

**ROCHESTER CITY COUNCIL**

**REGULAR MEETING**

**August 20, 2024**

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

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

**THE COUNCIL PRESIDENT --- RECOGNITION CEREMONIES.**

**Special Recognitions:**

**Leadership and Volunteers from Cultural Festivals this Summer:**

**Puerto Rican Festival:**

Maria Cortes  
Orlando Ortiz  
Ivette Ramos  
Yesenia Ramos-Torres  
Rosalie Remarais  
Leslie Rivera  
Wilmarie Velez

**Carifest 2024:**

Ann Barnes	Jennifer Hoyte
Darcy Barrant	Deseree Lampart
Myrna Barthelemy	Maxine Lawson
Natasha Bell	Locksley Milwood
Jeffrey Boxx	Sonia Pascoe-Lodge
Horace Byfield	Alan Prescod
Kadya Donadelle	Melda Reid
Janet Dyce	Shawn Robinson
Megon Foster	Marlon Salmon
Ivana Gittens	Alyshia Thomas
Cheryl Hayward	Gary Thompson
Paul Henry	

**Black Culture Festival:**

Ivy Caldwell  
Michael Cook  
Nadirah Cooper  
Shanell Jeffries  
Jayde Lucas

Will Powers  
Sheneiqua Shine  
Edwin Spencer  
Jessica Spencer  
Diane Stokes  
Ciera Williams

**Retirement:**

**DES:**

Jose R. Quinones

**DRHS:**

Andrew V. Ames

**ECD:**

Amy L. Mills

**RFD:**

Todd V. Ricker

**RPD:**

Juan M. Rodriguez  
Jason P. Roelle

**APPROVAL OF THE MINUTES**

By Councilmember Smith

RESOLVED, that the minutes of the Regular Meeting on July 23, 2024 be approved as published in the official sheets of the Proceedings.

Adopted unanimously.

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

The Mayor submits the following:

Delinquent Receivables report for the month ending June 30, 2024 – **Comm. No. 4370-24**

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

The Council submits Disclosure of Interest Forms from **President Meléndez** on Int. Nos. 306 and 307; **Vice President Harris** and **Councilmember Lupien** on Int. No. 318.

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

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

**PUBLIC HEARING.**

There are no Public Hearings for the month of August.

REPORTS OF STANDING COMMITTEES  
AND ACTION THEREON

By Councilmember Patterson  
August 20, 2024

To the Council:

The **NEIGHBORHOODS, JOBS & HOUSING COMMITTEE** recommends for **ADOPTION** the following entitled legislation:

- Int. No. 301 Resolution approving an appointment to the City Planning Commission
- Int. No. 302 Resolution approving an appointment to the Rochester Preservation Board
- Int. No. 303 Resolution approving an appointment to the Rochester Environmental Commission

Respectfully submitted,  
Michael A. Patterson  
Mitch Gruber (*absent*)  
Kimberly Smith  
LaShay D. Harris  
Miguel A. Meléndez, Jr.  
**NEIGHBORHOODS, JOBS & HOUSING COMMITTEE**

Received, filed and published.

TO THE COUNCIL  
Ladies and Gentlemen:

Resolution No. 2024-41  
Re: Appointment – Rochester 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 Erin Enright, East District resident, as a full-time member to the City Planning Commission. Ms. Enright currently serves as a Property Acquisition Manager for a local solar developer.

Ms. Enright will replace Kimberly Harding, who recently resigned from the Board, and who was also from the East District. Ms. Enright will serve out the remainder of Ms. Harding's term which will expire on May 31, 2026.

Ms. Enright's resume is on file in the City Clerk's Office.

Respectfully submitted,  
Malik D. Evans  
Mayor

Resolution No. 2024-41  
(Int. No. 301)

**Resolution approving an 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 of the following individual to the City Planning Commission for a term, which shall expire on the following date:

Erin Enright	May 31, 2026
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Ms. Enright, a resident of the East District, will replace and serve the remaining term of Kimberly Harding, who has resigned.

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Resolution No. 2024-42  
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 Joanne DeMarle, a retired architect, as a full-time member to the Rochester Preservation Board. Ms. DeMarle lives in the Southwest area of the City and will fill the vacancy created by the departure of Karsten Solberg, who was also an architect.

Ms. DeMarle’s term will expire on May 31, 2026, and her resume is on file in the City Clerk’s Office.

Respectfully submitted,  
Malik D. Evans  
Mayor

Resolution No. 2024-42  
(Int. No. 302)

**Resolution approving an 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 of the following individual to the Rochester Preservation Board for a term, which shall expire on the following date:

Joanne DeMarle

May 31, 2026

Ms. DeMarle, a resident of the Southwest area of the City, will fill the vacancy created by the resignation of Karsten Solberg.

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Resolution No. 2024-43

Re: Appointment – Rochester Environmental 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 Ethan Burnell as a full-time member to the Rochester Environmental Commission. Mr. Burnell currently works in real estate brokerage, general contracting and property management.

Mr. Burnell will fill a current vacancy on the Commission. His term will expire on May 31, 2025. Mr. Burnell's resume is on file with the City Clerk's Office.

Respectfully submitted,  
Malik D. Evans  
Mayor

Resolution No. 2024-43  
(Int. No.303)

**Resolution approving an appointment to the Rochester Environmental Commission**

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

Section 1. The Council hereby approves the appointment of the following individual to the Rochester Environmental Commission for a term, which shall expire on the following date:

Ethan Burnell

May 31, 2025

Mr. Burnell will fill a position that is currently vacant.

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

By Vice President Harris  
August 20, 2024

To the Council:

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

- Int. No. 304 Authorizing appropriations and agreements relating to Phase 1 Exchange Street Park Improvements of the Vacuum Oil Brownfield Opportunity Area River Trail Improvements Project
- Int. No. 305 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$100,000 Bonds of said City to finance the Phase 1 Exchange Street Park Improvements of the Vacuum Oil Brownfield Opportunity Area River Trail Improvements Project
- Int. No. 306 Authorizing appropriations and agreements for the Joseph A. Floreano Rochester Riverside Convention Center (RRCC) Building Envelope Repairs and Main Street Addition Project
- Int. No. 307 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$2,125,000 Bonds of said City to finance the Joseph A. Floreano Rochester Riverside Convention Center (RRCC) Building Envelope Repairs and Main Street Addition Project
- Int. No. 308 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$1,327,000 Bonds of said City to finance the 2024 Annual Parking Garage Repair & Reconstruction Project
- Int. No. 309 Authorizing agreement relating to under bridge lighting facilities on the I-490 bridges over Platt Street
- Int. No. 310 Resolution granting the State of New York authority to perform the adjustment for the owner and agreeing to maintain facilities adjusted via State-let contract for under bridge lighting facilities on the Interstate 490 bridges over Platt Street
- Int. No. 311 Authorizing an amendatory agreement with the New York State Department of Transportation to provide snow and ice control services
- Int. No. 312 Authorizing an agreement and appropriation for the Energy Efficiency and Conservation Block Grant Program
- Int. No. 313 Authorizing an amendatory agreement for drinking water quality laboratory services
- Int. No. 314 Authorizing an amendatory agreement for drinking water laboratory services
- Int. No. 315 Appropriating 2023-24 Annual Action Plan funds for infrastructure improvements at the International Plaza
- Int. No. 316 Authorizing an agreement and amending the 2024-25 Budget relating to a Youth Policy Pilot Project
- Int. No. 317 Authorizing an agreement with the Rochester City Soccer League

Int. No. 326 Authorizing an agreement relating to the Broad and Allen Firehouse Priority Facility Improvements

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.

Vice President Harris introduced a motion to amend Int. No. 304;  
Moved by Vice President Harris; 2<sup>nd</sup> by President Meléndez.

Motion to amend passed by the following vote:

Ayes - President Meléndez, Councilmembers Gruber, Harris, Monroe, Patterson - 5.

Nays - Councilmembers Lightfoot, Lupien, Martin, Smith - 4.

Councilmember Smith introduced a motion to send Int. No. 304 back to Committee;  
2<sup>nd</sup> by Councilmember Martin.

Motion failed by the following vote:

Ayes - Councilmembers Lightfoot, Lupien, Martin, Smith - 4.

Nays - President Meléndez, Councilmembers Gruber, Harris, Monroe, Patterson - 5.

**TO THE COUNCIL**

Ladies and Gentlemen:

Ordinance No. 2024-242  
Re: Vacuum Oil BOA River Trail / Exchange St Park Improvements

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Sustaining Green and Active Systems

Transmitted herewith for your approval is legislation related to the Vacuum Oil BOA River Trail Improvements Project. This legislation will:

1. Appropriate \$500,000 in anticipated reimbursements from the Dormitory Authority of the State of New York (DASNY) to finance a portion of the Project as outlined in the chart on the following page; and,
2. Authorize the receipt and use of \$141,833 in anticipated reimbursements from the Rochester Gas & Electric (RG&E) Commercial Corridor/Main Street Revitalization Assistance Program to finance a portion of the design and construction of electrical infrastructure and lighting improvements for the Project; and,

3. Authorize the issuance of bonds totaling \$100,000 and the appropriation of the proceeds thereof to finance a portion of the Project as outlined in the chart on the following page; and,
4. Establish \$134,800 as maximum compensation for a professional services agreement with Arcadis of New York, Inc., 100 Chestnut Street, Suite 1020 (John Perriello, Vice President), to provide resident project representation services (RPR) for the Project. The cost of the agreement will be funded from the sources outlined in the chart on the following page; and,
5. Amend Ordinance No. 2020-111 Section 1 to fund the agreement with \$80,000 from 2018-19 Cash Capital and \$20,000 from RG&E grant appropriated herein.

