



City of Rochester

City Clerks Office

Certified Ordinance

Rochester, N.Y., _____

TO WHOM IT MAY CONCERN:

I hereby certify that the following is a true copy of an ordinance which was duly passed by the Council of the City of Rochester on **September 14, 2016** and **Approved** by the Mayor of the City of Rochester, and was deemed duly adopted on **September 15, 2016** in accordance with the applicable provisions of law.

Ordinance No. 2016-285

Authorizing an agreement with Prescod Leadership Enterprise, LLC, for supervisory skills training

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 Prescod Leadership Enterprise, LLC, for the design and delivery of a supervisory skills training program for a term of three years. The maximum annual compensation shall be \$50,910 per year. Said amounts shall be funded from the 2016-17, 2017-18, and 2018-19 Budgets for Undistributed Expenses, contingent upon the adoption of the latter two 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 by the following vote:

Ayes - President Scott, Councilmembers Clifford, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 8.

Nays - None - 0.

Attest



City Clerk



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Ordinance No. 2016-286

Authorizing an agreement for dental insurance

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

Section 1. The Mayor is hereby authorized to enter the City into a professional services agreement with Guardian Life Insurance Company of America for administration of dental insurance plans for all benefit-eligible City employees for a term of two years, commencing January 1, 2017. The sum of \$102,000, or so much thereof as may be necessary, is hereby established as the annual maximum compensation for the agreement. Said amount shall be funded from the Budget of Undistributed Expenses out of payments made to Guardian Life Insurance Company of America as part of the City's self-insured monthly premium equivalent charges.

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 Clifford, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 8.

Nays - None - 0.

Attest



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Ordinance No. 2016-287

Authorizing a grant agreement with the New York State Archives

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

Section 1. The Mayor is hereby authorized to enter the City into an agreement with the New York State Archives for receipt and use of \$300,000 in grant funds to begin the implementation phase of an Enterprise Document/Content Management Solution project. The term of the agreement may extend to June 30, 2018.

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

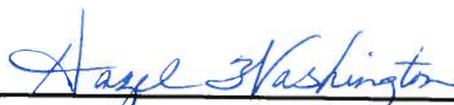
Section 3. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Scott, Councilmembers Clifford, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 8.

Nays - None - 0.

Attest



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Ordinance No. 2016-288

Authorizing an amendatory agreement with Tyler Technologies, Inc. for the Rochester Police Department's Record Management System multi-phase replacement program

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

Section 1. The Mayor is hereby authorized to enter into an amendatory professional services agreement with Tyler Technologies, Inc. (formerly known as New World Systems) for the Rochester Police Department's Record Management System multi-phase replacement program originally authorized in Ordinance No. 2011-316. The amendment shall extend the term of the agreement to December 31, 2017.

Section 2. This amendatory agreement shall contain such other 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 Clifford, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 8.

Nays - None - 0.

Attest

Hazel Washington

City Clerk



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Ordinance No. 2016-289

Appropriation of funds to pay for the settlement of litigation pursuant to a court order

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

Section 1. The Council hereby appropriates from the Insurance Reserve Fund the sum of \$6,962,374 to pay as damages pursuant to a court order in settlement of the claims against the City in the United States District Court case entitled *Peacock v City of Rochester et al.*

Section 2. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Scott, Councilmembers Clifford, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 8.

Nays - None - 0.

Attest



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Ordinance No. 2016-290

Amending the 2015-16 Budget for year-end Budget amendments

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 transferring the total sum of \$2,934,800 from the following departments to Cash Capital:

- a) \$265,800 from Undistributed;
- b) \$300,000 from Neighborhood & Business Development;
- c) \$669,000 from Contingency;
- d) \$700,000 from the Fire Department; and
- e) \$1,000,000 from the Police Department.

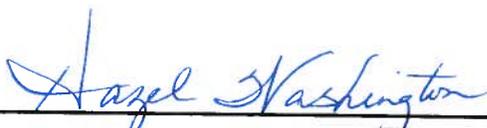
Section 2. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Scott, Councilmembers Clifford, Haag, McFadden, Miller, Ortiz, Patterson - 7.

Nays - None - 0.

Abstentions - Councilmember Spaul - 1.

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Ordinance No. 2016-291

Authorizing an intermunicipal agreement with Monroe County for fiber assessment

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

Section 1. The Mayor is hereby authorized to enter the City into an intermunicipal agreement with Monroe County for a City/County fiber assessment to be completed by Magellan Advisors LLC. The agreement shall extend for a term of one year.

Section 2. The agreement shall obligate the City to pay a maximum compensation of \$50,000. Said amount shall be funded from 2015-16 Cash Capital.

Section 3. The agreement shall contain such other 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 Clifford, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 8.

Nays - None - 0.

Attest

Hazel Washington

City Clerk



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Ordinance No. 2016-292

Authorizing a professional services agreement for health insurance administration

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

Section 1. The Mayor is hereby authorized to enter the City into a professional services agreement with MVP Select Care, Inc. for administration of health insurance plans for City employees and retirees for a term of three years, commencing January 1, 2017. The sum of \$3,750,000, or so much thereof as may be necessary, is hereby established as the annual compensation for the agreement. Said amounts shall be funded from the Budget for Undistributed Expenses out of the payments made to MVP Select as part of the City's self-insured monthly premium equivalent charges.

Section 2. No surety bond or letter of credit shall be required of MVP Select Care, Inc.

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 Clifford, Haag, Miller, Ortiz, Patterson, Spaul - 7.

Nays - Councilmember McFadden - 1.

Attest

Hazel Washington

City Clerk



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Ordinance No. 2016-293

Authorizing a lease agreement for the Court Street Parking Garage

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 OBuck Enterprise Inc. d/b/a DiPisa Old World Submarines for the lease of 1,500 square feet of commercial space in the Court Street Parking Garage, for three years, commencing on October 1, 2016 and to expire on September 30, 2019, with five one-year renewal options contingent on the Director of Real Estate review and finding that the extended term is reasonable, necessary and beneficial to the public.

