



City of Rochester

City Clerk's Office

## Certified Resolution

---

Rochester, N.Y., \_\_\_\_\_

---

### TO WHOM IT MAY CONCERN:

I hereby certify that at a meeting of the Council of the City of Rochester, held in the City Hall, on **October 17, 2017**, a resolution was **Adopted**, of which the following is a true copy; and at the time said resolution was adopted, the Council consisted of Nine (9) members.

Resolution No. 2017-17

#### **Resolution establishing a Fund Balance Policy, as amended**

WHEREAS, the City maintains budgetary reserves to offset current and future liabilities and expense, to maintain tax stability, and to safeguard against changes in economic conditions that may result in revenue shortfalls;

WHEREAS, in accordance with Governmental Accounting Standards Board (GASB) Statement No. 54, and as reported in the City's Comprehensive Annual Financial Report and official statements, the City's general fund reserves are classified and maintained as restricted, committed, assigned or unassigned fund balance;

WHEREAS, the level of fund balance is a significant factor in the determination of the City's credit ratings; and

WHEREAS, the City's credit ratings are a major determinant of the City's ability to borrow and the level of interest expense and debt service the City incurs.

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

Section 1. The City will maintain a level of unrestricted fund balance in the general fund (fund balance that is committed, assigned or unassigned) that is no less than ~~two months~~ twelve and one-half percent of average annual projected general fund expenditures in the same fiscal year.

Section 2. Consistent with current practice, fund balance may be used to offset budgetary gaps, for certain planned expenditures, such as pension amortization payment and capital expenditures, and for unforeseen emergency funding requirements.

Section 3. In the event that the unrestricted fund balance falls below the minimum amount required by this policy, the City shall develop and implement a plan that increases the fund balance back to the required minimum level as soon as practicable and no later than within three years.

Section 4. This resolution shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Adopted by the following vote:

Ayes - President Scott, Councilmembers Clifford, Conklin, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 9.

Nays - None - 0.

**Attest**

A handwritten signature in blue ink, reading "Hazel Washington", is written over a horizontal line.

**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 **October 17, 2017** and **Approved** by the Mayor of the City of Rochester, and was deemed duly adopted on **October 18, 2017** in accordance with the applicable provisions of law.

Ordinance No. 2017-321

### **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 amendatory agreement with the Rochester Convention Center Management Corporation to amend the agreement for the operation of the South Avenue Garage that was authorized by Ordinance No. 2013-219 and extended by Ordinance No. 2015-222 so as to extend the agreement's term from July 1, 2017 to December 31, 2019. The Rochester Convention Center Management Corporation shall be responsible for all operating expenses relating to the Garage. All other agreement terms and conditions shall remain the same.

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 by the following vote:

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

Nays - None - 0.

Councilmember Spauld abstained due to a professional relationship.

**Attest**

A handwritten signature in blue ink, reading "Hazel Washington", is written over a horizontal line.

**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 **October 17, 2017** and **Approved** by the Mayor of the City of Rochester, and was deemed duly adopted on **October 18, 2017** in accordance with the applicable provisions of law.

Ordinance No. 2017-322

### **Authorizing an agreement for the Local Government Records Management Improvement Fund grant**

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

Section 1. The Mayor is hereby authorized to enter into a grant agreement with the New York State Archives for receipt and use of \$200,000 from the Local Government Records Management Improvement Fund grant to continue implementation of an Enterprise Content Management Solution. The agreement shall terminate on June 30, 2018.

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

Section 3. Ordinance No. 2017-154, the 2017-18 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget of Information Technology by the sum of \$200,000 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, Conklin, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 9.

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 **October 17, 2017** and **Approved** by the Mayor of the City of Rochester, and was deemed duly adopted on **October 18, 2017** in accordance with the applicable provisions of law.

Ordinance No. 2017-323

### **Authorizing an agreement with Greater Rochester Enterprise, Inc. for economic development services**

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 Greater Rochester Enterprise, Inc. to provide economic development services for attracting and retaining businesses in the City of Rochester. The sum of \$40,000 is hereby established as maximum compensation for the agreement and said amount, or so much thereof as may be necessary, shall be funded in the amounts of \$34,000 from the Fund for the City's Future and \$6,000 from the 2017-18 Budget of Neighborhood and Business Development.

Section 2. The term of such agreement shall be November 1, 2017 through October 31, 2018.

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

Section 4. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Scott, Councilmembers Clifford, Conklin, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 9.

Nays - None - 0.

**Attest**

A handwritten signature in blue ink, appearing to read "Hazel Washington", is written over a horizontal line.

**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 **October 17, 2017** and **Approved** by the Mayor of the City of Rochester, and was deemed duly adopted on **October 18, 2017** in accordance with the applicable provisions of law.

