

ROCHESTER CITY COUNCIL

REGULAR MEETING

March 19, 2024

Present – President Meléndez, Councilmember Gruber, Harris, Lightfoot, Lupien, Martin, Monroe, Patterson, Smith – 9.

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

THE COUNCIL PRESIDENT --- RECOGNITION CEREMONIES.

Special Recognitions:

Women’s History Month:

Lina Abdou	Rachel McDonald
Mary Adams	Delores Jackson Radney
Dr. Ashley Campbell	Sharon Salluzzo
Dr. Linda Clark	Donna Sarnacki
Jackie Farrell	LaShunda Leslie Smith
Isobel Goldman	Andrea Tudisco
Veronica Richardson Hall	Brittaney Wells
Dr. Seanelle Hawkins	Denise Young
Dr. Myra Henry	

Retirement:

DES:

Rodrigo Pina
Robin L. Schutte

RFD:

Douglas Carpenter
Robert O’Shaughnessy

RPD:

Scott Hill

APPROVAL OF THE MINUTES

By Councilmember Lightfoot

RESOLVED, that the minutes of the Regular Meeting on February 20, 2024 be approved as published in the official sheets of the Proceedings.

Adopted unanimously.

THE CITY CLERK---THE FOLLOWNG DOCUMENTS ARE HEREBY DIRECTED TO BE RECEIVED AND FILED:

The Council submits Disclosure of Interest Forms from **President Meléndez** on Int. No. 63; **Vice President Harris and Councilmember Lupien** on Int. Nos. 84 and 85.

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

- Councilmemeber Martin submits a petition with 1268 signatures to support a Ceasefire in Gaza, to end U.S support to Israel **Petition No. 1785**
- Councilmember Lightfoot submits a petition with 1200 signatures demanding that the Administration pause the Assessment **Petition No. 1786**

THE COUNCIL PRESIDENT --- RECEIVED AND FILED

No Public Hearings for the month of March.

REPORTS OF STANDING COMMITTEES
AND ACTION THEREON

By Councilmember Patterson
March 19, 2024

To the Council:

The **NEIGHBORHOODS, JOBS & HOUSING Committee** recommends for **adoption** the following entitled legislation:

Int. No. 63 Authorizing the sale of real estate

Int. No. 64 Authorizing the lease of parking spaces in the subterranean truck tunnel at 50 Cortland Street

The **NEIGHBORHOODS, JOBS & HOUSING COMMITTEE** recommends the following entitled legislation to be **HELD** in Committee:

Int. No. 65 Authorizing sublease for a portion of 245 East Main Street

Respectfully submitted,
Michael A. Patterson
Mitch Gruber
Kimberly Smith (*absent*)
LaShay D. Harris
Miguel A. Meléndez Jr. (*abstained from Int. No. 63*)

NEIGHBORHOODS, JOBS & HOUSING COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2024-50
Re: Sale of Real Estate

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Comprehensive Plan 2034 Initiative Area: Strong Neighborhoods

Transmitted herewith for your approval is legislation approving the sale of one structure, one vacant lot and one unbuildable vacant lot being sold to the adjoining owners. City records have been checked to ensure that the purchasers (except those buying unbuildable vacant lots) do not own other properties with code violations or delinquent taxes, and have not been in contempt of court or fined as a result of an appearance ticket during the past five years.

The first property, listed on Attachment A under the heading I. Negotiated Sale – Improved Property, is 152 Dove Street will be sold to Rochester Housing Development Fund Corporation (Theodora Finn, President), 16 East Main Street, Rochester, New York. The purchaser will rehabilitate the property for sale to an income-qualified owner occupant through the HOME Rochester program.

The second property, listed on Attachment A under the heading II. Negotiated Sale – Vacant Land, is 80 Hollister Street will be sold to Carrie McFayden, 78 Hollister Street, Rochester, New York. The purchaser will combine the lot with her primary parcel.

The remaining property is listed on Attachment A under the heading, III. Negotiated Sale - Unbuildable Vacant Land. The lot at 20 Ketchum Street will be sold to the adjoining owners of 26 Ketchum Street, Delvin Lumly and Panditta Lumly, of Rochester, New York. The parcel is being sold for \$1.00 (as per City policy) and will be combined with the primary parcel owned by the identified adjoining owners. Maps and Lot Analyses for the above properties are included as Attachment B.

The first year projected tax revenue for these properties, assuming full taxation, current assessed valuations and current tax rates, is estimated to be \$1,602.

All City taxes and other charges, except water charges against properties being sold by the City, will be canceled on the first day of the month following adoption of the ordinance because either the City has agreed to convey the property free of City tax liens and other charges, or these charges have been included in the purchase price.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AX-37

Ordinance No. 2024-50
(Int. No. 63)

Authorizing the sale of real estate

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

Section 1. The Council hereby approves the negotiated sale of the following parcel of improved property:

Address	SBL#	Lot Size (ft)	Price	Purchaser
152 Dove St	090.73-3-90	35 x 100	\$18,000	Rochester Housing Development Fund Corporation

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

Address	SBL#	Lot Size (ft)	Area (sq ft)	Price	Purchaser
80 Hollister St	106.34-2-57	40 x 109.77	4,390	\$425	Carrie McFayden

Section 3. The Council hereby approves the negotiated sale of the following vacant unbuildable parcel of land for \$1 each:

Address	SBL#	Lot Size	Sq.Ft.	Purchaser
20 Ketchum St	106.22-3-40	36 x 92.08	3,272	Delvin Lumly Panditta Lumly

Section 4. City taxes and other City charges, except water charges, against said properties are hereby canceled up to the first day of the month following the date of adoption of this ordinance for the reason that the City has agreed to convey said properties free of City tax liens and other charges or because these charges have been included in the purchase price.

Section 5. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - Councilmembers Gruber, Harris, Lightfoot, Lupien, Martin, Monroe, Patterson, Smith - 8.

Nays - None - 0.

President Meléndez abstained due to a professional relationship.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2024-51

Re: Lease Agreement – 50 Cortland Street Tunnel

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing a lease agreement between the City of Rochester and Midtown Tower LLC. (Ken Glazer, CEO, 259 Alexander St, Rochester, NY). Midtown Tower LLC will lease from the City, four parking spaces in the subterranean Truck Tunnel below 50 Cortland Street, SBL No. 121.24-1-8.013, to provide parking for one of their tenants with oversize service vehicles that don't fit in area parking garages. A map of the tunnel location is included as Attachment A, and a floor plan of the underground parking area is included as Attachment B.

Midtown Tower LLC shall pay \$6,000 annually (\$125 per month per parking space) with a 2% annual increase. Lease costs are supported by an appraisal by Bruckner, Tillet, Rossi, Cahill & Associates, Inc. as of January 2024.

The initial term will be three years commencing April 1, 2024 and ending March 31, 2027. There shall be five optional, one-year renewals and one 11-month renewal. These renewals align with the termination date of a lease Midtown Tower LLC has with a tenant that expires February 28, 2033. The lease will include a clause that either party may terminate the agreement with 90 days' notice.

The City has had a short-term test lease in place with Midtown Tower to determine if this parking had any negative impact on regular operations of the Truck Tunnel and to determine if the tenant found the parking suitable for their needs prior to engaging in a long-term lease. DES, City Security, and the tenant have no concerns about a long-term lease pursuant to this test.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AX-38

Ordinance No. 2024-51
(Int. No. 64)

Authorizing the lease of parking spaces in the subterranean truck tunnel at 50 Cortland Street

WHEREAS, the City of Rochester has received a proposal for the lease of four parking spaces located in the subterranean truck tunnel at 50 Cortland Street for a term of three years, with the option to extend for up to five one-year periods and one 11-month period;

WHEREAS, pursuant to Section 21-23 of the Municipal Code, the Council is required to follow additional procedures due to the length of the proposed lease; and

WHEREAS, the term of the lease is reasonable and necessary in light of its intended purpose and the public will benefit throughout the term of the lease.

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

Section 1. The Mayor is hereby authorized to enter into an agreement with Midtown Tower LLC for the lease of four parking spaces located in the subterranean truck tunnel at 50 Cortland Street, SBL No. 121.24-1-8.013. The agreement shall extend for a term of three years, with the option to extend for up to five one-year periods and one 11-month period.