Section 2. The Council hereby finds that the term of the proposed lease is reasonable and necessary in light of its intended purpose and the public will benefit throughout the term of the lease.

Section 3. The monthly rent for said lease shall be \$1,200 for the initial term with renewals based on appraised value at the point of renewal as determined by the Director of Real Estate and the tenant shall be responsible for all utilities and leasehold improvements.

Section 4. The lease shall provide for periodic reviews of the use of the leasehold by the Director of Real Estate to determine and ensure the lessee's compliance with the lease terms.

Section 5. The lease will terminate, at the City's option, upon the occurrence of substantial changes in the use of the leasehold or performance of the lease by the lessee.

Section 6. The lease agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 7. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Scott, Councilmembers Clifford, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 8.

Nays - None - 0.

Attest

A handwritten signature in blue ink that reads "Hazel Washington". The signature is written in a cursive style and is positioned above a horizontal line.

City Clerk



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Ordinance No. 2016-294

Authorizing agreements for the 2016-17 Street Liaison 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 each of the following organizations in the maximum amount of \$20,000 each to provide Street Liaison services for the specified City quadrants as follows:

- | | |
|--|-----------|
| a) Action for a Better Community, Incorporated | Northeast |
| b) Highland Planning LLC | Southeast |
| c) Highland Planning LLC | Northwest |
| d) 19 th Ward Community Association
of Rochester, New York, Inc. | Southwest |

Section 2. The term of said agreements shall extend until June 30, 2017.

Section 3. The amount of \$80,000, or so much thereof as may be necessary for the agreements, shall be funded from the funds appropriated to the Neighborhood Commercial Assistance Program from the Promote Economic Stability fund of the 2016-17 Consolidated Community Development Annual Action Plan in Ordinance No. 2016-192.

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

Section 5. 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 by the following vote:

Ayes - President Scott, Councilmembers Clifford, Haag, McFadden, Ortiz, Patterson, Spaul - 7.

Nays - None - 0.

Abstentions - Vice President Miller -1

Attest

A handwritten signature in blue ink that reads "Hazel Washington". The signature is written in a cursive style and is positioned above a horizontal line.

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Ordinance No. 2016-295

Authorizing the sale of real estate and amending a lease

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:

<u>Address</u>	<u>SBL#</u>	<u>Lot Size</u>	<u>Sq. Ft.</u>	<u>Price</u>	<u>Purchaser</u>
303 N. Union St	106.58-3-25	34 x 92	3,164	1,550	Hieu Long & Asher 7, LLC
305 N. Union St	106.58-3-24	34 x 92	3,150	1,550	Hieu Long & Asher 7, LLC

Section 2. The Council hereby approves the negotiated sale of the following parcel of vacant land:

<u>Address</u>	<u>SBL#</u>	<u>Lot Size</u>	<u>Sq. Ft.</u>	<u>Price</u>	<u>Purchaser</u>
160 Avenue E	091.77-1-37	40 x 100	4,000	400	Rena Kim & Than Mam

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

<u>Address</u>	<u>SBL#</u>	<u>Lot Size</u>	<u>Sq. Ft.</u>	<u>Purchaser</u>
9 1/2 Barlett St	121.61-2-24.1	20 x 71	1,153	Gianniny Brothers, LLC

231 Champlain St	120.60-2-53	36 x 95	3,438	Rudolph & Evadney Lott
46 Durnan St	091.73-3-49.1	70 x 80	5,600	Lascelles Letts
52-54 Durnan St	091.73-3-51.1	70 x 80	5,600	Lascelles Letts
89 Ferncliffe Dr	106.28-1-14	18 x 100	1,245	Donna Antario
34-36 Friederich Pk	106.24-2-50.1	72 x 65	4,698	Johnny Steven Brown
44 Friederich Pk	106.24-2-48	35 x 65	2,283	Johnny Steven Brown
18 Geneva St	091.62-2-26	36 x 108	3,907	22 Geneba Corp.
7 Glendale Pk	105.35-2-10.1	16 x 132	2,189	Peter Skandera
65 Hempel St	106.43-4-4.3	38 x 91	3,486	Scott Sheldon
937 Joseph Av	091.71-4-27	38 x 100	3,752	Maggie D. Harris
163 Portage St	106.27-1-54	40 x 90	3,600	Angel Alicea
222 Ruff Alley	120.60-2-52	45 x 45	2,077	Rudolph & Evadney Lott
432-434 Webster Av	107.45-4-13	40 x 92	3,389	Robert Salgado

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. The Mayor is hereby authorized to enter the City into an amendatory lease agreement with GeoMar Holdings, Inc. d/b/a Mom's Margios Diner for commercial space located on the first floor of the Port Terminal Building, which shall amend the lease authorized by Ordinance No. 2016-68 and as amended by Ordinance No. 2016-99 to waive the rent authorized in Ordinance No. 2016-99 through July 15, 2016 to reflect the tenant's build-out of the space at its own expense, thereby reducing the amount of anticipated rent payments by \$15,160.

Section 6. The amendatory agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 7. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Scott, Councilmembers Clifford, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 8.

Nays - None - 0.

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Ordinance No. 2016-296

Authorizing the acquisition of 894-898 West Main Street and 42 York Street

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

Section 1. The Council hereby approves the acquisition by negotiation of the parcels described below. The acquisition costs shall not exceed \$212,000, including closing costs, and shall be funded from 2016-17 Cash Capital.