Ordinance No. 2017-324

### **Authorizing an agreement for business assistance services, as amended**

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 High Tech Rochester Inc. to provide services related to assisting businesses within the City of Rochester ~~from November 1, 2017 to June 30, 2018~~ for a term of one year. The maximum compensation for the agreement shall be \$20,000 which shall be funded from the 2017-18 Budget 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.

Strikeout indicates deleted text, new text is underlined.

Passed by the following vote:

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

Nays - None - 0.

Councilmember Haag abstained due to a professional relationship.

**Attest**

*Angel 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 **October 17, 2017** and **Approved** by the Mayor of the City of Rochester, and was deemed duly adopted on **October 18, 2017** in accordance with the applicable provisions of law.

Ordinance No. 2017-325

### **Authorizing the sale of real estate, as amended**

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

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

Address	SBL#	Lot Size	Sq. Ft.	Price	Purchaser
1296 Clifford Av	106.35-1-74	46 x 118	5428	\$450	Chet Hamann
278 Emerson St	105.42-1-50	40 x 102	3953	\$425	Marie Drury/Cindy Shepardson
66 Scrantom St	106.38-1-63	40 x 128	5174	\$450	Edwin Rivera
99-101 Scrantom St	106.38-3-10.2	75 x 100	6560	\$475	Howard DaCosta

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
26-28 Farbridge St	091.71-4-40	35 x 117	4048	Rosa C. Laguer
206 Turpin St	091.66-3-30	35 x 96	3386	Pauline S. Smith
39 Weld St	106.73-1-4	34 x 141	5068	Florentino Zuniga Tovar

Section 3. The Council hereby approves the negotiated sale of the following parcel of unbuildable vacant land for the sum of \$50.00:

Address	SBL#	Lot Size	Sq. Ft.	Purchaser
4 Orange St	105.84-1-46	40 x 40	1600	David C Rucci

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 entry for the second property on the list of parcels of vacant land authorized in Ordinance No. 2017-294 to be sold to Charles Settlement House, Inc. or an affiliate is hereby revised to read as follows:

235 Whitney Street      105.74-2-29.001      77' x 253'      2,100

Section 6. This ordinance shall take effect immediately.

New text is underlined.

Passed by the following vote:

Ayes - President Scott, Councilmembers Clifford, Conklin, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 9.

Nays - None - 0.

**Attest**

*Aazel 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 **October 17, 2017** and **Approved** by the Mayor of the City of Rochester, and was deemed duly adopted on **October 18, 2017** in accordance with the applicable provisions of law.

Ordinance No. 2017-326

### **Amending the Zoning Map for 1715, 1727, 1735, 1741 and 1749 Lyell Avenue**

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 Map's classification of the following properties from C-2 Community Center District to M-1 Industrial District:

<b>Address</b>	<b>SBL #</b>
1715 Lyell Avenue	104.68-1-54
1727 Lyell Avenue	104.68-1-64
1735 Lyell Avenue	104.68-1-65
1741 Lyell Avenue	104.68-1-67
1749 Lyell Avenue	104.68-1-66.1

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

Section 2. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Scott, Councilmembers Clifford, Conklin, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 9.

Nays - None - 0.

**Attest**

A handwritten signature in blue ink, reading "Hazel Washington", is written over a horizontal line.

**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 **October 17, 2017** and **Approved** by the Mayor of the City of Rochester, and was deemed duly adopted on **October 18, 2017** in accordance with the applicable provisions of law.

Ordinance No. 2017-327

### **Authorizing an agreement to update and enhance a three dimensional model of Downtown Rochester**

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, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. to update and enhance a three dimensional (3D) model of Downtown Rochester and a segment of the Genesee Riverfront. The maximum compensation for the agreement shall be \$15,000 which shall be funded from 2016-17 Cash Capital. The term of the agreement shall be six months.

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

Section 3. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Scott, Councilmembers Clifford, Conklin, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 9.

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 **October 17, 2017** and **Approved** by the Mayor of the City of Rochester, and was deemed duly adopted on **October 18, 2017** in accordance with the applicable provisions of law.

Ordinance No. 2017-328

### **Amending Ordinance No. 2016-102 relating to the Lead Hazard Control Grant Program**

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

Section 1. Ordinance No. 2016-102 regarding the 2016 Lead Hazard Control Grant Program, is hereby amended in Section 2 thereof as follows to allow City staff to receive training under the terms of the agreement with Environmental Education Associates, Inc.:

Section 2. The Mayor is hereby authorized to enter into professional services agreements between the City and the following consultants for Program services to be funded from the appropriation made in Section 1.a:

- a. PathStone Corporation, 400 East Avenue, Rochester, NY 14607, for application intake in a maximum amount not to exceed \$42,000.
- b. Action for a Better Community, Incorporated, 550 East Main St., Rochester, NY 14604, for application intake in a maximum amount not to exceed \$44,957.
- c. Environmental Education Associates, Inc., 346 Austin St., Buffalo, NY 14207, for training of lead abatement contractors and City staff in a maximum amount not to exceed \$98,400.
- d. The Housing Council at PathStone, Inc., 75 College Avenue, Rochester, NY 14607, for lead hazard outreach and education in a maximum amount not to exceed \$39,340.