Section 2. The lease agreement shall obligate the lessee to pay monthly rent to the City in the amount of \$500 for the first year and subject to a 2% increase each year thereafter.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

By Vice President Harris
March 19, 2024

To the Council:

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

- Int. No. 66 Authorizing and appropriating funds for the Martin Luther King Jr. Memorial Park Phase 4 Project
- Int. No. 67 Resolution appropriating Environmental Protection Fund Grant Program funds from the New York State Office of Parks, Recreation and Historic Preservation for the Martin Luther King Jr. Memorial Park Phase 4 Project
- Int. No. 68 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$3,775,000 Bonds of said City to finance the Pueblo Nuevo Group Street Rehabilitation Project
- Int. No. 69 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$284,000 Bonds of said City to finance water service improvements associated with the Pueblo Nuevo Group Street Rehabilitation Project
- Int. No. 70 Authorizing an agreement for the Pueblo Nuevo Group Street Rehabilitation Project
- Int. No. 71 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$3,000,000 Bonds of said City to finance certain costs of the Hazardous Sidewalk Replacement Program Northeast Quadrant Contract 2024 - Phase 1
- Int. No. 72 Authorizing an amendatory agreement for the Hazardous Sidewalk Replacement Program Northeast Quadrant Contract 2024 – Phase 1
- Int. No. 73 Authorizing funding and amendatory agreements relating to the Charles Carroll Plaza and Genesee Crossroads Parking Garage Roof Slab Reconstruction Project
- Int. No. 74 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$880,000 Bonds of said City to finance the Charles Carroll Plaza and Genesee Crossroads Parking Garage Roof Slab Reconstruction Project
- Int. No. 75 Authorizing an agreement relating to the Railroad Underpass Improvements Project
- Int. No. 76 Authorizing an application, grant agreement and appropriation for the Climate Pollution Reduction Grants program
- Int. No. 77 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$671,000 Bonds of said City to finance a portion of the City’s Conduit Modernization Project 2024 – Phase 1
- Int. No. 78 Authorizing an agreement for on-call therapist services for the Department of Recreation and Human Services

Respectfully submitted,
LaShay D. Harris
Willie J. Lightfoot (*absent*)
Mary Lupien
Michael A. Patterson
Miguel A. Meléndez, Jr.
PEOPLE, PARKS & PUBLIC WORKS COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2024-52
Resolution No. 2024-14
Re: Grant Authorization – New York State Office of Parks, Recreation and Historic Preservation –
Martin Luther King Jr. Memorial Park Phase 4

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation to:

1. Authorize the receipt and use of \$187,500 in awarded funding through the Environmental Protection Fund program of the New York State (NYS) Office of Parks, Recreation and Historic Preservation (OPRHP) to partially finance the design of the Martin Luther King Jr. Memorial Park Phase 4 Project; and,
2. Approve a resolution, in a form that is required by NYS OPRHP, which will approve the City's acceptance of grant funds and delegate signing authority to execute the NYS Master Contract for Grants ("Master Contract") and any amendments thereto, any deed of easement, and any other certifications that may be required.

The Project will include the design of improvements for the Court Street and Chestnut Street frontages and the southwest berm garden of Martin Luther King Jr. Memorial Park (formerly Manhattan Square Park). The street frontages and berm garden are the most visible sections of the park, however they do not convey the design aesthetic or character of the remainder of the park. These areas detract from the appearance of the park and Center City as a whole. The resolution is required by OPRHP to enter into an agreement for the grant. Upon execution of the grant agreement, a design consultant team will be selected through a request for proposal process.

Funding for the Project was requested through the NYS Consolidated Funding Application as authorized by Ordinance No. 2023-244. The City's required matching contribution of \$62,500 is requested in the 2024-25 Capital Improvement Program.

This proposed legislation has been developed by the Department of Environmental Services (DES) in collaboration with the Department of Recreation and Human Services (DRHS).

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AX-39

Ordinance No. 2024-52
(Int. No. 66)

Authorizing and appropriating funds for the Martin Luther King Jr. Memorial Park Phase 4 Project

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

Section 1. The Council hereby authorizes the receipt and use of \$187,500 in anticipated reimbursements from the New York State Office of Parks, Recreation and Historic Preservation through its Environmental Protection Fund Grant Program, which amount is hereby appropriated to the Martin Luther King Jr. Memorial Park Phase 4 Project (Project).

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

Resolution No. 2024-14
(Int. No. 67)

Resolution appropriating Environmental Protection Fund Grant Program funds from the New York State Office of Parks, Recreation and Historic Preservation for the Martin Luther King Jr. Memorial Park Phase 4 Project

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

THAT the City of Rochester applied for financial assistance from the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) under the Environmental Protection Fund Grant Program for Parks, Preservation and Heritage (EPF) for the purpose of funding the Martin Luther King Jr. Memorial Park Phase 4 Project;

THAT that the City of Rochester is authorized and directed to accept these grant funds in an amount not to exceed \$187,500 for the project described in the grant application;

THAT the City of Rochester is authorized and directed to agree to the terms and conditions of the Master Contract with OPRHP for the Project;

THAT the governing body of the municipality delegates signing authority to execute the Master Contract and any amendments thereto, and any other certifications to the individual who holds the following elected position title: Mayor.

THAT a certified copy of this resolution be filed with the OPRHP accompanied by the following certification signed, dated, and sealed by the City Clerk:

CERTIFIED TRUE COPY

I, Hazel Washington, Clerk of the City of Rochester, hereby certify that the foregoing is a full, true, and accurate copy of a resolution duly and regularly adopted by the governing body of the municipality, at a meeting duly and regularly held on March 19, 2024, at which quorum was present throughout, and the required majority of the governing body voted in favor of this resolution. I further certify that this resolution is still in full force and effect and has not been revoked or modified.

and

THAT this Resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2024-53

Ordinance No. 2024-54

Ordinance No. 2024-55

Re: Pueblo Nuevo Group Street Rehabilitation Project (Sullivan Street/O'Brien Street/
Hoeltzer Street/Kappel Place)

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Sustaining Green and Active Systems

Transmitted herewith for your approval is legislation related to the Pueblo Nuevo Group Street Rehabilitation Project. This legislation will:

1. Authorize the issuance of street bonds totaling \$3,775,000 and the appropriation of the proceeds thereof to finance the street portion of the construction and resident project representation (RPR) services for the Project; and,
2. Authorize the issuance of water bonds totaling \$284,000 and the appropriation of the proceeds thereof to finance the water portion of the construction and RPR services for the Project; and,
3. Establish \$650,000 as maximum compensation for a professional services agreement with C&S Engineers, Inc. (Aileen Maguire Meyer, President, 100 South Clinton Avenue, Suite 2700, Rochester, New York) for RPR services for the Project. The cost of the agreement will be funded from the sources outlined in the chart on the following page.

The Project will include, but is not limited to, pavement reconstruction, pavement milling and resurfacing, new curb, sidewalks, curb ramps, new driveway aprons, signage, hydrant relocations, water services, catch basins, and adjustment and/or repair of manholes and water valve castings. These improvements will enhance the surface drainage and riding quality of the roadway, improve accessibility, and expand the useful life of the pavement structure.

The Project was designed by the City of Rochester Department of Environmental Services (DES) Bureau of Architecture and Engineering, Street Design Division with design support from Fisher Associates, P.E., L.S., L.A., D.P.C. through a Civil Engineering Professional Term Services Agreement authorized by Ordinance 2020-225.

C&S Engineers, Inc. was selected for RPR services through a request for proposal process, which is described in the attached summary.

Bids for construction were received on January 16, 2024. The apparent low bid of \$3,719,000.65 was submitted by Sealand Contractors Corp. (Daniel Bree, C.E.O., 85 High Tech Drive, Rush, New York).

The Project will be funded as follows:

Source of Funds	Design, ROW & Material Testing	Street Lighting	Construction	RPR	Contingency	Total
Bonds authorized herein	0	0	3,012,852.65	611,500	150,647.35	\$3,775,000
Water bonds authorized herein	0	0	236,533	38,500	8,967	\$284,000
Pure Waters reimbursement authorized Ordinance No. 2024-40	0	0	465,365	0	25,000	\$490,365
Prior Years Cash Capital	369.46	0	0	0	0	\$369.46
2012-13 Cash Capital	1,720	0	0	0	0	\$1,720
2016-17 Cash Capital	21,551.32	0	0	0	0	\$21,551.32
2018-19 Cash Capital	298	0	0	0	0	\$298
2020-21 Cash Capital	36,900	0	0	0	0	\$36,900
2021-22 Cash Capital	2,937.60	0	0	0	0	\$2,937.60
2023-24 Cash Capital	0	13,300	4,250	0	0	\$17,550
Total	\$63,776.38	\$13,300	\$3,719,000.65	\$650,000	\$184,614.35	\$4,630,691.38

Construction is anticipated to begin in spring 2024 and be substantially complete in fall 2024. The funds authorized herein will result in the creation and/or retention of the equivalent of 49.6 full-time jobs.

The term of the agreement shall be three months after the completion of the two-year guarantee inspection of the Project.

Respectfully submitted,
 Malik D. Evans
 Mayor

Attachment No. AX-40

Ordinance No. 2024-53
 (Int. No. 68)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$3,775,000 Bonds of said City to finance the Pueblo Nuevo Group Street Rehabilitation Project

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance a portion of the cost of the Pueblo Nuevo Group Street Rehabilitation Project that includes pavement reconstruction, pavement milling and resurfacing, new curbs, sidewalks, curb ramps, new driveway aprons, signage, catch basins, adjustment and/or repair of manholes, and other improvements for the street group comprised of Sullivan Street (North Clinton Avenue to Joseph Avenue), O'Brien Street (west end to Joseph Avenue), Hoeltzer Street (North Clinton Avenue to Joseph Avenue) and Kappel Place (west end to North Clinton Avenue) (the "Project"). The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$4,343,691.38. The plan of financing includes the issuance of \$3,775,000 bonds of the City, which amount is hereby appropriated for the Project, \$490,365 in anticipated reimbursements from Monroe County appropriated in Ordinance No. 2024-40, \$369.46 in Prior Years' Cash Capital, \$1,720 in 2012-13 Cash Capital, \$21,551.32 in 2016-17 Cash Capital, \$298 in 2018-19 Cash Capital, \$33,900 in 2020-21 Cash Capital, \$2,937.60 in 2021-22 Cash Capital, \$17,550 in 2023-24 Cash Capital and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$3,775,000 are hereby authorized to be issued pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$3,775,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said class of objects or purposes described in Section 1 of this Ordinance, within the limitations of 11.00 a. 20(c) of the Law, is fifteen (15) years.