<u>Address</u>	<u>S.B.L.#</u>	<u>Lot Size</u>	<u>Owner</u>
894-898 West Main St.	120.42-2-62.1	±0.11 acre	Mohammad Chhipa
42 York St.	120.42-2-72.1	±0.48 acres	Mohammad Chhipa

Section 2. City taxes and other current-year charges against said parcels shall be canceled from the date of closing forward. If the present owners have paid any taxes or other current-year charges attributable to the period after the closing, such charges shall be credited to such owners at closing, and may, if appropriate, be refunded. Any taxes levied after the date of closing, while the City still owns the parcels, shall also be cancelled. The properties shall be conveyed to the City with no other outstanding liens or encumbrances.

Section 3. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Scott, Councilmembers Clifford, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 8.

Nays - None - 0.

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Ordinance No. 2016-297

Amending the Zoning Code map for multiple properties located on Hudson Avenue, Merrimac Street, Cleveland Street and Frederick Street, as amended

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 from C-1 Neighborhood Center to R-3 High Density Residential the zoning classification of the following properties ~~from C-1 Neighborhood Center to R-3 High Density Residential District:~~

<u>Address</u>	<u>SBL #</u>
396 Hudson Avenue	106.49-1-88.1
402 Hudson Avenue	106.49-1-89
404-408 Hudson Avenue	106.49-1-1

and the area extending from those parcels to the center line of any adjoining street, alley, and right-of-way.

Section 2. Chapter 120 of the Municipal Code, Zoning Code, as amended, is hereby further amended by changing from R-1 Low Density Residential to R-3 High Density Residential the zoning classifications of the following properties ~~from R-1 Low Density Residential to R-3 High Density Residential District:~~

<u>Address</u>	<u>SBL #</u>
101 Merrimac Street	106.49-1-3.1
111 Merrimac Street	106.49-1-5.1

121 Merrimac Street	106.49-1-7
127 Merrimac Street	106.49-1-8
168-172 Merrimac Street	106.41-4-36.3
26 Cleveland Street	106.49-1-83.4
30 Cleveland Street	106.49-1-82
36 Cleveland Street	106.49-1-81
37 Cleveland Street	106.49-1-62
42 Cleveland Street	106.49-1-80
43 Cleveland Street	106.49-1-63
47 Cleveland Street	106.49-1-64.1
48 Cleveland Street	106.49-1-79
54 Cleveland Street	106.49-1-78
58 Cleveland Street	106.49-1-77
59 Cleveland Street	106.49-1-66
75 Cleveland Street	106.49-1-68.1
8 Frederick Street	106.49-1-33.2

and the area extending from those parcels to the center line of any adjoining street, alley, and right-of-way.

Section 3. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Passed by the following vote:

Ayes - President Scott, Councilmembers Clifford, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 8.

Nays - None - 0.

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Ordinance No. 2016-298

Amending the Zoning Code map for 1009-1011 Jay Street, as amended

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 from R-1 Low Density Residential to M-1 Industrial the zoning classification of the property located at 1009-1011 Jay Street (SBL # 105.80-1-79) from R-1 Low Density Residential to M-1 Industrial, and the area encompassing that property comprised of:

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 66, 20,000 Acre Tract, and being more particularly bounded and described as follows: Beginning at a point on the centerline of Jay Street (49.5' ROW) at the northerly extension of the east line of Lot 37 of the Peter Delles Subdivision, as filed in the Monroe County Clerk's Office in Liber 1 of Maps, Page 30, said point being the Point or Place of Beginning; thence

1) Southerly, along said extension and the east line of Lot 37, a distance of 130.75 feet to a point; thence

2) Westerly, parallel with said Jay Street, a distance of 60.0 feet to a point; thence

3) Northerly, along the extension and the west line of said Lot 37, a distance of 130.75 feet to the said centerline of Jay Street; thence

4) Easterly, along said centerline, a distance of 60.0 feet to the Point or Place of Beginning.

Section 2. This ordinance shall take effect immediately.

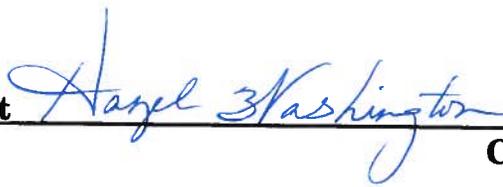
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Passed by the following vote:

Ayes - President Scott, Councilmembers Clifford, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 8.

Nays - None - 0.

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Ordinance No. 2016-299

Authorizing an application and agreement for a grant under Round 4 of the Restore NY Communities Initiative, as amended

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

Section 1. The Mayor is hereby authorized to submit an application to the Empire State Development Corporation (ESDC) and to enter the City into an subsequent agreement with the New York State Urban Development Corporation Doing Business As the ESDC Empire State Development Corporation for the receipt and use of a grant of up to \$2 million under the Round 4 of Restore NY Communities Initiative (Restore NY), which shall be used by the City to assist with the Center City Commercial and Mixed Use Initiative (the Project), which provides for the rehabilitation of Center City properties.

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

Section 3. The Council, having reviewed the ~~projects~~ Project that ~~are~~ is proposed for the application in accordance with Restore NY program guidelines, hereby finds that the application is consistent with the following principles:

- (a) the proposed ~~assisted projects~~ Project ~~are~~ is consistent with:
- 1) the Comprehensive Plan;
 - 2) the Consolidated Community Development Plan/Strategic Plan for 2015-16 through 2019-20;

- 3) the Center City Master Plan;
- 4) the Housing Policy; and
- 5) the City-Wide Rochester Housing Market Study Recommendations;

(b) the proposed financing is appropriate for the ~~identified projects~~ Project;

(c) the ~~projects~~ Project will facilitate effective and efficient use of existing and future public resources so as to promote both economic development and preservation of community resources; and

(d) where applicable, the ~~projects~~ Project develops and enhances infrastructure and/or other facilities in a manner that will attract, create, and sustain employment opportunities.

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 Clifford, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 8.

Nays - None - 0.

