

**Additional Proposed Legislation for the  
September 20, 2022 City Council Meeting -  
Filed through September 2, 2020**

**\* \* Please Note \* \***

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



## City of Rochester

City Hall Room 308A, 30 Church Street  
Rochester, New York 14614-1290  
[www.cityofrochester.gov](http://www.cityofrochester.gov)

### FINANCE INTRODUCTORY NO.

348

Malik D. Evans  
Mayor

August 30, 2022 BHRM 28

TO THE COUNCIL

Ladies and Gentlemen:

Re: Resolution for the Waiving of Civil  
Service Examination Fees

Council Priority: Jobs and Economic  
Development

Comprehensive Plan 2034 Initiative Area:  
Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation adopting a resolution to waive all Civil Service examination fees, effective July 1, 2022, for a period of thirteen months. This resolution was approved by the Civil Service Commission for the City of Rochester, by a 3-0-0 vote, at their meeting on August 25, 2022. During this thirteen-month period, the Commission will review data collected by the City Department of Human Resource Management to determine if the waiver is achieving the desired outcomes and if so, will seek to renew it at that time.

The recommendation to waive Civil Service Examination fees was included in a report issued by the Commission on Racial and Structural Equity (RASE). This RASE recommendation was for both the City of Rochester and County of Monroe to eliminate civil service fees for all open-competitive civil service examinations, in order to eliminate barriers to employment for marginalized communities.

For any waiver to go into effect, the City Council must approve a Civil Service Commission resolution, or alternatively, the New York State Commission may approve a rule adopted by the Civil Service Commission. In the interest of faster approval and implementation, the Commission opted for a resolution, and subsequent submission to the City Council for their approval.

Respectfully submitted,

Malik D. Evans  
Mayor

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**INTRODUCTORY NO.**

348

Resolution No.

**Resolution authorizing the waiver of Civil Service Examination fees**

**WHEREAS**, New York State Civil Service Law Section 50 authorizes municipal civil service commissions, subject to the approval of the municipal legislature, to establish, waive, or abolish fees for civil service examinations, and

**WHEREAS**, Chapter 14-11 of the Municipal Code of the City of Rochester authorizes the City of Rochester Municipal Civil Service Commission to adopt rules and regulations to provide for waivers of examination fees where such waiver is deemed to be in the best interest of the City, and

**WHEREAS**, the Mayor of the City of Rochester and the County Executive of the County of Monroe created a Commission on Racial and Structural Equity (RASE Commission) to assess laws and policies that promote or eliminate institutional and structural biases, racism, or inequities, and to recommend changes to address such issues, and

**WHEREAS**, the RASE Commission recommended that the City of Rochester and the County of Monroe eliminate civil service examination fees for all open-competitive civil service examinations in order to eliminate barriers to employment for marginalized communities, and

**WHEREAS**, the City of Rochester Municipal Civil Service Commission, on August 25, 2022, adopted Resolution No. 2022-08-23, to waive civil service examination fees for a period of thirteen months beginning on July 1, 2022, and to evaluate the effects of such policy and whether to renew it, and

**WHEREAS**, pursuant to Section 50 of the New York State Civil Service Law, such waiver is subject to the approval of the governing board or body of the City

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

Section 1. Pursuant to Section 14-11 of the City Code, the City Council hereby authorizes the Mayor and the City of Rochester Municipal Civil Service Commission to waive civil service examination fees for all open-competitive civil service examinations for a period of thirteen months beginning on July 1, 2022.

Section 2. The Council finds and declares that it is in the public interest to waive such civil service examination fees as authorized in Section 1 herein as recommended by the RASE Commission, in order to eliminate barriers to employment for marginalized communities.

Section 3. The Director of the Department of Human Resources Management shall take all actions necessary to analyze the impact of such waiver in order to determine whether marginalized communities apply and take civil service examinations in greater numbers, and for which examinations.

Section 4. The Director of the Department of Human Resources Management shall take all necessary action to reimburse civil service examination applicants who paid civil service examination fees from July 1, 2022 until the effective date of this resolution.

Section 5. This resolution shall take effect on July 1, 2022.





## City of Rochester

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## NEIGHBORHOOD & BUSINESS DEVELOPMENT INTRODUCTORY NO.

Malik D. Evans  
Mayor

349

August 30, 2022 NBD 29

TO THE COUNCIL

Ladies and Gentlemen:

Re: Restore New York Communities Initiative – Round 6  
Rochester Riverway-Downtown East Initiative

Council Priority: Creating and Sustaining a Culture of  
Vibrancy – Revitalize Downtown, and Jobs and Economic  
Development

Comprehensive Plan 2034 Initiative Area: Reinforcing  
Strong Neighborhoods

Transmitted herewith for your approval is legislation relating to the "Rochester Riverway-Downtown East Initiative," a program to reuse and/or rehabilitate up to five underutilized properties at strategic locations (Project). The legislation authorizes an application to Empire State Development (ESD), and a subsequent grant disbursement agreement with the New York State Urban Development Corporation, doing business as ESD, for the receipt and use of a grant totaling up to \$5,000,000 to help fund the Project. The source of the funding would be Round 6 of the Restore New York Communities Initiative (Restore NY).

Restore NY provides financial assistance to municipalities for the demolition, deconstruction, rehabilitation and/or reconstruction of vacant, abandoned, surplus and/or condemned residential, commercial and/or mixed-use buildings. Restore NY funds may also be used for site development needs to support the rehabilitation of properties. Total statewide funding for Round 6 is \$100,000,000. Municipalities with populations over 100,000 are eligible to apply for one project, with a maximum grant request of \$5,000,000. A single Restore NY project may include multiple, geographically-proximate properties.