Section 2. This ordinance shall take effect immediately.

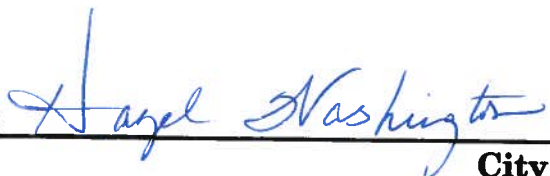
New text is underlined.

Passed by the following vote:

Ayes - President Scott, Councilmembers Clifford, Conklin, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 9.

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 **October 17, 2017** and **Approved** by the Mayor of the City of Rochester, and was deemed duly adopted on **October 18, 2017** in accordance with the applicable provisions of law.

Ordinance No. 2017-329

**Accepting the City's Draft Local Waterfront Revitalization Program amendment as complete and ready for 60-day regulatory review and authorizing submission of the accepted Local Waterfront Revitalization Program to the New York State Department of State**

WHEREAS, the City of Rochester Local Waterfront Revitalization Program (LWRP) was adopted in September 1990 and amended in March 2011; and

WHEREAS, the City of Rochester has prepared a Draft LWRP Amendment and amendments to the City's Waterfront Consistency Review Ordinance in cooperation with the New York State Department of State in accordance with the provisions of NYS Executive Law, Article 42; and

WHEREAS, the Draft LWRP Amendment and amendments to the City's Waterfront Consistency Review Ordinance have been prepared under the guidance of the City of Rochester Department of Neighborhood and Business Development, in coordination with the established Waterfront Advisory Committee; and

WHEREAS, the Mayor of the City of Rochester, as lead agency, determined that the proposed LWRP Amendment would not have a significant adverse environmental impact and filed a Negative Declaration Notice of Determination of No Significant Effect on the Environment in accordance with the requirements of the State Environmental Quality Review Act and Part 617 of the implementing regulations of Article 8 of the New York State Environmental Conservation Law; and

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 LWRP Amendment, inclusive of a Harbor Management Plan as complete and ready for public review and the Draft LWRP shall be submitted to the New York State Department of State for 60-day review by State, federal, regional agencies, and others pursuant to the provisions of Article 42 of the NYS Executive Law and the Law's implementing regulations at 19 NYCRR Parts 600-603 (hereinafter "60-day review period").

Section 2. If no substantial revisions are necessary to address comments received during the 60-day review period, the City of Rochester LWRP Amendment and Waterfront Consistency Review Ordinance is hereby adopted and authorized for submission to the New York State Secretary of State for approval, pursuant to the provisions of Article 42 of the NYS Executive Law and the Law's implementing regulations at 19 NYCRR Parts 600-603.

Section 3. The City of Rochester Manager of Planning in the Department of Neighborhood and Business Development, is authorized to work with the New York State Department of State to revise the draft LWRP Amendment as necessary to address non-substantial comments received during the 60-day review period.

Section 4. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Scott, Councilmembers Clifford, Conklin, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 9.

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 **October 17, 2017** and **Approved** by the Mayor of the City of Rochester, and was deemed duly adopted on **October 18, 2017** in accordance with the applicable provisions of law.

Ordinance No. 2017-330

### **Amending Chapter 112 of the Municipal Code to be consistent with the updated Local Waterfront Revitalization Program, as amended**

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

Section 1. Chapter 112 of the Municipal Code, Waterfront Consistency Review Ordinance, as amended, is hereby further amended to read in its entirety as follows:

#### **§ 112-1 Purpose.**

- A. The purpose of this chapter is to protect the public health, safety and general welfare in the City of Rochester by providing a framework for governmental agencies to review actions proposed within the boundaries of the City's Local Waterfront Revitalization Program (LWRP). This ~~homework~~framework will allow agencies to consider the policies and purposes contained in the City's LWRP when reviewing applications for actions or when directly approving, undertaking or funding agency actions located in the waterfront area. The framework will also ensure that such actions are consistent, to the maximum extent practicable, with said policies and purposes.
- B. It is the intention of the City of Rochester that the preservation, enhancement and utilization of the natural and manmade resources of the City's unique coastal areas take place in a coordinated and comprehensive manner, in order to ensure a proper balance between natural resource protection and the need to accommodate population growth and economic development. Accordingly, this chapter is intended to achieve such a balance by permitting the beneficial use of coastal resources while preventing loss of living estuarine resources and wildlife; diminution of open space areas or public access to the waterfront; erosion of shoreline; impairment of scenic

beauty; losses due to flooding, erosion and sedimentation; or permanent adverse changes to ecological systems.