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Ordinance No. 2016-300

Authorizing an agreement with Coordinated Care Services, Inc. for administrative services of the Rochester/Monroe County Continuum of Care, as amended

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

Section 1. The Mayor is hereby authorized to enter the City into an agreement with Coordinated Care Services, Inc. for administrative services for the Rochester/Monroe County Continuum of Care. The agreement shall have a term of one year, with an option to extend for one year if funds remain in the original appropriation.

Section 2. The agreement shall obligate the City to pay an amount not to exceed \$24,000 and said amount, or so much thereof as may be necessary, shall be funded from the 2016-17 City Development Fund.

Section 3. The agreement shall contain such other 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 Clifford, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 8.

Nays - None - 0.

Attest



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City Clerks Office

Certified Ordinance

Rochester, N.Y., _____

TO WHOM IT MAY CONCERN:

I hereby certify that the following is a true copy of an ordinance which was duly passed by the Council of the City of Rochester on **September 14, 2016** and **Approved** by the Mayor of the City of Rochester, and was deemed duly adopted on **September 15, 2016** in accordance with the applicable provisions of law.

Ordinance No. 2016-301

Authorizing an agreement for the construction of the House of Mercy homeless shelter

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

Section 1. The Mayor is hereby authorized to enter the City into an agreement with the House of Mercy, Inc. to construct a homeless shelter at 285 Ormond Street. The sum of \$500,000, or so much thereof as may be necessary, is hereby established as the maximum compensation for the agreement which amount shall be funded from Prior Years' Cash Capital.

Section 2. The term of the agreement may extend up to one year.

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 by the following vote:

Ayes - President Scott, Councilmembers Clifford, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 8.

Nays - None - 0.

Attest

City Clerk



City of Rochester

City Clerks Office

Certified Ordinance

Rochester, N.Y., _____

TO WHOM IT MAY CONCERN:

I hereby certify that the following is a true copy of an ordinance which was duly passed by the Council of the City of Rochester on **September 14, 2016** and **Approved** by the Mayor of the City of Rochester, and was deemed duly adopted on **September 15, 2016** in accordance with the applicable provisions of law.

Ordinance No. 2016-302

Authorizing an amendatory agreement with Schubert Centre LLC for the Focused Investment Strategy Vacant Lot Fencing and Greening Program

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

Section 1. The Mayor is hereby authorized to enter in an amendatory agreement with Schubert Centre LLC to amend the agreement for the Focused Investment Strategy Vacant Lot Fencing and Greening Program originally authorized in Ordinance No. 2012-248. The amendment shall extend the term of agreement by one year to August 31, 2017.

Section 2. This amendatory agreement shall contain such other 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 Clifford, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 8.

Nays - None - 0.

Attest

City Clerk



City of Rochester

City Clerks Office

Certified Ordinance

Rochester, N.Y., _____

TO WHOM IT MAY CONCERN:

I hereby certify that the following is a true copy of an ordinance which was duly passed by the Council of the City of Rochester on **September 14, 2016** and **Approved** by the Mayor of the City of Rochester, and was deemed duly adopted on **September 15, 2016** in accordance with the applicable provisions of law

Ordinance No. 2016-303

Amending the Zoning Code, Chapter 120 of the Municipal Code, with regard to retail sales and service in the 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, as last amended by Ordinance No. 2016-263, is hereby further amended in Section 120-81, Permitted uses and structures, to delete subsection A(1)(n) as follows:

§ 120-81. Permitted uses and structures.

A. The following uses are permitted in the M-1 District:

(1) The following uses are permitted when conducted in a fully enclosed building:

...

~~(n) Retail sales and service, when in an existing building.~~

Section 2. This ordinance shall take effect immediately.

Strikeout indicates deleted text

Passed by the following vote:

Ayes - President Scott, Councilmembers Clifford, Haag, McFadden, Miller Ortiz, Patterson, Spaul - 8.

Nays - None - 0.

Attest

City Clerk



City of Rochester

City Clerks Office

Certified Ordinance

Rochester, N.Y., _____

TO WHOM IT MAY CONCERN:

I hereby certify that the following is a true copy of an ordinance which was duly passed by the Council of the City of Rochester on **September 14, 2016** and **Approved** by the Mayor of the City of Rochester, and was deemed duly adopted on **September 15, 2016** in accordance with the applicable provisions of law.

Ordinance No. 2016-304

Amending the Zoning Code map for ~~multiple properties located on 128 Merrimac Street, Cleveland Street, and 15 Wadsworth Street, Gilmore Street and North Street, as amended~~

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 from R-1 Low Density Residential to M-1 Industrial the zoning classification of the following properties ~~from R-1 Low Density Residential to M-1 Industrial:~~

<u>Address</u>	<u>SBL #</u>
128 Merrimac Street	106.41-4-42
15 Wadsworth Street	106.41-4-55

and the area extending from those parcels to the center line of any adjoining street, alley, and right-of-way.

~~Section 2. Chapter 120 of the Municipal Code, Zoning Code, as amended, is hereby further amended by changing the zoning classifications of the following properties from R-1 Low Density Residential to R-3 High Density Residential:~~

<u>Address</u>	<u>SBL #</u>
19 Cleveland Street	106.49-1-61
62 Cleveland Street	106.49-1-75.3

68 Cleveland Street	106.49-1-75.2
72 Cleveland Street	106.49-1-74
78 Cleveland Street	106.49-1-73
84 Cleveland Street	106.49-1-72
90 Cleveland Street	106.49-1-71
17 Wadsworth Street	106.41-4-56
19 Wadsworth Street	106.41-4-57
21 Wadsworth Street	106.41-4-58
23 Wadsworth Street	106.41-4-59
23.5 Wadsworth Street	106.41-4-60.2
25 Wadsworth Street	106.41-4-60.1
27 Wadsworth Street	106.41-4-61
29 Wadsworth Street	106.41-4-62
30 Wadsworth Street	106.41-4-69.1