An internal advisory committee composed of staff from the Department of Neighborhood and Business Development reviewed properties for inclusion in the City's 2022 Restore NY Round 6 application. The advisory committee recommended an "Rochester Riverway-Downtown East Initiative," consisting of five underutilized properties that are strategically clustered in proximity to areas of recent and upcoming significant downtown investment such as ROC the Riverway, the Downtown Revitalization Initiative (DRI), Midtown Rising, and Sibley Square. The City would use the Round 6 Restore NY grant to provide gap funding for the adaptive reuse and/or rehabilitation of those properties in order to further downtown revitalization as recommended in the City's Rochester 2034 Comprehensive Plan. A letter of intent to apply for this project was submitted to ESD on August 11, 2022 and a full application is due to ESD by October 11, 2022.

The City will request \$5,000,000 in funding for the properties listed (see the attached property table and project location map), or others, if deemed necessary by the Mayor. The five listed projects represent a total estimated investment of \$149,284,512, with the creation of up to 391 mixed-income housing units and the renovation of up to 52,414 square feet of commercial space. Developers listed are further defined as follows:



SAA | EVI: Ernst Valery, Co-managing Member  
David Alexander, Co-managing Member  
Headquartered: 1707 N Charles Street, Baltimore, Maryland 21201

Edwards Building LLC: Patrick Dutton, President  
Headquartered: 34 Elton Street, Rochester, New York 14607

Cox Rochester LLC: Derek C. Persse, Managing Member  
Headquartered: 8100 Oasis Lane, Clay, New York 13041

Ren Square LLC: Patrick Dutton, Member  
Headquartered: 34 Elton Street, Rochester, New York 14607

CSD Housing LLC: Michael Dehmler, Managing Member  
Headquartered: 642 Kreag Road, Pittsford, New York 14534

As per ESD's Restore NY program guidelines, the application requires third-party cost estimates, five-year Pro Formas, and sources and uses of funds as indicators of sufficient Project funding. In accordance with Restore NY program guidelines, this application is consistent with the following principles:

- The proposed project is consistent with the City's: 1) Comprehensive Plan; 2) Consolidated Community Development Plan 2020–2024; 3) Center City Master Plan; 4) Housing Policy; and 5) Midtown Urban Renewal District Plan;
- The proposed financing is appropriate for the specific project;
- The project will facilitate effective and efficient use of existing and future public resources so as to promote both economic development and preservation of community resources; and
- Where applicable, the project develops and enhances infrastructure and/or other facilities in a manner that will attract, create, and sustain employment opportunities.

A public hearing and three days notification in a local daily newspaper are required.

Respectfully submitted,



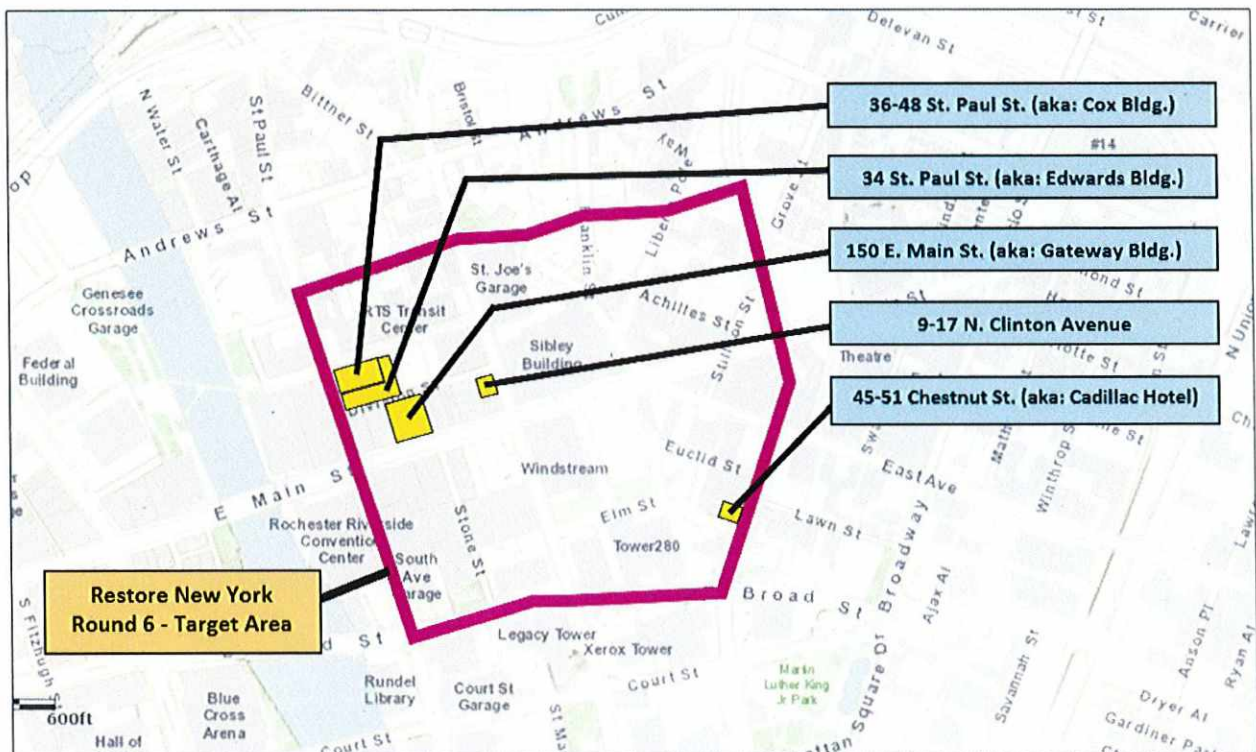
Malik D. Evans  
Mayor



**Restore New York Communities Initiative –  
Round 6 Rochester Riverway-Downtown East Initiative**

**PROJECT LOCATION TABLE AND MAP:**

Property	Developer	Total Development Cost	New Residential Units Affordable (A)	Renovated Commercial Space (Square Feet)
150 East Main Street	SAA   EVI	\$62,194,535	150 (A)	11,923
34 St. Paul Street	Edwards Building LLC	\$32,950,000	114	25,000
36-48 St. Paul Street	Cox Rochester LLC	\$32,877,200	85	4,809
9-17 N. Clinton Avenue	Ren Square LLC	\$2,425,000	0	10,000
45-51 Chestnut Street	CSD Housing LLC	\$18,837,777	42 (A)	682



**INTRODUCTORY NO.****349**

Ordinance No.

