

ROCHESTER CITY COUNCIL

REGULAR MEETING

October 13, 2020

Due to the social distancing and other health and safety measures necessary to slow the progress of the COVID-19 pandemic and in accordance with emergency Executive Orders issued by the Governor and Local Emergency Orders issued by the Mayor, the meeting was conducted via video conferencing on Zoom and streamed live for public viewing on the Internet via the Council's Facebook and YouTube pages and on City 12, the City's government access channel that is available to Spectrum Cable subscribers – Channel 1303.

Present –Vice President Lightfoot, Councilmembers Evans, Gruber, Harris, Lupien, Meléndez, Patterson, Peo – 8.

Vice President Lightfoot requested the Council to pause for a Moment of Silence.

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

**Special Recognition:**

Dr. William Bayer

**Retirement:**

**ECD:**

- \*Marjorie Clemson
- \*Philip Fedele
- \*Robert McElligott

**NBD:**

- \*Mary Kay Kenrick

**RFD:**

- \*Starr Vogt
- \*Jason Walter
- \*Henry Willard III

**RPD:**

- \*Margaret Atkinson
- \*Francis Di Primo II
- \*Anthony Fratta
- \*Joseph Morabito
- \*Fabian Rivera
- \*Michael Santana
- \*Lisa Trousie

**RPL:**

- \*Paula McKnight
- \*Paul Tantillo

*\*Not attending meeting*

**APPROVAL OF THE MINUTES**

By Councilmember Evans

RESOLVED, that the minutes of the Regular Meeting on September 15, 2020 and the minutes from the Special Meetings on September 18, 2020 and September 24, 2020 be approved as published in the official sheets of the Proceedings.

Adopted unanimously.

**THE CITY CLERK—THE FOLLOWING DOCUMENTS ARE HEREBY DIRECTED TO BE RECEIVED AND FILED:**

The Mayor submits the following:

Quarterly Report – Professional Service Agreements– June 30, 2020 – 4330-20  
Administrative Cancellation or Refund of Erroneous taxes – August 2020 – 4329-20

The Council submits Disclosure of Interest Forms from Vice President Lightfoot on Int. No. 370, Councilmember Meléndez on Int. No. 356 and Councilmember Patterson on Int. No. 370.

**THE COUNCIL PRESIDENT --- PRESENTATION AND REFERENCE OF PETITIONS AND OTHER COMMUNICATIONS.**

Councilmember Harris presented a petition with 49 signatures related to the Family Dollar on Genesee St. Petition No. 1772

**THE COUNCIL PRESIDENT --- RECEIVED AND FILED.**

**PUBLIC HEARINGS.**

Pursuant to law, public hearings were held on October 8, 2020 on the following matters:

Authorizing pavement width changes for the Preventive Maintenance Northwest Group 12 Improvement Project Int. No. 360  
No Comments

Amending the Official Map by abandoning the Theodore Street right-of-way that is south of Clifford Avenue Int. No. 363  
No Comments

**THE COUNCIL PRESIDENT --- INTRODUCTION OF AND ACTION UPON LOCAL LAWS, ORDINANCES AND RESOLUTIONS**

Councilmember Harris moved to refer Int. No. 372 to the Public Safety Youth and Recreation Committee.

Councilmember Gruber seconded the motion.

Motion passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

INTRODUCTORY NO. 372

Re: Agreement with WilmerHale to review critical RPD policies, procedures, and trainings

Transmitted herewith for your approval is legislation authorizing an agreement with Wilmer Cutler Pickering Hale and Dorr LLP (“WilmerHale”) for a team lead by Partner Danielle Conley, former Associate Deputy Attorney General with the U.S. Department of Justice, to conduct a deep-dive review of RPD policies, procedures, and training related to (1) use of force; (2) de-escalation of critical incidents; (3) body worn cameras; and (4) responding to mental health-related calls for assistance. WilmerHale will complete this review in approximately four months and will provide written findings and recommendations that the City may use to revise its law enforcement training, policies and procedures. There shall be a flat fee of \$250,000, which shall be paid from 2020-21 Federal Forfeiture funds.

The review to be conducted by WilmerHale will include interviews with both RPD personnel and community stakeholders to ensure that voice is given to a diversity of local concerns and perspectives. To further ensure community involvement, WilmerHale will interface with a committee comprised of two City Council representatives, two Administration representatives, and one representative each from the Commission on Racial and Structural Equity, the Police Accountability Board, and the United Christian Leadership Ministry.

Upon conclusion of the review, WilmerHale will make specific recommendations for change, including enhancements to RPD’s training program on uses of force, de-escalation, and responding to those experiencing mental health issues. These recommendations will guide the RPD in developing a training curriculum, schedule, and ongoing certification program for officers to acknowledge that they have completed the training, and for RPD to ensure that the training is effectively and regularly reinforced. The findings and recommendations of the WilmerHale review will also be used to inform the City’s comprehensive review of, and plan to improve, the RPD’s force deployments, strategies, policies, procedures, and practices as required by Governor Cuomo’s Executive Order No. 203.

Respectfully submitted,

Lovely A. Warren  
Mayor

Loretta C. Scott  
President

**Authorizing an agreement and funding to review critical policies, procedures and training requirements of the Rochester Police Department**

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

Section 1. Ordinance No. 2020-161, the 2020-21 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to Budget of the Police Department by the amount of \$250,000, which is hereby appropriated from Federal Forfeiture funds generated by the Rochester Police Department.

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with Wilmer Cutler Pickering Hale and Dorr LLP (“WilmerHale”) to review and provide written findings and recommendations with regard to Police Department policies, procedures and training relating to use of force, de-escalating critical incidents, body worn cameras, and responding to mental health-related calls for assistance. The term of the agreement shall be up to 6 months. The compensation for the agreement shall be \$250,000, which shall be funded from the Federal Forfeiture funds appropriated in Section 1 herein.

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

Section 4. This ordinance shall take effect immediately.

REFERRED TO PUBLIC SAFETY AND RECREATION COMMITTEE.

REPORTS OF STANDING COMMITTEES  
AND ACTION THEREON

By Councilmember Evans  
October 13, 2020

To the Council:

The **FINANCE COMMITTEE** recommends for **ADOPTION** the following entitled legislation:

- |              |   |
|--------------|---|
| Int. No. 352 | Adoption of record retention and disposition schedules  |
| Int. No. 367 | Resolution establishing the schedule for Council Committee meetings and Public Hearings during 2021 |
| Int. No. 368 | Resolution establishing the schedule for regular meetings of Council during 2021                    |
| Int. No. 369 | Authorizing a data protection agreement   |

Int. No. 370 Authorizing agreement for the “Walled Garden” Development Project

Int. No. 371 Authorizing an amendatory agreement for outside conflict counsel services relating to the independent investigation authorized by Ordinance No. 2020-283

Respectfully submitted,  
Malik Evans  
LaShay D. Harris  
Michael A. Patterson  
Willie J. Lightfoot  
Loretta C. Scott  
FINANCE COMMITTEE

Received, filed and published.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-304  
Re: Adoption of Records Retention and  
Disposition Schedule LGS-1

Transmitted herewith for your approval is legislation adopting the Retention and Disposition Schedule for New York Local Government Records (LGS-1) for use by the City of Rochester.