<u>Address</u>	<u>SBL #</u>
31 Wadsworth Street	106.41-4-63
33 Wadsworth Street	106.41-4-64
131 Merrimac Street	106.49-1-9
135 Merrimac Street	106.49-1-10.1
145 Merrimac Street	106.49-1-12.2
151 Merrimac Street	106.49-1-14
153 Merrimac Street	106.49-1-15
144 Gilmore Street	106.41-4-52.1
148 Gilmore Street	106.41-4-51.1
156 Gilmore Street	106.41-4-49
160 Gilmore Street	106.41-4-48
164 Gilmore Street	106.41-4-47.1
745 North Street	106.41-4-32
755 North Street	106.41-4-30.1
759 North Street	106.41-4-29
763 North Street	106.41-4-28
769 North Street	106.41-4-27

Section 2 -~~3~~. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Passed by the following vote:

Ayes - President Scott, Councilmembers Clifford, Haag, McFadden, Miller Ortiz, Patterson, Spaul - 8.

Nays - None - 0.

Attest *Hazel Washington*
City Clerk



City of Rochester

City Clerks Office

Certified Ordinance

Rochester, N.Y., _____

TO WHOM IT MAY CONCERN:

I hereby certify that the following is a true copy of an ordinance which was duly passed by the Council of the City of Rochester on **September 14, 2016** and **Approved** by the Mayor of the City of Rochester, and was deemed duly adopted on **September 15, 2016** in accordance with the applicable provisions of law.

Ordinance No. 2016-305

Authorizing an amendatory agreement with T.Y. Lin International Engineering, Architecture & Land Surveying, P.C., for the Broad Street 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 the City into an amendatory professional services agreement with T.Y. Lin International Engineering, Architecture & Land Surveying, P.C. (formerly known as FRA Engineering and Architecture PC) for additional design services related to the Broad Street Bridge Preventive Maintenance Project. The amendment shall increase the maximum compensation in the agreement authorized in Ordinance No. 2008-56 and amended in Ordinance No. 2014-350 by \$60,000 to a total of \$1,502,000. Said amount shall be funded from 2014-15 Cash Capital. The term of the amendatory agreement may extend until 6 months after completion and acceptance of the construction of the project.

Section 2. This amendatory agreement shall contain such other 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 Clifford, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 8.

Nays - None - 0.

Attest Hazel Washington
City Clerk



City of Rochester

City Clerks Office

Certified Ordinance

Rochester, N.Y., _____

TO WHOM IT MAY CONCERN:

I hereby certify that the following is a true copy of an ordinance which was duly passed by the Council of the City of Rochester on **September 14, 2016** and **Approved** by the Mayor of the City of Rochester, and was deemed duly adopted on **September 15, 2016** in accordance with the applicable provisions of law.

Ordinance No. 2016-306

Authorizing an amendatory agreement and funding for the Hincer Group Street Improvement Project

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

Section 1. The Mayor is hereby authorized to enter into an amendatory agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. for resident project representation services related to the Hincer Group Street Improvement Project. The amendatory agreement shall increase the maximum compensation for the agreement authorized in Ordinance No. 2015-240 by \$95,000, for a total compensation of \$289,000. The increased amount shall be funded from 2013-14 Cash Capital. The term of the amendatory agreement may extend until 3 months after completion of a two year guarantee inspection of the Project.

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

Section 3. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Scott, Councilmembers Clifford, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 8.

Nays - None - 0.

Attest

Hazel Washington

City Clerk



City of Rochester

City Clerks Office

Certified Ordinance

Rochester, N.Y., _____

TO WHOM IT MAY CONCERN:

I hereby certify that the following is a true copy of an ordinance which was duly passed by the Council of the City of Rochester on **September 14, 2016** and **Approved** by the Mayor of the City of Rochester, and was deemed duly adopted on **September 15, 2016** in accordance with the applicable provisions of law.

Ordinance No. 2016-307

Authorizing an amendatory agreement with Passero Associates, Engineering, Architecture & Surveying, D.P.C., for improvements to Charlotte Street and Haags Alley

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 Passero Associates, Engineering, Architecture & Surveying, D.P.C., for the reconfiguration of Charlotte Street to a different roadway width. The amendment shall increase the maximum compensation in the agreement authorized in Ordinance No. 2015-299 by \$15,600 to a total of \$121,600. Said amount shall be funded from 2012-13 Cash Capital. The term of the amendatory agreement may extend until 6 months after completion and acceptance of the construction of the project.

Section 2. This amendatory agreement shall contain such other 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 Clifford, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 8.

Nays - None - 0.

Attest



City Clerk



City of Rochester

City Clerks Office

Certified Ordinance

Rochester, N.Y., _____

TO WHOM IT MAY CONCERN:

I hereby certify that the following is a true copy of an ordinance which was duly passed by the Council of the City of Rochester on **September 14, 2016** and **Approved** by the Mayor of the City of Rochester, and was deemed duly adopted on **September 15, 2016** in accordance with the applicable provisions of law.

Ordinance No. 2016-308

Authorizing an amendatory agreement and funding for the Vacuum Oil Site remedial investigation and alternatives analysis

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 O'Brien & Gere Engineers, Inc. for environmental services related to the former Vacuum Oil site (Site). The amendatory agreement shall amend the agreement authorized in Ordinance No. 2014-254 by providing for the completion of a Brownfield Cleanup Program remedial investigation (RI) and for the preparation a remedial alternatives analysis report (RAAR) for the Site and by increasing the maximum compensation by \$200,000, for a total compensation of \$800,000.

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

Section 3. The increase in compensation provided for herein shall be funded in the amount of \$150,000 from the proceeds of bonds issued for the purpose, \$40,800 from 2012-13 Cash Capital and \$9,200 from 2015-16 Cash Capital.