**§ 112-2 Authority.**

This chapter is enacted under the authority of § 20 of the General City Law and the Waterfront Revitalization and Coastal Resources Act of the State of New York (Article 42 of the Executive Law).

**§ 112-3 Definitions.**

When used in this chapter, the following terms shall have the meanings ascribed to them:

**ACTION**

The same meaning as in § 48-4 of the Municipal Code (Environmental Review), but shall be limited to those activities that constitute an unlisted or Type I action, as defined in § 48-4.

**AGENCY**

Any governmental agency, including but not limited to the City Council, departments, offices, commissions, boards, agencies, officers or other bodies of the City of Rochester.

**COASTAL AREA**

The New York State coastal waters and adjacent shorelands, as defined in Article 42 of the Executive Law. The specific boundaries of the City's coastal area are shown on the Coastal Area Map on file in the office of the New York State Secretary of State and as delineated in the City of Rochester's Local Waterfront Revitalization Program (~~TASK I~~Section 1).

**COASTAL ASSESSMENT FORM (CAF)**

The form, contained in Appendix A, which shall be used by an agency to assist it in determining the consistency of an action with the City's LWRP.

**CONSISTENT TO THE MAXIMUM EXTENT PRACTICABLE**

That an action will not substantially hinder the achievement of any of the LWRP policy standards or conditions and, whenever practicable, will advance one or more of them.

**DIRECT ACTIONS**

An action planned and proposed for implementation by an agency itself, such as but not limited to a capital project or rulemaking, procedure-making or policy-making decisions or determinations.

**LOCAL WATERFRONT AREA (LWA)**

That portion of the New York State Coastal Area within the City of Rochester, as delineated in the City's LWRP (~~TASK I~~Section 1).

**LOCAL WATERFRONT REVITALIZATION PROGRAM (LWRP)**

The Local Waterfront Revitalization Program of the City of Rochester, as

approved by the New York State Secretary of State, pursuant to the Waterfront Revitalization and Coastal Resources Act (Executive Law, Article 42), a copy of which is on file in the office of the Clerk of the City of Rochester.

§ 112-4 Review of actions.

- A. Whenever a proposed action is located in the LWA, an agency shall, prior to approving, funding or undertaking the action, make a determination that it is consistent, to the maximum extent practicable, with the applicable LWRP policy standards and conditions set forth in § ~~112-5~~112-4G herein.
  - B. Whenever an agency receives an application for approval or funding of an action or as early as possible in the agency's undertaking of a direct action to be located in the LWA, the applicant or, in the case of a direct action, the agency shall prepare a coastal assessment form (CAF) to assist with the consistency review.
  - C. Prior to making its determination, the agency shall solicit and consider the recommendation of the Commissioner of the City of Rochester Department of Neighborhood and Business Development or his or her designee regarding the consistency of the proposed action by referring a copy of the completed CAF to the Commissioner within 10 days of its submission to or completion by the agency.]
  - D. After referral from an agency, the Commissioner shall consider whether the proposed action is consistent, to the maximum extent practicable, with the LWRP policy standards and conditions set forth in § ~~112-5~~112-4G herein. The Commissioner may require the applicant to submit all completed applications, ~~CAPs~~CAFs and any other information or documentation deemed to be necessary in order to make the consistency determination.
  - E. The Commissioner shall render his or her written recommendation to the agency within 10 working days following the submission by the applicant of the required information, unless extended by mutual agreement of the Commissioner and the applicant or, in the case of a direct action, the agency. The recommendation shall indicate whether, in the opinion of the Commissioner, the proposed action is consistent, to the maximum extent practicable, or inconsistent with one or more of the applicable LWRP policy standards or conditions. The recommendation shall state the manner and extent to which any inconsistency affects the LWRP policy standards and conditions.
- (1) The Commissioner shall, along with his or her consistency determination, make any suggestions to the agency concerning modification of the proposed action in order to make it consistent, to the maximum extent practicable, with the LWRP policy standards and conditions or to greater advance them.
  - (2) In the event that the Commissioner's recommendation is not forthcoming within the specified time, ~~the application shall be deemed to have received a~~

recommendation that it is consistent to the maximum extent practicable the agency shall make its consistency decision without the benefit of the Commissioner's recommendation.