Presently, the City’s Records Management program retains and disposes records in accordance with the New York State Records Retention and Disposition Schedule MU-1, which was adopted by the City in Ordinance No. 89-118. The new LGS-1 retention and disposition schedule, promulgated by the New York State Archives pursuant to Article 57-A of the Arts and Cultural Affairs Law, replaces and supersedes the MU-1. The LGS-1 sets forth legal minimum retention periods for local government records. In some circumstances, the City may elect to retain certain records for a longer period based on an assessment that the records have sufficient administrative, fiscal, legal, or historical value to merit retention beyond the minimum period set forth in LGS-1.

Respectfully submitted,  
Lovely A. Warren  
Mayor

**Adoption of record retention and disposition schedules**

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

Section 1. The Retention and Disposition Schedule for New York Local Government Records (Schedule LGS-1), issued pursuant to Article 57-A of the Arts and Cultural Affairs Law, and containing legal minimum retention periods for local government records, is hereby adopted for use by all City officers and employees in legally disposing of valueless records listed therein.

Section 2. In accordance with Article 57-A:

- (a) only those records will be disposed of that are described in the Schedule LGS-1, after they have met the minimum retention periods described therein;
- (b) after the minimum retention period prescribed in Schedule LGS-1, only those records will be disposed of that do not have sufficient administrative, fiscal, legal, or historical value to merit retention beyond established legal minimum periods, as may be prescribed in rules or schedules issued by the Records Management Officer.

Section 2. The Schedule LGS-1 and any City record retention rules or schedules issued by the Records Management Officer shall be kept on file with the City Clerk.

Section 4. The Municipal Code of the City of Rochester, as amended, is hereby further amended by adding a new section to Chapter 18, Public Records, to read in its entirety as follows:

§ 18-4 Retention of records.

- A. In accordance with Article 57-A of the NYS Arts and Cultural Affairs Law, only those records will be disposed of that are described in the Retention and Disposition Schedule for New York Local Government Records (Schedule LGS-1), after they have met the minimum retention periods described therein.
- B. After the minimum retention period prescribed in Schedule LGS-1, only those records will be disposed of that do not have sufficient administrative, fiscal, legal, or historical value to merit retention beyond established legal minimum periods, as may be prescribed in rules or schedules issued by the City's Records Management Officer.
- C. The Schedule LGS-1 and any City record retention rules or schedules issued by the Records Management Officer shall be kept on file with the City Clerk.

Section 5. The Municipal Code of the City of Rochester, as amended, is hereby further amended in Chapter 39, Building Code, by modifying Subsection 39-205(B) to read in its entirety as follows:

- B. All records listed in Subsection A of this section shall be retained for at least the minimum time period so required by ~~the Records Retention and~~

~~Disposition Schedule MU-1 in Section 18.11 of 8 NYCRR (Appendix H)~~  
Municipal Code § 18-4, Retention of records.

Section 6. By its adoption herein, Schedule LGS-1 supersedes Schedule MU-1 as adopted in Ordinance No. 89-118.

Section 7. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Resolution No. 2020-31  
Resolution No. 2020-32  
Re: Resolution Establishing The Schedule  
For The Regular Council Meetings  
During 2021

Transmitted herewith for your approval is a resolution that establishes the 2021 City Council meeting schedule. The proposed schedule has been reviewed by Council staff and the Mayor's office in order to eliminate any potential conflicts with either civic or religious holidays. The number of scheduled regular meetings is the same as the current year.

In addition, although it is not formally part of this legislation, a detail of proposed dates is included as an attachment for Referrals, Agenda Review, and Council Committee Meetings for 2021.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Attachment No. AT-176

Resolution No. 2020-31  
(Int. No. 367)

**Resolution establishing the schedule for Council Committee meetings and Public Hearings during 2021**

WHEREAS, under Section 5-6 of the City Charter, the President of the City Council may determine that Public Hearings of the City Council shall be held on the same day as the meetings of regularly scheduled and standing Committees meetings;

WHEREAS, City Council adopted the current Rules of Council on January 2, 2020, by Resolution No. 2020-4; and

WHEREAS, Section VIII of those Rules scheduled Public Hearings to take place at the end of the last scheduled standing Council Committee meeting on the set dates for Council Committee

meetings for 2020 and required a Committee meeting schedule for 2021 to be established in a Resolution adopted during 2020.

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

Section 1. Public Hearings for 2021 will take place at 5:00 p.m., following the conclusion of the last of the scheduled standing Council Committee meetings, which are hereby scheduled for:

January 14  
February 11  
March 11  
April 8  
May 6  
June 10  
July 15  
August 12  
September 9  
October 7  
November 4  
December 9

Section 2. In addition to the regularly scheduled meetings, each standing Committee may also meet at the call of its Chair or of any other two members, upon reasonable notice to all committee members in accordance with Section XIX of the Rules of Council.

Section 3. In addition to the schedule set forth in Section 1, the President may also designate that a specific Public Hearing be held at a regular or special meeting of the Council or at a special meeting of a Council Committee by giving due notice to all Councilmembers in accordance with Section VIII of the Rules of Council.

Section 4. This resolution shall take effect immediately.

Adopted unanimously.

Resolution No. 2020-32  
(Int. No. 368)

**Resolution establishing the schedule for regular meetings of Council during 2021**

WHEREAS, City Council adopted the current Rules of Council on January 2, 2020, by Resolution No. 2020-4; and

WHEREAS, in Section I of those Rules, the Council established the dates for the regular Council meetings for 2020 and required the schedule of regular meeting for 2021 to be established in a Resolution adopted during 2020.

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

Section 1. The following shall be the schedule of regular meetings of the Council for 2021 to be held in the Council Chambers, City Hall, at 7:30 P.M.

January 19  
February 16  
March 16  
April 13  
May 11  
June 15  
July 20  
August 17  
September 14  
October 12  
November 9  
December 14

and also at such other times as the Council may specify by adjournment to a day certain. When the date for the regular meeting falls on a legal holiday, the meeting shall be held on the following day.