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

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

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

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

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

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

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

Passed unanimously.

Ordinance No. 2024-54
(Int. No. 69)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$284,000 Bonds of said City to finance water service improvements associated with the Pueblo Nuevo Group Street Rehabilitation Project

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance a portion of the cost of water service improvements, including hydrant relocations, and adjustments, repairs or replacement of water mains, water services and water valve casings and other improvements associated with Pueblo Nuevo Group Street Rehabilitation Project comprised of Sullivan Street (North Clinton Avenue to Joseph Avenue), O'Brien Street (west end to Joseph Avenue), Hoeltzer Street (North Clinton Avenue to Joseph Avenue) and Kappel Place (west end to North Clinton Avenue) (the "Project"). The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$287,000. The plan of financing includes the issuance of \$284,000 bonds of the City, which amount is hereby appropriated for the Project, \$3,000 in 2020-21 Cash Capital and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$284,000 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 \$284,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said class of objects or purposes described in Section 1 of this Ordinance, within the limitations of 11.00 a. 1 of the Law, is forty (40) years.

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

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

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

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

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

Passed unanimously.

Ordinance No. 2024-55
(Int. No. 70)

Authorizing an agreement for the Pueblo Nuevo Group Street Rehabilitation Project

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with C & S Engineers, Inc. to provide Resident Project Representation services for the Pueblo Nuevo Group Street Rehabilitation Project (Project). The maximum compensation for the agreement shall be \$650,000, which shall be funded in the amounts of \$611,500 from the proceeds of street bonds appropriated for the

Project in a concurrent ordinance and \$38,500 from the proceeds of water bonds appropriated for the Project in a concurrent ordinance. The term of the agreement shall continue to three months after the 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 appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2024-56

Ordinance No. 2024-57

Re: Hazardous Sidewalk Replacement Program Northeast Quadrant Contract 2024 – Phase 1

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Sustaining Green and Active Systems

Transmitted herewith for your approval is legislation related to the Hazardous Sidewalk Replacement Program Northeast Quadrant Contract 2024 – Phase 1. The legislation will:

1. Authorize the issuance of bonds totaling \$3,000,000 and the appropriation of the proceeds thereof to partially finance a portion of the construction for the Project; and,
2. Authorize an amendatory professional services agreement with Vanguard Engineering, P.C. (Joseph C. Ardieta, C.E.O., 133 South Fitzhugh Street, Rochester, New York) to provide resident project representation (RPR) services for the Project. The original agreement for \$300,000 as authorized by Ordinance No. 2022-58 and amended by Ordinance 2023-43 to \$500,000 was to provide RPR services for sidewalk projects located in the city's Northwest quadrant. This amendment will extend the RPR services to this Project and increase the compensation by \$325,000 to a maximum total of \$825,000. The cost of extending the RPR services to the Project will be funded from the sources outlined in the funding chart.

The Project will replace sidewalk sections (i.e., flags) that are in hazardous condition at various locations within a portion of the Northeast Quadrant of the City. The Project also includes full sidewalk replacement on Arnold Park.

The Project was designed by the City of Rochester Department of Environmental Services (DES), Bureau of Architecture and Engineering, Street Design Division.

Bids for construction were received on January 4, 2024. The apparent low bid of \$3,498,202.90 was submitted by Espana Enterprises, LLC (Robert Lawless, C.E.O., 174 Colvin Street, Rochester, New York).

The Project will be funded as follows:

Source of Funds	Construction	RPR	Contingency	Total
Bonds authorized herein	3,000,000	0	0	\$3,000,000
2021-22 Cash Capital	367,160.20	234,535	0	\$601,695.20
2023-24 Cash Capital	131,042.70	90,465	63,492.30	\$285,000
Total	\$3,498,202.90	\$325,000	\$63,492.30	\$3,886,695.20

Construction is anticipated to begin in spring 2024 and be substantially complete in fall 2024. The construction and professional services amendatory will result in the creation and/or retention of the equivalent of 42.2 full-time jobs.

The term of the agreement shall be one year with the option to extend for one additional one-year term.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AX-41

Ordinance No. 2024-56
(Int. No. 71)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$3,000,000 Bonds of said City to finance certain costs of the Hazardous Sidewalk Replacement Program Northeast Quadrant Contract 2024 - Phase 1

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance a portion of the costs of the Hazardous Sidewalk Replacement Program Northeast Quadrant Contract 2024 - Phase 1 along the street segments specified on the attached Project Street List (Exhibit A), including replacing hazardous sidewalk sections (flags) along the listed streets (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 \$3,886,695.20. The plan of financing includes the issuance of \$3,000,000 bonds of the City, which amount is hereby appropriated for the Project, \$601,695.20 from 2021-22 Cash Capital, \$285,000 from 2023-24 Cash Capital and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$3,000,000 are hereby authorized to be issued pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$3,000,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said class of objects or purposes described in Section 1 of this Ordinance, within the limitations of 11.00 a. 24 of the Law, is ten (10) years.

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

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

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

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

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

Exhibit A

Project Street List

The Project entails replacing hazardous sidewalk flags along the following street segments:

STREET	(FROM TO TO)
ACKERMAN ST	(from WEBSTER AVE to BAYCLIFF DR)
ALEXIS ST	(from ROSEWOOD TER to PARKSIDE AVE)
ARNOLD PARK	(from EAST AVE to PARK AVE)
BADEN ST	(from JOSEPH AVE to CHATHAM GDNS)
BARONS ST	(from WEEGER ST to CLIFFORD AVE)
BAY ST	(from PORTLAND AVE to N GOODMAN ST)
BELLWOOD PL	(from WEST END to N GOODMAN ST)
BERWYN ST	(from MELVILLE ST to ROSEWOOD TER)
BOCK ST	(from WEBSTER AVE to BAY ST)

BOTT PL	(from SOUTH END to BAY ST)
CASPAR ST	(from PORTLAND AVE to EAST END)
CENTRAL AVE	(from N CLINTON AVE to NORTH ST)
CENTRAL PARK	(from PORTLAND AVE to N GOODMAN ST)
CHAMBERLAIN ST	(from PARSELLS AVE to MELVILLE ST)
CLEVELAND ST	(from HUDSON AVE to NORTH ST)
COLEMAN TER	(from HEMPEL ST to MANITOU ST)
CONCORD ST	(from NORTH ST to DRAPER ST)
COPELAND ST	(from WEBSTER AVE to CUMMINGS ST)
COUNCIL ST	(from PORTLAND AVE to MILLER ST)
COVERLY ST	(from FERRIS ST to BAY ST)
CROMBIE ST	(from BAY ST to HEMPEL ST)
CUBA PL	(from JOSEPH AVE to EAST END)
CUMBERLAND ST	(from N CLINTON AVE to NORTH ST)
DAKE ST	(from HEBARD ST to NIAGARA ST)
DENVER ST	(from PARSELLS AVE to PARKSIDE AVE)
DIAMOND PL	(from WEBSTER AVE to EAST END)
DIRINGER PL	(from N GOODMAN ST to EAST END)
DRAPER ST	(from NORTH ST to PORTLAND AVE)
DUDLEY ST	(from WEEGER ST to CLIFFORD AVE)
EDWARD ST	(from UPPER FALLS BLVD to VOSE ST)
ELIZABETH PL	(from IRONDEQUOIT ST to MILLER ST)
ELLISON ST	(from WEBSTER AVE to BAY ST)
ENGLERT ST	(from SANDER ST to HARVEST ST)
FERNDALE CRES	(from PENNSYLVANIA AVE to WEBSTER AVE)
FERRIS ST	(from MCKINSTER ST to CULVER RD)
FIFTH ST	(from PENNSYLVANIA AVE to BAY ST)
FIRST ST	(from PENNSYLVANIA AVE to BAY ST)
FORESTER ST	(from MONA ST to N GOODMAN ST)
FOURTH ST	(from PENNSYLVANIA AVE to BAY ST)
FRANCES ST	(from BAY ST to FORESTER ST)
FREDERICK ST	(from HELENA ST to CLEVELAND ST)
FROMM PL	(from CENTRAL PARK to MILLER ST)
GARNET ST	(from KELLER ST to CLIFFORD AVE)
GILMORE ST	(from EDWARD ST to NORTH ST)
GRACE ST	(from NORTH ST to CONCORD ST)
GREELEY ST	(from PARSELLS AVE to BAY ST)
HARRISON ST	(from ORMOND ST to HUDSON AVE)
HARVEST ST	(from BAY ST to COLEMAN TER)
HAZELWOOD TER	(from WEBSTER AVE to CULVER RD)
HEBARD ST	(from TRINIDAD ST to BAY ST)
HEIDELBERG ST	(from N GOODMAN ST to ACKERMAN ST)
HELENA ST	(from HUDSON AVE to NORTH ST)
HEMPEL ST	(from FIRST ST to SIXTH ST)
HENRY ST	(from UPPER FALLS BLVD to WEEGER ST)
HIGH ST	(from SIXTH ST to N GOODMAN ST)
HIXSON ST	(from MARIA ST to THOMAS ST)
HOLLAND ST	(from KELLY ST to HUDSON AVE)
HOLLISTER ST	(from MERRIMAC ST to CLIFFORD AVE)
HUDSON AVE	(from NORTH ST to CLIFFORD AVE)
IRONDEQUOIT ST	(from PORTLAND AVE to ELIZABETH PL)
IROQUOIS ST	(from ROSEWOOD TER to BAY ST)
JOSEPH AVE	(from CUMBERLAND ST to CLIFFORD AVE)
KELLER ST	(from SIXTH ST to N GOODMAN ST)
KELLY ST	(from N CLINTON AVE to HUDSON AVE)
LAMONT PL	(from WEBSTER AVE to EAST END)