This Project will construct Phase 1 of a 3-phased plan for the Exchange St Park. Phase 1 will address site cleanup objectives with the focus on trail realignment and vegetation maintenance. The Project will include; but is not limited to, trail reconstruction and realignment with grading; removal of existing asphalt pavement and replacement with lawn area; selective tree and vegetation removal and pruning; drainage improvements; new site lighting; fencing; and landscape improvements.

The Project was designed by Bergmann Associates as authorized by Ordinance No. 2020-111. A public design charrette was held on October 16, 2022, and two public meetings were held on December 14, 2022 and February 28, 2024. The minutes and presentations for all three meetings are attached.

Arcadis of New York, Inc. was selected for RPR services for the Project through a request for proposal process, which is described in the attached summary.

Bids for construction were received on July 2, 2024. The apparent low bid of \$809,947.50 was submitted by Ramsey Constructors, Inc. (Christopher Ramsey, C.E.O, 5711 Gateway Park, Lakeville, New York)

The Project will be funded as follows:

<b>Source of Funds</b>	<b>Design</b>	<b>Construction</b>	<b>Construction Contingency</b>	<b>RPR</b>	<b>Total</b>
2018-19 Cash Capital	\$80,000	\$88,114.50	\$0	\$131,885.50	\$300,000
DASNY	0	500,000	0	0	500,000
RG&E	20,000	121,833	0	0	141,833
2022-23 Cash Capital	0	0	35,200	2,914.50	38,114.5
Bonds appropriated herein	0	100,000	0	0	100,000
<b>Total</b>	<b>\$100,000</b>	<b>\$809,947.50</b>	<b>\$35,200</b>	<b>\$134,800</b>	<b>\$1,079,947.50</b>

The City of Rochester's Minority and Women-owned Business Enterprises (MWBE) policy is governed by [City Ordinance No. 2018-54](#) and implemented through the City Purchasing Bureau within the Department of Finance. Applicable goals on this project are as follows per Section 2 of the Ordinance:

<b>Contract Type</b>	<b>Aggregate Annual Award</b>	<b>Aggregate Annual Award: Minorities</b>	<b>Aggregate Annual Award: Women</b>
Public Works Construction Projects	30%	20%	10%
Public Works Consultants	30%	15%	15%
Professional Services Consultants	30%	15%	15%



Construction is anticipated to begin in fall 2024 and be substantially complete in summer 2025. The construction of the Project will result in the creation and/or retention of the equivalent of 10.6 full-time jobs.

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

Respectfully submitted,  
Malik D. Evans  
Mayor

Attachment No. AX-164

Ordinance No. 2024-242  
(Int. No. 304)

**Authorizing appropriations and agreements relating to Phase 1 Exchange Street Park Improvements of the Vacuum Oil Brownfield Opportunity Area River Trail Improvements Project, as amended**

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

Section 1. The Council hereby appropriates \$500,000 in anticipated reimbursements from the Dormitory Authority of the State of New York (DASNY) to fund Phase 1 Exchange Street Park Improvements of the Vacuum Oil Brownfield Opportunity Area River Trail Improvements Project (Project).

Section 2. The Council hereby authorizes the Mayor to enter into an agreement with Rochester Gas & Electric Corporation (RG&E) for the receipt and use of \$141,833, which amount is hereby appropriated to fund a portion of the design and construction of electrical infrastructure and lighting improvements for the Project.

Section 3. The Mayor is hereby authorized to enter into a professional services agreement with Arcadis of New York, Inc. to provide resident project representation (RPR) services for the Project. The maximum compensation for the agreement shall be \$134,800, which shall be funded in the amounts of \$131,885.50 from 2018-19 Cash Capital and \$2,914.50 from 2022-23 Cash Capital. The term of the agreement shall continue to three months after the completion of the two-year guarantee inspection of the Project.

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

Section 5. Ordinance No. 2020-111, Authorizing an agreement for the Vacuum Oil Brownfield Opportunity Area River Trail, is hereby amended in Section 1 thereof to read as follows:

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. for design services for the Vacuum Oil Brownfield Opportunity Area River Trail. The maximum compensation for the agreement shall be \$100,000, which shall be funded in the amounts of \$20,000 in reimbursements from the Rochester Gas and Electric Corporation's Commercial Corridor/Main Street Revitalization Assistance program appropriated in Ordinance No. 2024-242 and \$80,000 from 2018-19 Cash Capital. The term of the agreement shall continue until six months after acceptance of the design documents.

Section 6. The Mayor is further authorized to develop an amendment to the 2025-2029 CIP addressing future phases of the Project to continue to effectively realize important components from the PLEX Community Park Master Plan that are not included in this Phase 1 Project.

Section 7. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Passed by the following vote:

Ayes - President Meléndez, Councilmembers Gruber, Harris, Monroe, Patterson - 5.

Nays - Councilmembers Lightfoot, Lupien, Martin, Smith - 4.

Int. No. 305

**Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$100,000 Bonds of said City to finance the Phase 1 Exchange Street Park Improvements of the Vacuum Oil Brownfield Opportunity Area River Trail Improvements 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 Phase 1 Exchange Street Park Improvements of the Vacuum Oil Brownfield Opportunity Area River Trail Improvements Project, which includes trail reconstruction and realignment with grading, removal of existing asphalt pavement and replacement with lawn area, on-street parking spaces, selective tree and vegetation removal and pruning, drainage improvements, new site lighting, fencing and landscaping 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 \$1,079,947.50. The plan of financing includes the issuance of \$100,000 bonds of the City, which amount is hereby appropriated for the Project, \$500,000 in reimbursements from the Dormitory Authority of the State of New York appropriated in a concurrent ordinance, \$141,833 in reimbursements from Rochester Gas and Electric Corporation appropriated in a concurrent ordinance, \$300,000 in 2018-19 Cash Capital, \$38,114.50 in 2022-23 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 \$100,000 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 \$100,000. 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.40 of the Law, is three (3) 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.

\*Failed by the following vote:

Ayes - President Meléndez, Councilmembers Gruber, Harris, Monroe, Patterson - 5.

Nays - Councilmembers Lightfoot, Lupien, Martin, Smith - 4.

\* Requires a 2/3 majority vote to pass a Bond Ordinance.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2024-243

Ordinance No. 2024-244

Re: Joseph A. Floreano Rochester Riverside Convention Center (RRCC) Building Envelope Repairs and Main Street Addition

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Sustaining Green and Active Systems

Transmitted herewith for your approval is legislation related to the Joseph A. Floreano Rochester Riverside Convention Center (RRCC) Building Envelope Repairs and Main Street Addition Project. This legislation will:

1. Authorize the issuance of bonds totaling \$2,125,000 and the appropriation of the proceeds thereof to finance a portion of the Project as outlined in the chart on the following page; and,
2. Appropriate \$4,325,000 in anticipated reimbursements from ROC the Riverway/Upstate Revitalization Initiative funding administered by Empire State Development (ESD) to finance a portion of the Project as outlined in the chart on the following page; and,
3. Establish \$1,400,000 as maximum compensation for a professional services agreement with LiRo Engineers, Inc. (Rocco Trotta, P.E., 3 Aerial Way, Syosset, New York), to provide construction management and resident project representation services (CM/RPR) for the Project. The cost of the agreement will be funded from the sources outlined in the chart on the following page; and,
4. Authorize an amendatory professional services agreement with Stantec Consulting Services Inc. (James R. Hoffman Jr., 61 Commercial Street, Suite 100, Rochester, New York), to provide construction administration services related to the Project. The original agreement for \$950,000 was authorized by Ordinance No. 2021-53 and amended in Ordinance No. 2023-3 and Ordinance No. 2023-68 to \$2,450,000. This amendatory agreement will increase the maximum compensation by \$500,000 to a new total of \$2,950,000. The cost of the amendatory agreement will be funded from the sources outlined in the chart on the following page.

The original 2018 ROC the Riverway Vision plan conceptualized a small addition on the southeast corner of the building along with terrace and river wall improvements. Throughout the design process it became apparent that a building addition facing Main Street would have a far greater positive impact for the RRCC due to both the location and amount of expanded event space. The addition will create a modernized and inviting connection to Main Street that will improve local and visitor experiences, leveraging the recently completed Main Street Streetscape Phase II project. The Project will also include much needed capital improvements to the existing facility that includes, but is not limited to, critical repairs of the exterior building envelope and site upgrades.

The Project was designed by Stantec Consulting Services Inc. as authorized by Ordinance No. 2021-53 and as amended in Ordinance No. 2023-3 and Ordinance No. 2023-68.

LiRo Engineers, Inc. was selected for CM/RPR services for the Project through a request for proposal process, which is described in the attached summary.