- F. The agency shall make the determination of consistency based on the CAF, the recommendation of the Commissioner and such other information as is deemed to be necessary in its determination. The agency shall issue its determination within seven days of receipt of the Commissioner's recommendation.
- G. Actions to be undertaken within the LWA shall be evaluated for consistency in accordance with the following LWRP policy standards and conditions, which are derived from and further explained and described in ~~TASK III~~Section 3 of the City of Rochester's LWRP. The LWRP is on file in the City Clerk's office and is available for inspection during normal business hours. Agencies which undertake direct actions shall also consult with ~~Task IV~~Section 4, Uses and Projects, of the LWRP in making their consistency determination. The action shall be consistent with the policy to:
- (1) Revitalize and redevelop deteriorating or underutilized institutional, commercial, recreational and residential areas and uses (Policy 1, ~~1A, 1B, 1C, 1D, 1E, 1F, 1G~~ and sub-policies);
  - (2) Encourage the development of water-dependent uses near coastal waters (Policy 2, ~~2A~~ and sub-policies);
  - (3) Strengthen the economic base of smaller harbor areas (Policy 4 and sub-policies);
  - (~~34~~) Ensure that development occurs where adequate public infrastructure is available to reduce health and pollution hazards (Policy 5, ~~5A, 5B, 5C~~ and sub-policies);
  - (~~45~~) Streamline development permit procedures (Policy 6 and sub-policies);
  - (~~56~~) Protect significant and locally important fish and wildlife habitats from human disruption and chemical contamination (Policies 7, ~~7A, 7B, 7C~~ and 8 and the respective sub-policies);
  - (~~67~~) Maintain and expand commercial fishing facilities to promote commercial and recreational fishing opportunities (Policy 9, ~~9A, 9~~ and sub-policies);
  - (~~78~~) Minimize flooding and erosion hazards through nonstructural means, carefully selected, long-term structural measures and appropriate siting of structures (Policies 11, ~~11A, 11B, 12, 12A, 13, 13A, 14, 15 and 17, 17A~~ and the respective sub-policies);
  - (~~89~~) Safeguard economic, social and environmental interests in the coastal area when major actions are undertaken (Policy 18);

- (~~9~~10) Maintain and improve public access to the shoreline and to water-related recreational facilities while protecting the environment (Policies 19, ~~19A~~, ~~19B~~, ~~19C~~, ~~19D~~ and 20, ~~20A~~, ~~20B~~, ~~20C~~, ~~20D~~, ~~20E~~ and the respective sub-policies);
  - (~~10~~11) Encourage and facilitate water-dependent and water-enhanced recreational resources and facilities near coastal waters (Policy 21, ~~21A~~, ~~21B~~, ~~21C~~ and sub-policies);
  - (~~11~~12) Encourage the development of water-related recreational resources and facilities as multiple uses in appropriate locations within the shore zone (Policy 22, ~~22A~~, ~~22B~~ and sub-policies);
  - (~~12~~13) Protect and restore historic and archaeological resources (Policy 23, ~~23A~~, ~~23B~~, ~~23C~~ and sub-policies);
  - (~~13~~14) Protect and upgrade scenic resources (Policy 25, ~~25A~~, ~~25B~~, ~~25C~~ and sub-policies);
  - (15) Determine public need, compatibility of facilities with environment, and the facility's need for a shorefront location before constructing major energy facilities in the coastal area (Policy 27 and sub-policies);
  - (~~14~~16) Protect surface and ground waters from direct and indirect discharge of pollutants and from overuse (Policies 30, 31, ~~32~~, 33, 34, 36, 37, ~~and 38~~ and 40 and the respective sub-policies);
  - (~~15~~17) Perform dredging and dredge spoil disposal in a manner protective of natural resources (Policy 35);
  - (~~16~~18) Handle and dispose of hazardous wastes and effluents in a manner which will not adversely affect the environment nor expand existing landfills (Policy 39); ~~and~~
  - (19) Protect air quality in the coastal area (Policy 41); and
  - (~~17~~20) Protect tidal and freshwater wetlands (Policy 44).
- H. If the agency determines that the action would cause a substantial hindrance to the achievement of the LWRP policy standards and conditions, such action shall not be undertaken unless the agency determines with respect to the proposed action that:
- (1) No reasonable alternatives exist which would permit the action to be undertaken in a manner which would not substantially hinder the achievement of such LWRP policy standards and conditions or which would not hinder the overall implementation of the LWRP;

- (2) The proposed action and any required mitigation measures would be undertaken in a manner which would minimize all adverse effects on natural and man-made resources within the LWRP and would minimize the extent to which the implementation of LWRP policy standards and conditions are hindered; and
- (3) The action will result in a significant and overriding city, regional or statewide public benefit.
- I. Such a finding by the agency shall constitute a determination that the action is consistent to the maximum extent practicable.
- J. Each agency shall maintain a file for each action which was the subject of a consistency determination, including any recommendations received from the Commissioner. Such files shall be made available for public inspection upon request.

§ 112-5 (Reserved)

§ 112-6 Coordinated review required.

The agency and the Commissioner of Neighborhood and Business Development or a designee shall coordinate the consistency determination process required by this chapter with the environmental review process required by Chapter 48 of the Municipal Code.

§ 112-7 Severability.

The provisions of this chapter are severable. If any provision is found invalid, such finding shall not affect the validity of any part or provision hereof other than the provision so found to be invalid.