LANGIE AL (from PORTLAND AVE to CONCORD ST)
 LANSING ST (from LINCOLN ST to PORTLAND AVE)
 LINCOLN ST (from MERRIMAC ST to CLIFFORD AVE)
 LOCHNER PL (from PORTLAND AVE to EAST END)
 MARIA ST (from CUBA PL to CLIFFORD AVE)
 MARK ST (from HUDSON AVE to NORTH ST)
 MC KINSTER ST (from VERMONT ST to BAY ST)
 MELVILLE ST (from WEBSTER AVE to CULVER RD)
 MERRIMAC ST (from EDWARD ST to PORTLAND AVE)
 MESSINA ST (from TRINIDAD ST to NORTH END)
 MILLER ST (from BAY ST to CLIFFORD AVE)
 MONA ST (from BAY ST to HIGH ST)
 N GOODMAN ST (from PENNSYLVANIA AVE to BAY ST)
 N UNION ST (from RAILROAD to BAY ST)
 NASH ST (from HUDSON AVE to PORTLAND AVE)
 NASSAU ST (from JOSEPH AVE to HUDSON AVE)
 NETHERTON ROAD (from NETHERTON RD to NETHERTON RD)
 NIAGARA ST (from CENTRAL PARK to BAY ST)
 NIAGARA ST (from PENNSYLVANIA AVE to N UNION ST)
 NORTH ST (from CUMBERLAND ST to CLIFFORD AVE)
 OREGON ST (from CENTRAL AVE to HARRISON ST)
 PARKSIDE AVE (from WEST END to MCKINSTER ST)
 PENNSYLVANIA AVE (from N UNION ST to N GOODMAN ST)
 PETERS PL (from HEBARD ST to HEBARD ST)
 PORTLAND AVE (from NORTH ST to CLIFFORD AVE)
 PRISCILLA ST (from KELLER ST to NICHOLS ST)
 PUTNAM ST (from HELENA ST to CLEVELAND ST)
 QUAMINA DR (from WIDMAN ST to WIDMAN ST)
 RAUBER ST (from N CLINTON AVE to WIDMAN ST)
 REED PARK (from HUDSON AVE to NORTH ST)
 RICHLAND ST (from VARDEN ST to CULVER RD)
 RIPLEY ST (from N GOODMAN ST to WEBSTER AVE)
 RITZ ST (from SCIO ST to HEBARD ST)
 ROBERT WARFIELD CT (from UPPER FALLS BLVD to WILLIAM WARFIELD DR)
 ROHR ST (from BAY ST to CLIFFORD AVE)
 ROSEWOOD TER (from WEBSTER AVE to CULVER RD)
 SANDER ST (from THIRD to HEMPEL ST)
 SCIO ST (from RAILROAD to CENTRAL PARK)
 SECOND ST (from PENNSYLVANIA AVE to BAY ST)
 SEVENTH ST (from SHORT to BAY ST)
 SHAFER ST (from ROSEWOOD TER to WEBSTER AVE)
 SHORT ST (from SEVENTH ST to N GOODMAN ST)
 SIGEL ST (from CENTRAL PARK to ZIMMER ST)
 SIXTH ST (from PENNSYLVANIA AVE to BAY ST)
 SKUSE ST (from HUDSON AVE to NORTH ST)
 STEVENS ST (from LINCOLN ST to PORTLAND AVE)
 STOUT ST (from PARSELLS AVE to MELVILLE ST)
 STUNZ ST (from WEBSTER AVE to EAST END)
 TERESA ST (from BAY ST to SANDER ST)
 THIRD ST (from PENNSYLVANIA AVE to BAY ST)
 THOMAS ST (from UPPER FALLS BLVD to CLIFFORD AVE)
 TRAVERS ST (from MELVILLE ST to HAZELWOOD TER)
 TRINIDAD ST (from HEBARD ST to N UNION ST)
 UPPER FALLS BLVD (from N CLINTON AVE to HUDSON AVE)
 VARDEN ST (from FERRIS ST to BAY ST)
 VERMONT ST (from GREELEY ST to CULVER RD)

VETTER ST	(from SCIO ST to HEBARD ST)
VIENNA ST	(from JOSEPH AVE to EAST END)
VOSE ST	(from HENRY ST to REED PARK)
WABASH ST	(from EIGHT ST to N GOODMAN ST)
WADSWORTH ST	(from HUDSON AVE to NORTH ST)
WAIT ST	(from SCIO ST to HEBARD ST)
WANGMAN ST	(from HEBARD ST to N UNION ST)
WARD ST	(from N CLINTON AVE to JOSEPH AVE)
WATKIN TER	(from HUDSON AVE to NORTH ST)
WEBSTER AVE	(from PARSELLS AVE to BAY ST)
WEBSTER CRES	(from WEST END to WEBSTER AVE)
WEEGER ST	(from THOMAS ST to HUDSON AVE)
WENDELL ST	(from WEBSTER AVE to MORTON ST)
WESLEY ST	(from PORTLAND AVE to CONCORD ST)
WIDMAN ST	(from UPPER FALLS BLVD to CUBA PL)
WILLIAM WARFIELD DR	(from NORTH END to JOSEPH AVE)
WILSON ST	(from HUDSON AVE to NORTH ST)
WOODBURY ST	(from HUDSON AVE to CONCORD ST)
WRIGHT TER	(from MILLER ST to EAST END)
ZIMMER ST	(from BAY ST to CASPAR ST)

Passed unanimously.

Ordinance No. 2024-57
(Int. No. 72)

Authorizing an amendatory agreement for the Hazardous Sidewalk Replacement Program Northeast Quadrant Contract 2024 - Phase 1

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 Vanguard Engineering, P.C. to provide additional Resident Project Representative (RPR) services for hazardous sidewalk replacement projects. The amendatory agreement shall amend the original agreement authorized in Ordinance No. 2022-58 and as amended by Ordinance No. 2023-43, by extending the scope of RPR services to the Hazardous Sidewalk Replacement Program Northeast Quadrant Contract 2024 - Phase 1 and increasing the maximum compensation by \$325,000 to a new total of \$825,000. The amendatory compensation shall be funded in the amounts of \$234,535 from 2021-22 Cash Capital and \$90,465 from 2023-24 Cash Capital. The term of the amended agreement shall extend for one year with the option to extend for one additional year.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2024-58

Ordinance No. 2024-59

Re: Charles Carroll Plaza and Genesee Crossroads Parking Garage Roof Slab Reconstruction Project

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity and Opportunity

Transmitted herewith for your approval is legislation related to the Charles Carroll Plaza and Genesee Crossroads Parking Garage Roof Slab Reconstruction Project. This legislation will:

1. Authorize the receipt and use of \$1,000,000 of funding from Rochester Gas and Electric Corporation to partially finance the design, construction, construction administration, and construction management/residential project representation (CM/RPR) services for phase three of the Project - State Street Connection; and,
2. Authorize the issuance of bonds totaling \$880,000 and the appropriation of the proceeds thereof to partially finance the construction of the Project; and,
3. Authorize an amendatory agreement with T.Y. Lin International Engineering & Architecture, P.C. (Robert J. Radley, C.E.O., 255 East Avenue, Rochester, New York) which was originally authorized in Ordinance No. 2015-71 and as amended in Ordinance Nos. 2016-404, 2019-96, 2021-294, 2022-277, and 2023-102. This amendment will increase the compensation by \$75,000 for a maximum total of \$2,815,000. The amendatory agreement authorized herein will fund design and construction administration services for the Project. The cost of the amendatory agreement will be funded from the sources outlined in the funding chart below; and,
4. Authorize an amendatory agreement with LiRo Engineers, Inc. (Rocco Trotta PE, C.E.O., 3 Aerial Way, Syosset, New York) which was originally authorized in Ordinance No. 2020-67 and as amended in Ordinance No. 2021-294. This amendment will increase the compensation by \$300,000 for a maximum total of \$3,529,000. The amendatory agreement authorized herein will fund construction management/residential project representation (CM/RPR) services for the Project. The cost of the amendatory agreement will be funded from the sources outlined in the funding chart below.

Charles Carroll Plaza is located on the west side of the Genesee River between Main Street and Andrews Street. Much of the plaza is built on top of the Genesee Crossroads Parking Garage roof.