**Authorizing an application and grant agreement for Restore NY Communities Initiative – Round 6**

WHEREAS, the Mayor has presented to the Council of the City of Rochester a proposal to submit an application to the Empire State Development Corporation (ESD) and to enter into a subsequent agreement with the New York State Urban Development Corporation, doing business as ESD, for the receipt and use of a grant of up to \$5 million through Round 6 of the Restore NY Communities Initiative (Restore NY), for the City to provide gap funding for the adaptive reuse and/or rehabilitation of Rochester Riverway-Downtown East Initiative properties identified as strategically important to the continued revitalization of the Center City (the Project); and

WHEREAS, the Council has conducted a duly noticed public hearing and reviewed the Project that is proposed for the application to ESD in accordance with Restore NY program requirements and guidelines.

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

Section 1. The Council hereby finds that:

(a) the proposed Project is consistent with the following principles:

- 1) the Comprehensive Plan;
- 2) the Consolidated Community Development Plan for 2020-2024;
- 3) the Center City Master Plan;
- 4) the Housing Policy; and
- 5) the Midtown Urban Renewal District Plan;

(b) the proposed financing is appropriate for the Project;

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

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

Section 2. The Mayor is hereby authorized to submit the Project application to the Empire State Development Corporation (ESD) and to enter into a subsequent agreement with the New York State Urban Development Corporation, doing business as ESD, for the receipt and use of a grant of up to \$5 million through Round 6 of the



Restore NY initiative, to provide gap funding for the adaptive reuse and/or rehabilitation of the Rochester Riverway-Downtown East Initiative properties identified as strategically important to the continued revitalization of the Center City (the Project).

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

Section 4. This ordinance shall take effect immediately.



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## NEIGHBORHOOD & BUSINESS DEVELOPMENT INTRODUCTORY NO.

Malik D. Evans  
Mayor

350



August 30, 2022 NBD 30

TO THE COUNCIL

Ladies and Gentlemen:

Re: Restore New York Communities Initiative – Round 6  
Endorsing County Application for Tent City Revitalization  
Project

Council Priority: Rebuilding and Strengthening  
Neighborhood Housing

Comprehensive Plan 2034 Initiative Area: Reinforcing  
Strong Neighborhoods

Transmitted herewith for your approval is legislation endorsing a grant application by the County of Monroe (County) for up to \$2 million to support the Tent City Revitalization Project (Project). The project would adaptively reuse and rehabilitate the former Tent City building located at 280 and 286 Lyell Avenue (see the attached project location map) to create approximately 88 affordable housing units with support services (the Project). The grant would be funded by Empire State Development (ESD) through Round 6 of the Restore New York Communities Initiative (Restore NY).

Restore NY provides financial assistance to municipalities for the demolition, deconstruction, rehabilitation and/or reconstruction of vacant, abandoned, surplus and/or condemned residential, commercial and/or mixed-use buildings. Restore NY funds may also be used for site development needs to support the rehabilitation of properties. Total statewide funding for Round 6 is \$100,000,000.

The \$56 million Project is located in the Lyell-Lake-State Street (LYLAKS) Brownfield Opportunity Area and includes the rehabilitation of an approximately 126,000 square foot five-story vacant building into 88 affordable residential units. The Project developer is Winn Development Company (Gilbert J. Winn, CEO, Boston, MA). The County submitted a letter of intent to ESD on August 11, 2022 and intends to submit a full application by the application deadline of October 11, 2022. The City's Neighborhood and Business Development Department has reviewed the proposed Project and endorses the County's application.

ESD's Restore NY program guidelines state that the legislative body of the local municipality that maintains land use control over the proposed project site must pass a resolution finding that: the proposed project is consistent with the municipality's local revitalization or urban development plan; the proposed financing is appropriate for the specific project; the project facilitates effective and efficient use of existing and future public resources so as to promote both economic development and preservation of community resources; and the project develops and enhances infrastructure and/or other facilities in a manner that will attract, create, and sustain employment opportunities where applicable.

In accordance with Restore NY program guidelines, this application is consistent with the following principles:

- The proposed project is consistent with the City's: 1) Comprehensive Plan; 2) Consolidated Community Development Plan 2020–2024; and 3) Housing Policy;
- The proposed financing is appropriate for the specific project;



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- The project will facilitate effective and efficient use of existing and future public resources so as to promote both economic development and preservation of community resources; and
- Where applicable, the project develops and enhances infrastructure and/or other facilities in a manner that will attract, create, and sustain employment opportunities.

A public hearing and three days notification in a local daily newspaper are required.