Section 4. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Scott, Councilmembers Clifford, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 8.

Nays - None - 0.

Attest



City Clerk



City of Rochester

City Clerks Office

Certified Ordinance

Rochester, N.Y., _____

TO WHOM IT MAY CONCERN:

I hereby certify that the following is a true copy of an ordinance which was duly passed by the Council of the City of Rochester on **September 14, 2016** and **Approved** by the Mayor of the City of Rochester, and was deemed duly adopted on **September 15, 2016** in accordance with the applicable provisions of law.

Ordinance No. 2016-309

Bond Ordinance of the City of Rochester, New York amending Ordinance No. 2014-254 by authorizing the issuance of an additional \$150,000 Bonds of said City to finance a professional services agreement with O'Brien & Gere for remedial investigation services relating to contamination of the Vacuum Oil site 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 \$150,000 in additional costs of a professional services agreement with O'Brien & Gere to prepare a Brownfield Cleanup Program remedial investigation relating to contamination of the Vacuum Oil site (the "Project"), initially authorized in the amount of \$600,000 by Ordinance No. 2014-254, consisting of City-owned land located on a portion of the Former Vacuum Oil Refinery at 1, 13, 31, 69 and 75 Cottage Street, 100 Riverview Place, 102 Violetta Street and a portion of 1320 South Plymouth Avenue in the City. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$800,000, and the additional \$150,000 is hereby appropriated therefor. The plan of financing includes the total issuance of \$750,000 bonds of the City, \$40,800 from 2012-13 Cash Capital, \$9,200 from 2015-16 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 \$750,000 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 \$750,000. 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. 6-e of the Local Finance 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 by the following vote:

Ayes - President Scott, Councilmembers Clifford, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 8.

Nays - None - 0.

Attest



City Clerk



City of Rochester

City Clerks Office

Certified Ordinance

Rochester, N.Y., _____

TO WHOM IT MAY CONCERN:

I hereby certify that the following is a true copy of an ordinance which was duly passed by the Council of the City of Rochester on **September 14, 2016** and **Approved** by the Mayor of the City of Rochester, and was deemed duly adopted on **September 15, 2016** in accordance with the applicable provisions of law.

Ordinance No. 2016-310

Authorizing agreements and appropriating funds for the Kilmar Street Group Project

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with Vanguard Engineering, P.C. for resident project representation (RPR) services for the Kilmar Street Group Project (Project) in a maximum amount of \$122,000. The agreement may extend until 3 months after completion of a two year guarantee inspection of the Project. The cost of said agreement shall be funded from the Consolidated Community Development Plan/Annual Action Plan funds appropriated herein (\$99,186), and from funds appropriated by a water bond ordinance to be adopted for this Project (\$22,814).

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

Section 3. The sum of \$400,000 is hereby appropriated to the Project from the Infrastructure Improvements allocation of the General Community Needs Fund in the Consolidated Community Development Plan/Annual Action Plans, in the amounts of \$155,943 from the 2013-14 plan and \$244,057 from the 2014-15 plan.

Section 4. The sum of \$400,000 is hereby appropriated to the Project from the Residential Street Rehabilitation allocation of General Community Needs Fund in the Consolidated Community Development Plan/2015-16 Annual Action Plan.

Section 5. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Scott, Councilmembers Clifford, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 8.

Nays - None - 0.

Attest



City Clerk



City of Rochester

City Clerks Office

Certified Ordinance

Rochester, N.Y., _____

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I hereby certify that the following is a true copy of an ordinance which was duly passed by the Council of the City of Rochester on **September 14, 2016** and **Approved** by the Mayor of the City of Rochester, and was deemed duly adopted on **September 15, 2016** in accordance with the applicable provisions of law.

Ordinance No. 2016-311

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$165,000 Bonds of said City to finance the reconstruction of water services along certain portions of Shady Lane related to the 2016 Kilmear Street Group Reconstruction Project, 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 repair and replacement of water mains, water services and hydrants along certain portions of Shady Lane related to the 2016 Kilmear Street Group Reconstruction Project (Shady Lane and Rexford, Le Frois, Kilmear and Milan Streets) 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 \$1,092,867. The plan of financing includes the issuance of \$165,000 bonds of the City to finance said Project, \$800,000 from Community Development Block Grant funds, \$96,150 from the Rochester Pure Waters District (Ordinance No. 2016-160), \$30,000 2014-2015 Cash Capital, \$1,717 2013-2014 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 \$165,000 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 \$165,000. 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.

Strikeout indicates deleted text, new text is underlined.

Passed by the following vote:

Ayes - President Scott, Councilmembers Clifford, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 8.

Nays - None - 0.

Attest



City Clerk



City of Rochester

City Clerks Office

Certified Ordinance

Rochester, N.Y., _____

TO WHOM IT MAY CONCERN:

I hereby certify that the following is a true copy of an ordinance which was duly passed by the Council of the City of Rochester on **September 14, 2016** and **Approved** by the Mayor of the City of Rochester, and was deemed duly adopted on **September 15, 2016** in accordance with the applicable provisions of law.

Ordinance No. 2016-312

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$2,389,000 Bonds of said City to finance certain costs of the 2017 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 2017 Annual Parking Garage Evaluation and Repair Program, including costs of design, waterproofing and concrete and structural rehabilitation of the Court Street Garage, the East End Garage, the Genesee Crossroads Garage, the High Falls Garage, the Mortimer Street Garage, the South Avenue Garage, the Sister Cities Garage and the Washington Square Garage (the "Project"). The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$3,203,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$2,389,000 bonds, \$814,000 of 2016-2017 Parking 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 \$2,389,000 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 \$2,389,000. 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.

