiture funds and authorizing agreements Public Safety, Youth & Recreation Committee

Int. No. 352 - Authorizing an agreement for Artists Residencies at Recreation Centers Arts & Culture Committee

Held November 12, 2014

Int. No. 373 - Amending the Official Map by renaming Mortimer Street between St. Paul Street and North Clinton Avenue as RTS Way Parks & Public Works Committee

Int. No. 388 - Amending the 2008-09, 2011-12 and 2012-13 Consolidated Community Development Plans and appropriating funds and authorizing agreements for the Owner-Occupant Roofing Program Neighborhood & Business Development Committee

Held March 17, 2015

Int. No. 67 - Authorizing an agreement with TransPro Consulting LLC for a Citywide Strategic Management Plan Finance Committee

Held April 14, 2015

Int. No. 103 - Establishing a six-month moratorium on permits, certificates of zoning compliance and use and area variances for certain commercial establishments in the Residential, C-1 Neighborhood Center or O-B Overlay Boutique zoning district within the City Neighborhood & Business Development Committee

Held June 16, 2015

Int. No. 204 - Changing the zoning classification of 4 Edgewood Park from R-2 Medium Density Residential District to C-2 Community Center District Neighborhood & Business Development Committee

Held July 14, 2015

Int. No. 281 - Resolution supporting Consolidated Funding Grant Application Finance Committee

Held September 16, 2015

Int. No. 340 - Approving the contracting of a Program Manager for Phase II of the Rochester Joint Schools Construction Board's Facilities Modernization Program Finance Committee

Held October 13, 2015

Int. No. 381 - Authorizing a professional services agreement with Normal Communications LLC for a City asset advertising program Finance Committee

Int. No. 382 - Adopting a policy for advertising on City-owned assets Finance Committee

Held November 17, 2015

Int. No. 389 - Amending Chapter 63 of the Municipal Code with regard to housing discrimination

on the basis of source of income Neighborhood & Business Development Committee

Int. No. 390 - Appropriating funds for asbestos abatement, demolition and interim environmental cleanup at 68 Genesee Street Neighborhood & Business Development Committee

Int. No. 404 - Authorizing pavement width changes related to the Broad Street Bridge Preventive Maintenance Project Parks & Public Works Committee

Held December 15, 2015

Int. No. 426 - Resolution approving the 2015-16 debt limit for the City School District Finance Committee

Int. No. 427 - Bond Ordinance of the City of Rochester, New York authorizing the issuance of $17,195,000 Bonds of said City to finance the costs of improvements to specified City School District schools Finance Committee

Int. No. 449 - Amending Chapter 13A of the Municipal Code as it relates to penalties for offenses Parks & Public Works Committee

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ABBREVIATIONS

Acq. - Acquire, Acquisition
Adj. - Adjourned
Admin. - Administration, Administrative
Adpt. - Adopt, Adopted
Amend. - Amendatory, Amending, Amendment
Appl. - Application(s)
Approp. - Appropriate, Appropriating
Approv. - Approv.
Appt(s). - Appoint, Appointment(s)
Assist. - Assistance
Auth. - Authority, Authorize
Bldg. - Building
CHDO - Community Housing Development Organization
Class. - Classification
Comm. - Commercial, Commission, Committee, Community
Comp. - Compensation
Constr. - Construction
Ctr. - Center
Demon. - Demonstration
Dev. - Development
Dist. - District
Est(s). - Estimate(s)
Ext. - Extension
Facil. - Facilities
FY - Fiscal Year
Gar. - Garage
Gov. - Government
Hear. - Hearing
Incr. - Increase
Indus. - Industrial
Int. - Introductory
L.I.O. - Local Improvement Ordinance
L.L. - Local Law
Lftd. - Lifted
Litig. - Litigation
Maint. - Maintenance
Max. - Maximum
Mgr. - Manager
Mkt. - Market
Mun. - Municipal
Ofc. - Office
Off. - Official
Ord. - Ordinance
Pav. - Pavement
Pk. - Park
Proj. - Project
Pssd. - Passed
Pub. - Public
Purch. - Purchase
R.E. - Real Estate
R.O.W. - Right-of-Way
Rec. - Recreation
Rehab. - Rehabilitate, Rehabilitation
Rej. - Reject
Renew. - Renewal
Resi. - Residential
Reso. - Resolution
Rev. - Revenue
Roch. - Rochester
Svs. - Services
Tbld. - Tabled
Tech. - Technology
Tr. - Transmittal
Var. - Various
Wid. - Width
Zon. - Zoning

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HOMELESS SHELTER
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Approp. funds and auth. agreements for Healthy Homes Program, Tr. letter, 196, Pssd., 198
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HOUSING COUNCIL AT PATHSTONE
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HOUSING COUNCIL OF THE MONROE COUNTY AREA, INC.
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HOUSING DEMOLITION PROGRAM
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