Respectfully submitted,

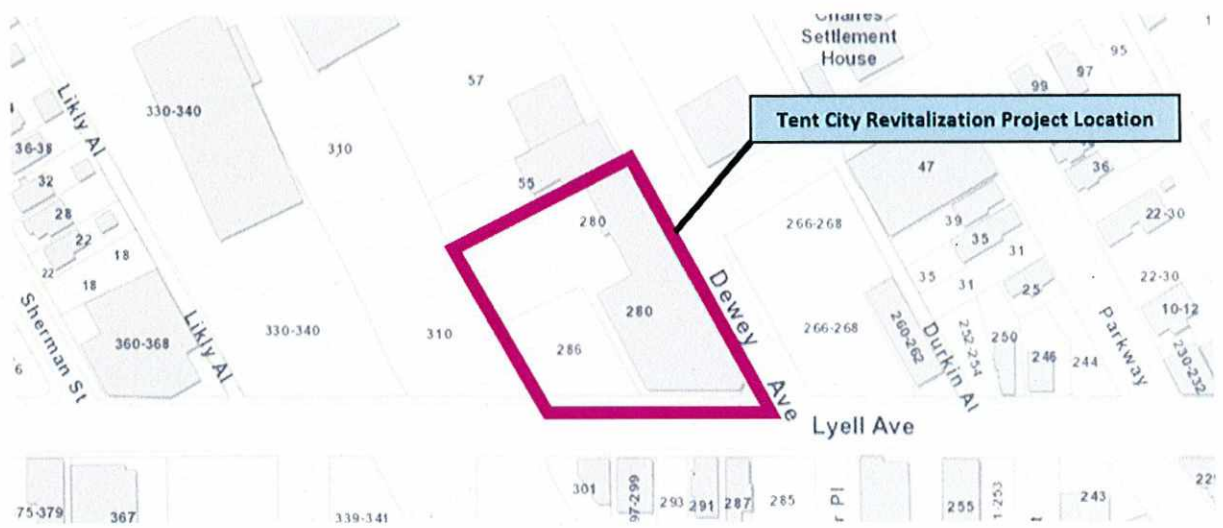
A handwritten signature in blue ink, appearing to read 'Malik D. Evans', with a long horizontal flourish extending to the right.

Malik D. Evans  
Mayor



**Restore New York Communities Initiative –**  
**Round 6 Endorsing County Application for Tent City Revitalization Project**

**PROJECT LOCATION MAP:**



**INTRODUCTORY NO.****350**

Resolution No.

**Resolution endorsing Monroe County application for Restore NY Communities Initiative – Round 6 grant to support the Tent City Revitalization Project**

WHEREAS, the County of Monroe (County) has presented to the City a proposal to apply to the Empire State Development Corporation (ESD) for a grant of up to \$2 million through Round 6 of the Restore NY Communities Initiative (Restore NY) to help fund the adaptive reuse and rehabilitation of the former Tent City building located at 280 and 286 Lyell Avenue to establish approximately 88 units of affordable housing with support services (the Tent City Revitalization Project); and

WHEREAS, the Council has reviewed the Tent City Revitalization Project proposal and has conducted a duly noticed public hearing about it in accordance with Restore NY program requirements and guidelines.

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

Section 1. The Council hereby finds that:

(a) the proposed Project is consistent with the following principles:

- 1) the Comprehensive Plan;
- 2) the Consolidated Community Development Plan for 2020-2024;  
and
- 3) the Housing Policy;

(b) the proposed financing is appropriate for the Project;

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

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

Section 2. The Council hereby does endorse and recommends that ESD approve the County's application for a grant of up to \$2 million through Restore NY to help fund the Tent City Revitalization Project.

Section 3. This resolution shall take effect immediately.



## City of Rochester

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Malik D. Evans  
Mayor

### FINANCE INTRODUCTORY NO.

351

August 30, 2022 FINANCE 31

TO THE COUNCIL

Ladies and Gentlemen:

Re: Appropriation – Insurance Reserve Fund

Council Priority: Deficit Reduction and Long Term  
Financial Stability

Transmitted herewith for your approval is legislation appropriating \$4 million from the Insurance Reserve Fund to finance the payment of general liability claims.

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

The monies maintained as reserves are invested until needed for disbursement. The interest earned on these investments is added to the fund balance. Interest income for fiscal year 2021-22 was \$22,424.

As of June 30, 2022 the fund balance was \$21,218,572, of that amount \$8,500,016 is appropriated for disbursement. Under the proposed legislation, \$4 million will be appropriated for the payment of claims.

The most recent appropriation was for \$7 million and was approved by City Council in February 2022.

Respectfully submitted,

Malik D. Evans  
Mayor

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**INTRODUCTORY NO.**

Finance #31

351

Ordinance No.

**Appropriation from the Insurance Reserve Fund**

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

Section 1. There is hereby appropriated from the Insurance Reserve fund the sum of \$4 million, or so much thereof as may be necessary, to finance the payment of general liabilities and claims against the City.

Section 2. This ordinance shall take effect immediately.



## City of Rochester

City Hall Room 308A, 30 Church Street  
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# PUBLIC SAFETY COMMITTEE INTRODUCTORY NO.

Malik D. Evans  
Mayor

352,352-A

August 30, 2022

POLICE 32

TO THE COUNCIL

Ladies and Gentlemen:

Re: Body Worn Cameras and Digital Evidence  
Management System Agreement, Bond Authorization,  
Forfeiture Fund Appropriation and Budget  
Amendment

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area:  
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the replacement of the Rochester Police Department (RPD) Body Worn Cameras and implementation of a Digital Evidence Management System (DEMS). This legislation will;

1. Authorize the issuance of \$2,020,000 in bonds and appropriate the proceeds thereof to finance a portion of the purchase of a new Body Worn Camera system and implement a new Digital Evidence Management System;
2. Appropriate the receipt and use of \$500,000 from federal forfeiture funds generated by the Police Department and amending the 2022-23 Cash Capital Budget by this amount; and
3. Authorize an agreement with Insight Public Sector, Inc. of Chandler, Arizona (Joyce Mullen, President and CEO) for the provision of new BWC equipment and design and implementation of a new digital evidence management system (DEMS). The term of this agreement will be five years. Maximum compensation for this agreement will be \$3,834,455.85 which will be funded by:
  - a. \$2,020,000 in bonds appropriated in section 1 herein;
  - b. \$500,000 in forfeiture funds appropriated to Cash Capital in section 2 herein;
  - c. \$370,000 in 2020-21 Cash Capital;
  - d. \$525,000 in 2022-23 Cash Capital; and
  - e. \$419,455.85 from the 2022-23 Police Department Budget.

RPD has a critical need to transition from a single function storage system to a full digital evidence management system (DEMS) to store, retrieve and manage all video data from the BWC's, Blue Light camera system, secure interview rooms, and the City's building security camera systems. The city released a Request for Proposals (RFP) in June, 2021. Seven vendors submitted proposals, four of which were selected for demonstration presentations. The remaining three finalists were selected for a final meeting to address technical specifications. The proposal from Insight Public Sector, Inc. was chosen as it provided a best-in-class hardware and software solution that blended Genetec's Clearance digital evidence management system with Panasonic's iPro body-worn cameras. The vendor selection form is included.