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-305

Re: Data Protection Agreement-Charter

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area:  
Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation authorizing a Data Protection Agreement with Spectrum Northeast, LLC. (“Charter”), the City’s cable franchisee. As required by the franchise agreement between the City and Charter’s predecessor entity, Charter is required to provide the City with maps of all facilities they have and will install in the City right-of-way (“ROW”). In the course of submitting this information, Charter raised a concern about how the data they submit will be maintained and protected by the City. Staff from IT and DES have developed procedures for managing the data received and those procedures have been described in the Data Protection Agreement. We recognize that parties with facilities in our ROW will be reluctant to provide us with the information that we need for management of the ROW, unless we can assure them that we have a process that will protect the information from release to the public or even from use by other City staff, for purposes other than ROW management. The term of the Agreement will be indefinite, so long as the City maintains Charter’s data.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Ordinance No. 2020-305  
(Int. No. 369)

### **Authorizing a data protection agreement**

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 Spectrum Northeast, LLC, known as Charter (“Charter”), to protect from unnecessary disclosure or use the maps, specifications and other data that Charter provides to the City concerning the cables and related facilities that have or will be installed in the City right-of-way pursuant to Charter’s cable franchise agreement with the City. The term of the agreement shall continue for so long as the City possesses such maps, specifications and other data.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-306

Re: Fiscal Sponsorship – Rochester Economic  
Development Corporation – “Walled Garden”  
Development Project

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area:  
Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation related to the implementation of a “Walled Garden” Development Project for the City of Rochester (the Project). This legislation will:

Authorize the Mayor to enter into a fiscal sponsorship agreement with Rochester Economic Development Corporation (REDCO) to use a \$180,000 grant from JP Morgan Chase & Co. (JPMC Bank) to enhance and expand the Project. Under the agreement, REDCO will administer the funding of the City’s implementation of the Project in return for a finance and management charge of 3% of the grant.

The grant from JPMC Bank is intended to expand the utilization of the redeveloped SourceLink Pro® Customer Relationship Management (CRM) platform and thereby benefit the Project in at least a two ways by: 1) allowing participating entrepreneur support organizations (ESOs) to utilize the feature-rich CRM platform to make data-driven decisions; and 2) for the first time, enabling the participants to provide detailed reporting on verified entrepreneurship economic impact goals at local and regional levels. This investment will create a more inclusive ecosystem possible where entrepreneurs from all cultural communities can succeed.

The Project is a continuation of the work spearheaded by the Office of Community Wealth Building (OCWB) with SourceLink and key ESO partners, also funded by JPMC and Living Cities grants.

Last month, OCWB publicly launched the software products under the regional brand *Nexus i90: Entrepreneurial Ecosystem Solutions* (nexusi90.org). This was the culmination of a phased implementation agenda that began in January. The “Walled Garden” would strengthen the foundation of our community-based economic development strategy. The initial subscription paid for ten 3-year licenses. The Project will broaden access to the CRM platform and deepen regional collaboration and reporting.

Our goals include a) increasing the number of ESOs able to access the platform as a central data repository, b) leveraging these activities to grow our active ESO listing from 31 to 75, and c) assisting at least 50 ESOs to subscribe to the SourceLink Pro® platform within a year of Project completion. The shared data can be used by our ESO network to apply for additional resources in support of targeted programs and additional enhancements. The ultimate anticipated outcome is to establish clear support pathways for entrepreneurs seeking to start, sustain, and grow their businesses.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Ordinance No. 2020-306  
(Int. No. 370)

### **Authorizing agreement for the “Walled Garden” Development Project**

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

Section 1. The Mayor is hereby authorized to enter into a fiscal sponsorship agreement with Rochester Economic Development Corporation (REDCO) to use a \$180,000 grant from JP Morgan Chase & Co. (JPMC Bank) to enhance and expand the “Walled Garden” Development Project (the Project). Under the agreement, REDCO shall administer the funding of the City’s implementation of the Project in return for a finance and management charge of 3% of the bank’s grant. The agreement shall have a term of 1 year with the option to extend the term by up to 1 additional year upon the mutual consent of the parties.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2020-307  
Re: Amendatory Agreement with Morrison &  
Foerster LLP for Conflict Counsel services  
relating to the Independent Investigation  
authorized by Ordinance No. 2020-283

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with Morrison & Foerster LLP, New York, NY (partner: Carrie Cohen) to continue to provide conflict counsel in the context of the independent investigation being conducted by Emery, Celli, Brinkerhoff, Abady, Ward & Maazel LLP (“Emery Celli”) pursuant to Ordinance 2020-283 (“Celli Investigation”). The amendment would increase the maximum compensation by \$75,000, which will be funded from the 2020-21 Budget of Undistributed Expenses.

The Celli Investigation is focusing on the City’s communications, processes, and procedures that took place related to the death of Daniel Prude in police custody. Typically, pursuant to Article 9 of the City Charter, the Corporation Counsel attends to all the legal business of the City, and would, through the Law Department, work in concert with Emery, Celli to represent the City and its employees in the context of the independent investigation. Here, however, the Corporation Counsel has determined that a conflict exists due to the fact that the Law Department is defending the City against a lawsuit brought by the Prude Estate, and because of the Corporation Counsel’s role under the City Code as FOIL Appeals Officer.

The Law Department, therefore, retained Morrison & Foerster to act as outside conflict counsel in relation to the Celli Investigation. Morrison & Foerster was selected based upon the firm’s prowess in the area of internal investigations, and only after evaluating a number of local firms as well as firms or attorneys practicing in the Capital and New York City regions. The Law Department’s initial PSA with Morrison & Foerster was limited to \$10,000 and engaged the firm for the limited purposes of negotiating with Emery, Celli concerning the scope of the investigation, the procedures to be employed during the investigation, and the manner in which testimony would be taken. Now that documents have been produced in the Celli Investigation and individual City employees are being subpoenaed for testimony, the Law Department seeks to engage Morrison & Foerster to continue to provide representation to the Administration and to individual employees during the course of the investigation and, for that reason, seeks to increase the fee payable from \$10,000 to \$85,000.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Ordinance No. 2020-307  
(Int. No. 371)

**Authorizing an amendatory agreement for outside conflict counsel services relating to the independent investigation authorized by Ordinance No. 2020-283**

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 Morrison & Foerster LLP to continue to provide legal services as outside conflict counsel with regard to the independent investigation being conducted pursuant to Ordinance No. 2020-283 (the Investigation). The amendatory agreement shall amend the existing agreement to increase the maximum compensation by \$75,000 to a new total of \$85,000 and to extend the term of the agreement to the completion of the Investigation. The amendatory compensation shall be funded from the 2020-21 Budget of Undistributed Expenses.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Patterson  
October 13, 2020

To the Council:

The **NEIGHBORHOOD & BUSINESS DEVELOPMENT COMMITTEE** recommends for **ADOPTION** the following entitled legislation:

- Int. No. 353 Resolution approving appointments to the Zoning Board of Appeals, **as amended**
- Int. No. 354 Resolution approving appointments to the City Planning Commission
- Int. No. 355 Approving appointments to the Rochester Preservation Board, **as amended**
- Int. No. 356 Authorizing agreement and funding for the Cities RISE program

Respectfully submitted,  
Michael A. Patterson  
Mary Lupien  
Miguel Meléndez  
Willie J. Lightfoot  
Loretta C. Scott  
NEIGHBORHOOD & BUSINESS DEVELOPMENT COMMITTEE

Received, filed, and published

TO THE COUNCIL  
Ladies and Gentlemen:

Resolution No. 2020-33  
Re: Appointments – Zoning Board of Appeals

Transmitted herewith for your approval is legislation confirming the appointment of two full-time members to the Zoning Board of Appeals and reappointing 5 full time members. The current terms of the reappointments expired on May 31, 2020; therefore the new, two-year terms will expire on May 31, 2022. The two new appointments terms will expire May 31, 2022.