Bids for construction were received on May 14, 2024. Three prime contracts are anticipated to be awarded. The general construction contract apparent low bid of \$7,176,000.00 was submitted by Javen Construction Co., Inc. (Jeffrey P. Spitz, C.E.O., 355 Taylor Road, Honeoye Falls, NY). The mechanical construction contract apparent low bid of \$447,900.00 was submitted by Crosby-Brownlie, Inc. (Gavin

Brownlie Jr., C.E.O., 100 Nassau Street, Rochester, NY). The electrical construction contract apparent low bid of \$228,618.00 was submitted by Invictus Electrical, LLC (Christine H. Dertinger, C.E.O., 468 Cabin Road, Fishers, NY). The total construction contracts anticipated to be awarded along with ancillary plumbing and fire protection work for the Project is \$7,978,000.

The Project will be funded as follows:

Source of Funds	Design	Construction	Construction Contingency	CM/RPR	Total
ESD reimbursements Ordinance No. 2021-53 as amended by Ordinance Nos. 2023-3 and 2023-68	\$675,000	\$0	\$0	\$0	\$675,000
ARPA funds Ordinance No. 2022-378	1,775,000	4,225,000	0	0	6,000,000
ESD grant appropriated herein	400,000	3,234,250	690,750	0	4,325,000
Bonds appropriated herein	100,000	518,750	106,250	1,400,000	2,125,000
<b>Total</b>	<b>\$2,950,000</b>	<b>\$7,978,000</b>	<b>\$797,000</b>	<b>\$1,400,000</b>	<b>\$13,125,000</b>

The City of Rochester's Minority and Women-owned Business Enterprises (MWBE) policy is governed by City Ordinance No. 2018-54 and implemented through the City Purchasing Bureau within the Department of Finance. Applicable goals on this project are as follows per Section 2 of the Ordinance:

Contract Type	Aggregate Annual Award	Aggregate Annual Award: Minorities	Aggregate Annual Award: Women
Public Works Construction Projects	30%	20%	10%
Public Works Consultants	30%	15%	15%
Professional Services Consultants	30%	15%	15%

Construction is anticipated to begin in fall 2024 and be substantially complete in late 2026. The additional funds allocated to the Project will result in the creation and/or retention of the equivalent of 70.1 full-time jobs.

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

Respectfully submitted,  
Malik D. Evans  
Mayor

Attachment No. AX-165

Ordinance No. 2024-243  
(Int. No. 306)

**Authorizing appropriations and agreements for the Joseph A. Floreano Rochester Riverside Convention Center (RRCC) Building Envelope Repairs and Main Street Addition Project**

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

Section 1. The Council hereby appropriates \$4,325,000 in anticipated reimbursements from ROC the Riverway/Upstate Revitalization Initiative administered by Empire State Development to fund a portion of the costs for the Joseph A. Floreano Rochester Riverside Convention Center (RRCC) Building Envelope Repairs and Main Street Addition Project (Project).

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with LiRo Engineers, Inc. to provide construction management and resident project representation (RPR) services for the Project. The maximum compensation for the agreement shall be \$1,400,000, which shall be funded from the proceeds of City bonds authorized and appropriated 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 3. The Mayor is hereby authorized to enter into an amendatory agreement with Stantec Consulting Services Inc. to provide additional services for the Project. The amendatory agreement shall amend the existing agreement authorized by Ordinance No. 2021-53 and amended in Ordinance Nos. 2023-3 and 2023-68 by adding construction administration services to the scope of work and by increasing the maximum compensation by \$500,000 to a new total of \$2,950,000. The amendatory compensation shall be funded in the amounts of \$400,000 from the ROC the Riverway/Upstate Revitalization Initiative funds appropriated to the Project in Section 1 herein and \$100,000 from a portion of the proceeds of City bonds authorized and appropriated for the Project in a concurrent ordinance.

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

Section 5. Ordinance No. 2023-5, Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$500,000 Bonds of said City to finance the costs of the Aqueduct Street Group Project, is hereby amended in Section 1 thereof to read 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 Aqueduct Street Group Project, including pavement reconstruction, pavement width changes, new curbs and bump-outs, curb ramps, sidewalks, and catch basins on the following street segments: Aqueduct Street (Bank Place to East Main Street), Bank Place (Exchange Boulevard to Aqueduct Street), Basin Street (Exchange Boulevard to Aqueduct Street), Graves Street (Race Street to East Main Street) and Race Street (Aqueduct Street to Graves Street) (the "Project"). The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$2,495,000. The plan of financing includes the issuance of \$500,000 in bonds of the City, which amount is hereby appropriated therefor, \$1,960,000 in reimbursements of American Rescue Plan Act of 2021 ("ARPA") funds appropriated in Ordinance No. ~~2022-378~~ 2022-377, \$35,000 from 2022-23 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 6. Ordinance No. 2023-6, Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$50,000 Bonds of said City to finance water main and water service improvements associated with the Aqueduct Street Group, is hereby amended in Section 1 thereof to read 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 water service improvements, including the installation of new hydrants and new water valve boxes, related to the Aqueduct Street Group Project on the following street segments: Aqueduct Street (Bank Place to East Main Street),

Bank Place (Exchange Boulevard to Aqueduct Street), Basin Street (Exchange Boulevard to Aqueduct Street), Graves Street (Race Street to East Main Street) and Race Street (Aqueduct Street to Graves Street) (the "Project"). The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$90,000. The plan of financing includes the issuance of \$50,000 bonds of the City, which amount is hereby appropriated therefor, \$40,000 in reimbursements of American Rescue Plan Act of 2021 ("ARPA") funds appropriated in Ordinance No. ~~2022-378~~ 2022-377, 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 7. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed by the following vote:

Ayes - President Meléndez, Councilmembers Gruber, Harris, Lightfoot, Monroe, Patterson, Smith - 7.

Nays - Councilmembers Lupien, Martin - 2.

Ordinance No. 2024-244  
(Int. No. 307)

**Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$2,125,000 Bonds of said City to finance the Joseph A. Floreano Rochester Riverside Convention Center (RRCC) Building Envelope Repairs and Main Street Addition 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 Joseph A. Floreano Rochester Riverside Convention Center (RRCC) Building Envelope Repairs and Main Street Addition Project improvements to the RRCC, 123 East Main Street, including the construction of a building addition to provide additional event space facing Main Street and capital improvements to the existing facility that include repairs to the exterior building envelope and site upgrades (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 \$13,125,000. The plan of financing includes the issuance of \$2,125,000 bonds of the City, which amount is hereby appropriated therefor, \$675,000 in anticipated reimbursements from the ROC the Riverway/Upstate Revitalization Initiative administered by Empire State Development (ROC the Riverway) appropriated in Ordinance No. 2021-53 as amended by Ordinance Nos. 2023-3 and 2023-68, \$6,000,000 in United States Treasury funds provided to the City pursuant to the American Rescue Plan Act of 2021 and appropriated by Ordinance No. 2022-378, \$4,325,000 in additional ROC the Riverway funds appropriated 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 \$2,125,000 are hereby authorized to be issued pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be

reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$2,125,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

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

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

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

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

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

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

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

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

Passed by the following vote:

Ayes - President Meléndez, Councilmembers Gruber, Harris, Lightfoot, Monroe, Patterson, Smith - 7.

Nays - Councilmembers Lupien, Martin - 2.



TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2024-245

Re: 2024 Annual Parking Garage Repair and 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 2024 Annual Parking Garage Repair & Reconstruction Project. This legislation will authorize the issuance of bonds totaling \$1,327,000 and the appropriation of the proceeds thereof to partially finance the construction of the Project.

The 2024 Annual Parking Garage Repair & Reconstruction Project consists primarily of repairs and supplemental structural support within the South Avenue and Stone Street wings of the South Avenue Garage for preserving the safety, structural integrity and service life of the garage. Construction work will include, but is not limited to, strategic repair and reconstruction of concrete decks, concrete beams and columns, supplemental post-tensioning systems, waterproofing and expansion joints. The overall Project also includes stair tower enclosure repairs, concrete deck repairs and waterproofing at the High Falls Garage.

The Project was designed under the City's Annual Parking Garage Evaluation and Repair Program by T.Y. Lin International Engineering & Architecture, P.C. (T.Y. Lin) as authorized in Ordinance No. 2020-224. T.Y. Lin will provide resident project representation (RPR) services for the Project as authorized in Ordinance No. 2021-154.

Bids for construction were received on May 28, 2024. Two prime contracts are anticipated to be awarded. The general construction contract apparent low bid of \$3,299,966.50 was submitted by Crane-Hogan Structural Systems Inc. (Daniel Hogan, C.E.O., 3001 Brockport Road, Spencerport, New York). The plumbing contract apparent low bid of \$186,300.00 was submitted by Michael A. Ferrauilo Plumbing & Heating, Inc. (Joseph D. Ferrauilo, C.E.O., 1600 Jay Street, Rochester, New York). Total construction contracts anticipated to be awarded total \$3,486,266.50 with an additional \$363,733.50 allocated for Project contingencies.