Insight Public Sector, Inc. was invited to demonstrate the efficacy of the BWC and DEMS solutions during a pilot program. During the week of April 18 – 22, 2022 Insight Public Sector, Inc. was



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onsite in Rochester with the hardware manufacturer iPro Technologies (formerly a division of Panasonic USA) to begin the patrol vehicle installation and training on the new camera. Additionally, the software supplier Genetec provided end-user training on their DEMS system. All phases of current and proposed workflow were tested to the satisfaction of RPD during the pilot phase.

The pricing structure of the agreement is based on a BWC and DEMS solution that would include the initial purchase of all BWC equipment and supplementary hardware, the migration of 450 terabytes of existing data, the initiation of the DEMS application, deployment services, and all associated training and support.

One of the recommendations of the City's Community Response to Executive Order 203 Police Reform and Reinvention Collaborative included improving the use of body-worn cameras. RPD and the Administration believes selecting Insight Public Sector, Inc. to provide new BWC and DEMS to be a key step in moving forward in achieving this reform.

This appropriation of federal forfeiture funds will result in a balance of approximately \$759,900.

Respectfully submitted,



Malik D. Evans  
Mayor



## Vendor / Consultant Selection Process Summary

**Department:** Rochester Police Department

**Project / Service:** Digital Evidence Management System/Body Worn Cameras

**Consultant Selected:**

**Method of selection:** ☒ Request for Proposal [*Complete 1-6*]  
☐ Request for Qualifications [*Complete 1-6*]  
☐ From the NY State Department of Transportation list of pre-approved regional engineering firms [*Complete 4-5*]

### 1. Date RFP / RFQ issued (and posted on City web site)

City of Rochester partnered with Marketplace City to issue an RFP that was due on October 16, 2020. Seven vendors responded and six completed demonstrations, four of which were selected as finalists. An RFQ was sent to all finalists and compiled by Marketplace City. Three vendors participated in final demonstrations.

### 2. The RFP / RFQ was also sent directly to:

Axon Enterprise, Inc.  
 COBAN Technologies, Inc.  
 Getac (No response)  
 IK Systems, Inc.  
 Insight Inc.  
 Mobile-Vision (No response)  
 NICE Systems, Inc.  
 Utility Associates, Inc.  
 Vidizmo (No response)  
 WatchGuard Video, Inc.

### 3. Proposals were received from:

<u>FIRM</u>	<u>City/ST</u>
Axon Enterprise, Inc.	Scottsdale, AZ
COBAN Technologies, Inc.	Houston, TX
IK Systems, Inc.	Victor, NY
Insight Inc.	Tempe, AZ
NICE Systems, Inc.	Hoboken, NJ
Utility Associates, Inc.	Decatur, GA
WatchGuard Video, Inc.	Chicago, IL

#### 4. Evaluation criteria

NOTE – For simplicity, the various criteria have been grouped into categories. The number of measures the vendors were evaluated on under each category are listed in the "No. of Criteria" column below.

<u>Evaluation Categories</u>	<u>No. of Criteria</u>	<u>Points Possible</u>	<u>Points Rec'd</u>
Functional capabilities	14	126	113.80
Implementation & Support	6	54	49.33
Technical Requirements	13	117	114.00
Ease of Use/User Interface	7	63	52.20
Cost	1	40	24.00
TOTAL		400	353.33

No bonus points were awarded

#### 5. Review team included staff from:

Mayor's Office (1), IT (1), RPD (4)

#### 6. Additional considerations/explanations

Demonstrations were conducted with 6 vendors and follow-up demonstrations were conducted with 3 vendors.

MWBE Officer: CMJ 8/25/22

352

Ordinance No.

**Authorizing an agreement for body worn cameras and a digital evidence management system for the Rochester Police Department**

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

Section 1. Ordinance No. 2022-157, the 2022-23 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to Cash Capital by the sum of \$500,000, which amount is hereby appropriated from Federal funds realized from seized and forfeited assets.

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with Insight Public Sector, Inc. to provide body worn camera equipment and to design and implement a digital evidence management system for the Rochester Police Department for a term of five years. The maximum compensation shall be \$3,834,455.85, which shall be funded in the amounts of:

\$2,020,000 in the proceeds of bonds appropriated in a concurrent bond ordinance;

\$500,000 in forfeiture funds appropriated to 2022-23 Cash Capital in section 1 herein;

\$370,000 in 2020-21 Cash Capital;

\$525,000 in 2022-23 Cash Capital; and

\$419,455.85 from the 2022-23 Budget of the Police Department.

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

Section 4. This ordinance shall take effect immediately.



352-A

Ordinance No.

**Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$2,020,000 for body worn cameras and a digital evidence management system for the Rochester Police Department**

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 acquiring body worn camera equipment and of designing and implementing a digital evidence management system for the Rochester Police Department (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 \$3,834,455.85. The plan of financing includes the issuance of \$2,020,000, which amount is hereby appropriated therefor, \$370,000 in 2020-21 Cash Capital, \$1,025,000 in 2022-23 Cash Capital, \$419,455.85 from the 2022-23 Budget of the Police Department and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$2,020,000 are hereby authorized to be issued pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$2,020,000. 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. 32. 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.





## City of Rochester

City Hall Room 308A, 30 Church Street  
Rochester, New York 14614-1290  
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Malik D. Evans  
Mayor

### FINANCE INTRODUCTORY NO.

353

August 30, 2022 FINANCE 34

TO THE COUNCIL

Ladies and Gentlemen:

Re: Opioid Compensation Fund

Council Priority: Public Safety and  
Financial Stability

Transmitted herewith for your approval is legislation establishing a special Opioid Compensation Fund to collect and properly allocate funds that are awarded to the City to respond to the ongoing epidemic of opioid addictions and overdoses.