New full-time members:

<u>Name</u>	<u>Address</u>
Holly Wheeler	138 Merwin Ave, 14609 (East)

Matt Bain

64 Albemarle Street, 14613 (NW)

Reappointments:

<u>Name</u>	<u>District</u>
Tyrese Bryant	South
Cora Murphy	NW
David Carr	NE
James Best	NE
Laureen Jennings	East

Alternates:

<u>Name</u>	<u>District</u>
Joseph O'Donnell	NE

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

Respectfully submitted,  
Lovely A. Warren  
Mayor

Resolution No. 2020-33  
(Int. No. 353, as amended)

**Resolution approving appointments to the Zoning Board of Appeals**

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

Section 1. The Council hereby approves the appointment of the following individuals to the Zoning Board of Appeals, each as a new regular member for a term which shall expire on May 31, 2022:

<b>Name</b>	<b>Address (Counsel District)</b>
Holly Wheeler	138 Merwin Ave, 14609 (East)
Matt Bain	64 Albemarle <u>Street</u> , 14613 (Northwest)

Section 2. The Council hereby approves the re-appointment of the following individuals to the Zoning Board of Appeals, each as a regular member for a term which shall expire on May 31, 2022:

<b>Name</b>	<b>Council District</b>
James Best	Northeast
Cora Murphy	Northwest
Tyrese Bryant	South
David Carr	Northeast
Laureen Jennings	East

Section 3. The Council hereby approves the appointment of the following individual to the Zoning Board of Appeals, as an alternate member for a term which shall expire on May 31, 2022:

<b>Name</b>	<b>Address (Council District)</b>
Joseph O'Donnell	150 Versailles Rd, 14621 (Northeast)

Section 4. This resolution shall take effect immediately.

New text is underlined.

Adopted unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Resolution No. 2020-34  
Re: Appointments – City Planning  
Commission

Transmitted herewith for your approval is legislation confirming the appointment of two full-time members to the City Planning Commission and reappointing 5 full time members. The current terms of the reappointments expired on May 31, 2020; therefore the new, two-year terms will expire on May 31, 2022. The two new appointments terms will expire May 31, 2022.

New full-time members:

<u>Name</u>	<u>Address</u>
Markeba Williams	599 West Main St, 14608 (South)
Kimberly Harding	150 Elmcroft Road, Rochester 14609 (East)

Reappointments:

<u>Name</u>	<u>District</u>
David Watson	South
Eugenio Marlin	NW
Bradley J. Flowers	South
Milton Pichardo	NE
Kaeri Carroll	East

Alternates:

<u>Name</u>	<u>District</u>
Steven V. Rebholz	East
Richard Mauser	East

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

Respectfully submitted,  
Lovely A. Warren  
Mayor

Resolution No. 2020-34  
(Int. No. 354)

**Resolution approving appointments to the City Planning Commission**

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

Section 1. The Council hereby approves the appointment to the City Planning Commission of the following persons as regular members for a term that shall expire May 31, 2022:

<b>Name</b>	<b>Address (Council District)</b>
Markeba Williams	599 West Main St, 14608 (South)
Kimberly Harding	150 Elmcroft Road, 14609 (East)

Section 2. The Council hereby approves the re-appointments to the City Planning Commission of the following persons as regular members, each for a two-year term that shall expire May 31, 2022:

<b>Name</b>	<b>Address (Council District)</b>
David Watson	South
Eugenio Marlin	NW
Bradley J. Flowers	South
Milton Pichardo	NE
Kaeri Carroll	East

Section 3. The Council hereby approves the re-appointments to the City Planning Commission of the following persons as alternate members, each for a two-year term that shall expire May 31, 2022:

<b>Name</b>	<b>Address (Council District)</b>
Steven V. Rebholz	East
Richard Mauser	East

Section 4. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Resolution No. 2020-35  
Re: Appointments – Preservation Board

Transmitted herewith for your approval is legislation confirming the appointment of three full-time members and one alternate to the Preservation Board and reappointing 4 full time members. The current terms of the reappointments expired on May 31, 2020; therefore the new, two-year terms will expire on May 31, 2022. The two new appointments terms will expire May 31, 2022.

New full-time members:

<u>Name</u>	<u>Affiliation</u>
Karsten Solberg	Architect (moved up from alternate list)

Kijana Crawford  
~~Isaac Bracher~~

Susan B. Anthony Preservation District resident  
~~Architect~~

Reappointments:

<u>Name</u>	<u>Affiliation</u>
Christopher Carretta	Real estate professional
Deborah Beardslee	At-large City resident
James DeVinney	Historical Association
Dave Matthews	Architect
<u>Gerald Gamm</u>	<u>Preservation District resident</u>

Alternates:

Edward Cain	East Avenue Preservation District resident
Jason Dobbs	Architect
<u>Isaac Bracher</u>	<u>Architect</u>

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

Respectfully submitted,  
Lovely A. Warren  
Mayor

Resolution No. 2020-35  
(Int. No. 355, as amended)

**Approving appointments to the Rochester Preservation Board**

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

Section 1. The Council hereby approves the appointment to the Rochester Preservation Board of the following persons as regular members, for a term which shall expire on May 31, 2022:

<b>Name</b>	<b>Affiliation</b>
Karsten Solberg	Architect
Kijana Crawford	Preservation District Resident
<del>Isaac Bracher</del>	<del>Architect</del>

Section 2. The Council hereby approves the re-appointment to the Rochester Preservation Board of the following persons as regular members, for a term which shall expire on May 31, 2022:

<b>Name</b>	<b>Affiliation</b>
Christopher Carretta	Realtor
Deborah Beardslee	At-large City resident
James DeVinney	Historic association
Dave Matthews	Architect
<u>Gerald Gamm</u>	<u>Preservation District Resident</u>

Section 3. The Council hereby approves the appointment to the Rochester Preservation Board of the following persons as alternate members, for a term which shall expire on May 31, 2022:

<b>Name</b>	<b>Affiliation</b>
Edward Cain	Preservation District Resident
Jason Dobbs	Architect
<u>Isaac Bracher</u>	<u>Architect</u>

Section 4. This resolution shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Adopted unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-308  
Re: Agreements- Cities RISE Grant,  
Additional Outreach Funding

Council Priority: Rebuilding and Strengthening  
Neighborhoods, Jobs and Economic Development

Transmitted herewith for your approval is legislation related to the Cities RISE grant, which is funded by the NYS Attorney General, and administered by Enterprise Community Partners. The grant supports several ongoing initiatives aimed at enhancing the City's code enforcement operations, and fostering equitable housing access. The City was recently awarded additional funding to support outreach to vulnerable tenants and landlords to prevent eviction and foreclosure related to the COVID-19 pandemic. This legislation will:

1. Authorize an amendatory grant agreement with Enterprise Community Partners, for the receipt and use of additional Cities RISE program grant funding. The amendatory agreement shall increase the amount of the grant agreement, which was authorized in Ordinance Nos. 2018-389 and 2020-33, by \$10,652.61, from \$950,000.00 to \$960,652.61. All other terms will remain the same.
2. Authorize \$10,652.61 as maximum compensation for an agreement with The Housing Council at PathStone, Inc. (Mary Leo, Executive Director, 75 College Ave, 4th Floor, 14607) to conduct an outreach campaign aimed at preventing eviction and foreclosure related to the COVID-19 pandemic. The term of the agreement will be for 6 months with an option to extend for an additional 6 months.