The Project will be funded as follows:

Source of Funds	Design	Construction	RPR	Contingency	Total
2020-21 Parking Cash Capital	\$0	\$0	\$8,715	\$0	\$8,715
2022-23 Parking Cash Capital	229,000	0	34,180.54	0	263,180.54
2023-24 Parking Cash Capital	0	2,159,266.50	257,104.46	363,733.50	2,780,104.46
Bonds authorized herein	0	1,327,000	0	0	1,327,000
<b>Total</b>	<b>\$229,000</b>	<b>\$3,486,266.50</b>	<b>\$300,000</b>	<b>\$363,733.50</b>	<b>\$4,379,000</b>

The City of Rochester's Minority and Women-owned Business Enterprises (MWBE) policy is governed by City Ordinance No. 2018-54 and implemented through the City Purchasing Bureau within the Department of Finance. Applicable goals on this project are as follows per Section 2 of the Ordinance:

<b>Contract Type</b>	<b>Aggregate Annual Award</b>	<b>Aggregate Annual Award: Minorities</b>	<b>Aggregate Annual Award: Women</b>
Public Works Construction Projects	30%	20%	10%
Public Works Consultants	30%	15%	15%
Professional Services Consultants	30%	15%	15%

Construction is anticipated to begin in summer 2024 and be substantially completion in summer 2025. The Project will result in the creation and/or retention of the equivalent of 47.6 full-time jobs.

Respectfully submitted,  
Malik D. Evans  
Mayor

Attachment No. AX-166

Ordinance No. 2024-245  
(Int. No. 308)

**Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$1,327,000 Bonds of said City to finance the 2024 Annual Parking Garage Repair & 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 the costs of the 2024 Annual Parking Garage Repair & Reconstruction Project for preserving the safety, structural integrity and service life of City parking garages including strategic repairs and reconstruction of concrete decks, concrete beams and columns, supplemental post-tensioning systems, waterproofing and expansion joints in both wings of the South Avenue Garage located at 36-70 South Avenue and stair tower enclosure repairs, concrete deck repairs and waterproofing in the High Falls Garage located at 240 State Street (the "Project"). The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$4,379,000. The plan of financing includes the issuance of \$1,327,000 bonds of the City, which amount is hereby appropriated for the Project, \$8,715 in 2020-21 Cash Capital, \$263,180.54 in 2022-23 Cash Capital, \$2,780,104.46 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 \$1,327,000 are hereby authorized to be issued pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$1,327,000. 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.3. of the Law, is ten (10) years.

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

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

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

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

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

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2024-246

Resolution No. 2024-44

Re: Authorization - New York State Department of Transportation Utility Work Agreement Resolution

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 New York State Department of Transportation (NYSDOT) to include the replacement and installation of all under bridge lighting facilities and related appurtenances on the I-490 East Bound (EB) and West Bound (WB) bridges over Platt Street. The work will be performed under NYSDOT's project for Bridge Preventative Maintenance within Monroe County. This legislation will:

1. Authorize the Mayor to sign all documentation that may be necessary as a result of the State's project as it relates to the lighting improvements; and,
2. Approve a resolution, in a form that is required by NYSDOT, that will grant NYSDOT the authority to replace and install all City-owned under bridge lighting facilities and related appurtenances that are located within the project area. In addition, the City agrees to maintain the lighting facilities that are installed and replaced as part of the State's project.

NYSDOT owns the I-490 EB and WB bridges over Platt Street, and the City will continue to maintain the City-owned under bridge lighting. There is no cost to the City for this work.

Respectfully submitted,  
Malik D. Evans  
Mayor

Attachment No. AX-167

Ordinance No. 2024-246  
(Int. No. 309)

**Authorizing agreement relating to under bridge lighting facilities on the I-490 bridges over Platt Street**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Department of Transportation (NYSDOT) and to execute such other documentation necessary to effectuate the NYSDOT's replacement and installation of all under bridge lighting facilities and related appurtenances on the Interstate 490 East Bound and West Bound bridges over Platt Street (Facilities) and to commit the City to maintain the Facilities.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

Resolution No. 2024-44  
(Int. No. 310)

**Resolution granting the State of New York authority to perform the adjustment for the owner and agreeing to maintain facilities adjusted via State-let contract for under bridge lighting facilities on the Interstate 490 bridges over Platt Street**

WHEREAS, the New York State Department of Transportation proposes the construction, reconstruction, or improvement of Bridge preventative maintenance, multiple location, Monroe County, P.I.N. 4806.62;

WHEREAS, the State will include as part of the construction, reconstruction, or improvement of the above mentioned project the replacement and installation of all under bridge lighting facilities and related appurtenances, pursuant to Section 10, Subdivision 24, of the State Highway Law, as shown on the contract plans and Utility Special Note relating to the project and meeting the requirements of the owner;

WHEREAS, the service life of the relocated and/or replaced utilities has not been extended; and

WHEREAS, the State will provide for the reconstruction of the above mentioned work, as shown on the contract plans and Utility Special Notes, relating to the above mentioned project.

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

THAT the City of Rochester approves of the adjustment to street lightings and the above-mentioned work performed on the project and shown on the contract plans relating to the project and that the City of Rochester will maintain or cause to be maintained the adjusted facilities performed as above stated and as shown on the contract plans;

THAT the Mayor has the authority to sign, with the concurrence of the City of Rochester City Council, any and all documentation that may become necessary as a result of this project as it relates to the City of Rochester; and

THAT the City of Rochester is hereby directed to transmit five (5) certified copies of the foregoing resolution to the New York State Department of Transportation.

Adopted unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2024-247

Re: Amendatory Agreement - New York State Department of Transportation, Snow & Ice Control Services

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Sustaining Green and Active Systems

Transmitted herewith for your approval is legislation authorizing an adjustment to the compensation for the 2023-2024 winter for the current agreement with the New York State Department of Transportation (NYSDOT) for the provision by the City of snow and ice control services on the following State highways:

1. Lake Avenue, from Lyell Avenue to West Ridge Road; and,
2. Plymouth Avenue, from Commercial Street to Troup Street; and,
3. Keeler Street Expressway Ramps "B" and "C".

The requirement for an agreement for snow and ice control services on Plymouth Avenue will be eliminated in the future, when jurisdiction of the street is formally transferred from the State to the City.

The current agreement was previously authorized by City Council in Ordinance No. 2020-298 and later amended in Ordinance No. 2021-10, No. 2022-25, and No. 2023-279. This current amendment is required by the NYSDOT to adjust the annual amount of compensation for the 2023-24 winter to reflect the City's current costs to provide these services. The preliminary adjusted amount for 2023-24 is calculated at \$96,081.45, an increase of \$3,542.07 from the 2022- 23 amount of \$92,539.38. A certified ordinance from the municipality is required before the NYSDOT will finalize the adjusted amount for 2023-24, therefore it is possible for the final adjusted amount for 2023-24 to slightly vary from the preliminary adjusted amount. All other conditions of the agreement remain the same.

The current agreement has an initial five (5) year term, with up to three (3) separate five-year renewal periods, up to a maximum contract life of twenty (20) years. The initial term was July 1, 2019 through June 30, 2024. The City can opt out of the agreement at the completion of any of the five year periods.

Respectfully submitted,  
Malik D. Evans  
Mayor

Ordinance No. 2024-247  
(Int. No. 311)

**Authorizing an amendatory agreement with the New York State Department of Transportation to provide snow and ice 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 amendatory agreement with the New York State Department of Transportation (NYSDOT) for the City to provide snow and ice control services on the following State highways:

- a. Lake Avenue, from Lyell Avenue to West Ridge Road;
- b. Plymouth Avenue from Commercial Street to Troup Street; and
- c. Keeler Street Expressway Ramps "B" and "C".

The amendatory agreement shall amend the existing agreement authorized by Ordinance No. 2020-298 and amended by Ordinance Nos. 2021-10, 2022-25, and 2023-279, to increase the annual Base Amount compensation paid by NYSDOT for fiscal year 2023-24 to reflect the City's actual costs.

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. 2024-248

Re: Grant Acceptance—U.S. Department of Energy-Energy Efficiency and Conservation Block Grant

Council Priority: Creating and Sustaining a Culture of Vibrancy

Rochester 2034 Comprehensive Plan Initiative Area: Sustaining Green and Active Systems

Transmitted herewith for your approval is legislation related to the implementation of Climate Action Plan related strategies for the City of Rochester. This legislation will:

1. Authorize the Mayor to enter into a grant agreement with the United States Department of Energy (USDOE); and,
2. Authorize the receipt and use of \$248,150 in anticipated grant funds from the USDOE to finance the project.

As part of the Infrastructure Investment and Jobs Act, the USDOE has allocated formula grants to local governments to implement projects through its Energy Efficiency and Conservation Block Grant (EECBG) program. Under the EECBG program, the City has been awarded \$248,150, which will be utilized to install electric vehicle charging stations for City fleet vehicles and to purchase LED residential street lights to retrofit existing less efficient luminaires. No City matching funds are required for this grant program.

By investing in fleet electric vehicle infrastructure and retrofitting street lights to LEDs, the City of Rochester is facilitating the reduction of gasoline and electricity use and associated greenhouse gas emissions. This project directly supports the City of Rochester Municipal Operations Climate Action Plan transportation and energy reduction strategies and builds on existing efforts towards electrifying the City fleet and reducing energy consumption.

Once the grant agreement with the USDOE is in place, the City will begin to implement the Project. The Project is expected to be completed by March 2026.