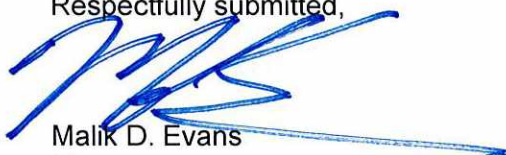
In accordance with Ordinance No. 2019-46, the City retained outside counsel to commence civil litigation against opioid manufacturers, distributors and others who have promoted the abuse of opioids. The purpose of this litigation has been to recover damages for costs already incurred and to fund the ongoing expenditures necessary to respond to the opioid epidemic.

To date the City has received \$78,920.42 in compensation from the litigation and expects to receive additional payments in the amount of \$311,997.62 (comprising \$117,328.36 resulting from the settlement with Endo, and \$194,669.27 resulting from a settlement with Allergan). Additional future payments are expected.

The Opioid Compensation Fund is intended to collect and properly allocate those funds. It will consist of two accounts, one restricted and the other unrestricted. The Restricted Account will collect compensation which is restricted to certain Approved Uses that are set forth in the terms of a settlement agreement or court order. The Unrestricted Account will take in opioid compensation that is not restricted to any specified Approved Uses, but will nevertheless be allocated to funding the City's past and ongoing expenses arising from the opioid epidemic.

The Finance Director will report on the use of all funds spent. Reporting requirements will include a detailed accounting of how the funds were spent; an evaluation of the programs and projects; and a certification that all Direct Restricted Account funds were spent on projects and programs that constitute Approved Uses.

Respectfully submitted,

  
Malik D. Evans  
Mayor

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# INTRODUCTORY NO.

353

FINANCE 34

Ordinance No.

## Establishing an Opioid Compensation Fund

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

Section 1. Chapter 8 of the Municipal Code, Department of Finance, as amended, is hereby further amended by adding § 8.5 as follows:

### § 8.5 Opioid Compensation Fund.

A. As used herein, the following terms shall have the following meanings:

#### OPIOID COMPENSATION

Funds granted to the City pursuant to the settlement of or verdict or judgment in an Opioid Litigation.

#### OPIOID LITIGATION

Any action or claim brought by the City, the County of Monroe, or the New York State Attorney General against manufacturers, distributors, or pharmacies that have sold or distributed opioids in the City of Rochester and alleging that such manufacturers', distributors', or pharmacies' conduct constitute or have constituted a public nuisance or other tort.

B. A special revenue fund, the Opioid Compensation Fund, is hereby established for the deposit of all Opioid Compensation collected by the City. The Opioid Compensation Fund shall consist of two accounts:

1. The Restricted Account, for Opioid Compensation that is restricted to certain approved uses set forth in the terms of the settlement, verdict, award determination or other document authorizing the payment of Opioid Compensation. Such approved uses may include, but are not limited to, programs and activities for preventing and treating opioid use disorder, for the care and recovery of those who suffer from opioid use disorder, and for the support and education of first responders, health care providers, and family members who care for them. The Director of Finance shall keep a record of the use restrictions for each payment of Opioid Compensation into the Restricted Account.
2. The Unrestricted Account, for Opioid Compensation that is not restricted to specific uses.

Section 2. This ordinance shall take effect immediately.



## City of Rochester

City Hall Room 308A, 30 Church Street  
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## PUBLIC SAFETY COMMITTEE INTRODUCTORY NO.

Malik D. Evans  
Mayor

354

August 31, 2022

MAYOR 33

TO THE COUNCIL

Ladies and Gentlemen:

Re: Agreement – Urban League of Rochester

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area:  
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to funds for Pathways to Peace from the Urban League of Rochester. This legislation will:

- 1) Authorize an agreement with the Urban League of Rochester, N.Y., Inc. (Dr. Seanelle Hawkins, CEO, Rochester, NY) for the receipt and use of \$228,000 over a three year term.
- 2) Amend the 2022-23 Budget of the Office of the Mayor by \$50,000, and amend the 2022-23 Budget of Undistributed Expenses by \$26,000 for the first year of expenses. Remaining funds will be included in the 2023-24 and 2024-25 Budgets of the Office of the Mayor and Undistributed Expenses.

The Urban League of Rochester (ULR) has been awarded a \$2 million grant from the US Department of Labor to support its Growth Opportunities Program. The program prepares justice-involved young adults ages 18 to 24 for entry into the workforce through job placement and paid work experiences. Services include case management, occupational training in construction, advanced manufacturing and food service, high school equivalency preparation, work experience placements, mentoring, supportive services, and leadership development.

This agreement with ULR provides funding for one City of Rochester Pathways to Peace Youth Intervention Specialist to provide conflict resolution and violence prevention programming for the Growth Opportunities Program. This program aims to combat gun violence prevalence within the City of Rochester and support public safety and community well-being. In doing so, the ULR will help reduce gun violence and other violent crimes, introduce and prepare youth and young adults for the workforce, help identify career interests for youth, and assist youth to attain the relevant skills and work experience to obtain high-quality jobs and careers.

Respectfully submitted,

Malik D. Evans  
Mayor

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354

Ordinance No.

**Authorizing an agreement and amending the 2022-23 Budget relating to Pathways to Peace**

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 Urban League of Rochester, N.Y., Inc. for the receipt and use of \$228,000 to provide conflict resolution and violence prevention programming for the Growth Opportunities Program of Pathways to Peace (Program). The term of the agreement shall be three years.

Section 2. Ordinance No. 2022-157, the 2022-23 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations of the Budget of the Office of the Mayor by the amount of \$50,000 and of the Budget of Undistributed Expenses by \$27,000, which amounts are hereby appropriated for the Program.

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

Section 4. This ordinance shall take effect immediately.