Enterprise is required to deploy the additional funding to Rochester by the end of October, or risk it being recaptured by the NYS Attorney General. There is also urgency to deploy this outreach campaign due to the expiration of the NYS eviction moratorium on October 1st and local courts now accepting new cases. The Housing Council will serve as lead agency overseeing the outreach campaign and proposes to subcontract with The Cause Collaborative, a local MWBE media firm that specializes in outreach and marketing for non-profits. The Housing Council will work with City and partner agency representatives to distill the most up-to-date information on local resources aimed at helping tenants and landlords mitigate eviction risk and foreclosure. They will also

integrate the outreach campaign with their existing services for tenants and landlords, including the long running Housing Hotline. The Cause Collaborative will develop the media content, advise on media strategy, and coordinate advertisement placement.

The outreach campaign will feature a three pronged approach. First, the contractor will print and distribute a well-designed hard-stock resources card with information on resources for eviction and foreclosure prevention. This will be direct mailed to small and vulnerable landlords, based on characteristics identified in the COVID-19 Landlord Survey deployed in partnership with Harvard. It will also be direct mailed to the tenants residing in the units in their properties. The card will also be hand delivered to landlords and tenants by City Code Enforcement Officers during the course of their inspection activities. The contractor will also produce a radio advertisement sharing the same information to play on local stations that cater to the Black and Latinx listener populations respectively. Finally, the contractor will design and deploy a social media campaign including purchasing targeted advertisements, sharing the same information as above.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Attachment No. AT-177

Ordinance No. 2020-308  
(Int. No. 356)

### **Authorizing agreement and funding for the Cities RISE 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 grant agreement with Enterprise Community Partners, Inc. for the receipt and use of additional Cities RISE program grant funding. The amendatory agreement shall increase the amount of the grant agreement, which was authorized in Ordinance Nos. 2018-389 and 2020-33, by \$10,652.61, to a new total of \$960,652.61. The term of the amendatory agreement shall not exceed three years.

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with The Housing Council at Pathstone, Inc. to conduct an outreach campaign to prevent evictions and foreclosures arising from the COVID-19 pandemic. The maximum compensation for the agreement shall be \$10,652.61, which amount is hereby appropriated for that purpose from the amendatory grant agreement funds authorized in Section 1 herein. The term of the agreement shall be 6 months with an option to extend for up to 6 months.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Gruber  
October 13, 2020

To the Council:

The **PARKS & PUBLIC WORKS COMMITTEE** recommends for **ADOPTION** the following entitled legislation:

- Int. No. 357 Authorizing Architectural Professional Services Term Agreements
- Int. No. 358 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$649,000 Bonds of said City to finance the 965 Maple Street Roof Replacement Project
- Int. No. 359 Authorizing agreement for the 965 Maple Street Roof Replacement Project
- Int. No. 361 Authorizing agreements and appropriating funds for the Pont de Rennes Bridge and Brown's Race Rehabilitation Project
- Int. No. 362 Authorizing the implementation and funding in the first instance of the State-aid Program eligible costs of a capital project and appropriating funds therefor

The **PARKS & PUBLIC WORKS COMMITTEE** recommends for **CONSIDERATION** the following entitled legislation:

- Int. No. 360 Authorizing pavement width changes for the Preventive Maintenance Northwest Group 12 Improvement Project
- Int. No. 363 Amending the Official Map by abandoning the Theodore Street right-of-way that is south of Clifford Avenue, **as amended**

Respectfully submitted,  
Mitch Gruber  
Malik Evans  
Jose Peo  
Willie J. Lightfoot  
Loretta C. Scott  
PARKS & PUBLIC WORKS COMMITTEE

Received filed and published.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-309  
Re: Architectural Professional Services  
Term Agreements

Council Priority: Creating and Sustaining  
a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area:  
Sustaining Green and Active Systems

Transmitted herewith for your approval is legislation authorizing agreements with the following companies for the provision of various services related to architectural professional services. This legislation will authorize six (6) separate Professional Service Term Agreements with the following companies:

1. Architectura, P.C. (Jennifer Takatch, AIA, C.E.O, 17 Pitkin Street, Suite 100, Rochester, NY)
2. Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. (Pietro V. Giovenco, C.E.O., 280 East Broad Street, Suite 200, Rochester, NY)
3. HBT Architects LLP (James Tripp, AIA, C.E.O, 2 Elton Street, Rochester, NY)
4. The Pardi Partnership Architects, P.C. (Scott L. Fiske, C.E.O, 25 Circle Street, Suite 101, Rochester, NY)
5. Passero Associates, Engineering, Architecture & Surveying, D.P.C (Andrew M. Holesko, CM, C.E.O., 242 West Main Street, Suite 100, Rochester, NY)
6. Richard A. Mauser, R.A., dba RAM Architects or Richard A. Mauser Architects (91 Pinnacle Road, Rochester, NY)

The agreements will be financed from the annual budgets of the Department of Environmental Services and, if necessary from capital funds appropriated for specific projects. The cost for services will be provided utilizing pre-specified billing rates within the agreements. The agreements will have a term of three (3) years with the option to renew for two (2) additional years.

The companies listed above were selected through a request for qualifications (RFQ) process described in the attached summary. Engagement of each company will be based on project specific proposals, type of services required, and the ability to perform the services within the time specified by the City.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Attachment No. AT-178

Ordinance No. 2020-309  
(Int. No. 357)

**Authorizing Architectural Professional Services Term Agreements**

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

Section 1. The Mayor is hereby authorized to enter into professional services agreements with the following companies for the provision of various services related to architectural professional services:

Architectura, P.C.

Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C.

HBT Architects LLP

The Pardi Partnership Architects, P.C.

Passero Associates, Engineering, Architecture & Surveying, D.P.C.

Richard A. Mauser, R.A., dba RAM Architects or Richard Alfred Mauser Architects

Section 2. The agreements shall be funded from the annual budgets of the Department of Environmental Services and, if necessary, from capital funds appropriated for specific projects. The cost for services shall be based on billing rates pre-specified within each agreement. Each agreement shall have a term of 3 years with the option to renew for up to two additional years.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-310

Ordinance No. 2020-311

Re: 965 Maple Street Roof Replacement

Council Priority: Creating and Sustaining  
a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area:  
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to 965 Maple Street Roof Replacement project. This legislation will:

- 1) Authorize the issuance of bonds totaling \$649,000 and the appropriation of the proceeds thereof to finance design and construction of the project; and,
- 2) Establish \$85,000 as maximum compensation for a professional services agreement with Lothrop Associates LLP, (John Cutsumpas, AIA, CEO, 510 Clinton Square, Rochester, NY) for design phase and construction administration services to be funded with bonds appropriated herein.