Section 2. This ordinance shall not take effect until after it has been submitted to and approved in writing by the New York State Department of State as part of the City's proposed amended Local Waterfront Revitalization Program in accordance with Article 42 of the NYS Executive Law and the Law's implementing regulations at 19 NYCRR Parts 600-603.

Strikeout indicates deleted text, new text is underlined.



Passed by the following vote:

Ayes - President Scott, Councilmembers Clifford, Conklin, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 9.

Nays - None - 0.

**Attest**

A handwritten signature in blue ink, reading "Hazel Washington", is written over a horizontal line.

**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 **October 17, 2017** and **Approved** by the Mayor of the City of Rochester, and was deemed duly adopted on **October 18, 2017** in accordance with the applicable provisions of law.

Ordinance No. 2017-331

### **Authorizing an amendatory agreement for training on the redesigned nuisance abatement 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 Strategic Community Intervention LLC for training to implement the redesigned nuisance abatement program. The amendments shall increase the maximum compensation of the existing agreement, which was last amended by Ordinance No. 2016-327, by \$28,000 to a total amount of \$186,875, and shall extend the existing agreement's term by 6 months. The amendatory agreement amount shall be funded from the 2017-18 Budget 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 by the following vote:

Ayes - President Scott, Councilmembers Clifford, Conklin, Haag, McFadden, Miller, Ortiz, Patterson, Spaul -9.

Nays - None - 0.

**Attest**

\_\_\_\_\_  
City Clerk

**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 **October 17, 2017** and **Approved** by the Mayor of the City of Rochester, and was deemed duly adopted on **October 18, 2017** in accordance with the applicable provisions of law.

Ordinance No. 2017-332

### **Authorizing agreements and appropriating funds for the West River Wall 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 Canal Corporation for the receipt and use of \$4,200,000 to fund a portion of the construction of Segment 1 of the West River Wall Project (Project) and said grant funds, or such amount as shall be available, are hereby appropriated for that purpose.

Section 2. The Mayor is hereby authorized to accept \$750,000 in anticipated reimbursements from the New York State Environmental Protection Fund's Local Waterfront Revitalization Program (LWRP) to fund portions of planning and design services for the Project and said LWRP funds, or such amount as shall be available, are hereby appropriated in the amounts of \$400,000 for final design services for Segment 1 and \$350,000 for planning and preliminary design services for Segment 2.

Section 3. The Mayor is hereby authorized to enter into a professional services agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. to provide planning, engineering and design services for Segments 1 and 2 of the Project. The agreement shall provide for a maximum compensation of \$1,500,000, which amount shall be funded in the sums of \$750,000 from the LWRP funds appropriated by Section 2 herein, \$400,000 in 2014-15 Cash Capital, and \$350,000 from the proceeds of a bond ordinance to be authorized for Segment 1 of the Project. The term of the agreement shall continue until 6 months after the guarantee inspection that follows the completion of the Project.

Section 4. The agreements authorized herein shall contain such other 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, Conklin, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 9.

Nays - None - 0.

Attest

A handwritten signature in blue ink, appearing to read "Hazel Washington", is written over a horizontal line.

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 **October 17, 2017** and **Approved** by the Mayor of the City of Rochester, and was deemed duly adopted on **October 18, 2017** in accordance with the applicable provisions of law.

Ordinance No. 2017-333

**Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$1,850,000 Bonds of said City to finance certain development costs of Phase I of the City's West River Wall Reconstruction 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 portion of the costs of development of Phase I of the City's West River Wall Reconstruction Project, including reconstruction of the flood control wall and ancillary amenities on the west side of the Genesee River from the Corn Hill Waterfront to the Ford Street Bridge (the "Project"). The estimated maximum cost of said class of objects or purposes of Phase I of the Project, including preliminary costs and costs incidental thereto and the financing thereof, is \$6,716,000. The plan of financing includes the issuance of \$1,850,000 bonds of the City, and said amount is hereby appropriated therefor, a \$4,200,000 grant from the NYS Canal Corporation appropriated in an accompanying ordinance, a \$400,000 grant from the NYS Environmental Protection Fund, Local Waterfront Revitalization Program appropriated in an accompanying ordinance, \$122,000 from the proceeds of a prior NYS Environmental Protection Fund, Local Waterfront Revitalization Program Grant (appropriated by Ordinance 2014-6), \$122,000 from 2016-2017 City Cash Capital (appropriated by Ordinance 2014-6) and \$22,000 from 2013-2014 Cash Capital (appropriated by Ordinance 2014-319) 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 \$1,850,000 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 \$1,850,000. 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. 3. of the Law, 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.