## City of Rochester

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Malik D. Evans  
Mayor

### FINANCE INTRODUCTORY NO.

355

August 31, 2022 MAYOR 35

TO THE COUNCIL

Ladies and Gentlemen:

Re: Adoption of Death Benefit

Council Priority: Public Safety

Transmitted herewith for your approval is legislation adopting the provisions of General Municipal Law (GML) § 208-b, which allows a City with a population of less than one million to provide a death benefit upon the death of a regular member of a police department or fire department, where the death is the natural and proximate result of injuries sustained in the performance of duty and where the death is not caused by the decedent's willful negligence. The benefit to be paid consists of (1) the salary of the decedent in the year preceding the death or the year preceding the infliction of the injuries resulting in the death, whichever is greater, and (2) one thousand dollars, or ten percent of the decedent's final salary, whichever is greater, payable to each child of the decedent who is under the age of eighteen at the time of the death.

A copy of GML § 208-b is provided herewith, which sets forth the full benefits available and the process and timeframe within which to claim the death benefit.

Respectfully submitted,

Malik D. Evans  
Mayor

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**NY CLS Gen Mun § 208-b**

Current through 2022 released Chapters 1-500

*New York Consolidated Laws Service > General Municipal Law (Arts. 1 — 20) > Article 10  
Firefighters and Police Officers (§§ 200 — 209-z)*

**§ 208-b. Death benefits for beneficiaries of certain police officers and firefighters.**

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1. Notwithstanding any other provision of law, and in addition to any benefits otherwise provided, death benefit may be payable upon the death of a regular member of a police department or police force or of a fire department in a county not wholly contained within a city, a city having a population of less than one million, or a town, village, or other subdivision of government, or agency of such a county having a regular police department or force or fire department, hereinafter referred to as a municipality, if, upon application therefor, the chief officer of the municipality maintaining such department or force shall determine, on the basis of the evidence, that such member:
  - a. Died within one year after, and as the natural and proximate result of injuries sustained at a definite time and place and incurred in the performance of duty as a member of such department or force, and
  - b. Did not cause such accident by his own wilful negligence.
2. The death benefit shall be paid by the municipality upon the allowance of the claim therefor, and shall consist of:
  - a. An amount equal to the salary received by such member either during the year immediately preceding his death, or during the year preceding such injuries, whichever is greater and
  - b. One thousand dollars, or ten percent of the deceased member's final salary, whichever is higher, payable for each child of such member under eighteen on the date of the member's death.
3. The death benefit shall be paid to:
  - a. The member's widow, or if he shall leave no widow, or if his widow shall die before receiving the total of the amounts provided in subdivision two hereof, then to
  - b. His child or children under age eighteen, in equal amounts.
4. Application for death benefit shall be made:

- a. By the member's widow.
  - b. By any of his children.
  - c. By any person in behalf of the widow or children.
5. Application for death benefit shall be made:
  - a. To the chief fiscal officer of the municipality, on a form to be prescribed and supplied by him and requiring such information as he shall determine necessary.
  - b. Within thirty days after the death of the member, provided, however, that failure to file the application within thirty days may be excused on petition to and order of a justice of the supreme court having jurisdiction, upon a showing either
    1. That a sufficient reason exists why such notice was not given.
    2. That a report or other notice was made or given to the department or force of the injuries within the thirty day period.
    3. That the municipality has not been prejudiced by the delay in giving the notice.

## History

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Add, L 1958, ch 882, eff Sept 1, 1958; amd, L 1964, ch 742, § 1, eff April 22, 1964; L 1981, ch 877, § 1, eff July 31, 1981; [L 2018, ch 476, § 68](#), effective December 28, 2018.

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[NY CLS Gen Mun § 208-b](#)

Current through 2022 released Chapters 1-500

*New York Consolidated Laws Service > General Municipal Law (Arts. 1 — 20) > Article 10  
Firefighters and Police Officers (§§ 200 — 209-z)*

**§ 208-b. Death benefits for beneficiaries of certain police officers and firefighters.**

---

1. Notwithstanding any other provision of law, and in addition to any benefits otherwise provided, death benefit may be payable upon the death of a regular member of a police department or police force or of a fire department in a county not wholly contained within a city, a city having a population of less than one million, or a town, village, or other subdivision of government, or agency of such a county having a regular police department or force or fire department, hereinafter referred to as a municipality, if, upon application therefor, the chief officer of the municipality maintaining such department or force shall determine, on the basis of the evidence, that such member:
  - a. Died within one year after, and as the natural and proximate result of injuries sustained at a definite time and place and incurred in the performance of duty as a member of such department or force, and
  - b. Did not cause such accident by his own wilful negligence.
2. The death benefit shall be paid by the municipality upon the allowance of the claim therefor, and shall consist of:
  - a. An amount equal to the salary received by such member either during the year immediately preceding his death, or during the year preceding such injuries, whichever is greater and
  - b. One thousand dollars, or ten percent of the deceased member's final salary, whichever is higher, payable for each child of such member under eighteen on the date of the member's death.
3. The death benefit shall be paid to:
  - a. The member's widow, or if he shall leave no widow, or if his widow shall die before receiving the total of the amounts provided in subdivision two hereof, then to
  - b. His child or children under age eighteen, in equal amounts.
4. Application for death benefit shall be made:

- a. By the member's widow.
  - b. By any of his children.
  - c. By any person in behalf of the widow or children.
5. Application for death benefit shall be made:
- a. To the chief fiscal officer of the municipality, on a form to be prescribed and supplied by him and requiring such information as he shall determine necessary.
  - b. Within thirty days after the death of the member, provided, however, that failure to file the application within thirty days may be excused on petition to and order of a justice of the supreme court having jurisdiction, upon a showing either
    1. That a sufficient reason exists why such notice was not given.
    2. That a report or other notice was made or given to the department or force of the injuries within the thirty day period.
    3. That the municipality has not been prejudiced by the delay in giving the notice.

## History

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Add, L 1958, ch 882, eff Sept 1, 1958; amd, L 1964, ch 742, § 1, eff April 22, 1964; L 1981, ch 877, § 1, eff July 31, 1981; [L 2018, ch 476, § 68](#), effective December 28, 2018.