The project includes replacement of the roof, and related electrical, mechanical, and plumbing alterations as necessary. The 23,630 square foot building houses DES Parks Operations.

Lothrop Associates LLP was selected for design services through a Request for Proposal (RFP) process which is described in the attached summary. The term of the agreement shall extend until three (3) months after the two-year guarantee inspection of the project.

Design phase services will begin in fall 2020. Construction is anticipated to begin spring 2021 with anticipated substantial completion in fall 2021. The project will result in the creation and/or retention of the equivalent of 7.0 full-time jobs.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Attachment No. AT-179

Ordinance No. 2020-310  
(Int. No. 358)

**Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$649,000 Bonds of said City to finance the 965 Maple Street Roof 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 replacing the roof, and related electrical, mechanical and plumbing alterations, for the Parks Operations building located at 965 Maple 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 \$649,000. The plan of financing includes the issuance of \$649,000 bonds which are hereby appropriated therefor, 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 \$649,000 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 \$649,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said class of objects or purposes described in Section 1 of this Ordinance, within the limitations of 11.00.a.12(a)(1) of the Law, is twenty-five (25) years.

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

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

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

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

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

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

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

Passed unanimously.

Ordinance No. 2020-311  
(Int. No. 359)

**Authorizing agreement for the 965 Maple Street Roof Replacement Project**

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with Lothrop Associates LLP to provide design phase and construction administration services for the 965 Maple Street Roof Replacement Project (Project). The maximum compensation for the agreement shall be \$85,000, which shall be funded from the proceeds of bonds appropriated for the Project in a concurrent ordinance. The term of the agreement shall continue until three months after completion of the two-year guarantee inspection of the Project.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Re: Ordinance No. 2020-312  
Preventive Maintenance Northwest  
Group 12 - Driving Park  
(Ramona Street to Dewey Avenue),  
Emerson Street (Mt. Read Boulevard  
to Sherman Street), Jay Street  
(Mt. Read Boulevard to At-Grade Railroad Crossing)

Council Priority: Jobs and Economic  
Development

Comprehensive Plan 2034 Initiative Area:  
Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation related to the Preventive Maintenance Northwest Group 12 Improvement Project. This legislation will authorize changes in pavement width as follow:

- 1) On Driving Park Avenue:
  - a) A decrease in pavement width of 6 feet, from 37 feet to 31 feet, beginning 55 feet east of Lark Street and continuing west to Lark Street.
- 2) On Emerson Street:
  - a) A tapered variable decrease in pavement width of 0 feet to 8 feet, from 44 feet to 36 feet, beginning 220 feet west of Norman Street and continuing 145 feet east; and,

- b) A decrease in pavement width of 8 feet, from 44 feet to 36 feet, beginning 75 feet west of Norman Street and continuing east to Norman Street; and,
- c) A tapered variable decrease in pavement width of 0 feet to 6 feet, from 44 feet to 38 feet, beginning 164 feet east of Norman St and continuing west to Norman Street.

This is a Federal Aid Project that is administered by the City under agreement with the New York State Department of Transportation (NYSDOT).

No additional right-of-way is required to accommodate the pavement width changes.

This project includes milling and resurfacing of the pavement, spot curb replacements, installation or upgrade of sidewalk curb ramps, adjustment and repair of manholes, receiving basins, and water valve castings, and replacement of traffic pavement markings. Additional enhancements include new bike lanes, curb bump-outs, new left turn lanes on Emerson Street at Glide Street and an evaluation for converting the signalized intersection of Jay Street and Glide Street to a four-way stop. These improvements will enhance the surface drainage and riding quality of the roadway, improve accessibility for all users, and expand the useful life of the pavement structure.

The project is being designed by Joseph C. Lu Engineering, P.C. (Cletus O. Ezenwa, P.E., CEO, 339 East Avenue, Suite 200, Rochester, NY), as authorized in August 2019 (Ordinance No. 2019-258).

A public informational meeting was held on August 28, 2020. A copy of the minutes of this meeting are attached. The pavement width changes required for the project will be presented to the Traffic Control Board on September 2, 2020.

Design phase services are anticipated to be completed in fall/winter 2020. Construction is anticipated to begin in early 2021 with substantial completion by fall 2021.

A public hearing on the pavement width changes is required.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Attachment No. AT-180

Ordinance No. 2020-312  
(Int. No. 360)

### **Authorizing pavement width changes for the Preventive Maintenance Northwest Group 12 Improvement Project**

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

Section 1. Council hereby approves the following pavement width changes for the Preventive Maintenance Northwest Group 12 Improvement Project (the Project):

1. On Driving Park Avenue:
  - a. A decrease in pavement width of 6 feet, from 37 feet to 31 feet, beginning 55 feet east of Lark Street and continuing westward to Lark Street.

2. On Emerson Street:

- a. A tapered variable decrease in pavement width of 0 feet to 8 feet, from 44 feet to 36 feet, beginning 220 feet west of Norman Street and continuing 145 feet eastward; and
- b. A decrease in pavement width of 8 feet, from 44 feet to 36 feet, beginning 75 feet west of Norman Street and continuing eastward to Norman Street; and
- c. A tapered variable decrease in pavement width of 0 feet to 6 feet, from 44 feet to 38 feet, beginning 164 feet east of Norman Street and continuing westward to Norman Street.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-313

Resolution No. 2020-36

Re: Agreement – Labella Associates, D.P.C.  
Pont de Rennes Bridge and Brown's  
Race Rehabilitation Project

Council Priority: Creating & Sustaining  
a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area:  
Fostering Prosperity and Opportunity

Transmitted herewith for your approval is legislation related to the Pont de Rennes Bridge and Browns Race Rehabilitation Project. The legislation will:

1. Authorize the Mayor to enter into an agreement with New York State Department of Transportation (NYSDOT) to participate in and administer the project; and,
2. Appropriate \$576,000 in anticipated reimbursements from ROC the Riverway / Upstate Revitalization Initiative funding administered by the New York State Department of Transportation (NYSDOT) to finance the engineering and design of the project; and,
3. Establish \$1,177,000 as maximum compensation for an agreement with Labella Associates, D.P.C. (Steven Metzger, C.E.O., 300 State Street, Rochester, NY) for comprehensive bridge inspection, design, and construction administration services related to the project. The term of the agreement shall extend until three (3) months after the completion of the two-year guarantee inspection of the project; and,
4. Approve a resolution, in a form that is required by the New York State Department of Transportation (NYSDOT), committing the City to pay for the State-funded portion of the Project in the first instance before seeking reimbursement from the State, and, if

applicable, commit the City Council to meet promptly to consider appropriating money to make up any cost overruns.