Phase one of this ROC the Riverway project included renovation and extension of the Sister Cities Bridge to achieve a bicycle friendly, fully ADA accessible link across the Genesee River from Bragdon Place to the Charles Carroll Plaza.

Phase two includes the removal of the plaza to perform structural repairs to the garage roof slab underneath, replacement of the slab waterproofing system, and construction of a modernized plaza, with an updated, naturally flowing space with ADA accessible connections serving as a critical link in the Genesee Riverway Trail system.

Phase three of the Project, which will improve pedestrian access to the plaza and Genesee Riverway Trail from State Street, and will include the removal of existing steps, construction of an ADA accessible sidewalk connection, and park gateway signage.

The Project was designed by with T.Y. Lin International Engineering & Architecture, P.C. and CM/RPR services for the project are provided by LiRo Engineers, Inc. The amendatory agreements authorized herein will fund additional services related to addition of phase three - State Street Connection.

The Project will be funded as follows:

Funding Source	Design	Construction	CM/RPR	Total
2012-13 Cash Capital Ordinance No. 2015-71	250,000	0	0	\$250,000
2013-14 Cash Capital Ordinance No. 2015-71	300,000	0	0	\$300,000
2014-15 Cash Capital Ordinance No. 2015-71	150,000	0	0	\$150,000
NYSDOS appropriated Ordinance No. 2016-404	400,000	0	0	\$400,000
URI / NYSDOS appropriated Ordinance No. 2019-96	1,100,000	0	0	\$1,100,000
URI / NYSDOS appropriated (Phase one) Ordinance No. 2020-67	0	5,500,000	0	\$5,500,000
Bonds authorized Ordinance No. 2020-68	0	0	1,250,000	\$1,250,000
URI / NYSDOS appropriated (Phase two) Ordinance No. 2021-294	0	10,900,000	0	\$10,900,000
ARPA funds appropriated Ordinance No. 2021-294	0	1,500,000	0	\$1,500,000
RGE grant appropriated Ordinance No. 2021-294	20,000	199,129	0	\$219,129
Bonds authorized Ordinance No. 2021-295	500,000	2,433,000	1,979,000	\$4,912,000
RGE grant appropriated Ordinance No. 2022-277	20,000	200,000	0	\$220,000
Bonds authorized herein	0	880,000	0	\$880,000
RGE funds appropriated herein	75,000	625,000	300,000	\$1,000,000
Total	\$2,815,000	\$22,237,129	\$3,529,000	\$28,581,129

Construction of phase one began in summer 2020. Construction of phase two began in spring 2022. Design of phase three - State Street Connection is in progress with construction anticipated to begin in spring 2024. All phases of the project are anticipated to be substantially complete in fall 2024. The additional funding appropriated herein will result in the creation and/or retention of the equivalent of 20.4 full-time jobs.

The term of the agreements shall be three months after completion of the two-year guarantee inspection of the Project.

Respectfully submitted,
 Malik D. Evans
 Mayor

Attachment No. AX-42

Ordinance No. 2024-58
 (Int. No. 73)

Authorizing funding and amendatory agreements relating to the Charles Carroll Plaza and Genesee Crossroads Parking Garage Roof Slab Reconstruction Project

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

Section 1. The Council hereby authorizes the receipt and use of a \$1,000,000 grant from the Rochester Gas and Electric Corporation (RGE) for the Charles Carroll Plaza and Genesee Crossroads Parking Garage Roof Slab Reconstruction Project (Project), which amount is hereby appropriated to fund the design, construction, construction administration and construction management/resident project representation (CM/RPR) services for phase three of the Project pertaining to the State Street Connection.

Section 2. The Mayor is hereby authorized to enter into an amendatory professional services agreement with T.Y. Lin International Engineering & Architecture, P.C. to provide additional engineering services for the Project. The amendments to the existing agreement authorized in Ordinance No. 2015-71 and as amended in Ordinance Nos. 2016-404, 2019-96, 2021-294, 2022-277 and 2023-102 shall include: extending the scope of work to provide for additional design and construction administration services for the Project; and increasing the maximum compensation by \$75,000 to a new total of \$2,815,000. The increase shall be funded from the RGE grant authorized in Section 1 herein. The term of the amendatory agreement shall extend to three months after completion of the two-year guarantee inspection of the Project.

Section 3. The Mayor is hereby authorized to enter into an amendatory professional services agreement with LiRo Engineers, Inc. to provide additional services for the Project. The amendments to the existing agreement authorized in Ordinance No. 2020-67 and as amended in Ordinance No. 2021-294 shall include: extending the scope of work to provide for additional CM/RPR for the Project; and increasing the maximum compensation by \$300,000 to a new total of \$3,529,000. The increase shall be funded from the RGE grant authorized in Section 1 herein. The term of the amendatory agreement shall extend to three months after completion of the two-year guarantee inspection of the Project.

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2024-59
(Int. No. 74)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$880,000 Bonds of said City to finance the Charles Carroll Plaza and Genesee Crossroads Parking Garage Roof Slab Reconstruction Project

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance a portion of the costs of the Charles Carroll Plaza and Genesee Crossroads Parking Garage Roof Slab Reconstruction Project consisting of removing the plaza platform to perform structural repairs to the underlying garage roof slab, replacing the slab waterproofing system, constructing a new modernized public plaza and associated improvements (collectively, 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 \$28,581,129. The plan of financing includes the issuance of \$880,000 bonds of the City, which amount is hereby appropriated for the Project, \$400,000 from the New York State Department of State (NYSDOS) appropriated in Ordinance No. 2016-404, \$1,100,000 in Urban Revitalization Initiative (URI) grant funds from NYSDOS appropriated in Ordinance No. 2019-96, \$1,250,000 in bond proceeds appropriated to the Project in Ordinance No. 2020-68, \$5,500,000 in URI grant funds from NYSDOS appropriated in Ordinance No. 2020-67, \$10,900,000 in URI grant funds from NYSDOS appropriated in Ordinance No. 2021-294, \$1,500,000 in United States Treasury funds provided pursuant to the American Rescue Plan Act of 2021 and appropriated in Ordinance No. 2021-294, \$219,129 in reimbursements from the Rochester Gas and Electric Corporation (RGE) appropriated in Ordinance No. 2021-294, \$250,000 in 2012-13 Cash Capital, \$300,000 in 2013-14 Cash Capital, \$150,000 in 2014-15 Cash Capital, \$4,912,000 in bond proceeds appropriated to the Project in Ordinance No. 2021-295, \$220,000 in reimbursements from RG&E's Commercial Corridor/Main Street Revitalization Assistance Program appropriated in Ordinance No. 2022-277, \$1,000,000 in reimbursements from RGE appropriated to the Project in a concurrent ordinance 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 \$880,000 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 \$880,000. 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.10 of the Law, is forty (40) years.

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

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

as well as to executing agreements for credit enhancement, are hereby delegated to the Director of Finance, as the Chief Fiscal Officer of the City.

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

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

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

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

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

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2024-60
Re: Agreement – Fisher Associates, P.E., L.S., L.A., D.P.C. – Railroad Underpass Improvements Project (Atlantic Avenue, Culver Road and Winton Road).

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation establishing \$200,000 as maximum compensation for a professional services agreement with Fisher Associates, P.E., L.S., L.A., D.P.C. (Roseann B. Schmid, C.E.O., 180 Charlotte Street, Rochester, NY 14607) for engineering services for the Railroad Underpass Improvements Project. The cost of the agreement will be funded with 2023-24 Cash Capital.

Railroad underpasses have been in a state of disrepair for numerous years. The railroad companies have limited their work to completing safety repairs to the most severely distressed elements. The Project is consistent with similar projects undertaken by the City of Rochester in the past to improve safety, maintenance and aesthetics elements outside of the strict safety categories adhered to by the railroad companies. These improvements reinforce the safety, stability and economic viability of the surrounding neighborhoods. The railroad underpasses included in the Project were prioritized based on condition and include Atlantic Avenue, Culver Road and Winton Road.

Fisher Associates was selected for preliminary design, final design, bid, award and construction administration services through a request for proposal process, which is described in the attached summary.

Design is anticipated to begin in spring 2024. Construction is anticipated to begin in spring 2025. The professional services agreement will result in the creation and/or retention of the equivalent of 2.2 full-time jobs.

The term of the agreement shall be three months after the completion of the two-year guarantee inspection of the Project.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AX-43

Ordinance No. 2024-60
(Int. No. 75)

Authorizing an agreement relating to the Railroad Underpass Improvements Project

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with Fisher Associates, P.E., L.S., L.A., D.P.C. to provide preliminary design, final design, bid, award and construction administration services for the Railroad Underpass Improvements Project (Atlantic Avenue, Culver Road and Winton Road). The maximum compensation for the agreement shall be \$200,000, which shall be funded from 2023-24 Cash Capital. The term of the agreement shall continue to 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 appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2024-61
Re: Grant Application – USEPA Climate Pollution Reduction Grants Implementation Grant

Comprehensive Plan 2034 Initiative Area: Sustaining Green and Active Systems; Reinforcing Strong Neighborhoods; Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation related to the United States Environmental Protection Agency (USEPA) Climate Pollution Reduction Grants (CPRG) program:

This legislation will:

1. Authorize the City to apply for \$20 million in USEPA CPRG Implementation Grant funds; and
2. Authorize the Mayor to enter into any necessary agreement with the USEPA for the receipt and use of funding.