Respectfully submitted,

Malik D. Evans

Mayor

Ordinance No. 2024-248

(Int. No. 312)

**Authorizing an agreement and appropriation for the Energy Efficiency and Conservation Block Grant Program**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the United States Department of Energy (USDOE) for receipt and use of a USDOE Energy Efficiency and Conservation Block Program grant in the amount of \$248,150, which is hereby appropriated to support implementation of the City of Rochester Municipal Operations Climate Action Plan to install electric vehicle charging stations for City fleet vehicles and to purchase LED residential street lights to retrofit existing less efficient luminaires.

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. 2024-249

Re: Amendatory Agreement – Eurofins Eaton Analytical, LLC  
Analytical Services: Drinking Water, Annual Water Quality Report Compliance Monitoring

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area: Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation authorizing an amendatory professional services agreement with Eurofins Eaton Analytical, LLC, (Brian Remus, Senior Account Manager – Northeast, South Bend, IN) for laboratory services to analyze drinking water quality. It amends the existing agreement by extending the term by one year for a maximum compensation of \$30,000 funded from the 2024-25 Budget of the Department of Environmental Services.

The City has engaged Eurofins to provide these services for the past 8 years. The current agreement as authorized in Ordinance No. 2021-146 and amended in Ordinance No. 2023-149 is set to expire soon. It has engaged Eurofins for three years at a maximum annual compensation of \$30,000 for each of the first two years and \$60,000 for the third year. This legislation will extend the term by one year for a maximum additional compensation of \$30,000.

As part of the New York State Sanitary Code (SSC), Title 10 NYCRR, Part 5, Subpart 5-1, Public Water Systems must perform system wide water quality monitoring. Much of this monitoring stems from requirements from the EPA and consists of testing for disinfection-by-products, over 130 organic and inorganic chemicals and other contaminants as required for the City’s Annual Water Quality Report and for National and State drinking water regulations compliance. The requirements are very stringent and compliance is critical to the safety of our drinking water.

The City of Rochester's Minority and Women-owned Business Enterprises (MWBE) policy is governed by City Ordinance No. 2018-54 and implemented through the City Purchasing Bureau within the Department of Finance. Applicable goals on this project are as follows per Section 2 of the Ordinance:

<b>Contract Type</b>	<b>Aggregate Annual Award</b>	<b>Aggregate Annual Award: Minorities</b>	<b>Aggregate Annual Award: Women</b>
Public Works Construction Projects	30%	20%	10%
Public Works Consultants	30%	15%	15%
Professional Services Consultants	30%	15%	15%

The amendatory agreement will extend the term one additional year in order to allow the City time to conduct a request for proposal process for these laboratory services.



Respectfully submitted,  
Malik D. Evans  
Mayor

Ordinance No. 2024-249  
(Int. No. 313)

**Authorizing an amendatory agreement for drinking water quality laboratory 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 amendatory professional services agreement with Eurofins Eaton Analytical, LLC for laboratory services to analyze drinking water quality. The agreement shall amend the existing agreement authorized in Ordinance No. 2021-146, and as amended in Ordinance No. 2023-149, to extend the term for one additional year and to increase the maximum compensation by \$30,000. The amendatory compensation shall be funded from the 2024-25 Budget of the Department of Environmental Services.

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. 2024-250  
Re: Amendatory Agreement – Analytical Services, Inc.  
Laboratory services - Cryptosporidium & Giardia

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area: Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation authorizing an amendatory professional services agreement with Analytical Services, Inc. (ASI), (Paul Warden, Vice President and Director of Operations, Williston, Vermont), for laboratory services to detect cryptosporidium and giardia in drinking water at Cobbs Hill and Highland Reservoirs. The original agreement for \$30,000 was authorized in Ordinance No. 2021-145. The agreement was extended for two additional years to a maximum compensation of \$90,000. This amendment will extend the term for one additional year and increase the maximum compensation by \$30,000 to a maximum total of \$120,000. The cost of the amendatory agreement will be funded from the 2024-25 Budget of the Department of Environmental Services.

The testing covered by this agreement is required by the City's current Long Term 2 Enhanced Surface Water Treatment Rule (LT2) Bilateral Compliance Agreement with the New York State Department of Health. The agreement has allowed the City to defer the undertaking of multimillion dollar capital projects at both Highland and Cobb's Hill Reservoirs. The results of the testing covered by this agreement prove the safety of drinking water provided to the City. Although the Water Bureau

maintains a NYS accredited laboratory, testing for cryptosporidium and giardia is a very labor intensive method that would require highly specialized equipment. Therefore, each year the Water Bureau contracts with an outside testing lab for these services.

ASI is a full service microbiology laboratory and has successfully serviced our account for over 15 years.

The City of Rochester's Minority and Women-owned Business Enterprises (MWBE) policy is governed by City Ordinance No. 2018-54 and implemented through the City Purchasing Bureau within the Department of Finance. Applicable goals on this project are as follows per Section 2 of the Ordinance:

<b>Contract Type</b>	<b>Aggregate Annual Award</b>	<b>Aggregate Annual Award: Minorities</b>	<b>Aggregate Annual Award: Women</b>
Public Works Construction Projects	30%	20%	10%
Public Works Consultants	30%	15%	15%
Professional Services Consultants	30%	15%	15%

The amendatory agreement will extend the term one additional year in order to allow the City time to conduct a request for proposal process for these laboratory services.

Respectfully submitted,  
 Malik D. Evans  
 Mayor

Ordinance No. 2024-250  
 (Int. No. 314)

**Authorizing an amendatory agreement for drinking water laboratory 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 amendatory professional services agreement with Analytical Services, Inc. for laboratory services to detect cryptosporidium and giardia in drinking water at Cobbs Hill and Highland Reservoirs. The agreement shall amend the agreement authorized in Ordinance No. 2021-145, to extend the term for one additional year and to increase the maximum compensation by \$30,000. The amendatory compensation shall be funded from the 2024-25 Budget of the Department of Environmental Services.

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. 2024-251  
Re: 2023-24 Annual Action Plan, Consolidated Community Development Plan – International Plaza

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 authorizing the appropriation of \$250,000 from the Project 21 – International Plaza Site Improvements allocation of the 2023-24 Annual Action plan to fund various infrastructure improvements at the International Plaza. These funds will be used for improvements such as but not limited to; adding an additional shade structure, modifications to existing vending kiosks and providing additional amenities such as umbrellas, tables, seating, sound and lighting equipment and public art.

The International Plaza, initiated in 2020, provides a community gathering space to build on the tremendous arts and cultural assets of the surrounding neighborhood and a market where entrepreneurs and/or existing businesses can locate and sell their products and services in a flexible environment that is envisioned to become an incubator for neighborhood economic development. Over 10,000 shoppers and visitors a year enjoy the programs and entertainment at the site.

The improvements are planned to take place during calendar years 2024 and 2025.

Respectfully submitted,  
Malik D. Evans  
Mayor

Attachment No. AX-172

Ordinance No. 2024-251  
(Int. No. 315)

**Appropriating 2023-24 Annual Action Plan funds for infrastructure improvements at the International Plaza**

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

Section 1. The Council hereby appropriates \$250,000 from the 2023-24 Annual Action Plan Project 21, International Plaza – Site Improvements, to provide infrastructure improvements to the International Plaza at 828 North Clinton Avenue.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2024-252  
Re: Agreement – Youth Policy Pilot Project

Council Priority: Support the Creation of Effective Educational Systems

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the Youth Policy Pilot project. This legislation will:

1. Enter into a grant agreement and authorize the receipt and use of a \$50,000 grant from the Rochester Area Community Foundation (Simeon Banister, CEO, 500 East Ave, Rochester NY 14607) to support the Rochester, NY Youth Policy Pilot project. The term of the grant will be for one year.
2. Amend the 2024-25 Budget of the Department of Recreation and Human Services (DRHS) by \$50,000 to reflect the grant received herein.

Rochester is one of three cities (Omaha, NE & Dallas, TX) that the National Civic League (NCL) has identified to participate in a pilot to create a City-Wide Youth Policy on issues that youth identify as important in their daily lives. This partnership will involve working with NCL and RACF to support DRHS. The funds will be utilized for youth participant stipends, a youth summit and town hall meetings, and additional training opportunities for youth.

The pilot will have community involvement with youth leading the initiative to effect policy change in Rochester. Under the grant, DRHS will:

- Establish a youth advisory task force of approximately 20 youth representing Rochester.
- Conduct ongoing community outreach and assessments to identify youth priorities.
- Empower youth to make informed decisions related to influencing policy.
- Create a system for youth to work with local politicians and provide feedback.
- Establish a platform for youth to be involved in the City planning process.

It is anticipated that youth will develop a process of making informed decisions and learn strategies to advocate on behalf of other Rochester youth, learn the process of policy creation, better understand various political ideologies, and gain the skills to effectively participate in public meetings and projects.

Respectfully submitted,  
Malik D. Evans  
Mayor

Ordinance No. 2024-252  
(Int. No. 316)

**Authorizing an agreement and amending the 2024-25 Budget relating to a Youth Policy Pilot Project**

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

Section 1. The Mayor is authorized to enter into a grant agreement with the Rochester Area Community Foundation for the receipt and use of \$50,000 to implement a Youth Policy Pilot Project. The term of the agreement shall be one year.