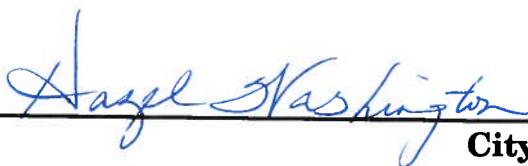
Section 8. This Ordinance shall take effect immediately, and the City Clerk is hereby authorized and directed to publish a summary of the foregoing Ordinance, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in "The Daily Record," a newspaper published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

Passed by the following vote:

Ayes - President Scott, Councilmembers Clifford, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 8.

Nays - None - 0.

Attest



City Clerk



City of Rochester

City Clerks Office

Certified Ordinance

Rochester, N.Y., _____

TO WHOM IT MAY CONCERN:

I hereby certify that the following is a true copy of an ordinance which was duly passed by the Council of the City of Rochester on **September 14, 2016** and **Approved** by the Mayor of the City of Rochester, and was deemed duly adopted on **September 15, 2016** in accordance with the applicable provisions of law.

Ordinance No. 2016-313

Authorizing a grant agreement with Genesee Region Clean Communities, Inc. to fund the purchase of alternative fuel vehicles

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

Section 1. The Mayor is hereby authorized to enter the City into an agreement for the receipt and use of \$109,862 with Genesee Region Clean Communities, Inc. to fund the purchase of alternative fuel vehicles.

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 Clifford, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 8.

Nays - None - 0.

Attest

City Clerk



City of Rochester

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Rochester, N.Y., _____

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Ordinance No. 2016-314

Authorizing the receipt and use of New York State Department of Transportation funds

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

Section 1. The Council hereby authorizes the receipt and use of \$308,016 in anticipated reimbursements from the New York State Department of Transportation Marchiselli Aid program (Marchiselli Aid) to finance a portion of the 2015 Preventive Maintenance Group #2 Project (East Ave., University Ave., Winton Rd., and Portland Ave.) construction and construction resident project representation (RPR) costs.

Section 2. Section 1 of Ordinance No. 2015-247 is hereby amended by allocating \$71,250 of the funds appropriated under Section 1 herein to replace portions of the City funded share of the RPR costs for the same 2015 Preventive Maintenance Group #2 Project so as to reduce by \$3,808.50 the amount of the 2011-12 Cash Capital and to reduce by \$67,441.50 the amount of the bond ordinance proceeds appropriated therein.

Section 3. The Council hereby authorizes the receipt and use of \$23,550 in anticipated Marchiselli Aid to finance a portion of the 2017 Preventive Maintenance Group #4 project design costs.

Section 4. Section 3 of Ordinance No. 2014-395 is hereby amended by allocating the funds appropriated in Section 3 herein to reduce by \$23,550 the City funded share of

same 2017 Preventative Maintenance Group #4 project design costs so that the amended total of 2013-14 Cash Capital appropriated therein shall be \$20,957.

Section 5. The Council hereby authorizes the receipt and use of \$105,000 in anticipated Marchiselli Aid to finance a portion of the Lake Avenue Improvement Project (Merrill Street to 600 feet south of Burley Road) construction and RPR costs.

Section 6. Section 2 of Ordinance No. 2015-330, as amended by Section 2 of Ordinance No. 2016-159, is hereby further amended by allocating \$19,259.30 of the funds appropriated under Section 5 herein to replace portions of the City funded shares of the RPR costs for the Lake Avenue Improvement Project (Merrill Street to Burley Road) so as to reduce the street improvement bond funding provided therein by \$18,525.28, reduce the water improvements bond funding provided therein by \$135.44, and reduce 2011-12 Cash Capital funding provided therein by \$598.58.

Section 7. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Scott, Councilmembers Clifford, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 8.

Nays - None - 0.

Attest



City Clerk



City of Rochester

City Clerks Office

Certified Ordinance

Rochester, N.Y., _____

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Ordinance No. 2016-315

Authorizing extensions of the existing agreements and entry into new agreements for the a management agreement for of the Blue Cross Arena at the War Memorial and a for the lease-leasing of Municipal Lot #10, as amended

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

Section 1. The Mayor is hereby authorized to extend the City's existing agreement with SMG, a Pennsylvania general partnership, for the management of the Blue Cross Arena at the War Memorial, as authorized by Ordinance Nos. 2013-217, 2014-208, and 2014-283, for a term commencing October 1, 2016 and ending December 31, 2016. The terms and conditions of the existing agreement in effect during the term that commenced October 1, 2014 and ending September 30, 2016 shall remain in full force and effect during the new term.

Section 2. The Mayor is hereby authorized to extend the City's lease agreement with SMG for the lease of a parking lot comprised of 8 land parcels located at the opposite corner of Court Street and Exchange Street and known as Municipal Lot #10, as authorized by Ordinance Nos. 2013-217, 2014-208 and 2014-283, for a term commencing October 1, 2016 and ending December 31, 2016. The terms and conditions of the existing lease agreement shall remain in full force and effect during this new term.

Section-1 3. The Mayor is hereby authorized to enter the City into an subsequent agreement with SMG, a Pennsylvania general partnership, for the management, operation and promotion of the Blue Cross Arena at the War Memorial (Arena). The

agreement shall be for an initial three-year term commencing ~~October 1, 2016~~ January 1, 2017 and ending ~~September 30~~ December 31, 2019, with the option to extend the agreement for two additional terms of two-years and five-years each. SMG's compensation shall be derived from the Arena's operating profits and for the initial term of the agreement shall consist of a fixed management fee of \$110,000 per year plus an additional management incentive fee comprised of 10% of the Arena's annual operating profits in excess of \$200,000. For the extended term, the fixed management fee and the \$200,000 operating profit threshold for the management incentive fee may be modified to reflect changes in the Consumer Price Index. The agreement shall also require SMG to make a capital investment of \$500,000 in the Arena, which shall be amortized over 10 years, and to make an annual contribution of \$5,000 to create a fund to support community based activities hosted at the Arena or elsewhere in the City.