The 2022 Inflation Reduction Act established the Climate Pollution Reduction Grants (CPRG) program to provide Planning and Implementation grants to eligible applicants to significantly reduce greenhouse gas (GHG) emissions that contribute to climate change and result in negative impacts to our natural resources, infrastructure and socio-economic systems. Furthermore, the CPRG program prioritizes projects that reduce GHGs while improving community benefits as well as reducing harmful air pollutants in low income and disadvantaged communities because climate change disproportionately impacts our most vulnerable populations who already face socio-economic hardships and have limited means to recover.

As required by the USEPA CPRG program, projects to be included in the application will be based on their potential to reduce the use of fossil fuels and resulting GHG emissions and their opportunity to improve energy efficiency, to use electricity and renewable energy to power buildings in disadvantaged communities and in municipal operations. These projects strongly align with GHG reduction and clean energy strategies included in the City of Rochester Municipal Operations and Community-wide Climate Action Plans.

Anticipated projects in the CRPG application include:

- Sustainable home rehabilitation and repair program: Work with City and community partners to provide funding to insulate homes and install clean heating and cooling technology when replacing fossil fuel burning furnaces and water heaters during rehabilitation or emergency situations in single and multi-family homes in low income/disadvantaged communities.
- Residential rooftop solar installation program: Work with City and community partners to make residential rooftops solar ready and install solar photovoltaic systems wherever possible as part of the City's emergency roof replacement program in low income/disadvantaged communities.
- Sustainable municipal facility upgrades: Funding to install rooftop solar and clean heating and cooling technology at existing municipal facilities.
- LED streetlights expansion program: Provide funds to support the ongoing conversion to LED street lights, including Smart technology that will allow remote monitoring.

If USEPA CPRG Implementation funding is awarded, no City matching funds are required. Awards are anticipated to be made by USEPA in fall 2024.

Respectfully submitted,
Malik D. Evans
Mayor

Ordinance No. 2024-61
(Int. No. 76)

Authorizing an application, grant agreement and appropriation for the Climate Pollution Reduction Grants program

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

Section 1. The Mayor is hereby authorized to submit an application to the United States Environmental Protection Agency (USEPA) for a grant of \$20 million through the agency's Climate Pollution Reduction Grants (CPRG) program.

Section 2. The Mayor is hereby authorized to enter into an agreement with the the USEPA for the receipt and use of CPRG program funds in the amount of up to \$20 million, which amount is hereby appropriated for the implementation of CPRG projects.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2024-62
Re: Bond Authorization – Conduit Modernization Project 2024 – Phase 1

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Sustaining Green and Active Systems

Transmitted herewith for your approval is legislation authorizing the issuance of bonds totaling \$671,000 and appropriating the proceeds thereof to partially finance a portion of the Conduit Modernization Project 2024 – Phase 1.

The City’s water supply conduit transmission system consists of three large diameter pipes (Conduits No. 1, No. 2 and No. 3, ranging in size from 24 inches to 42 inches in diameter) that convey treated water from the Hemlock Filtration Plant to Highland and Cobbs Hill Reservoirs. The pipes were installed in phases between 1874 through 1918 and have been rehabilitated in phases over the years.

The Project includes the installation of conduit interconnections at two locations along New York State (NYS) Route 15A between Rush Reservoir and I-390. These interconnections will enhance operational flexibility and overall reliability of the City’s water transmission system. The scope of work includes the installation of eight 24 inch valves and ten 36 inch valves in Conduits No. 1, No. 2 and No. 3. The locations for this work is south of Fall Creek Trail and at Valiant Drive on NYS Route 15A (East Henrietta Road).

Project design and construction administration/inspection will be performed by Water Bureau staff with design support from Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. as authorized by Council Ordinance No. 2022-381. Water Bureau Staff will perform construction at Fall Creek Trail. Construction at Valiant Drive will be performed by a contractor to be selected through a competitive bidding process in Phase 2. Purchasing materials in advance is required due to the long lead times for large diameter valves and related equipment.

The Project will be funded as follows:

	Design	Construction	Total
2019-20 Cash Capital	\$293,000		\$293,000
2020-21 Cash Capital	\$907,000		\$907,000
Bonds authorized herein		\$671,000	\$671,000
Total	\$1,200,000	\$671,000	\$1,871,000

Construction is anticipated to begin summer 2024 and be substantially complete in fall 2024. The construction of the Project will result in the creation and/or retention of the equivalent of 7.3 fulltime jobs.

Respectfully submitted,
Malik D. Evans
Mayor

Ordinance No. 2024-62
(Int. No. 77)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$671,000 Bonds of said City to finance a portion of the City's Conduit Modernization Project 2024 – Phase 1

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of the City's Conduit Modernization Project 2024 – Phase 1, which includes the installation of approximately 18 interconnection valves within the City's three large-diameter pipes known as Conduits No. 1, No. 2 and No. 3 that convey treated water to the city from the Hemlock Filtration Plant within two segments thereof located in the vicinity of NYS Route 15A's intersections with each of Fall Creek Trail and with Valiant Drive (the "Project"). The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,871,000. The plan of financing includes the issuance of \$671,000 bonds of the City, which amount is hereby appropriated for the Project, \$293,000 in 2019-20 Cash Capital, \$907,000 in 2020-21 Cash Capital and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$671,000 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 \$671,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said class of objects or purposes described in Section 1 of this Ordinance, within the limitations of 11.00 a. 1. of the Law, is forty (40) years.

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

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

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

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

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

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

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

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2024-63
Re: Agreement – On-Call Therapist Services

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 the provision of on-call therapist services for employees, volunteers, and participants in Department of Recreation and Human Services (DRHS) programs. This legislation will:

Authorize \$60,000 as maximum compensation for a professional services agreement with BreatheDeep, Inc. (Dr. Melany J. Silas, President, 1515 South Avenue, Rochester NY) to provide one-on-one and/or group therapy on an on-call basis to process trauma, grief and loss that may be experienced by:

- DRHS staff and volunteers while on the job working with program participants; and
- DRHS program participants, coaches, staff and volunteers to deal with athletic injuries that may occur during DRHS programs.

The goal of the therapy will be to help the recipients to deal with any direct or vicarious mental or emotional trauma.

The cost of the agreement will be funded from the 2023-24 Budget of DRHS, using a portion of the funds authorized by Council via Ordinance No. 2023-375 for Social-Emotional Supports and Programs. The term of the agreement shall not exceed one year.

The consultant selected through a request for proposals process described in the attached Vendor Selection Form.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AX-45

Ordinance No. 2024-63
(Int. No. 78)

Authorizing an agreement for on-call therapist services for the Department of Recreation and Human Services

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with BreatheDeep, Inc. to provide one-on-one and group therapy on an on-call basis on an on-call basis to process trauma, grief and loss that may be experienced by: (a) Department of Recreation and Human Services (DRHS) staff and volunteers while on the job working with program participants; and (b) DRHS sports program participants, coaches, staff and volunteers to deal with athletic injuries that may occur during DRHS programs. The term of the agreement shall be up to one year. The maximum compensation shall be \$60,000, which shall be funded from the 2023-24 Budget of DRHS.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Gruber
March 19, 2024

To the Council:

The **BUDGET, FINANCE & GOVERNANCE COMMITTEE** recommends for **ADOPTION** the following entitled legislation:

- Int. No. 79 Authorizing an amendatory license agreement for the Blue Cross Arena at the War Memorial
- Int. No. 80 Authorizing an amendatory agreement for expert witness services for the Law Department
- Int. No. 81 Approving appointment to the Rochester Preservation Board
- Int. No. 82 Approving appointment to the Zoning Board of Appeals
- Int. No. 83 Approving appointment to the City Planning Commission
- Int. No. 84 Resolution authorizing an exception to the debt limit for Rochester City School District purposes
- Int. No. 85 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$19,500,000 Bonds of said City to finance the costs of improvements to specified City School District buildings

Respectfully submitted,
 Mitch Gruber
 Stanley Martin
 Bridget Monroe
 LaShay D. Harris
 Miguel A. Meléndez Jr.

BUDGET, FINANCE & GOVERNANCE COMMITTEE

Received, filed & published.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2024-64

Re: Amending License Agreement – Blue Cross Arena at the War Memorial

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation authorizing an amendment to the City’s license agreement with Rochester Arena, LLC (RA) for the operation of the Blue Cross Arena at the War Memorial. The current agreement authorized in Ordinance No. 2018-408 requires RA to reimburse the City for the Arena’s utility costs, including gas, electric, water and sewer services. The amendment will require the City to contribute up to forty percent (40%) of the utility costs, up to a maximum of \$250,000 annually. The amendment will go into effect on July 1, 2024 and continue for the remainder of the term of the current license agreement, which expires on December 31, 2033. The City’s share of utility costs will be funded from the annual operating budgets of the Department of Environmental Services (DES) in the fiscal year that they are incurred, beginning with the 2024-25 Budget of DES and contingent upon the approval of the 2024-25 and future years’ Budgets.