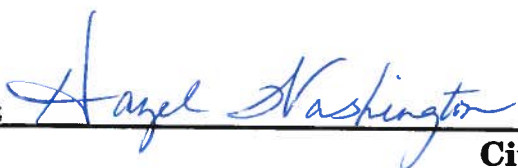
Section 8. This Ordinance shall take effect immediately, and the City Clerk is hereby authorized and directed to publish a summary of the foregoing Ordinance, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in "The Daily Record," a newspaper published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

Passed by the following vote:

Ayes - President Scott, Councilmembers Clifford, Conklin, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 9.

Nays - None - 0.

**Attest**

A handwritten signature in blue ink, reading "Hazel Washington", is written over a horizontal line.

**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 **October 17, 2017** and **Approved** by the Mayor of the City of Rochester, and was deemed duly adopted on **October 18, 2017** in accordance with the applicable provisions of law.

Ordinance No. 2017-334

### **Authorizing a grant agreement and appropriation for a Climate Smart Communities Priority Bicycle Boulevards 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 Environmental Conservation (NYSDEC) for the receipt and use of Climate Smart Communities program funds in the amount of \$150,000 and said funds are hereby appropriated to implement a Priority Bicycle Boulevards Project in furtherance of the City's Bicycle Boulevards Master Plan. The term of the agreement shall continue through the completion and NYSDEC's acceptance of 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 by the following vote:

Ayes - President Scott, Councilmembers Clifford, Conklin, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 9.

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 **October 17, 2017** and **Approved** by the Mayor of the City of Rochester, and was deemed duly adopted on **October 18, 2017** in accordance with the applicable provisions of law.

Ordinance No. 2017-335

**Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$218,000 Bonds of said City to finance costs of the Broad & Allen Firehouse Truck Bay Alterations**

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 truck bay alterations for the City's Broad & Allen Firehouse, including costs of enhancing the concrete slab floor and the apparatus bay openings (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 \$218,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$218,000 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 \$218,000 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 \$218,000. 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. 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.

Passed by the following vote:

Ayes - President Scott, Councilmembers Clifford, Conklin, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 9.

Nays - None - 0.

**Attest**

*Angel 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 **October 17, 2017** and **Approved** by the Mayor of the City of Rochester, and was deemed duly adopted on **October 18, 2017** in accordance with the applicable provisions of law.

**Ordinance No. 2017-336**

**Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$352,000 Bonds of said City to finance the costs of the Genesee Valley Park Sewage Pump Station Replacement 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 the Genesee Valley Park Sewage Pump Station Replacement Project, including design and construction of a new basin, two pumps, rails and associated controls (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 \$352,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$352,000 bonds of the City authorized herein 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 \$352,000 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 \$352,000. 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. 4. of the Law, 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 by the following vote:

Ayes - President Scott, Councilmembers Clifford, Conklin, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 9.

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 **October 17, 2017** and **Approved** by the Mayor of the City of Rochester, and was deemed duly adopted on **October 18, 2017** in accordance with the applicable provisions of law.

Ordinance No. 2017-337

### **Authorizing an agreement for development of a Climate Vulnerability Assessment**

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 Highland Planning, LLC for development of a Climate Vulnerability Assessment. The agreement shall provide for a maximum compensation of \$70,000, which amount, or so much thereof as is necessary, shall be funded in the amounts of \$35,000 from 2016-17 Cash Capital and \$35,000 from the New York State Department of Environmental Conservation's Climate Smart Communities program, which were appropriated for said purpose in Ordinance No. 2017-101. The term of the agreement shall be 2 years with the option to extend for up to one additional 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 Clifford, Conklin, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 9.

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 **October 17, 2017** and **Approved** by the Mayor of the City of Rochester, and was deemed duly adopted on **October 18, 2017** in accordance with the applicable provisions of law

Ordinance No. 2017-338

**Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$3,999,000 Bonds of said City to finance costs of the replacement of twelve solid waste collection vehicles**

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the costs of acquisition of eleven (11) sideload packers and one (1) stake body truck to be used in the City's solid waste collection system and to be garaged at 210 Colfax Street (the "Project"). The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$3,999,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$3,999,000 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 \$3,999,000 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 \$3,999,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.



Section 4. The period of probable usefulness of said class of objects or purposes described in Section 1 of this Ordinance, within the limitations of 11.00 a. 29. of the Law, is five (5) years.

Section 5. Each of the bonds authorized by this Ordinance and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the City, payable as to both principal and interest by an ad valorem tax upon all the taxable real property within the City without limitation as to rate or amount. The faith and credit of the City are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the City by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

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

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

- (a) such obligations are authorized for an object or purpose for which the City is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such Ordinance are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty (20) days after the date of such publication, or
- (c) such obligations are authorized in violation of the provisions of the Constitution.

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

Passed by the following vote:

Ayes - President Scott, Councilmembers Clifford, Conklin, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 9.

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 **October 17, 2017** and **Approved** by the Mayor of the City of Rochester, and was deemed duly adopted on **October 18, 2017** in accordance with the applicable provisions of law.