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

Section 3. Ordinance No. 2024-200, the 2024-25 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget of the

Department of Recreation and Human Services by \$50,000, which amount is hereby appropriated from the Youth Policy Pilot Project grant authorized in Section 1 herein.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2024-253

Re: Agreement – Rochester City Soccer League

Council Priority: Creating and Sustaining a Culture of Vibrancy; Support the Creation of Effective Educational Systems

Comprehensive Plan 2034 Initiative Area: Sustaining Green and Active Systems

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with the Rochester City Soccer League (Nicole Hercules, CEO, 47 New Gate Dr., Henrietta, NY 14467) for coordination of free, indoor and outdoor youth soccer leagues and training for all gender identities. The original agreement was authorized via Ordinance No. 2022-318 and established maximum compensation of \$50,000 for one year, with the option to renew for two additional one-year periods. The proposed amendatory agreement will increase the annual compensation by \$60,000. The new maximum annual total compensation will be \$110,000 to be funded by the 2024-25 Budget of the Department of Recreation and Human Services (\$50,000) and the 2024-25 Budget of the Mayor's Office (\$60,000). The Rochester City Soccer League has grown from seasonal to year-round programming. The program cost increase is attributed to storage fees, additional equipment, uniforms, travel team program costs and consultant fees. The amendment will be for one year, with the option to renew for three additional one-year periods to be funded by future budgets of DRHS and the Mayor's Office, contingent upon approval.

The Rochester City Soccer League will conduct Travel Soccer Teams in addition, facilitate and coordinate the delivery of a year-round comprehensive soccer program including Fall soccer training, Winter indoor soccer training, Winter Youth indoor & Spring/Summer Outdoor soccer leagues and a Sports Camp Soccer Clinic for youth ages 4 to 21 years old. The City of Rochester began partnering with the Rochester City Soccer League in 2016 initially serving 150 youth annually. The program has expanded to currently serve over 1,500 youth. This agreement was last authorized by City Council via Ordinance No. 2022-318.

The Rochester City Soccer League was selected for these services based on our past and current collaborations as well as their response to the DRHS Request for Qualifications.

Respectfully submitted,  
Malik D. Evans  
Mayor

Attachment No. AX-168

Ordinance No. 2024-253  
(Int. No. 317)

## **Authorizing an agreement with the Rochester City Soccer League**

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 City Soccer League for the coordination of free, indoor and outdoor youth soccer leagues and training for all gender identities. The existing agreement authorized in Ordinance No. 2022-318 shall be amended to extend the term for one additional year with the option to extend for up to three additional 1-year periods, and to increase the maximum annual compensation by \$60,000 to a new annual maximum of \$110,000. The compensation for the one-year term of the amendatory agreement shall be funded as follows:

- A. \$50,000 from the 2024-25 Budget of the Department of Recreation and Human Services (DRHS); and
- B. \$60,000 from the 2024-25 Budget of the Mayor's Office.

The compensation for each optional extended term shall be funded from subsequent years' Budgets of DRHS and the Mayor's Office contingent upon approval.

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. 2024-254

Re: Broad and Allen Firehouse Priority Facility Improvements

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Sustaining Green and Active Systems

Transmitted herewith for your approval is legislation related to Broad and Allen Firehouse Priority Facility Improvements Project. This legislation will:

1. Establish \$628,000 as maximum compensation for a professional services agreement with Colliers Engineering & Design, Architecture, Landscape Architecture, Surveying, CT, P.C. (Colliers) (Joseph A. Dopico, 280 E. Broad Street, Suite 200, Rochester, New York), for Construction Management (CM) and Resident Project Representation (RPR) services for the Project. The cost of the agreement will be funded in the amounts of \$560,000 from the proceeds of bonds authorized in July by Ordinance No. 2024-226 and \$68,000 in 2023-24 Cash Capital.

The Broad and Allen Firehouse was constructed in 1955. The Project, which was developed by the Department of Environmental Services (DES) in collaboration with the Rochester Fire Department (RFD), incorporates high priority facility improvements that include renovations to accommodate gender neutral bathrooms and bunkrooms, building system upgrades, general facility renovation, code

compliance and site improvements. The Project was designed by Architectura P.C. as authorized by Ordinance Nos. 2021-402 and 2023-33.

Colliers was selected for CM and RPR services through a request for proposal process, which is described in the attached summary.

From the apparent low construction bids received on May 30, 2024, the DES anticipates awarding a total \$5,882,800 for four prime construction contracts as follows: \$2, 856,000 for general construction by UDN, Inc. (Nick Charvella, C.E.O., 252 Alexander Street, Rochester, NY); \$730,000 for plumbing by DG Messmer Corporation (Gary Messmer, C.E.O., 6319-B Dean Parkway, Ontario, NY); \$1,620,000 for mechanical construction by Pipitone Enterprises, LLC (Stacey L. Pipitone, C.E.O., 140 Stottle Road, Churchville, New York); and \$676,800 for electrical construction by Concord Electric Corporation (John Loiacono, President, 305 Pinewood Dr., Suite 4, Rochester, New York).

The Project will be funded as follows:

	<b>Design</b>	<b>Construction</b>	<b>Construction Contingency</b>	<b>Incidentals</b>	<b>RPR.</b>	<b>Total</b>
Debt authorized in Ordinance No. 2021-403	\$90,000	\$159,000	0	0	0	\$249,000
ARPA authorized in Ordinance No. 2021-402	0	162,000	0	0	0	162,000
ARPA authorized in Ordinance No. 2022-313	540,000	<b>4,464,449</b>	0	595,551	0	5,600,000
2023-24 Cash Capital	0	487,351	48,479	121,170	68,000	725,000
Bonds authorized in Ordinance No. 2024-226	0	610,000	0	68,000	560,000	1,238,000
<b>Total</b>	<b>\$630,000</b>	<b>\$5,882,800</b>	<b>\$48,479</b>	<b>\$784,721</b>	<b>\$628,000</b>	<b>\$7,974,000</b>

The City of Rochester’s Minority and Women-owned Business Enterprises (MWBE) policy is governed by City Ordinance No. 2018-54 and implemented through the City Purchasing Bureau within the Department of Finance. Applicable goals on this Project are as follows per Section 2 of the Ordinance:

<b>Contract Type</b>	<b>Aggregate Annual Award</b>	<b>Aggregate Annual Award: Minorities</b>	<b>Aggregate Annual Award: Women</b>
Public Works Construction Projects	30%	20%	10%
Public Works Consultants	30%	15%	15%
Professional Services Consultants	30%	15%	15%

Construction is anticipated to begin in summer 2024 and be substantially complete in late 2025. The additional funds allocated to the Project will result in the creation and/or retention of the equivalent of 21.3 full-time jobs.

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

Respectfully submitted,  
Malik D. Evans  
Mayor

Ordinance No. 2024-254  
(Int. No. 326)

**Authorizing an agreement relating to the Broad and Allen Firehouse Priority Facility Improvements**

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 Colliers Engineering & Design, Architecture, Landscape Architecture, Surveying, CT, P.C. for Construction Management and Resident Project Representation services for the Broad and Allen Firehouse Priority Facility Improvements (Project). The maximum compensation for the agreement shall be \$628,000, which shall be funded in the amounts of \$560,000 from the proceeds of bonds authorized by Ordinance No. 2024-226 and \$68,000 in 2023-24 Cash Capital. The term of the agreement shall continue to three months after completion of a 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.

By Councilmember Gruber  
August 20, 2024

To the Council:

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

Int. No. 318	Authorizing an agreement for Phase III of the City Schools Facilities Modernization Program
Int. No. 319	Authorizing an agreement and amending the 2024-25 Budget relating to bond counsel services
Int. No. 320	Amending the 2024-25 Budget to account for collective bargaining agreement with the Rochester Police Locust Club
Int. No. 321	Authorizing an agreement for emergency ambulance services



The **BUDGET, FINANCE & GOVERNANCE COMMITTEE** recommends for the following entitled legislation to be **HELD** in Committee:

Int. No. 322                      Resolution concerning the disclosure of consultants' reports

Respectfully submitted,  
Mitch Gruber  
Stanley Martin (*voted against Int. No. 320*)  
Bridget Monroe  
LaShay D. Harris  
Miguel A. Meléndez, Jr.  
**BUDGET, FINANCE, & GOVERNANCE COMMITTEE**

Received, filed and published.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2024-255  
Re: Rochester School District Facilities Modernization Program Phase III – Cooperative Agreement

City Council Priority: Effective Educational Systems

Transmitted herewith for your approval is legislation authorizing a Cooperative Agreement between the City of Rochester, the Rochester City School District (RCSD) and the Rochester Joint Schools Construction Board to carry out Phase III of their Facilities Modernization Program to reconstruct or rehabilitate select City school buildings (the “Phase III FMP Projects”).

The Facilities Modernization Program originated with Chapter 416 of the 2007 Laws of the State of New York (“FMP Act”), which provided alternative financing mechanisms and established the Rochester Joint Schools Construction Board (RJSCB) as the RCSD’s and City’s agent to carry out a Facilities Modernization Program (“FMP”) comprised of up to 13 school improvement projects (the “Phase I FMP Projects”) for a maximum cost of \$325 million, which may be financed by the issuance of bonds. As provided for by the Act, the RJSCB, RCSD and City entered into a cooperative agreement to carry out the Phase I FMP Projects.