Over the last year, a committee comprising staff from the Mayor’s Office, Department of Environmental Services, the Law Department, and the Office of Management and Budget has been engaged in reviewing the license agreement with RA and making recommendations for the next period of the agreement. One of the issues addressed during the course of those conversations has been increasing costs associated with operation of the Arena, particularly utility costs. The proposed sharing of utility costs will meaningfully address these concerns.

Respectfully submitted,
Malik D. Evans
Mayor

Ordinance No. 2024-64
(Int. No.79)

Authorizing an amendatory license agreement for the Blue Cross Arena at the War Memorial

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

Section 1. The Mayor is hereby authorized to enter into an amendatory agreement with Rochester Arena, LLC relating to the use of the Blue Cross Arena at the War Memorial. The amendatory agreement shall amend the original agreement authorized in Ordinance No. 2018-408 to provide that, commencing July 1, 2024 and continuing to the end of the agreement term, the City shall contribute up to 40% of the facility's costs for utilities, including gas, electric, water and sewer services, up to a maximum of \$250,000 per year. The amendatory compensation for utility costs shall be funded from the 2024-25 and subsequent years' Budgets of the Department of Environmental Services based on when such costs are incurred and contingent upon the approval of future years' budgets.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2024-65
Re: Amendatory Agreement – Medical Expert Services

Transmitted herewith for your approval is legislation for an amendatory professional services agreement with Legal Med, LLC, with offices at Apple Tree Business Park (Gabrielle Kotas acting, Manager, 2875 Union Road, Suite 8, Cheektowaga, New York 14227) to provide expert medical witnesses in conjunction with personal injury litigation. Legal Med has been providing services required for the defense of these matters. The original agreement, authorized by Ordinance No. 2018-82, authorized professional services agreement to provide expert medical services as requested with the maximum amount of \$40,000. This legislation will authorize the City to amend that agreement to increase the maximum compensation by an additional \$40,000 up to a new maximum total of \$150,000. All other terms will remain the same. The additional compensation will be funded from the 2023-24 Law Department Budget.

Legal Med has extensive experience in placing the correct expert witness and medical professional for each specific matter, from which the City has benefitted pursuant to this agreement since at least 2018.

Respectfully submitted,
Malik D. Evans
Mayor

Ordinance No. 2024-65
(Int. No. 80)

Authorizing an amendatory agreement for expert witness services for the Law Department

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

Section 1. The Mayor is hereby authorized to enter into an amendatory professional services agreement with Legal Med, LLC to provide additional expert witness services for the Law Department. The amendment shall increase the maximum compensation of the existing agreement, which was authorized by Ordinance No. 2018-82 and amended by Ordinance Nos. 2019-2 and 2022-263, by \$40,000 to a total amount of \$150,000. The amendatory compensation shall be funded from the 2023-24 Budget of the Law Department.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2024-15
Re: Appointment – Rochester Preservation Board

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation confirming the appointment of Greg Scott Irwin, Preservation District Resident, as a full-time member to the Rochester Preservation Board. Mr. Irwin is a Senior Project Manager for software implementation in the healthcare field.

Mr. Irwin’s term will expire on May 31, 2026, as he will be serving out the remainder of the current vacancy and then a new, two-year term. Mr. Irwin’s resume is on file with the City Clerk.

Respectfully submitted,
Malik D. Evans
Mayor

Resolution No. 2024-15
(Int. No. 81)

Approving appointment to the Rochester Preservation Board

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

Section 1. The Council hereby approves the appointment to the Rochester Preservation Board of the following person as a regular member for the remaining term of a vacant seat that expires on May 31, 2024 and for a subsequent full two-year term which shall expire on May 31, 2026:

Name	Affiliation
Greg Scott Irwin	Preservation District Resident

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2024-16
Re: Appointment – Zoning Board of Appeals

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation confirming the appointment of Mark Chiarenza, East District, as a full-time member to the Rochester Zoning Board of Appeals. Mr. Chiarenza is a local commercial Real Estate broker.

Mr. Chiarenza’s term will expire on May 31, 2026, as he will be serving out the remainder of the current vacancy and then a new, two-year term. Mr. Chiarenza’s resume is on file with the City Clerk.

Respectfully submitted,
Malik D. Evans
Mayor

Resolution No. 2024-16
(Int. No. 82)

Approving appointment 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 to the Zoning Board of Appeals of the following person as a regular member for the remaining term of a vacant seat that expires on May 31, 2024 and for a subsequent full two-year term which shall expire on May 31, 2026:

Name	Council District
Mark Chiarenza	East

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2024-17
Re: Appointment – City Planning Commission

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation confirming the appointment of Jacob Hall, East District, as a full-time member to the Rochester City Planning Commission. Mr. Hall is a Community Prevention and Curriculum Coordinator in the healthcare field.

Mr. Hall's term will expire on May 31, 2026, as he will be serving out the remainder of the current vacancy and then a new, two-year term. Mr. Hall's resume is on file with the City Clerk.

Respectfully submitted,
Malik D. Evans
Mayor

Resolution No. 2024-17
(Int. No. 83)

Approving appointment to the City Planning Commission

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

Section 1. The Council hereby approves the appointment to the City Planning Commission of the following person as a regular member for the remaining term of a vacant seat that expires on May 31, 2024 and for a subsequent full two-year term which shall expire on May 31, 2026:

Name	Council District
Jacob Hall	East

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2024-18
Ordinance No. 2024-66
Re: Capital Improvement Program – City School District

City Council Priorities: Deficit Reduction and Long-Term Financial Stability, Creating Effective Educational Systems

Transmitted herewith for your approval is legislation relating to the Capital Improvement Program (CIP) of the Rochester City School District (RCSD). This legislation will:

1. Authorize a one-time exception to the RCSD 2023-24 debt limit in the amount \$2,700,000 for improvements to facilities that the RCSD shares with the City; and
2. Authorize the issuance of bonds for \$19,500,000 and the appropriation of the proceeds thereof for capital improvements to existing school buildings.

During fiscal year 2023-24 the RCSD will redeem \$16,800,797 in previously authorized debt principal. *Attachment A* is a projection of that debt to be repaid over the current and next four fiscal years. By the City's Debt Authorization Policy adopted in Resolution No. 81-4, the RCSD's borrowing in any fiscal year may not exceed the principal on outstanding debt redeemed for that year, unless the excess authorization is justified by exceptional circumstances. Therefore, RCSD is requesting a one-time exception to the above described debt limit in the amount of \$2,700,000 to the fund the following improvements:

- School No.33 (\$2,000,000) - For improvements to the attached Thomas Ryan R-Center that include: installing doors and access controls to create secure lobby entrance and modifying the control desk; replacing rooftop air handlers; upgrades to the existing building management, fire and life safety systems; and replacing existing moveable partition wall panels in the recreation room, gymnasium curtains and scoreboards.
- School No. 12 (\$500,000) - For improvements to the attached Frederick Douglass Re-center that include: replacing the R-Center's kitchen hood and upgrading the fire rating of the cooking space; and upgrading of RCSD/R-Center shared space to support a maker space program.
- School No. 5 (\$200,000) - Resurfacing the existing City playground located on the school premises.

An exception to the Debt Authorization Policy is justified for the debt funding of these three projects because they present an unanticipated opportunity to fund improvements to two Re-centers and one playground that are used by the City as well as by the RCSD. In addition, the State Education Department typically reimburses schools districts up to 98% of the costs for renovations of this kind. Therefore, declining this funding opportunity would result in an economic loss to the City and RCSD.

For cities with dependent school districts, the NY State Constitutional Debt Limit is established at 9.0% of the 5-year average full valuation. As specified in the City Charter, Rochester splits this limit into 5.5% for the City and 3.5% for the School District. This split provides the District with a remaining borrowing capacity of \$150,002,709 (*Attachment B*).

In accordance with the City/RCSD Debt Policy set forth in Resolution No. 2016-8 (2016 Debt Policy), bonding for schools in the CIP will not include schools in a current phase of the Facilities Modernization Program (FMP) unless for reasons of health and safety. No FMP-funded projects are included in this year's proposed bond issuance.

Attachment C is a letter from the School District detailing the planned uses of the new bonds and the use of cash capital as well as a copy of the Board of Education Resolution approving the capital plan.

In addition, the 2016 Debt Policy requires the City of Rochester's Engineering and Architecture staff (E&A) to review the CIP request and for RCSD to provide a list of school closings. *Attachment D* is a memorandum from the City Engineer stating that the E&A review confirms that most of the \$19,500,000 in proposed projects involve improvements for reasons of health, safety and welfare and that none of the projects involve FMP facilities. *Attachment E* is a letter from RCSD stating that they plan to close and return to the City of Rochester schools #20, #29, and #44.