Ordinance No. 2017-339

### **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 into an agreement with the New York State Office of Children and Family Services for receipt and use of a grant award of \$431,600 and any additional future cost of living adjustments funds to operate the Flower City AmeriCorps program established by Ordinance No. 2015-343. The agreement shall have a term of 15 months commencing October 1, 2017 and continuing through December 31, 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, Conklin, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 9.

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 **October 17, 2017** and **Approved** by the Mayor of the City of Rochester, and was deemed duly adopted on **October 18, 2017** in accordance with the applicable provisions of law.

Ordinance No. 2017-340

### **Authorizing an agreement for an educational tracking management system for firefighters**

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 Ninth Brain, Inc. for the continued provision of a web-based software educational tracking system for training certification and to facilitate state mandated report generation for firefighters. The agreement shall have a term of one year, with up to four one-year renewal options.

Section 2. The maximum annual compensation for the first year of the agreement shall be \$12,710. For each subsequent year that the parties exercise a renewal option, the maximum annual compensation shall be as follows: year two: \$13,100; year three: \$13,500; year four: \$13,900; and year five: \$14,320. The first year of the agreement shall be funded from the 2017-18 Budget of the Fire Department and optional subsequent years, if any, shall be funded from future budgets of the Fire Department contingent upon approval.

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

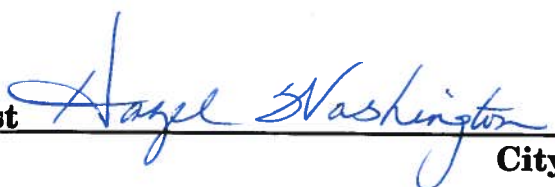
Section 4. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Scott, Councilmembers Clifford, Conklin, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 9.

Nays - None - 0.

**Attest**

A handwritten signature in blue ink, reading "Hazel Washington", is written over a horizontal line.

**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 **October 17, 2017** and **Approved** by the Mayor of the City of Rochester, and was deemed duly adopted on **October 18, 2017** in accordance with the applicable provisions of law.

Ordinance No. 2017-341

### **Authorizing an agreement for medical director consultation 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 University of Rochester Medical Center to provide emergency medical consultation services for the Rochester Fire Department. The agreement shall have a term of two years with one optional two-year renewal. The maximum annual compensation for the agreement shall be \$30,000. The agreement shall be funded from the 2017-18 Budget of the Fire Department for the first year and future Budgets of the Fire Department for subsequent years, contingent upon approval of future 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, Conklin, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 9.

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 **October 17, 2017** and **Approved** by the Mayor of the City of Rochester, and was deemed duly adopted on **October 18, 2017** in accordance with the applicable provisions of law.

Ordinance No. 2017-342

**Amending Ordinance No. 2017-316 and amending the 2017-18 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. 2017-316 regarding the Child Passenger Safety Program, is hereby amended in Sections 1 and 3 thereof as follows to increase the amount authorized and appropriated:

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~~2,400 in grant funds for the Child Passenger Safety Program. The term of the agreement shall be October 1, 2017 through September 30, 2018.

Section 3. Ordinance No. 2017-154, the 2017-18 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget for the Rochester Police Department by the sum of ~~\$900~~2,400, which amount is hereby appropriated from funds to be received under the grant agreement authorized herein.

Section 2. Ordinance No. 2017-154, the 2017-18 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Rochester Police Department by the sum of \$11,900, which amount is hereby appropriated from unspent grant funds appropriated in the 2016-17 Budget for the Police Department as shown below. Said funds shall be used for their original purpose.

<b>Grant</b>	<b>Amount to Carry Over</b>
Maddie's Fund	\$ 800
Motor Vehicle Theft and Insurance Fraud Prevention	5,100
2017 Stop DWI	<u>6,000</u>
<b>Total</b>	<b>\$11,900</b>

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, Conklin, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 9.

Nays - None - 0.

**Attest** *Ayze 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 **October 17, 2017** and **Approved** by the Mayor of the City of Rochester, and was deemed duly adopted on **October 18, 2017** in accordance with the applicable provisions of law.

**Ordinance No. 2017-343**

### **Accepting and appropriating a grant for fire prevention and safety education**

**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 Hartford Financial Services Group, Inc. for the receipt and use of a grant in the amount of \$10,000 to support and enhance the Rochester Fire Department's ongoing program to provide fire prevention and safety education to school-age children. The term of the agreement shall be from October 13, 2017 through October 12, 2018. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 2. Ordinance No. 2017-154, the 2017-18 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget of the Fire Department by the sum of \$10,000, which amount is hereby appropriated from funds to be received under the grant agreement authorized herein.

Section 3. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Scott, Councilmembers Clifford, Conklin, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 9.

Nays - None - 0.

**Attest**

*Hayel Washington*

**City Clerk**