The project includes significant structural repairs to protect the historic asset of Pont de Rennes Bridge and to ensure its safety and viability for generations to come. In addition to the needed structural repairs, the City will create a more dynamic public space on the bridge with creative lighting, public art, plantings, and trail connections to enhance the visitor experience. Brown's Race street improvements includes replacing underdrain systems, removal and resetting of pavers, bollard and light fixture replacements, and site amenity upgrades. The limits of the Brown's Race street improvements are from Platt Street to Furnace Street. Both projects are being progressed under the same contract to utilize efficiencies during the design and construction phases.

The project is partially funded with \$4,000,000 in ROC the Riverway funds awarded by the Honorable Governor Andrew M. Cuomo and administered through the NYSDOT.

Construction costs outlined below are estimated. Actual costs will be determined at the time of public bid and further legislation will be necessary to authorize construction funding. The estimated total project cost will be financed as follows:

<b>Source of Funds</b>	<b>Design</b>	<b>Estimated Construction</b>	<b>Total</b>
NYSDOT funds authorized herein	576,000	0	\$ 576,000
NYS DOT funds to be authorized future legislation	0	3,424,000	\$ 3,424,000
2017-18 Cash Capital	601,000	0	\$ 601,000
Bonds to be authorized in future legislation	0	5,350,000	\$ 5,350,000
<b>Total:</b>	<b>\$ 1,177,000</b>	<b>\$8,774,000</b>	<b>\$ 9,951,000</b>

Labella Associates, D.P.C. was selected for comprehensive bridge inspection and design services through a request for proposal process, which is described in the attached summary.

Design services are anticipated to begin in fall 2020. Construction is anticipated to begin in spring 2023 with scheduled completion in fall 2024. The design portion of the project results in the creation/retention of the equivalent of 12.8 full-time jobs.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Attachment No. AT-181

Ordinance No. 2020-313  
(Int. No. 361)

**Authorizing agreements and appropriating funds for the Pont de Rennes Bridge and Brown's Race Rehabilitation Project**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Department of Transportation (NYSDOT) to participate in and administer the Pont de Rennes Bridge and Brown's Race Rehabilitation Project (the Project) and for the receipt and use of ROC the Riverway/Upstate Revitalization Initiative funding for the Project.

Section 2. The sum of \$576,000 in anticipated reimbursements from NYSDOT through the ROC the Riverway/Upstate Revitalization Initiative is hereby appropriated to fund a portion of the professional services for the Project.

Section 3. The Mayor is hereby authorized to enter into a professional services agreement with Labella Associates, D.P.C. to provide bridge inspection, design, and construction administration services for the Project. The maximum compensation for the agreement shall be \$1,177,000, which shall be funded in the amount of \$576,000 from the appropriation authorized in Section 2 herein and in the amount of \$601,000 from 2017-18 Cash Capital. The term of the agreement shall continue until three months after completion of the two-year guarantee inspection of the Project.

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

Resolution No. 2020-36  
(Int. No. 362)

**Authorizing the implementation and funding in the first instance of the State-aid Program eligible costs of a capital project and appropriating funds therefor**

WHEREAS, a Project for Pont de Rennes Bridge, P.I.N. 4RTR.02 (the "Project") is eligible for funding under a New York State Program administered by the NYS Department of Transportation (NYSDOT);

WHEREAS, a sum not to exceed \$1,052,000 in Program funding is available to progress the Project; and

WHEREAS, the City of Rochester desires to advance the Project by making a commitment of 100% of the State share of the costs of design work.

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

THAT the Council of the City of Rochester hereby approves the above-subject project;

THAT the Council of the City of Rochester hereby authorizes the City of Rochester to pay in the first instance 100% of design work for the Project or portions thereof;

THAT the sum of \$1,052,000 appropriated pursuant to Ordinance No. 2020-313 is available to cover the cost of participation in the above described phase of the Project;

THAT in the event that the full State share costs of the Project exceed the amount appropriated above, the Council of the City of Rochester shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the City Engineer thereof;

THAT the Mayor of the City of Rochester be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for State Aid on behalf of the City of Rochester with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefor that are not so eligible;

THAT a certified copy of this Resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project between the City of Rochester and the State of New York; and

THAT this Resolution shall take effect immediately.

Adopted unanimously.

#### TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-314  
Re: Official Map Amendment –  
Theodore Street Abandonment

Council Priority: Reinforcing Strong  
Neighborhoods and Fostering Prosperity  
& Opportunity

Transmitted herewith for your approval is legislation related to the amending of Theodore Street right-of-way (ROW) as part of the CDS Life Transitions development project. This legislation will amend the Official Map by abandoning Theodore Street to be incorporated into the CDS Life Transitions development project site.

CDS Life Transitions development project includes the new construction of seven (7) buildings on approximately 3.5 acres of land. When completed, 164 affordable residential units will have been created.

The abandonment shall take effect upon the compliance by the applicant with the recommendations and conditions established by the City Planning Commission. The City Planning Commission, at its May 11, 2020 meeting recommended approval of this abandonment by a vote of 7-0-0. Minutes of that meeting, along with the application, are attached.

A public hearing is required.

Respectfully submitted,  
Lovely A. Warren  
Mayor  
Attachment No. AT-182

Ordinance No. 2020-314  
(Int. No. 363, as amended)

**Amending the Official Map by abandoning the Theodore Street right-of-way that is south of Clifford Avenue**

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

Section 1. Chapter 76 of the Municipal Code, Official Map, as amended, is hereby further amended by changing and deleting therefrom the following described property, heretofore dedicated to street purposes and constituting a portion of Theodore Street:

**Legal Description of Theodore Street Right-of-Way to be Abandoned**

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

Beginning at a point at the westerly right-of-way of Theodore Street, said point being at the intersection with the southerly right-of-way line of Clifford Avenue; thence,

1. N 87° 08' 55" E, along the southerly right-of-way of Clifford Avenue, a distance of 31.00 feet to a point; thence,
2. S 02° 30' 55" E, along the easterly right-of-way of Theodore Street, a distance of 431.18 feet to point at the southeasterly corner of the right-of-way of Theodore Street; thence,
3. N 53° 43' 54" W, along the southerly right-of-way of Theodore Street, a distance of 39.77 feet to a point on the westerly right-of-way of Theodore Street; thence,
4. N 02° 30' 55" W, along the westerly right-of-way of Theodore Street, a distance of 406.09 feet to the point of beginning.

Hereby intending to describe a parcel of land containing 0.298 more or less acres of land, all as shown on a map entitled "THEODORE STREET RIGHT OF WAY TO BE ABANDONED", dated November 19, 2019 as prepared by Passero Associates.