The New York State Education Department has confirmed by letter that the RCSD has met the Maintenance of Effort (MOE) requirement for 2023-24. When the City issues this debt the repayments will be structured to the extent possible to continue meeting the MOE requirements, while remaining within the constraints of Local Finance Law.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AX-46

Ordinance No. 2024-18
(Int. No. 84)

Resolution authorizing an exception to the debt limit for Rochester City School District purposes

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

Section 1. The sum of \$2,700,000 is hereby approved as an exception to the 2023-24 Debt Limit for the Capital Improvement Program of the Rochester City School District (RCSD) in order to authorize the issuance of bonds in an amount that exceeds by up to \$2,700,000 the amount of previously authorized debt principal to be redeemed during the fiscal year 2023-24. This exception to the debt limit set forth in the City's Debt Authorization Policy adopted in Resolution No. 81-4 is provided in order to fund renovations and improvements to the following three RCSD facilities that are also used by the City for recreation and other human services:

- School No.33 (\$2,000,000) – For improvements to the attached Thomas Ryan R-Center that include: installing doors and access controls to create secure lobby entrance and modifying the control desk; replacing rooftop air handlers; upgrades to the existing building management, fire and life safety systems; replacing existing moveable partition wall panels in the recreation room, gymnasium curtains and scoreboards.
- School No. 12 (\$500,000) – For improvements to the attached Frederick Douglass R-Center that include: replacing the R-Center's kitchen hood and upgrading the fire rating of the cooking space; and upgrading of RCSD/R-Center shared space to support a maker space program.
- School No. 5 (\$200,000) – For resurfacing the existing City playground located on the school premises.

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

Ordinance No. 2024-66
(Int. No. 85)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$19,500,000 Bonds of said City to finance the costs of improvements to specified City School District buildings

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 \$19,500,000 of the costs of the City School District 2023-24 Capital Improvement Program, including the costs of the design, renovation and improvements of the City School District buildings indicated on the attached Schedule A (the "Project"). The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$19,500,000, and said amount is hereby appropriated therefor. The plan of financing includes

the issuance of \$19,500,000 bonds of the City to finance said appropriation and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$19,500,000 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. The principal of the Bonds authorized by this Ordinance exceeds by \$2,699,203 the principal of the Bonds being redeemed on behalf of the School District during the City's 2023-24 Fiscal Year. This exceedance in the amount of \$2,700,000 is authorized by a concurrent Resolution of this Council. The proceeds of the Bonds authorized herein shall not be applied to any School District facility in the current phase of the School District Facilities Modernization Program.

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 \$19,500,000. 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.

Schedule A
2023-24 RCSD CAPITAL IMPROVEMENT PROGRAM

School Name	Project Description	Budget
School #5/John Williams School	Construct playground and relocate existing ballfield, masonry repointing, reroofing of bay window for room #101 and resurface existing City playground.	\$ 900,000
School #12/ Anna Murray-Douglass Academy	Replace chiller on third floor with rooftop air cooled unit, replace R-Center kitchen hood and upgrade fire rating of the cooking space and upgrade District/City shared space to support maker space program.	\$ 2,400,000
School #19/ Dr. Charles T. Lunsford	Provide planning and design consultant services to replace roof on school building, provide boiler burner upgrades, and replace the fire alarm system throughout the building.	\$ 300,000
School #23/ Francis Parker	Replace classroom doors and transoms, replace exterior doors and other interior doors and provide card readers and door lock devices on all classroom doors.	\$ 900,000
School No. 33/ John James Audubon	Replace scoreboard in large gym. Complete Thomas Ryan R-Center renovations to include: building envelope improvements, gymnasium upgrades, Mechanical Electrical Plumbing systems upgrades, upgrades to the existing building management, fire and life safety systems, interior renovations, and site work improvements.	\$ 2,100,000
School No. 34/ Dr. Louis A. Cerulli	Replace Vinyl Asbestos Tile flooring in select classrooms, rebuild parapets on original building and complete masonry restorations on exterior façade.	\$ 800,000
School No. 39/ Andrew J. Townson	Install security screens on first and second floor windows.	\$ 500,000
School No. 42/ Abelard Reynolds	Complete gymnasium interior finishes on gymnasium exterior walls.	\$ 500,000
School No. 45/ Mary McLeod Bethune	Recoat fiberglass cornice and provide air cooled chiller.	\$ 1,700,000
School No. 46/ Charles Carroll	Replace battleship flooring in 6 classrooms on first floor and 8 classrooms on second floor, complete classroom upgrades, abate classroom ceilings on 2 nd floor, and install new ceiling and new	\$ 2,500,000

School Name	Project Description	Budget
	technology. Renovate toilets in kindergarten classrooms and lower level.	
Charlotte Campus	Auditorium renovations to include: repair water damage on ceiling and paint ceiling, install air conditioning, abate ACM panels on stage, replace seating on main floor and balcony. Provide screening for properties adjacent to football field. Construct security screening room at main entry.	\$ 2,100,000
James Monroe	Construct school based health clinic previously designed in the modernization program. Construct cosmetology classroom in 24B.	\$ 1,000,000
School Without Walls Commencement	Replace rooftop air handler. Upgrade freight elevator.	\$ 600,000
Wilson Foundation Academy	Relocate interior vestibule glass wall to create secure vestibule. Modify control desk.	\$ 600,000
Various School Building Reorganizations	Provide design and renovations to support building reorganizations. Locations to be determined.	\$ 1,000,000
District Wide Door Security Alarm Initiative	Door Security Alarm project provides alarms and cameras at all building exits with rapid notifications.	\$ 1,600,000
GRAND TOTAL 2023-24 RCSD CAPITAL IMPROVEMENT PROGRAM		\$19,500,000

Passed unanimously.

By Councilmember Lightfoot
March 19, 2024

To the Council:

The **PUBLIC SAFETY COMMITTEE** recommends for **ADOPTION** the following entitled legislation:

Int. No. 86 Authorizing intermunicipal agreement with Monroe County and amending the 2023-24 Budget for traffic and crowd control services

Int. No. 87 Amending the 2023-24 Budget for the 2024 STOP DWI program

Respectfully submitted,
Willie J. Lightfoot
Mitch Gruber
Mary Lupien
Stanley Martin (*voted against Int. No. 86*)
Bridget Monroe
Michael A. Patterson
Kimberly Smith (*absent*)
LaShay D. Harris
Miguel A. Meléndez Jr.
PUBLIC SAFETY COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2024-67
Re: Agreement – Monroe County, Traffic and Crowd Control Services and Budget Amendment

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong neighborhoods

Transmitted herewith for your approval is legislation relating to police services. This legislation will:

1. Authorize an Intermunicipal Agreement (IMA) with Monroe County for the Rochester Police Department to provide traffic and crowd control services at Innovative Field (formerly Frontier Field) for Red Wings baseball games during 2024 in return for the County's reimbursement of the City's costs in an amount not to exceed \$225,000; and
2. Amend the 2023-24 Budget of the Police Department by \$89,100 to reflect a portion of these funds; and
3. Amend the 2023-24 Undistributed Budget of the Police Department by \$30,900 to reflect a portion of these funds.

Monroe County has requested assignment of Police Officers on a reimbursable overtime basis for traffic and crowd control for regular and post-season Red Wings baseball games at Innovative Field during the 2024 season. The agreement will provide for reimbursement by Monroe County at the rate of \$107 per hour for each Police Officer, in an amount not to exceed \$225,000. The term of the agreement is April 1, 2024 through October 1, 2024. The remaining funds will be included in the 2024-25 Budget upon approval. This is the second time this agreement has been presented to Council, with the first one being approved under Ordinance No. 2023-85.

Respectfully submitted,
Malik D. Evans
Mayor

Ordinance No. 2024-67
(Int. No. 86)

Authorizing intermunicipal agreement with Monroe County and amending the 2023-24 Budget for traffic and crowd control services

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

Section 1. The Mayor is hereby authorized to enter into an intermunicipal agreement with Monroe County (the County) for the Rochester Police Department to provide traffic and crowd control services at Innovative Field for Red Wings baseball games during 2024 in return for the County's reimbursement of the City's costs in an amount not to exceed \$225,000.

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

Section 3. Ordinance No. 2023-228, the 2023-24 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget by \$120,000 as follows:

- a. \$89,100 for the Budget of the Police Department; and
- b. \$30,900 for the Budget Undistributed Expense;

which amounts are hereby appropriated from the County reimbursements authorized in Section 1 herein.

Section 4. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Meléndez, Councilmembers Gruber, Harris, Lightfoot, Lupien, Monroe, Patterson, Smith - 8.

Nays - Councilmember Martin - 1.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2024-68
Re: Budget Amendment – 2023-24 Budget of the Police Department

Council Priority: Public Safety

Transmitted herewith for your approval is legislation related to the 2024 STOP DWI Program grant that was approved in December under Ordinance No. 2023-376. This legislation will:

1. Amend the 2023-24 Budget of the Police Department by \$16,700 to reflect a portion of these funds; and
2. Amend the 2023-24 Undistributed Budget by \$5,500 to reflect a portion of these funds.

When the grant agreement was submitted to Council in December, it was unknown what additional funds would be needed in the 2023-24 Budget. These funds will be used for their original intended purpose.

Respectfully submitted,
Malik D. Evans
Mayor

Ordinance No. 2024-68
(Int. No. 87)

Amending the 2023-24 Budget for the 2024 STOP DWI program

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

Section 1. Ordinance No. 2023-228, the 2023-24 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget by \$22,000 as follows:

- a. \$16,700 for the Budget of the Police Department; and
- b. \$5,500 for the Budget Undistributed Expense;

which amounts are hereby appropriated from the STOP DWI program reimbursements from Monroe County authorized in Ordinance No. 2023-376.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

The meeting was adjourned at 7:02 pm.

HAZEL L. WASHINGTON
City Clerk