~~Section-2~~ 4. The Mayor is hereby authorized to enter the City into a subsequent lease agreement with SMG for a ~~parking lot comprised of 8 land parcels located at the opposite corner of Court Street and Exchange Street and known as~~ Municipal Lot #10 (the Lot). The lease agreement shall be for an initial three-year term commencing ~~October 1, 2016~~ January 1, 2017 and ending ~~September 30~~ December 31, 2019, with the option to extend the agreement for two additional terms of two-years and five-years each. Under the lease agreement, SMG shall be responsible for all operating and maintenance costs relating to the Lot and shall make necessary improvements to the Lot as approved by the City. In the event of early termination of the lease, the City shall reimburse SMG for the unamortized costs of City approved capital improvements. The Lot shall be operated so as to preserve access to the Genesee Riverfront Trail and to the Rochester Gas and Electric facility along the Genesee River. SMG shall pay 90% of the net revenue of the Lot to the City in annual rent, after deducting its operating expenses and debt service relating to the Lot and an annual management fee of \$25,000. The City may request the use of the parking spaces for City uses, including for employee parking and special events, at no cost. The City may terminate the agreement upon ninety days' written notice. The City Parking Director shall approve parking rates for the Lot and the City shall reserve the right to install revenue control equipment on the Lot after consultation with the lessee.

~~Section-3~~ 5. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

~~Section-4~~ 6. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Scott, Councilmembers Clifford, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 8.

Nays - None - 0.

Attest



City Clerk



City of Rochester

City Clerks Office

Certified Ordinance

Rochester, N.Y., _____

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Ordinance No. 2016-316

Authorizing an agreement 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 the City into an agreement with the New York State Office of Children and Family Services (OCFS) for the receipt and use of a grant award of \$431,600 and any additional future cost of living adjustment funds to operate the Flower City AmeriCorps program (Program) established in Ordinance No. 2015-343. The agreement shall have a term of 15 months commencing October 1, 2016 and continuing through December 31, 2017.

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 Clifford, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 8.

Nays - None - 0.

Attest *Hazel Washington*
City Clerk



City of Rochester

City Clerks Office

Certified Ordinance

Rochester, N.Y., _____

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Ordinance No. 2016-317

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 \$900 in grant funds for the Child Passenger Safety Program. The term of the agreement shall be October 1, 2016 through September 30, 2017.

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

Section 3. Ordinance No. 2016-180, the 2016-17 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 \$900, 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 by the following vote:

Ayes - President Scott, Councilmembers Clifford, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 8.

Nays - None - 0.

Attest 

City Clerk



City of Rochester

City Clerks Office

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Ordinance No. 2016-318

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$1,300,000 Bonds of said City to finance costs of a replacement Platform Ladder Truck for the Broad & Allen Firehouse

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 a replacement Platform Ladder Truck for the City's Broad & Allen Firehouse (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 \$1,300,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$1,300,000 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 \$1,300,000 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 \$1,300,000. 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 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 by the following vote:

Ayes - President Scott, Councilmembers Clifford, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 8.

Nays - None - 0.

Attest



City Clerk



City of Rochester

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Rochester, N.Y., _____

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Ordinance No. 2016-319

Authorizing funding and agreements for the Science, Technology, Engineering, Arts and Mathematics (STEAM) Engine project

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

Section 1. The sum of \$90,000 is hereby appropriated from the STEAM Engine allocation of the General Community Needs Fund of the Consolidated Community Development Plan – 2016-17 Annual Action Plan to the following accounts and purposes:

- a. \$49,500 to the 2016-17 Budget of the Department of Recreation and Youth Services (DRYS) to expand and integrate STEAM enrichment activities into DRYS's existing recreational programs;
- b. \$3,800 to the Budget for Undistributed Expenses for fringe benefits to employees implementing the STEAM Engine project;
- c. \$11,700 as maximum compensation for an agreement authorized herein relating to creative artist residencies; and
- d. \$25,000 as maximum compensation for an agreement authorized herein relating to the ROCmusic program.

Ordinance No. 2016-180, the 2016-17 Budget of the City of Rochester, as amended, is hereby further amended to reflect the appropriations made herein by increasing the revenue estimates and appropriations to the Budget of DRYS by \$49,500 and to the Budget for Undistributed Expenses by the sum of \$3,800.

Section 2. The Mayor is hereby authorized to enter the City into two professional services agreements with Young Audiences of Rochester, Inc. to provide creative artists' residencies for DRYS' recreation center programs. The term of each agreement shall be

from October 1, 2016 to June 30, 2017. The sum of \$11,700, or so much thereof as may be necessary, is hereby established as compensation for the first agreement with Young Audiences and said amount shall be funded from the funds appropriated in Section 1 herein. The sum of \$13,300, or so much thereof as may be necessary, is hereby established as compensation for the second agreement with Young Audiences and said amount shall be funded from the 2016-17 Budget of DRYS.

Section 3. The Mayor is hereby authorized to enter the City into a professional services agreement with the David Hochstein Memorial Music School, Inc. to provide a program director/lead teacher for the City's ROCmusic program. The sum of \$25,000, or so much thereof as may be necessary, is hereby established as compensation for the agreement. Said amount shall be funded from the funds appropriated in Section 1 herein. The term of the agreement shall be from October 1, 2016 to June 30, 2017.

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

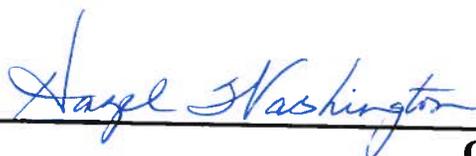
Section 5. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Scott, Councilmembers Clifford, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 8.

Nays - None - 0.

Attest



City Clerk