Chapter 533 of the 2014 Laws of the State of New York amended the FMP Act to authorize a Phase II FMP consisting of up to 26 projects including a District Wide Technology program (“Phase II FMP Projects”) for a maximum cost of \$435 million financed by the issuance of bonds. Again, the parties executed a cooperative agreement to carry out the Phase II FMP Projects.

Chapter 614 of the 2021 Laws of the State of New York amended the FMP Act again to authorize a Phase III FMP consisting of up to 12 projects (“Phase III FMP Projects”), for a maximum cost of \$475 million to be financed by the issuance of bonds.

The parties have prepared a Cooperative Agreement to plan and carry out the Phase III FMP Projects. The RCSD Board approved the Agreement on May 23, 2024, via Resolution No. 2023-24:819, as has the RJSCB on June 10, 2024, via Resolution No. 2023-24:38. Both approval resolutions are attached.

The Cooperative Agreement authorizes the City to reimburse the RCSD for expenses related to Phase III FMP projects from the proceeds of Bond Anticipation Notes (BANs). The RCSD will advance monies to the

RJSCB for necessary start-up and administrative costs, thus avoiding the need for immediate issuance of BANs. All costs related to debt issuance and repayment will be the responsibility of the RCSD, not the City.

Respectfully submitted,  
Malik D. Evans  
Mayor

Attachment No. AX-169

Ordinance No. 2024-255  
(Int. No. 318)

**Authorizing an agreement for Phase III of the City Schools Facilities Modernization Program**

WHEREAS, Chapter 416 of the 2007 Laws of New York State enacted an Rochester School Facilities Modernization Program Act (Act), in order to provide the City of Rochester (City) and the Rochester City School District (District) with alternative financing mechanisms for a Rochester School Facilities Modernization Program (FMP) for the reconstruction of up to thirteen school buildings for a maximum cost of \$325 million;

WHEREAS, the Act created the Rochester Joint Schools Construction Board (RJSCB), designated the RJSCB as agent for the City and District and authorized it to enter into a cooperative agreement with the City and the District to carry out the FMP, hereinafter referred to as the Phase I FMP Agreement, which the City authorized in Ordinance No. 2010-8;

WHEREAS, Chapter 533 of the 2014 Laws of New York State amended the FMP Act to authorize a Phase II FMP consisting of up to 26 projects including a District Wide Technology program (“Phase II FMP Projects”) for a maximum cost of \$435 million, and the parties executed another cooperative agreement to carry out the Phase II FMP Projects, which was authorized in City Ordinance No. 2015-121 and amended in accordance with Ordinance No. 2016-225;

WHEREAS, Chapter 614 of the 2021 Laws of New York State further amended the Act to authorize a Phase III FMP consisting of up to 12 projects (“Phase III FMP Projects”), for a maximum cost of \$475 million; and

WHEREAS, the parties have prepared and the RJSCB and the District have signed a Phase III Cooperative Agreement that provides for the financing, planning and construction of Phase III FMP Projects in accordance with the Act as amended.

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

Section 1. The Mayor and the President of the City Council be, and hereby are, authorized to execute the Phase III Cooperative Agreement by and between the City, the District and the RJSCB, in the form on file with the City Clerk (Agreement). Pursuant to the Agreement, the local share of the FMP shall be the responsibility of the RCSD.

Section 2. The Mayor shall have the power to effectuate and implement the provisions of the Agreement on behalf of the City.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2024-256

RE: Agreement & Budget Amendment – Hawkins Delafield & Wood LLP — Bond Counsel Services

City Council Priority: Deficit reduction and long term financial stability

Transmitted herewith for your approval is legislation authorizing the following:

1. An agreement with Hawkins Delafield & Wood LLP (Robert P. Smith, Partner, New York, New York 10007) for bond counsel services. The term of this agreement will be for three (3) years, with the option of three (3) additional three year renewals to be funded by the 2024-25 budget of the Law Department and subsequent year’s budgets contingent upon City Council approval; and
2. An amendment to the 2024-25 Budget transferring the sum of \$100,000 from the Finance Department to the Law Department to fund the agreement. The Law Department will assume responsibility for managing this contract beginning in 2024-25.

To finance various capital projects, the City issues, or reissues, bond anticipation notes (BANs) and revenue anticipation notes (RANs) or issues bonds initially. This typically occurs twice each fiscal year. These financings approximate \$35 million, and may total approximately \$100 million when notes are converted to bonds.

Hawkins is being retained as Bond Counsel following a request for proposals.

Hawkins’ proposes fees based upon hourly rates or as a percentage of the debt offering, with the following caps:

	<u>Amount</u>
Each Series of publically sold Bond Anticipation Notes (BANs)	\$18,500
Each Series of publically sold General Obligation Bonds	\$25,000
Each series of negotiated BANs or Bonds	\$30,000
Each series of publicly sold Refunding Bonds	\$30,000

Hourly rates for ancillary legal services are up to \$400 for partners and \$300 for associates.

Respectfully submitted,  
Malik D. Evans  
Mayor

Attachment No. AX-170

Ordinance No. 2024-256  
(Int. No. 319)

**Authorizing an agreement and amending the 2024-25 Budget relating to bond counsel 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 Hawkins Delafield & Wood LLP to provide bond counsel services for a term of 3 years with the option to extend for up to three additional 3-year periods.

Section 2. The agreement's fees for debt sales shall be: \$18,500 for each series of publically sold Bond Anticipation Notes (BANs); \$25,000 for each series of publically sold General Obligation Bonds; \$30,000 for each series of negotiated BANs or Bonds; and \$30,000 for each series of publicly sold Refunding Bonds. The hourly fee for ancillary legal services shall be up to \$400 for the firm's partners and up to \$300 for the firm's associates. The agreement fees shall be funded from the 2024-25 and subsequent years' Budgets of the Department of Law.

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

Section 4. Ordinance No. 2024-200, the 2024-25 Budget of the City of Rochester, as amended, is hereby further amended by transferring \$100,000 from the Budget of the Department of Finance to the Budget of the Department of Law.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2024-257

Re: 2024-25 Budget Amendment – Locust Club Budget Amendment

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation amending the 2024-25 Budget by transferring a total of \$3,427,400 from Contingency to the following budgets to reflect the impact of the new Rochester Police Locust Club contract:

1. \$3,183,800 to the Police Department; and
2. \$243,600 to Undistributed to cover the cost of related employee benefits.

On June 18, 2024, when the 2024-25 Budget was adopted by City Council, salary and wage rates had not yet been established for uniformed employees represented by the Rochester Police Locust Club, Inc. The collective bargaining agreement expired June 30, 2024. After multiple negotiation sessions, an agreement was reached and adopted by union membership on July 1, 2024. This agreement resulted in the following wage adjustments:

July 1, 2024	4.0%
July 1, 2025	3.75%
July 1, 2026	3.75%
July 1, 2027	4.0%

In addition to base wage adjustments, shift differential pay and Field Training Officer pay were increased for personnel to incentivize retention efforts. In addition to the financial portion of the award, greater flexibility was afforded to the City in personnel assignments, sick leave allowances, and recruitment backgrounding efforts.

Respectfully submitted,  
Malik D. Evans  
Mayor

Attachment No. AX-171

Ordinance No. 2024-257  
(Int. No. 320)

**Amending the 2024-25 Budget to account for collective bargaining agreement with the Rochester Police Locust Club**

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

Section 1. Ordinance No. 2024-200, the 2024-25 Budget of the City of Rochester, as amended, is hereby further amended to fund salary, wage and benefit increases for Police Department personnel resulting from the new Rochester Locust Club collective bargaining agreement by transferring \$3,427,400 from the Budget of Contingency and apportioning it as follows:

- A. \$3,183,800 to the Budget of the Police Department; and
- B. \$243,600 to the Budget of Undistributed Expense.

Section 2. 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. 2024-258  
Re: Amendatory Agreement – National Ambulance & Oxygen Service, Inc. d/b/a American Medical Response

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with National Ambulance & Oxygen Service, Inc. d/b/a American Medical Response (AMR) (Nicole Henricksen, President, Northeast Region, Philadelphia, Pennsylvania) for the continued provision of emergency ambulance services. The current agreement was authorized by Ordinance No. 2020-17 for a term of four years with two renewal options of one year each. This amendatory agreement will extend the current agreement's initial term for an additional two years to run through November 30, 2026, with provision for three optional renewals of two years each. It also amends AMR's scope of services to implement several modifications recommended by an expert retained to address systemic problems in the City's emergency medical services (EMS) system.

AMR, formerly Rural/Metro Medical Services of Rochester, NY (Rural/Metro) has provided emergency ambulance service for the City since 1988 pursuant to agreements authorized by City Council in 1988, 1992, 1996, 2002, 2007 and 2012. The current agreement expires on November 30, 2024. In order for the current agreement to be renewed following that date, AMR must provide notice to the City of its decision on or before August 31, 2024.