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Ordinance No.

**Establishing death benefits for beneficiaries of certain police officers and firefighters**

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

Section 1. Chapter 19 of the Municipal Code, Public Safety, is hereby amended by adding §19-1, which shall read as follows:

§ 19-1. Death benefits for beneficiaries of certain police officers and firefighters.

Notwithstanding any other provision of law, and in addition to any benefits otherwise provided, the City of Rochester hereby adopts the death benefit, authorized by General Municipal Law (GML) § 208-b, which shall be payable by the City of Rochester upon the death of a regular member of the Rochester Police Department or of the Rochester Fire Department due to injuries incurred in the performance of his or her duties, as provided for in GML § 208-b.

Section 2. This ordinance shall take effect immediately.





# City of Rochester

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FINANCE  
INTRODUCTORY NO.

356

Malik D. Evans  
Mayor

August 31, 2022

OMB36

TO THE COUNCIL

Ladies and Gentlemen:

Re: 2021-22 Year-End Budget Amendment

Council Priority: Deficit Reduction and Long Term  
Financial Stability

Comprehensive Plan 2034 Initiative Area:  
Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation amending the 2021-22 Budget as follows:

1. Transfer a total of \$8,380,600 from Contingency to the following departments:

Police Department	\$6,312,600
Fire Department	\$2,068,000

2. Transfers of appropriations totaling \$7,400,000 from the following departments to Cash Capital:

Administration	
• Mayor's Office	\$150,000
• Communications	\$150,000
• Human Resources	\$350,000
Sub-total Administration	\$650,000
Law Department	\$250,000
Environmental Services	\$900,000
Information Technology	\$400,000
Neighborhood and Business Development	\$400,000
Recreation and Human Services	\$800,000
Undistributed Expenses	\$4,000,000

The appropriation transfers are authorized pursuant to Section 6-13 of the City Charter.

The City Council has previously authorized 55 other amendments to the 2021-22 Budget. These amendments reflect 4 appropriation transfers, 50 appropriation increases based upon the receipt of additional revenues, and 1 appropriation that included both a transfer and increase.

Actual receipts and expenditures for 2021-22 will be audited by the City's external auditors, Freed, Maxick, and Battaglia. The proposed amendments are required to complete the audit process and ensure adherence to Section 6-16 of the City Charter, which prohibits expenditures in excess of authorized appropriations.

The proposed total increase of \$7,400,000 to the Cash Capital allocation is to fund capital projects as follows:



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1. \$1,835,000 to fund the Olean-Kennedy Residential Development (North and South blocks) to prepare these properties for development of affordable owner-occupied housing
2. \$1,750,000 in additional funding for the Trees Expansion Beautification Program and the Annual Forestry Tree Program to increase the inventory of City trees while creating an equitable City-wide tree stocking rate
3. \$750,000 in additional funding for library facility improvements, including the Rundel Library Elevator Upgrades and the Charlotte Branch Library Roof Replacement projects
4. \$690,000 in additional funding for fire house facility improvements at the Chestnut Fire House, Broad and Allen Fire House, and Genesee Fire House
5. \$650,000 in additional funding for general rehabilitation, furnishings, and equipment needs at recreational facilities
6. \$625,000 in additional funding for safety enhancements including lighting, landscaping, fencing, and signage to Animal Services and select parks, fields, and playgrounds
7. \$450,000 to implement phase 4 of the Infor Public Land Management software which would configure the tool to accommodate additional licensing and permitting functions currently processed through the Mainframe or other end-of-life systems
8. \$400,000 to fund the redesign of the City's website and move the content to a new platform
9. \$250,000 in additional funding for general rehabilitation needs at City facilities

On June 15, 2021, when the 2021-22 Budget was adopted by City Council, salary and wage rates had not yet been established for uniformed employees represented by the Rochester Police Locust Club, Inc. nor the International Association of Firefighters, Local 1071 (IAFF). The collective bargaining agreement for the Rochester Police Locust Club expired on June 30, 2019 and the IAFF collective bargaining agreement expired on June 30, 2021. Contract negotiations with the Locust Club on a successor agreement were unsuccessful and as a result the Locust Club filed for impasse on April 27, 2022 and ultimately filed for interest arbitration on July 15, 2022. Negotiations with IAFF are ongoing in an effort to reach a settlement. Allowances are being made for the projected anticipated costs of these unsettled contracts.

The City Senior Management Team effectively managed their 2021-22 operating budgets with actual spending less than 2021-22 Budget allocations for all departments. Significant inflationary pressure in the areas of fuel, utilities and supplies impacted most departments however, this was largely offset by personnel vacancies and associated fringe benefit savings.

Respectfully submitted,



Malik D. Evans  
Mayor



Ordinance No.

**Amending the 2021-22 Budget for year-end Budget amendments**

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

Section 1. Ordinance No. 2021-174, the 2021-22 Budget of the City of Rochester, as amended, is hereby further amended by transferring the total sum of \$7,400,000 from the following departments to Cash Capital:

- a) \$150,000 from the Mayor's Office;
- b) \$150,000 from the Bureau of Communications;
- c) \$350,000 from the Department of Human Resources;
- d) \$900,000 from the Department of Environmental Services;
- e) \$400,000 from the Department of Information Technology;
- f) \$250,000 from the Department of Law;
- g) \$400,000 from the Department of Neighborhood and Business Development;
- h) \$800,000 from the Department of Recreation and Human Services; and
- i) \$4,000,000 from Undistributed Expenses.

Section 2. Ordinance No. 2021-174, the 2021-22 Budget of the City of Rochester, as amended, is hereby further amended by transferring the total sum of \$8,380,600 from Contingency to the following departments for pending wage and salary settlements:

- a) \$6,312,600 to the Police Department; and
- b) \$2,068,000 to the Fire Department.

Section 3. This ordinance shall take effect immediately.