Section 2. This ordinance shall take effect ~~upon the compliance by the applicant with the conditions established by the City Planning Commission in its recommendations of May 11, 2020~~ immediately.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

By Vice President Lightfoot  
October 13, 2020

To the Council:

The **PUBLIC SAFETY, YOUTH & RECREATION COMMITTEE** recommends for **ADOPTION** the following entitled legislation:

- Int. No. 364 Authorizing a grant agreement for the 2020 State Homeland Security Program
- Int. No. 365 Local Law amending the City Charter with respect to the name of the Department of Recreation and Youth Services, **as amended**
- Int. No. 366 Amending the Municipal Code and 2020-21 Budget with respect to the Department of Recreation and Youth Services, **as amended**

Respectfully submitted,  
Willie Lightfoot  
Mitch Gruber  
Lashay D. Harris  
Jose Peo  
Loretta C. Scott  
PUBLIC SAFETY, YOUTH & RECREATION COMMITTEE

Received, filed and published.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-315  
Re: Grant Agreement – 2020 State  
Homeland Security Program  
(SHSP)

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area:  
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing an agreement with the New York State Division of Homeland Security and Emergency Services (NYSDHSES) for the receipt and use of \$111,700.00 from the 2020 State Homeland Security Program (SHSP) grant and amending the 2020-21 Budgets of the Fire Department by \$42,000 and Undistributed Expenses by \$14,500 for related personnel expenses. The remaining non-personnel expenses will be funded directly from a Special Revenue Fund specific to this grant. Since this is a multi-year grant, any remaining personnel expenses will be appropriated in the 2021-22 Budget of the Fire Department, contingent upon its approval.

This grant is provided to support building, sustainment and delivery of core capabilities for achieving preparedness and resilience in the event of terrorist attacks, severe weather and other significant events in the Rochester/Monroe County region. Grantees are required to build capabilities that relate to the prevention of, protection from, or response to significant events. The program period is September 1, 2020 through August 31, 2023, and no matching funds are required.

The 2020 allocation will be used for equipment, such as: rescue task force personal protective gear, search and rescue equipment and pandemic preparedness PPE (\$55,200). Funding will also support overtime back-fill for rescue task force sustainment training and Community Emergency Response Training (CERT) (\$42,000) and fringe benefits for all personnel expenses included in the funding allocation (\$14,500).

Respectfully submitted,  
Lovely A. Warren  
Mayor

Ordinance No. 2020-315  
(Int. No. 364)

**Authorizing a grant agreement for the 2020 State Homeland Security Program**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Division of Homeland Security and Emergency Services for the receipt and use of a \$111,700 grant from the 2020 State Homeland Security Program. Said funds are hereby appropriated to support preparedness and resilience in the event of terrorist attacks, severe weather and other emergency events.

Section 2. The term of the agreement shall be from September 1, 2020 through August 31, 2023.

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

Section 4. Ordinance No. 2020-161, the 2020-21 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 \$42,000 and Undistributed Expenses by \$14,500, which amounts are hereby appropriated from the Program grant authorized herein.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Local Law No. 6  
Ordinance No. 2020-316  
Re: Amending the City Charter –  
Department name

Transmitted herewith for your approval is legislation amending Article XIA of the City Charter with regard to the name of the Department of Recreation and Youth Services. The Department of Recreation and Youth Services will become the Department of ~~Community~~ Advancement Services. Recreation and Human Services. There will be an associated change in the name of the Commissioner.

The name change is necessary to represent the department's full scope of services available to the community, including services provided to young adults, adults, and families. The new name is also responsive to the recent implementation of the Crisis Intervention Services unit within the department, which will allow the City to effectively respond to crisis situations with trained and experienced behavioral and mental health professionals independent of law enforcement protocols.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Local Law No. 6  
(Int. No. 365, as amended)

**Local Law amending the City Charter with respect to the name of the Department of Recreation and Youth Services**

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

Section 1. Chapter 755 of the Laws of 1907, entitled "An Act Constituting the Charter of the City of Rochester", as amended, is hereby further amended by modifying the title and Sections 11A-1 and 11A-2 of Article XIA, Department of Recreation and Youth Services, to read as follows:

Article XIA DEPARTMENT OF ~~COMMUNITY ADVANCEMENT~~ RECREATION AND HUMAN SERVICES

§ 11A-1 Department of ~~Community Advancement~~ Recreation and Human Services. The Department of ~~Community Advancement~~ Recreation and Human Services shall be responsible for the administration of programs providing recreation, cultural and other leisure-time services to residents; for parks programming; for the administration of youth services programs; and for providing such other special events and public services as may be required and assigned to the Department, including responsibility for the Public Market. The Department shall be organized into bureaus, divisions or other operating units as deemed necessary by the Commissioner and the Mayor.

§ 11A-2 Commissioner of ~~Community Advancement~~ Recreation and Human Services. The Commissioner of ~~Community Advancement~~ Recreation and Human Services shall be the head of the Department of ~~Community Advancement~~ Recreation and Human Services and shall be responsible to and report to the Mayor. He or she shall appoint, with the approval of the Mayor, the heads of bureaus, divisions or other operating units that may be established. He or she shall also have such powers and

duties as may be assigned by the Mayor and granted to him or her by law or ordinance.

Section 3. Chapter 755 of the Laws of 1907, entitled “An Act Constituting the Charter of the City of Rochester”, as amended, is hereby further amended by modifying § 2-3, Administrative departments, to replace “Department of Recreation and Youth Services” with “Department of ~~Community Advancement~~ Recreation and Human Services”.

Section 4. Chapter 755 of the Laws of 1907, entitled “An Act Constituting the Charter of the City of Rochester”, as amended, is hereby further amended by modifying Subsections 2-18(B)(8) and 2-18(G)(1) of § 2-18, Code of Ethics, to replace each of the two clauses reading “Commissioner of Recreation and Youth Services” with “Commissioner of ~~Community Advancement~~ Recreation and Human Services” and to replace the one clause reading “Deputy Commissioner of Recreation and Youth Services” with “Deputy Commissioner of ~~Community Advancement~~ Recreation and Human Services”.

Section 5. This local law shall take effect immediately upon filing in the Office of the Secretary of State as provided by Section 27 of the NYS Municipal Home Rule Law.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

Ordinance No. 2020-316  
(Int. No. 366, as amended)

### **Amending the Municipal Code and 2020-21 Budget with respect to the Department of Recreation and Youth Services**

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

Section 1. The Municipal Code of the City of Rochester, as amended, is hereby further amended in sections and subsections 30-3, 60-8(B), 60-21(B), 62-8(B), 79-1(B), 79-18(A), 91-2, 111-28(B), and 111-28(K) thereof, by deleting the words “Commissioner of Recreation and Youth Services” in each place that they appear therein, and by inserting in their place the words “Commissioner of ~~Community Advancement~~ Recreation and Human Services”.

Section 2. The Municipal Code of the City of Rochester, as amended, is hereby further amended in §120-149(A)(10)(a)[3] thereof by deleting the words “Department of Recreation and Youth Services” and by inserting in their place the words “Department of ~~Community Advancement~~ Recreation and Human Services”.

Section 3. Ordinance No. 2020-161, the 2020-21 Budget of the City of Rochester, as amended, is hereby further amended by deleting the words “Department of Recreation and Youth Services” in every instance and by inserting in their place the words “Department of ~~Community Advancement~~ Recreation and Human Services”.

Section 4. This ordinance shall take effect upon the effective date of the Local Law amending the City Charter with respect to the name of the Department of Recreation and Youth Services, which is introduced with this ordinance.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

The meeting was adjourned at 8:08 p.m.

HAZEL L. WASHINGTON  
City Clerk