AMR was selected following an extensive RFP process that commenced September 30, 2019. The City received proposals from the only two ambulance companies issued certificates pursuant to the New York Public Health Law to provide emergency ambulance service within the City of Rochester: AMR and Monroe Ambulance (Monroe). Monroe's response lacked sufficient information and detail to determine the extent of their operations and their ability to perform the services that a City contract would require. Monroe also declined the opportunity to give an oral presentation to the task force, introduce key personnel, provide a tour of the company premises, and show available equipment.

The recommending attributes for AMR included: accredited by the Commission on Accreditation of Ambulance Services (CAAS); part of a large national ambulance company; ability to draw resources from Buffalo and Syracuse if needed in an emergency; providing an EMT academy for city residents; and staffing a tactical medical unit working in conjunction with the Rochester Police Department SWAT team. AMR had a superior initial deployment plan, including increasing ambulances to be deployed at peak times. AMR consistently monitors and updates their deployment practices. AMR also proposed and has successfully launched a Nurse Navigation program to increase the availability of emergency response personnel to respond to life-threatening emergencies and reduce emergency department overcrowding by routing 911 calls for specific, non-life threatening injuries or illnesses to a New York-licensed nurse to assess the caller and facilitate the most appropriate medical care, including, if necessary, transportation assistance to a local healthcare provider.

Emergency ambulance service is a key component of the health care system in the City. Beginning during the Covid-19 pandemic and continuing since, emergency ambulance services have experienced service disruptions nationwide due to: increased call volume, elongated delays transitioning patients to hospitals, workforce shortages, increasing costs, and supply chain disruptions. While some of these issues were not new at the time of the Covid-19 pandemic, they were certainly exacerbated by it.

These difficulties had a considerable, negative impact on the City of Rochester and its citizens. In February 2022, in order to begin addressing these systemic problems, the City commissioned a report from Fitch Solutions (Fitch) to evaluate the City's EMS system based upon five years of historical data from 2017 to 2021. The Fitch report provides an assessment of the current EMS system, suggestions on contractual compliance performance objectives, and a comparative analysis with similar communities. The report also includes an evaluation of seven alternative EMS models for the City's consideration.

Through this amendatory agreement, the City will implement several of the recommendations outlined in the Fitch report, including maintaining the current unsubsidized EMS model, shifting certain response time requirements to sustainable limits, and eliminating co-response requirements, which mandate that AMR respond in a shorter timeframe for calls where the Rochester Police Department is expected on scene. The City and County Medical Director, Dr. Jeremy Cushman, was a part of the team that reviewed these determinations and approved them as clinically appropriate.

In addition to the changes in this amendatory agreement, the City is committed to exploring additional investments to further ensure the reliability and stability of emergency medical response within the City. Dr. Cushman teamed with City leadership, including representatives from the Rochester Fire Department, Mayor's Office, Emergency Communications Department, Office of Management and Budget, and Law Department, to identify and explore additional EMS investments, including expanding RFD basic life support treatment capabilities; increasing community education and engagement; expanding the successful Nurse Navigator program; improving access to mental health services; and investing in advance life support, first-response squad vehicles for RFD use and personnel to staff those vehicles.

Respectfully submitted,  
Malik D. Evans  
Mayor

Ordinance No. 2024-258  
(Int. No. 321)

**Authorizing an agreement for emergency ambulance 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 amendatory agreement with National Ambulance & Oxygen Service, Inc. d/b/a American Medical Response (hereinafter, AMR) to continue to provide emergency ambulance services within the City. The amendatory agreement shall amend the existing agreement authorized by Ordinance No. 2020-17: to extend the term by two years to November 30, 2026; to provide options to extend the term by up to three additional periods of two years each; and to modify the scope of services to incorporate several recommendations provided in expert consultant's report analyzing the City's emergency medical services (EMS) delivery system, including continuing the current unsubsidized EMS model, shifting response time requirements to sustainable limits, and eliminating the requirement of shorter response times when the Rochester Police Department is expected on scene.

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

Section 3. This ordinance shall take effect immediately.

Passed by the following vote:

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

Nays - Councilmember Martin - 1.

By Councilmember Lightfoot  
July 23, 2024

To the Council:

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

- |              |   |
|--------------|---|
| Int. No. 323 | Authorizing an agreement for a Victims of Crime Act Victim and Witness Assistance Grant   |
| Int. No. 324 | Authorizing agreement and amending the 2024-25 Budget for the Crime Survivors Speak March on Washington, <b><u>as amended</u></b> |
| Int. No. 325 | Resolution appointing a member of the Police Accountability Board   |

Respectfully submitted,  
Willie J. Lightfoot  
Mitch Gruber  
Mary Lupien  
Stanley Martin  
Bridget Monroe  
Michael A. Patterson (*absent*)  
Kimberly Smith  
LaShay D. Harris  
Miguel A. Meléndez, Jr.  
**PUBLIC SAFETY COMMITTEE**

Received, filed & published.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2024-259  
Re: Grant Agreement – New York State Office of Victim Services

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to a New York State Office of Victim Services (NYS OVS) grant. This legislation will authorize an agreement with New York State Office of Victim Services (NYS OVS) for the receipt and use of a Victims of Crime Act Victim and Witness Assistance Grant of \$395,924.08 for the period of October 1, 2024 to September 30, 2025. This is the third and final year of a three-year grant with a term of October 1, 2022 to September 30, 2025.

The Victims of Crime Act Victim and Witness Assistance Grant Program funds a portion of personnel expenses of the Community Support Counselors (CSC) in the DRHS Crisis Intervention Services (CIS) unit. CSCs provide support to victims of crime, including referrals for wrap-around support, assistance in completing applications for funding from the NYS OVS, and information on the legal process and their pending criminal cases. Grant reimbursement of these personnel expenses was anticipated and included in the 2024-2025 Department of Recreation and Human Services and Undistributed Expenses budgets. From October 1, 2023 – June 30, 2024, the CSCs funded by this grant assisted over 930 crime victims.

This was last authorized by City Council via Ordinance No. 2023-320 on September 20, 2023. The City has received this funding since at least 2014.

Respectfully submitted,  
Malik D. Evans  
Mayor

Ordinance No. 2024-259  
(Int. No. 323)

**Authorizing an agreement for a Victims of Crime Act Victim and Witness Assistance Grant**

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 New York State Office of Victim Services for the receipt and use of a Victims of Crime Act Victim and Witness Assistance Grant of \$395,924.08, which is hereby appropriated to fund a portion of personnel expenses for the Department of Recreation and Human Services' Crisis Intervention Services unit to provide wrap-around support for victims of crime. The term of this agreement shall be October 1, 2024 through September 30, 2025.

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. 2024-260

Re: Grant Agreement – The Alliance for Safety & Justice (ASJ) of the Crime Survivors for Safety & Justice (CSSJ)

Council Priority: Public Safety

Comprehensive Plan 2034 Area: Fostering Prosperity and Opportunity

Transmitted herewith for your approval is legislation related to a Crime Survivors Speak March on Washington Grant. This legislation will:

1. Authorize an agreement with The Alliance for Safety & Justice (ASJ) of the Crime Survivors for Safety & Justice (CSSJ) (Kim Youngblood, East Coast Region CSSJ Team Lead, 1624 Franklin Street, 11th Floor Oakland, CA) for receipt and use of a \$14,160 grant to bring together crime survivors from the Rochester community most affected by crime, to share stories, honor loved ones, and advocate for smart justice policies that transform families, communities, and the country. The term of the grant will be for one year; and
2. Amend the 2024-2025 Budget of the Office of the Mayor by \$14,200 for the funding received in the grant above.

The Mayor's Advisor on Violence Prevention acts as a City liaison on violence prevention efforts and strategy on the federal, state, and local levels. The Mayor's Office will act as the host organization for this grant, including coordination assistance, a custom attendee registration link, and transportation and hotel needs of twenty (20) attendees.

Respectfully submitted,  
Malik D. Evans  
Mayor

Ordinance No. 2024-260  
(Int. No. 324)

**Authorizing agreement and amending the 2024-25 Budget for the Crime Survivors Speak March on Washington, as amended**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with The Alliance for Safety and Justice of the Crime Survivors for Safety and Justice for the receipt and use of a grant in the amount of ~~\$14,200~~ \$14,160 for the Crime Survivors Speak March on Washington (Survivors March). The agreement shall have a term of one year.

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

Section 3. Ordinance No. 2024-200, the 2024-25 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget of the Office of Mayor (Mayor's Budget) by \$14,200, which amount is hereby appropriated for the Survivors March from the grant funds authorized in Section 1 herein.

Section 4. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Resolution No. 2024-45

Re: Police Accountability Board Appointment

Transmitted herewith for your approval is a resolution appointing Lwam Tecleab to the Police Accountability Board for the East District Seat. This candidate was interviewed by City Council members.

Lwam Tecleab will serve a term expiring on June 30, 2027.

City residency was verified and Lwam Tecleab's resume is on file with the City Clerk.

Respectfully submitted,  
Miguel A. Meléndez Jr.  
City Council President

Resolution No. 2024-45  
(Int. No. 325)

**Resolution appointing a member of the Police Accountability Board**

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

Section 1. The Council hereby approves the appointment of Lwam Tecleab to the Police Accountability Board to fill a vacancy for the seat designated to the East District for a term expiring on June 30, 2027.

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

The meeting was adjourned at 7:38pm.

HAZEL L. WASHINGTON  
City Clerk